

Excellency and their constituents, that they will not cease their efforts to preserve to Massachusetts the inestimable privilege, guaranteed by that instrument of appointing in a fair and impartial manner Electors of the first magistracy of the union. To a steadfast adherence to this determination, they will be alike induced, by their own wishes, their regard to the rights and interests of their constituents, the allegiance they owe to this Commonwealth as a "sovereign and independent state" their attachment to the constitution of the U. States, and the obligations of that oath, by which they are bound to its support. Should this duty therefore be neglected, should no mode of appointing electors be prescribed by the Legislature, should the people of this state, upon this most important occasion, be deprived of their political consequence, and of the right of citizens, and thus have imposed on them a President hostile to their interests and abhorrent to their wishes, the House of Representatives owe it to themselves, to declare that of this political sin, they will be guiltless. They cannot however permit themselves to believe that a period so momentous to their country and the world, either branch of Legislature will attempt to control the wishes, or counteract the demands of a great majority of the people of this Commonwealth.

The House of Representatives have witnessed with great satisfaction, the course which your excellency has adopted and pursued, in regard to the requisition of Major General Dearborn, for the part of the quota of the militia of this Commonwealth; and it is due to your excellency to declare, that the conduct of the executive, upon this interesting subject, has met the unqualified approbation, not only of this House, but of the great body of the people. While on the one hand, it has discovered a sincere desire to comply with the requisition of the Constitution of the U. S. and the laws made in pursuance thereof, it has equally evinced a determination to protect the citizen against all unconstitutional encroachments, and to maintain the rights of the state, as secured and recognized, by that constitution. By the constitution, Congress are wisely entrusted, not only with the right of declaring war but with the power of raising such forces, both by sea and land, as may be necessary for its vigorous prosecution. By a discreet and judicious exercise of these important powers, the national government may, at all times, place themselves in such a state of preparation as to render the aid of the militia unnecessary in the commencement of an offensive war deliberately declared by themselves, and the power to call the militia into service was never intended to be exercised, except in cases of sudden emergency, or for the purposes of defence, not with a view of forming them into a standing army, or to prosecute a war of conquest. Any other construction of the constitution than that which your excellency has adopted, would expose the citizens to be torn from their homes, whenever the general government might think proper to declare war, and to be retained in the service of the United States as long as the war might continue, while by thus depriving the commonwealth of all their means of protection and defence, every essential attribute of state sovereignty would be completely destroyed. The commonwealth of Massachusetts have never surrendered to the general government the power to call forth their militia, excepting to execute the laws of the union, suppress insurrection and repel invasion, & whenever this call is made it is not only the right of the commander in chief, but his sacred duty to determine whether those exigencies exist. The citizens of this Commonwealth will long cherish grateful recollections of the faithful and independent manner, in which your excellency has discharged this important trust. And the papers and documents, upon this subject, referred to in your Excellency's communication, shall receive from the House of Representatives all that attention which their importance requires.

While the troops of the U. S. are withdrawn from our garrisons and harbors, and our extensive sea coast is left destitute of a maritime defence, the H. of Representatives will endeavor to furnish all the means of protection in their power by supplying every citizen with such arms and military stores, as their situation may require. Still, however, it is obvious, that maritime protection only, can afford real security to the numerous towns which are exposed to the enemy, and the islands which border on our coast.

The House of Representatives are not without hope that their own experience will satisfy the national government of the necessity of a naval force, for while disaster and defeat have attended our arms on the land, a recent occurrence has bore honorable testimony to the skill and bravery of our gallant seamen.

The House of Representatives deem it unnecessary, at this time, to enter into a consideration of the avowed causes of that unhappy war in which our country is engaged. They cannot however, refrain from expressing their surprise and regret, that although the principal cause for its declaration has ceased, by the revocation of the British Orders in Council, no disposition has been manifested by our rulers, to bring it to a peaceful termination, and the United States now present the novel spectacle of a nation, professedly contending for the rights of commerce and by that contest annihilating its benefits, while, if the declaration of our own government be correct, that the French decrees are repealed, we might at this moment enjoy an unrestrained commerce with all parts of the globe, contending too, with a nation whose downfall would be attended by our own subjugation; and in concert with that power whose triumph would bind us in chains. In such a war, commenced without preparation, and prosecuted as it has been with a mixture of imbecility and rashness, it is not surprising that those who must endure its privations and who foresee its dreadful consequences, should from the best principles of patriotism, proclaim its inexpediency and doubt its justice. Upon this subject the House of Representatives have fully expressed their opinions on a former occasion: and they have now to add, that by the events which have since transpired, both at home and abroad, those opinions have been strengthened and confirmed.

