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FRIDAY, JANUARY 10, 1866

Congress.

HOUSE OF REPRESENTATIVES.

MONDAY, January 6.

The Speaker laid before the House a letter received by him from David Rumsey, representing that his son, though possessed of a protection, had been impressed by the British; and that, notwithstanding his most strenuous exertions, he is unable to obtain his release. The letter is couched in unlettered, but pathetic terms, and concludes in the following manner: "I lost an estate by lending money to carry on the revolutionary war, and I suffered every thing but death, by being a prisoner among them (the British) in Canada. I lay fifteen months in close confinement, when I bore the rank of a full captain; and if this is all the liberty I have gained, to be bereaved of my children in that form, and they made slaves, I had rather be without it. I hope that Congress will take some speedy methods to relieve our poor distressed children from under their wretched hands, whose tenderest mercy is cruelty."

Referred.
Mr. Farnum from the committee on that part of the President's Message which relates to the organization of the militia, the augmentation of the land forces, &c. made a further report in part, submitting a bill, authorizing a detachment of the militia of the U. States; which was referred to a committee of the whole tomorrow.

The bill authorizes the President of the United States to require the Executives of the respective states to hold their quota of one hundred thousand militia in readiness to march at a moment's warning; authorizes the acceptance of volunteer corps as a part of the detachment, and appropriates dollars for the purposes of the act.

Mr. Clinton presented a memorial from the merchants of the city of New York.

Mr. Findley, from the committee of Elections, to whom was referred, the petition of John Douglass, praying the House of Representatives of the United States, to appoint a commission to set in Philadelphia, for the purpose of investigating the election of Michael Leib, returned as a member of this House from the state of Pennsylvania, that if the same be found illegal, a new election may be granted, reported, that having, according to order, had the same under consideration, they submit the following

REPORT.
A petition against the election of any person, returned as a member of the House of Representatives ought to state the ground on which the election is contested, with such certainty, as to give reasonable notice thereof to the sitting member, and to enable the House to judge whether the same be verified by the proof, and if proved, whether it be sufficient to vacate the seat; and the petitioner ought not to be admitted to give evidence of any fact not substantially alleged in his petition.

In the present case, the petition contains no direct or specific charge of any illegality in the election. The only allegations are general and indirect, that is, by a history of the proceedings of certain meetings and committees of electors, and by reference to a subjoined report of one of those committees and the documents accompanying it, which documents appear to be seven separate depositions, not admissible in evidence, and not deemed proper to be considered as parts of the petition, by being generally referred to therein.

The committee are of opinion, that on such a petition there can be no satisfactory trial of the merits of the election, in question; and therefore recommend the following resolution:

Resolved, That the petitioner have leave to withdraw his petition and the papers accompanying the same.

The House immediately took the resolution into consideration, and agreed to it without debate or division.

Mr. Nicholson presented a memorial from the Board of Trustees for the education of youth in the City of Washington, stating the measures taken by the board in the establishment of an academy, and the contemplated establishment of higher institutions; and requesting Congress to aid their views by the donation of city lots, by authorizing a lottery, and by such other measures as they may see fit to take.

Referred to a committee of five members.

Mr. Crowninshield observed that, at the last session, there had been a return made to the house, of the American seaman impressed by British vessels, which had not been acted upon. Since that period these impressments had increased in a most

astonishing degree. It was a fact that from 2,500 to 3,000 of our best seamen were detained by the British. We want, said Mr. C. the services of this useful class of men. That the attention of the House may be drawn to the subject, in order that proper measures may be taken by the government, I have drawn up the following resolution:

Resolved, That the Secretary of State be directed to lay before this House, a return of the number of American seamen who have been impressed or detained by the ships of war or privateers of Great-Britain, whose names have been reported to the department of state since the statement was made to the House at the last session of Congress, mentioning the names of the persons impressed, with the names of the ships and vessels by which they were impressed, and the time of the impressment, together with any facts and circumstances in relation to the same, which may have been reported to him; stating also the whole number of American seamen impressed from the commencement of the present war in Europe, and including, in a separate column, the number of passengers, if any, who may have been taken out of American vessels coming to the United States from Europe.

Mr. Elliot said, that in seconding the motion of the gentleman from Massachusetts, he felt it a duty to express a hope that the resolution would not only be adopted with perfect unanimity, but that we should no longer stop at the precise point of the adoption of a simple resolution, calling for information on this interesting subject. The information which was laid before the House at the last session, with that which has since been derived from the public papers, has produced a loud expression of public indignation, which it is our duty to echo with energy.

