

(Continued from the last Page)

words; so were not the lords proprietors bound by any act touching their right to these lands (they possessing prerogative right over them) unless they were specially named therein. No time would run against them as it regarded their title to these lands; any more than it would against the king.

But the body of the act goes far beyond the view taken in the preamble, and comprehends all cases of private right which might occur, and which the makers could not foresee. If then, Lord Carteret had taken a grant in the usual form, I can see no reason for saying that he did not bring himself within the operation of the act of limitations.

I have purposely avoided an opinion upon the treaty of amity, commerce and navigation, because it did not necessarily fall within the range I took; and because I do not think it affects this case.

Upon the whole, it is my opinion, that the law of the case is with the defendant.

CONGRESS.

HOUSE OF REPRESENTATIVES, Friday, Jan. 10.

The bill providing rules and articles for the government of the armies of the United States, was read a third time and passed.

Mr. Holmes presented a memorial from the Common Council of Alexandria, praying that the third section of the act of Congress relative to quarantines may be extended to the district of Columbia, that there may be erected at Jones Point the necessary buildings for the accommodation of sick and disabled seamen, and that a general quarantine establishment may be made at Jones point at the public expence, which was referred to the committee of Commerce and Manufactures.

At about 12 o'clock the galleries were cleared, and continued closed until past three o'clock.

January 11.

A petition was presented from the inspectors of the customs for the port of Philadelphia, praying for an increase of their compensations, and referred to the Secretary of the Treasury.

The speaker laid before the House a letter from the Secretary at War, exhibiting a statement of the number of fire arms, the property of the United States fit for use, designating the places where they are deposited; by which it appears, that exclusive of the arms in the hands of the troops in the service of the United States, there are deposited in various places, 113,301 muskets with bayonets, 3,666 rifles, 62 fusils, 1,933 pair of pistols, and 918 carbines.

This communication was referred to the committee appointed on the arming of the militia.

A short time after 11 o'clock, the galleries were cleared. They continued closed until 4 o'clock, when the House adjourned.

January 13.

A message was received from the President of the United States, comprising a statement of the measures of the Executive relative to obtaining the co-operation of the Ex-Bashaw of Tripoli against the regency Bey, and the application of the Ex-Bashaw for compensation for services rendered the United States, accompanied by various elucidating documents. Referred.

Mr. Spaulding presented a memorial from the legislature of Georgia, representing the existence of differences with the State of North-Carolina relative to boundaries; and that having exhausted every means of compromise with North-Carolina, they are under the necessity of making an appeal to the justice of the general government, whose interposition they solicit, to ascertain the 29th degree of north latitude, and thereby to determine the boundary between the two states. Referred.

About 12 o'clock the galleries were again cleared on the motion of Mr. Jackson. The house did not rise till near 5 o'clock.

January 14.

The House commenced their proceedings this morning, at 11 o'clock, contrary to their usual course, in secret setting, having yesterday adjourned while the doors continued closed, and while confidential business was depending.

The House continued sitting until 3 o'clock, when the doors were opened, and an adjournment ensued.

January 15.

Two messages were received from the President of the United States. One exhibiting a statement of the application of the executive contingent fund of 20,000 dollars; from which it appears that \$1987 and 50 cents thereof have been applied to the support of the territorial governments of Michigan and Louisiana, until special appropriations are made therefor, and that the balance remains unexpended in the Treasury. The other message enclosed the report of the Director of the Mint, containing a statement of the operations of that institution during the last year. Referred.

On the suggestion of Mr. Bidwell, who observed that he had a communication to make that required closed doors, the galleries were cleared about twelve o'clock, and remained closed till four, when the house adjourned.

January 16.

A letter was received from the Secretary of the Treasury, transmitting a statement of

the amount of duties and drawbacks on goods, wares and merchandize, imported into the United States and exported therefrom during the years 1802, 1803 and 1804.

A letter was likewise received from the secretary of the treasury, transmitting his report on the petitions of the inspectors of the customs of the cities of New-York, Baltimore and Philadelphia. The report contains a statement of facts, waving any explicit opinion on the propriety of increasing the existing compensation of inspectors, except during the period of the prevalence of epidemic diseases. Referred.