In a government like ours, public sentiment alone must arrest the progress of those calamities, which the measures of the administration might produce. This house, therefore, have viewed with detestation and abhorrence, the attempts which have been openly made in a distant state to overawe public opinion, by lawless force, and to silence the freedom of the press by personal outrage.

The House of Representatives assure your excellency, that they will be unceasing in their efforts to maintain the tranquillity of this commonwealth, to secure to the citizens the liberty of speech, the freedom of the press, & the rights of election; to assuage the asperity of party animosity; to mitigate the calamities of war, by the exercise of justice and humanity; to preserve the Union of the States in the genuine spirit of the constitution; and by the blessings of heaven, to restore to our suffering country prosperity and peace.

THE ALGERINE WAR.

The hostile disposition of the Dey of Algiers towards the U. States, has been known here for some time. On this subject we have been obligingly favored with the following copy of a letter from Mr. Lear to the American Consul at Gibraltar. This letter contains a more particular account of the affair, than we have before seen.

N. Y. Com. Adv.

On board the ship Alleghany }
at sea, July 25, 1812. }

SIR,—I have the honor to inform you that on the 17th of this month, the ship Alleghany, Ebenezer Eveleth master, arrived at Algiers from the U. States, with a cargo of naval & military stores for the Regency, in fulfillment of treaty stipulations, and, on the 20th inst. when they had begun to discharge the cargo, I received a message from the Dey, forming me, that he would not receive the same, saying, that the articles were not such in quantity or quality as he expected, and that the ship should leave the Regency, immediately, with myself and

all other American citizens in Algiers. Every proper measure was taken to prevent the execution of this order, and to restore the former good understanding, but without effect, and I left Algiers this morning, in the ship Alleghany, with my family and all other citizens of the United States, then in Algiers.

This act bears such evident marks of hostility on the part of the Dey of Algiers towards the U. S. that I embrace the first moment to communicate the same to all the Consuls of the U. S. in the Mediterranean, that the same may be made known, without delay, to all commanders of American vessels in this sea, and others concerned, that they may be on their guard, & secure themselves and their vessels as effectually as possible against the dangers of capture. I therefore request that you will give this notice to all commanders of American vessels and other citizens of the U. S. in your district, and forward the same to all ports and places in this sea, with which you have an opportunity of communicating, and where it is likely American vessels may be found.

On the 13th inst. a squadron of cruizers sailed from Algiers to the eastward, consisting of five frigates, three corvettes, two brigs, one xebec, one schooner, one row galley and six gun boats, and there is reason to apprehend they had orders to capture American vessels.

I shall proceed to Gibraltar, where I shall probably remain until I can communicate this intelligence to all parts of the Mediterranean, or learn something of the conduct of the Algerines towards our vessels. I have the honor to be, &c.

(Signed)

TOBIAS LEAR.

Mr. Lear arrived in the bay of Gibraltar on the 4th of August.

The following circular was received by the brig Lebre, arrived yesterday morning in 45 days from Madeira.

To the American owners, supercargoes and masters, now lying in the bay of Funchal, Madeira.

Gentlemen, I have the honor to inform you that Capt. Skeene of his Britannic Majesty's ship Munden, called at home and abroad, in the polite terms promised to give me up the part of the crew of the Amsterdam Packet captured by, and now on board the ship under his command, provided I would give him a proper receipt, stating they should be exchanged for as many British subjects of the same rank, should the war continue, which I immediately agreed to do. He likewise declared that he would respect the neutrality of this port and that the American vessel now in this port might remain in the greatest security, as he would by no means molest them; at the same time expressing his wish that American armed vessels may be actuated by the same motives. He likewise informs me that it was the general opinion in England, as it is the greatest wish, that matters will speedily be amicably adjusted between our two nations.

If this information will be of any use to any of you my object is obtained, and in the mean time I continue, Gentlemen, your obedient servant,

JAS LEANDER CATCHCART.
Consulate of the U. S. of America,
Madeira, August 30th, 1812.

Anne-Arundel County Court, September Term, 1812.