To prefer every consequence to insult and habitual wrong, is a sentiment of the Executive, which has been admitted even by its opponents to be correct and honorable. Has the time arrived when it has become indispensably necessary to reduce this principle to practice? Do we suffer insult and habitual wrong? Our merchants call loudly for the redress of injuries. I hope we shall redress them. Let us extend to them the arm of national protection, but let us extend it also to another class of injured citizens; while we give it to the rich, let us not withhold it from the poor. The groans of our impressed fellow citizens mingle with the murmurs of every gale from the ocean! The queen of that element ought no longer to be suffered to bespangle her diadem with the tears of American seamen, or to substitute her will and her interest for the laws of nature and of nations. It is to be hoped that upon this subject we shall take an attitude worthy of the nation, an attitude not to be abandoned but by obtaining complete justice.

The resolution was then agreed to unanimously.

Mr. J. Randolph said the Committee of Ways and Means had received a letter from the Secretary of the Treasury, with various accompanying documents, on abuses alleged to have taken place in consequence of the evidences of the public debt being receivable in payment for lands; and on the vague provisions at present in force relative to the purchase of the public debt by the commissioners of the sinking fund. Having made a brief explanation of these provisions, Mr. Randolph presented a bill to repeal the act to authorize the receipt of evidences of the public debt in payment for the lands of the United States and for other purposes relative to the public debt, which was referred to a committee of the whole on Thursday.

This bill provides, that the act to authorize the receipt of evidences of the public debt in payment for the lands of the United States passed March 3, 1797, and so much of any other acts as authorizes the same, shall be repealed after the 31st of March next, and that the commissioners of the sinking fund shall not be authorized to purchase the public debt at higher rates than 60 per cent. of the nominal value of the 3 per cents. than the nominal value of its unredeemed amount for any other species, the 8 per cents. only excepted, for which they may give, in addition thereto, at the rate of one half of one per cent. on the nominal value, for each quarterly dividend payable from the time of purchase to January 1, 1809.

At the close of the accompanying letter of the Secretary of the Treasury, he states his intention of submitting to the Committee of Ways and Means, at a future day, a plan for converting the 3 per cents. the old 6 per cents. and the deferred stock, into a new stock, bearing an interest of 6 per cent; by which means the whole public debt contemplated to be discharged at a certain period, may be extinguished.

On the motion of Mr. J. Randolph, the galleries were cleared about one o'clock.

The doors continued closed until a short time beyond the usual period of adjournment, when the House adjourned.

TUESDAY, January 8.

Mr. John C. Smith made a report on the petition of Adams, unfavorable thereto. Whereupon, resolved, that the prayer on the petition ought not to be granted.

A petition was presented from a number of citizens of Massachusetts, praying that an additional duty may be laid on iron hollow ware of foreign importation, which was referred to the committee of Commerce and Manufactures.

On the motion of Mr. J. Randolph, the galleries were cleared at about 12 o'clock, and continued closed until the House adjourned about the usual hour.

REPORT.

The committee, to whom was referred, so much of the message of the President of the United States of the third of December, as relates to the organization and classification of the militia, and to the augmentation of the land forces.

REPORT, IN PART:

In relation to a classification and new organization of the militia. The most extensive view of this part of this subject, which has occurred to the committee, is, a division of the militia into four classes, in the following manner, viz. those between eighteen and twenty-one years of age, to compose one class; those between twenty-one and twenty-six, to compose a second class; those between twenty-six and thirty-five, to compose a third class; and those between thirty-five and forty-five, to compose the fourth class, each class to be under a separate organization, and to be commanded by separate corps of officers. To this kind of organization, as it relates to the first class, we are met by a constitutional objection. By the constitution of the United States, congress are empowered "to provide for organizing, arming and disciplining the militia, reserving to the states, respectively, the appointment of the officers."

By some of the state constitutions it is provided, that the captains and subalterns of the militia shall be chosen by such of the persons who compose the respective companies, as are upwards of twenty-one years of age, so that there is no constitutional provision by which such states can appoint officers to command a class of the militia composed of minors.

Knowledge of tactics, and an acquaintance with subordination and discipline, are acquisitions of such importance to our national defence that the promotion of them among the militia, ought to be a primary object with the government, and, no doubt, is exceedingly desirable in the minds of the individual citizens. But such means ought to be adopted by the government, as are best calculated to effect the object with as little fatigue and expence to individuals, as the nature of the case will admit. It is conceived, that the fatigue and expence of military discipline is, in a very great degree, proportionate to the population of the different parts of the country where the duty is performed, or, in other words, it is proportionate to the distance each individual, composing the different corps, is compelled to travel to reach his place of parade: under the present organization of the militia, this idea is fully verified; the difference in the expence of militia meetings in those parts of the country where the inhabitants are the most dispersed, when compared with similar meetings in the more populous parts, is very apparent; and, besides, the nature of the case compels us to believe, that the same cause will produce a similar disparity in military acquisitions.

