Mr. Stanford, moved to insert the word "standing" so as to read "to *raise* an additional number of *standing* troops."

Some amusement arising at the singularity of this phraseology with the amendment of *Mr. Standford*—

Mr. Blount withdrew the title and moved the following: "to raise troops for defence of the the U. S. against impending danger."

Mr. Randolph called for the Yeas and Nays on this also.

Mr. Stanford moved to adjourn, Negative Yeas 8.

Mr. Randolph moved to amend the amendment by inserting "for an unlimited time."—Negatived, Yeas 6.

The question was then taken on *Mr. Blount's* last motion, by Yeas and Nays as follows:

YEAS—Messrs. Bassett, Blackledge, Blake, Blount, Burwell, G. W. Campbell, Clopton, Cook, Cutts, Dawson, Deane, Desha, Eppes, Fisk, Franklin, Goodwyn, Green, Holland, Holmes, Johnson, Macon, Marion, D. Montgomery, J. Montgomery, N. R. Moore, T. Moore, Jer. Morrow, John Morrow, Newton, Nicholas, Porter, J. Richards, Smilie, S. Smith, Wharton, Wilbour, Wilson & Winn—38.

NAYS—Messrs. Alexander L. J. Alston, W. Alston, Bacon, Bard, Bibb, Boyd, Butler, Calhoun, Chittenden, Clinton, Culpepper, Dana, Davenport, Dureil, Ely, Findley, Gardner, Garnett, Gray, Harris, Heister, Helms, Howard, Ilsley, Jackson, Jenkins, Kirkpatrick, Lambert, Lyon, Masters, Milnor, Pitken, Quincy, Randolph, Rhea, (Ten.) Russel, Sloan, Smelt, J. K. Smith, Southard, Stanford, Stedman, Storer, Tallmadge, Taylor, Troup, Van Allen, Van Cortland, Verplank, D. R. Williams, M. Williams & Witherell—53.

Mr. Blount said as he had failed in this, he must continue to make motions until he could procure an amendment. He now moved the following title: "An act to raise for a limited time an additional military force."

Mr. Stanford moved to adjourn—Negatived, Yeas 26.

Mr. Randolph called for the yeas and nays on this title also, lest it should be supposed that he was of the number of those who declared in the title that the time was limited, when he & the whole House knew it was not.

Mr. Bibb moved to adjourn—Negatived 48 to 31.

The question was then taken on the title as last moved, by Yeas and Nays as follows:

YEAS—Messrs. L. J. Alston, W. Alston, Bacon, Bard, Bassett, Blackledge, Blake, Blount, Boyd, Burwell, Calhoun, G. W. Campbell, Clopton, Cook, Cutts, Dawson, Deane, Desha, Durell, Eppes, Findley, Fisk, Franklin, Goodwin, Green, Heister, Holland, Holmes, Howard, Ilsley, Jackson, Johnson, Jones, Kirkpatrick, Lambert, Macon, Marion, M'Creery, Montgomery, N. R. Moore, T. Moore, Jer. Morrow, John Morrow, Newton, Nicholas, Porter, Rhea, (Ten.) J. Richards, Smilie, J. K. Smith, Southard, Taylor, Van Allen, Verplanck, Wharton, Wilbour, Wilson, Witherell.—58.

NAYS—Messrs. Alexander, Bibb, Butler, Chittenden, Culpepper, Dana, Davenport, Ely, Gardner, Garnett, Gray, Harris, Helms, Hoge, Lyon, Pitken, junr. Quincy, J. Randolph, Rowan, Sloan, Stanford, Stedman, Storer, Tallmadge, Upham, D. R. Williams, M. Williams, Winn. —29.

Mr. Bibb said he had voted for the bill under an idea that the time was limited. Nothing would be farther from his wish than to vote for a bill for raising troops without limitation. He therefore, as one of the majority moved to reconsider the vote on the passage of the bill.

Mr. Smilie asked whether the motion were in order, after the title was agreed to, and the bill *ipso facto* out of the reach of this House?

The Speaker decided that the motion was in order.

And the question on re-consideration was taken and negatived, 60 to 25.

And then the House adjourned at about 7 o'clock.

NOTICE.

ALL Persons having claims against the estate of *Elizabeth Philpot*, late of Charles county deceased, are hereby warned to exhibit them legally authenticated on or before the 8th day of December, otherwise they may by law be excluded from all benefit of said estate, and all those indebted to said estate are requested to make immediate payment to Mr. Laurence Perry, who is fully authorised, to conduct the said administration.

P. B. SMOOT, Exr.

Millersburg, Bourbon County }
Kentucky, June 8—3t }

WASHINGTON CITY.