On motion of Mr. Alston, Resolved, That a committee be appointed to enquire into the expediency of passing a law, declaring the assent of Congress to an act of the general assembly of the State of North-Carolina, passed on the 22d of December, 1803, entitled "An act to authorise the state of Tennessee to perfect titles to lands reserved to this state by the cession act;" and that the committee be authorised to report by bill or otherwise. Referred to Messrs. Alston, G. W. Campbell, Chittenden, Trigg and Lyon.

The memorial of the merchants and traders of the city of Philadelphia, of like tenor with that from the merchants of New-York, was referred to a committee of the whole on the state of the union.

Leave having been given, Mr. J. Randolph submitted from the committee of Ways and Means, a bill making an additional appropriation for the naval service during the year 1805; which was referred to a committee of the whole house to-morrow.

About 12 o'clock the galleries were again cleared. They remained cleared for about two hours, when the doors were opened.

The bill to repeal the act to authorise 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, was passed through a committee of the whole, and ordered to be engrossed for a third reading.

When, at the instance of Mr. J. Randolph, the galleries were again cleared, about half after two. They continued closed until 4 o'clock.

Senate of the United States.

WEDNESDAY, January 15.

On the question shall it be Resolved, That that part of the President's message which relates to the spoliation of our commerce on the high seas, and informs us of the new principles assumed by the British courts of admiralty, as a pretext for the condemnation of our vessels in their prize courts, be referred to a special committee?

Determined in the affirmative—Yeas 25—Nays 3—as follows:

YEAS—Messrs. Adair, Anderson, Baldwin, Bradley, Condit, Fenner, Gilman, Hillhouse, Howland, Kitchell, Logan, Maclay, Mitchell, Moore, Smith of Md. Smith of N. York, Smith of Ohio, Smith of Ten. Smith of Vt. Sumter, Tracy, Turner, White, Worthington, and Wright.

NAYS—Messrs. Adams, Pickering and Plumer.

COMMITTEE—Messrs. Smith of Md. Mitchell, Anderson, Logan, Tracy, Adams, and Baldwin.

A memorial was presented from the merchants of Philadelphia, commenting in strong terms on the injustice of the late British orders, and representing the various outrages committed on the American trade.

Referred to Messrs. Anderson, S. Smith, Baldwin, Mitchell, Logan, Tracy and Adams.

On motion of Dr. Logan, the Senate resumed the consideration of his motion for leave to bring in a bill to prohibit the commercial intercourse between the U. States and the French Island of St. Domingo.

The question was taken by Yeas and Nays, without debate—Yeas 21—Nays 7—as follows:

YEAS—Messrs. Adair, Anderson, Baldwin, Bradley, Condit, Fenner, Gilman, Howland, Kitchell, Logan, Maclay, Moore, Smith of Md. Smith of N. York, Smith of Ohio, Smith of Ten. Smith of Vt. Sumter, Turner, Worthington, and Wright.

NAYS—Messrs. Adams, Hillhouse, Mitchell, Pickering, Plumer, Tracy, and White.

When Dr. Logan offered the bill, which was read twice.

It prohibits the allowance of clearances from the time when due information shall be received at the several custom-Houses of the passage of the act, until the end of the next session of Congress.

The ordinary revenue of the U. States for 1806, is estimated at 12,500,000, the Mediterranean Fund, arrears of internal duties, direct tax, &c. will produce one hundred thousand, the specie in the treasury 4,575,000—Making 18,075,000, at the service of government for 1806. The permanent expences are estimated at 11,120,000, the extraordinary demands for 1806, amount to four million—making together fifteen million one hundred and fifty thousand. Leaving 2,625,000 dollars unappropriated.

Extract of a letter from an eminent merchant in Philadelphia, to his friend in Charleston, dated the 7th ult.

"England, in consequence of her success at sea, will, we fear not relax in her depredations on the commerce of this country. This place perhaps, feels it more than any other city in the Union. A strong remonstrance is now preparing to be sent to congress, and that body, we trust, will soon do something, and with effect to bring the English to their senses."