On application to the judges of the said county court, by petition in writing of Samuel Hopkins, of said county, praying the benefit of the act for the relief of sundry insolvent debtors, passed at November Session, eighteen hundred and five, on the terms mentioned in the said act, a schedule of his property and a list of his creditors, on oath, as far as he can ascertain them, as directed by the said act, being annexed to his petition; and the said county court being satisfied by competent testimony, that the said Samuel Hopkins has resided in the two preceding years prior to the passage of the said act within the State of Maryland, and the said Samuel Hopkins, at the time of presenting his petition as aforesaid, having produced to the said court the assent in writing of so many of his creditors as have due to them the amount of two thirds of the debts due by him at the time of filing his said petition, it is therefore adjudged and ordered by the said court, that the said Samuel Hopkins, by causing a copy of this order to be inserted in the Maryland Gazette, once a week for three successive months, before the third Monday of April next, give notice to his creditors to appear before the said county court, to be held at the City of Annapolis, at ten o'clock in the forenoon of the said third Monday of April, for the purpose of recommending a trustee for their benefit, on the said Samuel Hopkins then and there taking the oath by the said act prescribed for, delivering up his property.

Test. Wm. S. Green. clk. October 2.

GIDEON WHITE,
Has received an Extensive Assortment of
Goods, amongst which are,
EXTRA SUPERFINE
American Broad Cloths,
From Shepherd & Co. Manufactory, Massachusetts, equal if not superior to any imported Cloths.

ALSO
London Superfine and Second Cloths, Cassimeres, Bedford Cord, Fashionable Stockinet, Fashionable Vestings, &c. &c. All which he will sell low.
November 5.

Livery Stables.

THE subscriber having his Stables in good order for the reception of Horses respectfully solicits the favors of the Public. The utmost attention will be paid to horses entrusted to his care.

NEHEMIAH HOLLAND.

N. B. He is likewise prepared to carry expresses to any part of the state at the shortest notice, with despatch.

N. H.

By the Committee of Claims.

The Committee of Claims will sit every day, during the present session, from nine o'clock in the morning until three in the afternoon.

By order,

BENJAMIN GREY, Clk.

November 5.

By the Committee of Grievances & Courts of Justice.

The Committee of Grievances and Courts of Justice will sit every day, during the present session, from nine o'clock in the morning until three in the afternoon.

By order,

LOUIS GASSAWAY, Clk.

November 5.

Public Sale.

Will be sold on Tuesday the eighth day of December next, if fair, if not the next fair day, at the dwelling of James Moss on Hackett's Point,

3 Negro Men & a Woman,

The oldest of the men 23 years.—Terms of sale Cash.

November 5.

NOTICE.

THE subscriber hereby gives notice, that he intends to apply to Calvert County Court, or some one of the judges thereof, in the recess of said court, for the benefit of the act for the relief of sundry insolvent debtors, passed at November session, 1805, and the several supplements thereto.

RICHARD KENT.

Nov. 3, 1812.

State of Maryland, sc.

On application, by petition, of Thomas Woodfield, administrator de bonis non of John Jacobs, senior, late of Anne-Arundel county, deceased; it is ordered that he give the notice required by law for the creditors to bring in their claims against the said deceased, and that the same be published once in each week for the space of six successive weeks in the Maryland Gazette.

John Gassaway, Reg. Wills,
for A. A. County.

This is to give Notice,

That the subscriber, of Anne-Arundel county, hath obtained from the orphans court of Anne-Arundel county, in Maryland, letters of administration de bonis non on the personal estate of John Jacobs, senior, late of Anne-Arundel county, deceased. All persons having claims against the said deceased, are hereby warned to exhibit the same, with the vouchers thereof, to the subscriber, on or before the seventeenth day of December next, they may otherwise be excluded from all benefit of said estate. Given under my hand this 27th day of October, 1812.

2 Thomas Woodfield, Administrator
de bonis non.

State of Maryland, sc.

On application, by petition, of Caleb Mockabee and Joseph Marriott, executors of the last will and testament of Stephen Mockabee, late of Anne-Arundel county, deceased, it is ordered, that they give the notice required by law for creditors to bring in their claims against the said deceased, and that the same be published once each week for the space of six successive weeks in the Maryland Gazette.

John Gassaway, Reg. Wills,
for A. A. County.

This is to give notice,

That the subscribers of Anne-Arundel county hath obtained from the orphans court of Anne-Arundel county, in Maryland, letters testamentary on the personal estate of Stephen Mockabee, late of Anne-Arundel county, deceased. All persons having claims against the said deceased, are hereby warned to exhibit the same, with the vouchers thereof, to the subscribers, on or before the 17th day of December next, they may otherwise be excluded from all benefit of the said estate. Given under our hands this 24th day of September, 1812.