WEDNESDAY, JUNE 8.

On Monday the annual election for members of the Council of the City, was held in the several wards; the following is the result:

First Chamber.	
Charles W. Goldsborough	210
Thomas Young	208
Peter Lenox	177
Charles Jones	170
George Andrews	169
Thomas Thorpe	162
John M'Gowan	157
Thomas Patterson	150
Stephen Pleasonton	147
Second Chamber.	
Elias B. Caldwell	253
James Hoban	179
John Dempsie	163
Joseph Stretch	155
Richard Forrest	151
Francis Clarke	144
Daniel Rapine	127
Buller Cocke	119
* Phineas Bradley	109
* Philip Mauro	109
William Prout	102

Those marked with an (*) are equal, consequently neither of them are elected; it therefore remains with the Chamber to make choice of one of the three last mentioned.

The Editor of this paper, although invariably anxious to avoid the agitation of local questions calculated to produce rather than allay division, considered it his duty to admit the piece in the last paper, under the signature of A Citizen, in reply to a performance in the preceding paper. In the former piece he perceives an intimation, which, were he not to repel, he would be wanting in regard to the great interests of the city. This insinuation relates to the "Poor schools" established in this place. It is his conscientious belief that they have been productive of more benefit, than the expenditure of the money applied could have produced in any other way. To shew this a few facts only shall be stated, as it is his wish, in the present interesting crisis of our national affairs, to fill his columns with articles of a general nature.

When those schools were instituted, it may be confidently alleged that more than half the children in the city were altogether uneducated. Such too were the expences of tuition, the force of habit, and the indigence of the lower classes, that these children were irretrievably consigned to ignorance. Since this institution has been organized, the benefits of a good elementary education have been conferred on about one hundred and fifty children. Two ample school-houses have likewise been built, *from individual contributions*, and two respectable schools established in which every Academic branch of knowledge is taught.

By this means the children of the poor are qualified for being good apprentices and eventually good workmen, or, according to the talents they display, rendered worthy of professional attainments. The effect of this institution will be in a period of twenty years to extend the benefits of a good education to five hundred children, to qualify them for being good mechanics, clerks, merchants, or professional characters; who, but for this, would have been consigned to ignorance, to indigence, to vice. All this too is effected, not by a burthen imposed on the rich, but by taxes, the power of imposing which was asked from and given by Congress for this this express purpose; taxes applied, in the state of Maryland, to this object; taxes on luxury, and vice.

The enemies of the administration, who, in their zeal to recover their political power, have shewn their readiness even to take part with a foreign enemy, having ineffectually endeavored to inflame the popular resentment against the *principle* of the embargo, are now insidiously aiming at the accomplishment of the same object by indirect attacks upon the embargo, by attempts to shew the *oppression* and *unconstitutionality* of the supplementary acts passed to carry it into effect. The style in which these attempts are made proves the intention. Our reason is not addressed, but our passions are stormed. We are pathetically addressed as an oppressed, a ruined people, and are called upon to resist our oppressors. In this appeal to our passions we behold the true features of federalism!

Now, as to the alleged *oppression* of the supplementary acts, it is admitted that the embargo cannot be justly tried unless carried into full and impartial operation. The attempt to carry it into such effect without multiplying legal sanctions has been tried; and it has proved illusive. Worthless foreigners and unprincipled partizans, men who to carry their points will use every means, have extorted from Congress the iron provisions of law. Before these provisions were enacted we were told, and truly told that the embargo *inexecuted* was calculated to produce the worst species of oppression, by its exclusive pressure on the honest part of the community, and its evasion by the dishonest part. We were told that the latter were enriching themselves on the spoils of the former; and facts demonstrated it. To cut up this oppression by the roots, the supplementary acts were passed. These require bonds to be given in almost every instance; interdict the clearance of vessels to districts of the United States adjacent to foreign possessions, and give authority to Executive officers to stop any vessel within or without the United States, suspected to be engaged in any traffic inhibited by the act laying an Embargo.

