

and transported by force, it seems not to be a sufficient safe-guard. In such cases, the presentment of a writ of Habeas Corpus only serves as a notice to the oppressor to fly, with his victim, with all possible speed, beyond the jurisdiction of the judge or court issuing the writ by which he at once becomes safe. If the present provisions of the law be such as we suppose, the legislature will judge of the propriety of their interpositions.

The only remaining subject, to which it appears necessary, at this time, to invite the attention of the legislature, is the state of our militia. It is naturally to be expected that, in a season of profound peace, when no danger presses, the attendance on musters, and the fatigues of discipline, will be somewhat neglected by an industrious people, whose time is valuable to them. And indeed it does not appear necessary, in a time of peace, for any purpose of utility, to interrupt the general industry of the country by more frequent musters than may be absolutely essential to the keeping up a militia system. But the regular enrolment of every man within the prescribed ages, in some company, and the proper arrangement and organization of the whole body of the militia so as to ascertain the amount of that description of force, and to enable a constitutional call for its services, upon any emergency, by the proper authorities either of the State or the General Government, to be promptly complied with, seem indispensable to make it what it certainly ought to be, the true and only proper defence of a free country. (The enrolment of those liable to be made members of the militia; we believe has been much neglected. Whether this is owing to any defect in the existing laws, or to the difficulties of exciting attention to the subject in our present state of peace, we are not prepared to say. But we are inclined to believe, that some further legal provisions might be useful, to secure among the officers a regular attention to this duty; of this however the legislature, when they examine the subject, will be the best judges.

These several subjects we have deemed it our duty respectfully to submit to the wisdom and consideration of the General Assembly, which we do