European Intelligence.

FOURTH BULLETIN OF THE ARMY OF ITALY.

Head Quarters at Montebello, Nov. 2.

In consequence of the battle of the 31st, the position of the army before Caldiero, and the orders given on the preceding day to the division of Seras, a column of the enemy, amounting to 5000 men, was separated from the corps of General Rossenbourg, and cut off in such a manner that it could neither retreat through the vallies nor join the main army. The Commander in Chief on being informed that, on the 1st instant, this column was marching to the heights of St. Leonard, sent one of his Aides de-Camp to summon it to surrender. The General Officer, Hillinger, who commanded it, not seeing any troops, declared his intention to defend himself. The 22d regiment of light infantry, under Colonel Coquet, then received orders to advance from Veronetta; the enemy made a movement to approach him, and forced him to make a position under the walls of the Castle of San Felice. The commander in chief repaired immediately to the spot, and ordered two battalions of grenadiers to surround the enemy. Gen. Carpentier the chief of the staff, was charged with these dispositions, which he executed with precision in concert with Gen. Solignac. A new summons was then sent to the enemy, who found himself under the necessity of laying down his arms. A capitulation, signed by the Commander of the enemy's columns, and by Gen. Solignac, has put into our hands 5000 prisoners, with their arms and baggage, seventy officers, one brigadier, one major, one colonel, 80 horses, &c. Prince Charles, on his side, finding that a column of his army had been cut off, and apprehensive of being turned in his position, proceeded to effect his retreat. We were informed that he made some movements in the night. At the break of day reconnoitering parties were sent out to all parts of his line. The division of chasseurs on horseback, under General Estagne, and the light division of General Gardanne, set forward in pursuit of the Austrians, who were harassed through the day, and of whom we made 600 prisoners. We this day are at Montebello. To-morrow the army will proceed on its march.

BANKS OF THE RHINE, NOV. 4.

We learn that the corps of General Marmont has also passed the Inn at Brannach. The Russians and Austrians have retired in a great hurry to Lintz, their retreat to Saltzburgh having been cut off. The corps of Marshal Soult passed the Inn by the bridge of Wassenburgh, and has formed a junction with that of Marshal Bernadotte. Prince Murat has taken the command of the army which is advancing straight towards Lintz, while the Emperor, it is said, went from the neighborhood of Ebraspach to Saltzburgh. It is stated that Marshal Bernadotte, whose head-quarters were in this last town, is pursuing his march towards Schwinstadt and Lumbach, from whence he will advance to Steyer. It is the intention of the Russians to retreat and evacuate the right of the Danube, for the purpose of forming a junction with the second Russian army, commanded by Gen. Nicholson, and estimated at about 36,000 men. In the middle of October, this army had not quitted West Gallicia, it was then concentrated in the neighborhood of Randon, where it was waiting for the horses and carriages, as well as the artillery, which were to be sent from Wjlna.

It was reported that the Russians were at Passau, and that they had concentrated a part of their force there. The truth is, that they never entered it, and that the Bavarian garrison in the fort of Oberlias continued in possession of it, notwithstanding the repeated summons which they had received from the Austrian and Russian commanders to surrender. A military hospital is just established at Passau, for the reception of the wounded French and Bavarians.

In consequence of the Imperial Proclamation, the public spirit in Austria has been roused to such a pitch of enthusiasm, that the youth of every class are thronging to the standards, by which the national militia has become a formidable body of defence. The same spirit pervades the Hungarian nation, and the Count Ugarte has gone to Prague to organize the national militia, and to adopt the necessary measures of defence. In the Tyrol, there are 40,000 armed militia, and the levy in masse has been put in motion.

The fast sailing Schooner Boat RISING SUN,

Will ply between Smithville and Wilmington, as a regular Packet, at least twice a week, when practicable.

The accommodations on board are good, and the price for a passage is reduced to 75 Cents.

Those who will favour the subscriber with their custom, may depend on his utmost care and attention.

Small orders, letters, newspapers, &c. will be carried gratis.

ROBERT POTTER.