These provisions have had the effect contemplated. But no sooner is this discovered, and the first oppression exclaimed against destroyed, then a new cry is raised against the very measures taken to relieve it. No other measures are pointed out, having this effect, which would be unoppressive. It is not contended that the embargo could be carried into effect without resorting to these measures; but an idle cry of oppression is kept up. There is no doubt but that there is a considerable degree of oppression in the original act, as well as in all passed that are incidental to it. But the simple question is, how could this have been prevented. The Embargo was adopted to save our property, nearly our whole property from destruction, and to preserve peace. To avert so great an evil as the former, it was necessary to take a lesser. The man, who is driven to the expence and trouble of locking up his house at night to secure himself and his effects against the murderer and robber, might as well inveigh against the unfortunate necessity that compelled him to take such precautions. Let us not be deceived; let us look to the actual effect of these measures. They have given to the embargo salutary vigor so far as it is applicable to foreign powers; they have given it an equal and impartial operation so far as it relates to ourselves; they have stopped short the career of unprincipled traders, traders in their country's misfortunes. They have, unfortunately, we admit and regret it, diminished the coasting trade of the merchant; but this is a small evil compared with those which they have cured. The farmer and planter, it cannot be too often repeated, constitute the great interest affected by the Embargo; and to give it an impartial operation on them ought to be the great object. Some little inconvenience may be felt, in consequence of these provisions, by the fair traders; but they will be temporary, and will be infinitely countervailed by the decisive check given to the iniquities of the fraudulent dealer. As to the oppressive exercise of the powers given to Executive officers that is out of the question. There is no motive to prompt it, and the spirit of the country would not bear it. Does it exist? Is it felt? Are provisions scarce in any one point, or is their price materially elevated in one place or depressed in another, thereby supplying the materials for pernicious speculation? The fact is not alleged; it does not exist. Instead of this, the inevitable effect will be to diminish speculation.

Now, as for the unconstitutionality of these provisions. It is contended that the constitution does not authorise some of the provisions in the last supplementary act; and, further, that if it did, that act does not authorise some of the measures taken by the President.

The powers given by the act are said to be unconstitutional, because the constitution only gives the power to *regulate* commerce, not to *annihilate* it, and declares, likewise, "that no preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another." The first argument, it will be at once perceived, applies to the *principle* of the embargo, as well as the supplements. The article of the constitution relied on is this:—Congress shall have power "to *regulate* commerce with foreign nations, and among the several states, and with the Indian tribes." This power was given, not so much with a view to the protection of commerce (though doubtless that too may have been contemplated) as in order, in the language of the constitution, "to form a more perfect union, establish justice, insure domestic tranquility, *provide for the common defence, promote the general welfare*, and secure the blessings of liberty to ourselves and our posterity"—these being all the objects specified in the preamble of that instrument.

It is without hesitation admitted that the power to *regulate* does not include the power to *annihilate* commerce. The idea of annihilating it is absurd; human existence, savage or civilised, depends upon it. Regulate it to ten times the extent done by the embargo, and it still continues in a wide extent. They who talk of the embargo annihilating commerce talk without understanding the force of words. Carry the embargo into the fullest effect, and there still remains by far the greater part of the commerce between man and man previously carried on in the interior, there remains that portion of trade which consists in the importation of foreign vessels, and the trade of the American merchant from one foreign port to another, with various other species of traffic, which it is not necessary to enumerate. It is manifest, then, that trade in this point of light is not annihilated by the embargo.

Further, annihilation implies permanent destruction. Can that then be called *permanent destruction* which is nothing more than *temporary suspension?* Were the provisions ten times as severe, they could not, under this aspect of the subject, amount to the annihilation of commerce. As they are they have necessarily flowed from the power to *provide for the common defence*, and to *promote the general welfare*. And if these great national objects dictated either such a measure as that resorted to, or one still more severe, so long as they were adopted as temporary, they would be in strict correspondence with the constitution. Let us put a case, which we apprehend to be completely decisive. Congress have power to *declare war*, as well as power to *regulate commerce*. Would not the exercise of the first power, connected with the duty of defending the country, in case war should be declared against all the nations with whom we have commercial intercourse, warrant their prohibiting the supply of our produce to them or their dependencies in case they opened their ports to our vessels and promised to refrain from taking them on their passage over the ocean? It certainly would—thereby proving that the power to regulate commerce may in certain events, temporarily suspend it altogether.

But, "no *preference* shall be given by any regulation of commerce or revenue to the ports of one state over those of another;"—and, yet, the supplement prohibits the going of any vessel to the ports of districts adjacent to foreign possessions. We are said to give a preference to one place over another, when we confer upon it a privilege denied to the other. The expression as here used, must mean a *legal privilege*, as all the trade of the U. S. is carried on under certain provisions prescribed by law. Now these provisions, as well as the Constitutional provision quoted, have for their object the securing to the whole U. S. the same benefits, and the supplementary interdiction goes to insure this very end. But for it, the temptations to fraud in the districts adjacent to foreign possessions would be so great, as to give to their ports a decided *preference* over the other ports of the U. S.; as in the latter the embargo would be strictly, while in the former it would be laxly enforced. If by this provision there be a privilege taken away, it is the unjust and illegal privilege of a fraudulent trader.