Caleb Mockabee,
and Joseph Marriott, } Exrs.

HOUSE OF DELEGATES.

MONDAY, NOV. 2, 1812.

This being the day appointed by the constitution and form of government, for the meeting of the General Assembly of the State, the following members appeared: viz.

For Saint-Mary's county, Enoch Millan, John R. Plater, Gerard N. Caufin and Thomas Blackstone, Esqrs. For Kent county, Frederick Boyer, William R. Stewart and Cathbert Hall, Esqrs. For Anne-Arundel county, William H. Marriott, John S. Bevilacqua, William Hall, 3d, and Zachariah Duvall, Esqrs. For Calvert county, Thomas Reynolds, Michael Taney and Peter Emerfolds, Esqrs. For Charles county, Clement Doffin, John E. Ford and George D. Parnham, Esqrs. For Baltimore county, George Warner and Beall Randall, Esqrs. For Talbot county, Edward N. Hambleton, Jabez Caldwell, Robert Banning and David Kerr, Esqrs. For Somerset county, Thomas Bayly, Henry Long, Arnold E. Jones and Elme M. Jones, Esqrs. For Dorchester county, John Stewart, Benjamin Lecompte, Richard T. Bell and Edward Griffith, Esqrs. For Cecil county, William Lusty and Samuel Hodgson, Esqrs. For Prince-George's county, John Herbert, Francis M. Hall, James Sumner and Henry A. Callis, Esqrs. For the City of Annapolis, Dennis Claude and Thomas N. Williams, Ephraim K. Williams, Robert J. H. Handy and Littleton Quinton, Esqrs. For Frederick county, John Gahagan, Ignatius Davis, Richard Potts and John Delaplane, Esqrs. For Harford county, George Farwood, of Wm. and John Farwood, Jacob, Esqrs. For Caroline county, William Potter and William McDonald, Esqrs. For the city of Baltimore, James L. Donnan, Esq. For Washington county, John Bowles, Henry Lewis, William B. Williams and William O. Sprigg, Esqrs. For Montgomery county, Abraham Jones, Richard Crabb and John H. Riggs, Esqrs. For Allegany county, George McCullough, George Rabinett, of Nathan, and James D. Creigh, Esqrs.

A sufficient number of delegates being convened, they severally qualified in the presence of each other, agreeably to law.

John C. Herbert, Esq. was appointed ballist; Speaker—Upton Scott Reid, C. Gideon Pearce, Assistant Clerk, and C. Stewart, Door-keeper.

Cornelius Mills was appointed Sergeant-at-Arms.

Samuel Turner, Esq. a delegate from Calvert county, Nicholas Stonefreet, Esq. Charles, and John Young and Richard H. Lett, Esqrs. from Caroline, appeared, qualified, and took their seats.

On motion, Ordered, that Messrs. Quindell and L. Duvall, inform the Revd. Mr. W. and the house request he will perform divine service every morning at the meeting of the house.

Adjourned till to-morrow.

TUESDAY, NOV. 3, 1812.

The house met. Present as on yesterday. The proceedings of yesterday were read.

William B. Barney, Esq. a delegate from the city of Baltimore, John Sanders and Shua S. Bond, Esqrs. delegates from Harford county, John Frey and John R. Evans, Esqrs. delegates from Cecil county, Robert Stevens, Esquire, a delegate from Queen-Anne's county, appeared, qualified, and took their seats.

The following message was received from the senate.

Gentlemen of the House of Delegates. The senate having formed a house of assembly to proceed with the business of the day. We propose to fit for the dispatch of business, from 9 o'clock in the morning till three in the afternoon.

Which was read.

The house proceeded to the appointment of committee clerks, on examining the ballots, it appeared that William Henry Nelson, Benjamin Gray, Louis Young and John Stevens, were elected.

Ordered, That Messrs. Young, Bond, Blackstone, be a committee to report upon the bills as proper to be offered during the present session.

Ordered, That this house fit itself for the dispatch of public business, at 9 o'clock in the morning till 3 o'clock in the evening.

A letter was received from Mr. Nelson, declining the appointment of committee clerk.

On motion of Mr. Randall, Leave to bring in a bill, entitled, An act for the limitation of real and personal property. Ordered, that Messrs. Randall, Parnham, Griffith and Thomas N. Williams be a committee to prepare and bring in the same.

Mr. Henry Scott was elected a committee clerk in the place of Mr. Nelson, declined.

The following communication was from his excellency the Governor, accompanied by the documents therein referred