January 14. 30*

Fresh Garden Seeds,

Just received and for sale by JOHN WILLKINGS & CO. Wilmington, Jan. 20, 1806.

For the WILMINGTON GAZETTE.

Lectures for Ladies, No. 3.

VANITY.

"..... She cannot love Nor take no shape, nor project of affection, She is so self-engaged."

AGAIN the unpleasant task of exposing blemishes, in the fairest Picture under Heaven, is our lot; but while the pencil remains still humid in the hand of the artist, he receives, with grateful acknowledgments, the candid remarks of a friend; and thanks him for pointing out the few venial imperfections, which escaped his notice in the grand design of the whole piece. Under the conviction and the hope that our motives, for censure, are by this time sufficiently known to need no apology, we shall in future confine ourselves to the matter in point, of our several subjects, without excuse, extenuation, or even the most distant fear of offending.

A noble and just pride, when predicated on actual merit, is worthy an exalted seat in every bosom. But as this subject deserves and will receive, our particular attention, we have introduced it here only as a contrast to our ideas of Vanity, which no more connect it with the latter, than *Virtue to Vice, Industry to Indolence*, or any of the most opposite propensities of the human heart.

Vanity can never be attended by Reason, or find for a moment, even a resting place in the well informed mind. It is engendered by Ignorance and supported by feeding on the superficial endowments of all who nourish it, never the consequence of their own exertions and often existing only in their own bewildered imaginations.

Our fair heroines cannot take umbrage when we say, that this disgusting frailty is too often exhibited in the radiant assemblies of their sex; it is conspicuous to every one, even to the vainest of themselves, and seen to conviction to strike at the immediate root of all mental improvement; it clogs the soaring pinions of Modesty and Truth with so deadly a weight, as eventually to hurl the poor object bound in its chains, to the lowest pit of insignificance.

Open then, thine ears, Lady, to the voice of Experience; and thine eyes, fair one, to the healing ray of Truth. Let our subject but receive a few hours of your serious reflection, and we are convinced your own good judgment will effect in that time, more for your advantage than weeks of sleepless nights, employed by us in composing these essays. We therefore confine ourselves in this number, simply to the display of a few infallible symptoms of the disease, and leave the manner of treatment and method of cure to their own understanding, who are affected with the distemper.

In the general topics of conversation should a young lady make use of far-fetched expressions, or aim at the introduction of uncommon and high flown words, when synonymes and simple terms are immediately at her command, vanity can never be far off. Should she seat herself in company, at the Piano or seize the still more graceful Harp for the purpose of displaying a seducing hand & arm, and then refuse to play if required, be assured that vanity is at her elbow. Should she suppose her figure and dress more elegant than others of the party, and endeavor to attract the regard of those around her, by unnatural gestures and labored attention to that point, vanity has pervaded her whole system. In short, thousands of head-achs, fainting fits, colds and all sorts of indispositions have their birth in vanity. Be it however known, that little dependence can be placed on the certainty of these last symptoms, for seldom have we found them correct, and never would hazard our prescriptions under them on the first visit, or even afterwards (should they continue) without particular attention to the pulse and appetite of the patient. ABARIS.

THE Subscribers, as Executors of William Hallmar, deceased, request all creditors to deliver their accounts properly attested, at the deceased's late store, as soon as possible, or within the time limited by law, otherwise they will be barred of recovery. Those who may be indebted and have open accounts will respectively be called upon for settlement during the course of this month.

The Refuse of the Goods unsold will be put up to Public Auction on Friday the 31st inst. in three separate Lots, payable by an approved Note at 6 months, negociable at the Bank of Cape-Fear.

T. J. BEATTY, } Exrs. A. MEILAN, } Wilmington, January 21, 1806.

Sugar & Molasses.

Just received by the Brig Neptune, Capt. Story, from Trinidad,

101 hhds. Sugar, 3 barrels do.

8 hhds. Molasses, Which will be sold low for Cash or approved Notes.

A. LAZARUS, 13th Jan. 1806.

FOR SALE 40 or 50 tierces of new RICE.

Apply to C. DUDLEY & Co. Wilmington, Dec. 24, 1805.