So much for the constitutionality of the supplementary act; now, for the measures adopted by the President to carry it into effect. The 11th section authorises the collectors to detain any vessel ostensibly bound with a cargo to some other port of the U. S. whenever in their opinion the intention is to violate any of the embargo provisions, until the decision of the President shall be had thereupon.

Under this provision, the President has recommended to the Collectors that all shipments of flour and other provisions, lumber, naval stores, pot and pearl ashes and flax seed from places where they cannot be wanted for consumption, should be detained. But to guard against inconvenience that might arise from the want of a sufficient supply of provisions, authority is given to the governors of Orleans, Georgia, South Carolina, Massachusetts and New Hampshire, to permit any merchant possessing their confidence to obtain a supply from any port of the U. S. usually exporting flour.

It is contended that the act does not authorise this exercise of power by the President; much less its transfer to the governors of states.

In the exercise of this power, the Executive, instead of waiting for information to be sent to him by the Collector in each specific case, in the Circular to collectors generalizes the cases in which certain acts will amount, in his opinion, to evidence of an intention to violate the act, by which he is made the final judge. To avoid injurious delays he expounds the principles which are to regulate his judgment. But to guard against an abuse of the power, thus conferred, weekly returns of every detention are directed to be transmitted to the treasury department. Does it not then clearly follow that he reserves to himself, notwithstanding the duty assigned to the collectors, the right of finally determining on every case that occurs? He invades no right; he usurps no power; but merely to save trouble to the revenue officers and vexation to the merchant expounds the principles which will regulate his decision in examining cases brought before him as invasive of the embargo; for which the merchants ought to thank him. If the detentions made by the collectors are all correct, he is silent; if incorrect, he, no doubt, would interpose his authority.

But his right to bestow the power, we have stated, on the governors of states, is disputed. But we ask, how could the great object in view be answered by any other means? Are the people of the several states, in want of flour, to wait for permission to get it until they shall have heard from the President of the U. S.? The idea is too monstrous to be maintained for an instant, and only evinces the absurd length to which the fault-finding spirit of party is prone to go. How could the President judge of the degree of confidence proper to be reposed in merchants, or of the quantity of flour wanted for a particular state, but from the information received from others, and who so entitled to confidence as the man invested by his state with the highest political trust?

We observe, from the Orleans Moniteur, that M. Moreau Lislet, lately appointed Judge of the Superior Court of the territory of Orleans, declines accepting the appointment.

The Legilature of Massachusetts have counted the votes for Governor and Deputy Governor, from which it appears that the votes given for Governor were 81,147
Of which James Sullivan has 41,193
Votes given for Lt. Governor 79,730
Of which Levi Lincoln has 40,344

Both these gentlemen are decidedly republican.

The Legislature of Georgia have elected Robert Walker, Esq. Judge of the state superior court for the middle district and John Forsyth, Esq. Attorney-General.

SPIRIT OF THE TIMES.

At a numerous and very respectable meeting of the citizens, held on Wednesday Evening, the 1st inst. at the Capitol, in the city of Richmond for the purpose of promoting Domestic Manufactures:

The Governor, was called to the *chair*; and

Thomas Ritchie appointed *Secretary*.

On motion of Dr. Foushee, sen. the following resolutions were adopted:

Resolved unanimously, as the opinion of this meeting, That at this important crisis, when we have but little to hope from the justice of the great belligerent powers of Europe, who have introduced a new system of warfare, by attacking neutral commerce, it is highly expedient, that the people of these U. States should rely upon those internal resources with which they are so amply provided.

Resolved therefore, That a committee be appointed to digest a plan for the establishment of Manufactures, adapted to our particular situation, and that they make their report to a meeting of the citizens to be held at the Capitol on Wednesday next.

On motion, the Chairman nominated the following gentleman to compose the committee:

James Monroe, Edward Carrington, Alexander M'Rea, David Bullock, Creed Taylor, Wm. Foushee, sen. Abraham Venable, Robert Gamble, James Brown, Norborne Nicholas, George Hay, Thomas Ladd, Jno. Brockenbrough, Peyton Randolph and William Wirt.

On motion, the following members were added:

Benjamin Tate, Samuel Adams, Joseph Gallego, John Cunningham, John Clark, William H. Cabell.

On motion of Mr. Hay, *Resolved*, That the preceding members of the committee, or any seven of them, be authorised to make their report on Wednesday next.

On motion of Mr. Munford, *Resolved unanimously*. That at the celebration of the Anniversary of American Independence, on the 4th day of July next, we the persons present at this meeting, will, as far as practicable, appear clothed in articles of the