These, however, are evils which grow out of the nature of the case, and cannot be remedied but by the increase of population, because the principles of the organization are calculated to render the formation of the different corps as compact as is consistent with proper military arrangements.

By the organization and classification of the militia in the manner which has been named, the limits of each corps must be extended over four times the quantity of territory it now occupies, and consequently would burthen the citizens with a proportionate additional expence in the acquisition of a competent portion of military information, or operate as a proportionate preventative to such acquisition. The subject has been viewed in another point of light, that is, to call on the two senior classes to exercise but once in a year, so as to proportion the quantum of exercise to the extension of the corps. In this case all the evils attendant on the extension of the different corps over additional territory, will attach to the junior classes, which could attach to them in the other case; and the consequent hazard of a failure in discipline will remain.

Military knowledge, like that of every other science, without practice, is soon forgotten; and although it is not probable that the whole of the militia will be needed in the field, at any one time, yet, in case of invasion, it is very possible that all who are in the vicinity of the assailants, may be necessary, and as it is uncertain at what point an enemy may make his attack, all should be prepared to meet such an event; but from a deficiency in discipline, or the want of a competent knowledge in tactics in the two senior classes only, an important opportunity for a speedy extermination of an enemy might be lost, and the lives of many valuable citizens put in jeopardy. It is therefore believed that this experiment is inadmissible.

Another view of this subject has suggested a classification of the militia, by ages, under the existing organization, for the sole purpose of designating those persons who are under twenty-six years of age, as the only proper objects of militia duty in the field, except in cases of great emergency, and in their particular vicinity. From eighteen to twenty-one years of age, is a period of life in which the young men of the United States are employed in completing an education, in pursuit of mechanical information, or in acquiring a necessary acquaintance with

some other branch of business, occupation, or profession, on the improvement of which they calculate to obtain a subsistence; from twenty-one to twenty-six they are improving their previous acquisitions in their various occupations and professions, thereby laying a foundation for a decent support of themselves and families through life. This is a period also, at which the young men of the United States generally engage in matrimony, and become chargeable with families, all of which renders their time as dear to them from eighteen to twenty-six years of age, as at any other period of life.

It would seem, therefore, that an arrangement which would compel this class of our citizens to bear the principal part of the burthen of national defence, might justly be deemed a departure from that principle of distributive justice, which ought to be a paramount characteristic of the government of the United States.

That young men would better endure the fatigues of a long campaign, than those more advanced in life, is not doubted; but whether on a sudden emergency, they would be more useful in repulsing an enemy than an equal number of enrolled militia, on an average, from eighteen to forty-five, is a question of doubt; if however, it should be considered that the advantage is in favor of the young men, it is confidently believed, that the advantage in that case, to the public, would not be of sufficient magnitude to justify the government in imposing on them such an unequal burthen.

If the proposed system should be adopted the total derangement of the existing organization of the militia, must be the consequence. It may be proper here again to remark, that by the constitution of the United States is vested in the general government, the power "to provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States; but the same article of the constitution is express, in reserving to the states respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by congress." By this arrangement in the constitution, the powers necessary to produce an efficient militia, are divided between the general government and the state governments. In pursuance of the power vested in the general government, on this subject, congress did, in the year 1792, pass an act to establish a uniform militia throughout the United States, which act seems to embrace all the principles in the case delegated to congress. Soon after the passage of that law by congress, a consideration of the subject was assumed by the legislatures of all the states, and laws have been passed by all the states for carrying that system into effect, so that by the co-operation of the general government and the state governments, the militia are now completely organized and officered throughout the union. It is now thirteen years since this system has been in operation; the people practising under it have in a great degree become acquainted with it, and attached to it; and in many parts of the union military discipline is rapidly progressing under it, and it cannot with propriety be doubted, that the militia of the United States under the existing organization are amply competent to a defence against the intrusion of any invading enemy. To derange this system then, and introduce one totally new and untried, one in which it is not certain that the state legislatures will concur and which is of doubtful aspect, as it relates to the approbation of the body of the people, would, in the opinion of the committee, at this important crisis of our national affairs, be putting too much at risk.

They, therefore, recommend the following resolution: That it is inexpedient to adopt measures for the classification, or new organization of the militia.

From a London paper of Nov. 15, received by the British Packet, Manchester, Captain Davies.

IMPORTANT STATE PAPER.

Proclamation of the Emperor of Austria, Francis II. Elective Emperor of the Romans, Hereditary Emperor of Austria, &c.

"The Emperor of France has compelled me to take up arms.

"To his ardent desire of military achievements—his passion to be recorded in history under the title of a Conqueror—the limits of France, already so much enlarged, and defined by sacred Treaties, still appear too narrow; he wishes to unite in his own hands all the ties upon which depends the balance of Europe. The fairest fruits of exalted civilization, every species of happiness which a nation can enjoy, and which results from peace and concord; every thing which, even by himself, as the Sovereign of a great civilized people, must be held dear and estimable, is to be destroyed by a war of conquest; and thus the greater part of Europe is to be compelled to submit to the laws and mandates of France.

"This project announces all that the Emperor of France has performed, threatened or promised—He respects no position which reminds him of the regard prescribed by the law of nations to the sacredness of treaties, and of the first obligations which are due towards foreign independent states. At the very time that he knew of the mediation of Russia, and of every step which directed equally by a

regard to my own feelings, I took hold of that hand which the Emperor of Russia, animated by the noblest feelings in behalf of the cause of justice and independence, stretched forth to support me. Far from attacking the throne of the Emperor of France, and keeping stealthily in view the preservation of peace, which we so publicly and sincerely stated to be our only wish, we declared in the presence of all Europe, that we would, in no event, interfere in the internal concerns of France, nor make any alteration in the new Constitution which Germany received after the peace of Luneville.

"Peace and independence were the only objects which we wished to attain; no ambitious views, no intention, such as that since ascribed to me, of subjugating Bavaria, had any share in our counsils.

"But the Sovereign of France, totally regardless of the general tranquillity, listened not to these overtures. Wholly absorbed in himself, and occupied only with the display of his own greatness and omnipotence, he collected all his forces—compelled Holland and the Elector of Baden to join him—whilst his secret ally the Elector Palatine, false to his sacred promise, voluntarily delivered himself up to him; violated, in the most insulting manner, the neutrality of the King of Prussia, at the very moment that he had given the most solemn promises to respect it; and by these violent proceedings he succeeded in surrounding and cutting off a part of the troops which I had ordered to take a position on the Danube and the Iller, and finally, in compelling them to surrender after a brave resistance.

"A Proclamation no less furious than any to which the dreadful period of the French Revolution gave birth, was issued, in order to animate the French army to the highest pitch of courage.

"Let the intoxication of success, or the unwhilful and iniquitous spirit of revenge, actuate the foe; calm and firm I stand in the midst of 25 millions of people, who are dear to my heart, and to my family. I have a claim upon their love, for I desire their happiness. I have a claim upon their assistance; for whatever they venture for the Throne, they venture for themselves, their own families, their posterity, their own happiness and tranquillity, and for the preservation of all that is sacred and dear to them.

"With fortitude the Austrian Monarchy arose from every storm which menaced it during the preceding centuries. Its intrinsic vigour is still undecayed. There still exists in the breast of those good and loyal men for whose prosperity and tranquillity I combat, that ancient patriotic spirit which is ready to make every sacrifice, and to dare every thing, to save what must be saved—their throne and their independence, the national honor and the national prosperity.

"From this spirit of patriotism on the part of my subjects, I expect, with a proud and tranquil confidence, every thing that is great and good; but above all things unanimity, and a quick, firm and courageous co-operation in every measure that shall be ordered, to keep the rapid strides of the enemy off from our frontier, until those numerous and powerful auxiliaries can act, which my exalted Ally, the Emperor of Russia, and other powers, who have formerly and recently experienced the insults of the Emperor of France have destined to combat for the liberties of Europe, and the security of thrones and of nations. Success will not forsake a just cause for ever; and the unanimity of the Sovereigns, the proud manly courage, and the conscious strength of their people, will soon obliterate the first disasters. Peace will flourish again; and in my love, my gratitude, and their own prosperity, my faithful subjects will find a full compensation for every sacrifice which I am obliged to require for their own preservation."

In the name, and by the express command of the Emperor and King. FRANCIS COUNT SAURAU. Vienna, Oct. 26.

Lord NELSON was engaged in upwards of one hundred and twenty-four actions with the enemy, in all of which his bravery and skill were conspicuous. He lost one eye at Calvi, and one arm at Tenerife, and on all occasions proved that he thought his body as well as his mind, were the property of his country. His humanity was always as conspicuous as his courage and judgment.

STATE PAPER.

Transmitted by the baron De Hardenberg to M. Duroc and M. Laforet.

"The king has commanded me to communicate what follows to his excellency marshal Duroc and M. Laforet, envoy extraordinary and minister plenipotentiary of his majesty the emperor of the French.

"His majesty is uncertain whether he ought to be more surprised at the outrages which the French armies have taken the liberty of committing in his provinces, or at the extraordinary arguments by which it is attempted at this day to justify them. Prussia had declared her neutrality; but adhering to the last to her prior engagements all the advantages of which henceforth would be in favor of France, she made sacrifices to them, which might