

# THE MINERVA.

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RALEIGH, (N. C.) MONDAY, DECEMBER 31, 1804.

[No. 455.]

## DEBATE

In the Senate of North Carolina,

On the second reading of a Bill to amend the Militia Laws,  
December 19, 1804.

The bill having been read,  
GEN. SMITH rose and observed that no subject which had or would come before that body, was more worthy of attention than that which was then before it. The importance of the subject considered, he hoped no apology would be required even at that late period, for an attempt to render more perfect our system of Militia Laws. He had prepared several amendments which he held in his hand, and which he would with leave, submit to the consideration of the House. He was aware that the impatience of the House, so immediately preceding the proposed period of adjournment, would be unfavourable to that deliberate consideration which he believed the subject merited: he was aware it might prove fatal to the amendments which he would have the honor to submit. But he considered it a duty to his immediate constituents, and to his country at large, to use every means in his power to perfect the Militia Laws: and under these circumstances, he hoped he should not be considered as unnecessarily trespassing on the patience of the House by offering his amendments. He would offer them singly, that a dislike which might be entertained for one should not endanger the safety of the whole.

GEN. SMITH then offered an amendment which went to subject such general officers as neglected or refused to take and subscribe the oaths required by law, to a penalty of twenty-five pounds.

Gov. MARTIN was opposed to this amendment. He was averse to multiplying occasions for administering oaths: He thought their efficacy was lessened by being already much too frequently employed; they would be considered more sacred if employed more rarely, and only on important occasions; but he had no objection to penalties to enforce the performance of duties; and in the present case he would willingly see them increased beyond what was contemplated in the proposed amendment.

GEN. SMITH believed the gentleman had misapprehended the nature of the amendment. It did not as the gentleman seemed to understand, go to impose the taking of oaths as a new obligation: That duty was required of the general officers by an existing law; but there was no penalty in case of refusal. The proposed amendment went to remedy that defect by imposing a penalty if the requisites of the former law were not complied with.

The amendment was received.  
GEN. SMITH then proposed as an amendment, that Brigadier Generals should make their returns to the Major Generals in time to permit them to be forwarded to the Governor before the meeting of the General Assembly, under a penalty of twenty-five pounds. Agreed to.

GEN. SMITH then said he had another amendment to offer, which he much feared would meet with the disapprobation of the House. It was new to their consideration, and he apprehended it might meet with the fate which had nearly befallen the Bank, and which generally attended projects that had never before engaged the attention. But believing it to be important and valuable, he must offer it whatever fate he might expect it to meet with. He should then have discharged his duty, and if he failed in his attempt, he could not reproach himself, nor would he incur the reproaches of others for not having contributed to its success by all the means in his power.

A well disciplined militia was necessary to the existence of our Republican forms of government. That was a principle so universally admitted, that he would not trespass on the time of the House by offering proofs which might be adduced in its favor. It was agreed on all hands to be our best security against foreign invasion and domestic insurrection. And while the principles of liberty and equality were going abroad among a certain class of people among us, there was a necessity for our having an effective militia; a militia calculated for something more than mere show and parade. He had within a few days received intelligence from South Carolina, of a conspiracy there, more extensive and better organized than any which had been projected in the United States. It required our utmost vigilance to prevent the introduction of those dreadful scenes which have been acted in St. Domingo. In our

present situation, how are we prepared to meet such an event!

GEN. S. then adverted to the state of the French military. He said their great successes and splendid victories were entirely owing to their artillery. They possessed a knowledge of it superior to other nations. It would be wise in us to profit by the experience of others. The amendment he had to propose, went to authorize the Governor to purchase two brass field pieces for each Superior Court district in the state for the use of such artillery corps as might be formed within them. He wished to introduce a knowledge of artillery tactics among us; but as the proposition was new, and what was worse, attended with expence, he was doubtful of success. Such as the proposed plan was, it was more narrow than he could have wished it. He would gladly see an effective artillery company in every county. But this was a beginning; and if after experience the measure should be approved, the plan might be extended.

GEN. S. then offered the amendment which was in substance, as above stated.

GEN. WELLBORN expressed his hearty approbation of the proposed measure. Of the propriety of having a well disciplined militia, he trusted there was but one opinion. It had been enforced by the repeated recommendations of the President of the United States, and annually by the Executives of almost every state in the union. With respect to the proposed measure, but one objection could be made against it, viz. that it was attended with expence. True it cannot be effected without expence; but if that objection was always to decide a question, we should effect very little of what was valuable or desirable to be done. In the present case, it deserves to be considered whether the object to be attained is not more than worth the means. He believed it was; and he believed it a plan that to be approved required only to be known.

GEN. HATON suggested whether it would not be proper that the size of the ordnance to be purchased by the Governor, should be specified.

GEN. SMITH said he had purposely omitted a specification of that kind, as he thought it best that it should be left with the discretion and judgment of the Governor. The same kind of ordnance he did not suppose would be proper for every part of the state. Six pounders he supposed would not be too large for the western part, but would be too heavy for the sandy soil in and about Wilmington. He chose to leave that to the Governor; he had confidence it would be a trust well reposed. His Excellency would no doubt assist his own judgment by obtaining the advice of persons who had knowledge of the subject.

The question was put on the amendment, and carried.

GEN. WELLBORN then proposed an amendment which repealed so much of the former law as required the Commandants of Regiments to muster and train their officers two days in the year, besides the day preceding and the day following general reviews. GEN. W. said those musters of the officers had not he believed produced any good effect; few Colonels ever ordered them; and still fewer were qualified to instruct and discipline the officers when they were mustered.

MR. BAYTON hoped the amendment did not go to prevent the officers being mustered the day before general reviews, but that it prohibited their other musters. He was in favour of a regulation of that kind.

Col SELBY said he should have no objection to this amendment, if it stood alone and did not interfere with a proposition which he should presently have the honour to submit to the consideration of the Senate. His proposition went to reinstate Brigade Inspectors. If his intended amendment, as he hoped, would be received, it would become the duty of the Inspectors, to train the officers on, the days preceding regimental musters; and as he conceived it proper that commandants of regiments should not always be superceded in their command, he wished it to remain their duty to muster their officers at other times than those of the days immediately preceding the general muster. He was therefore opposed to the amendment before the Senate.

On the question being put, the amendment was carried.

Col SELBY said that although the decision which had just been made, he feared, had pronounced the fate of the amendment which he had to propose, yet believing it

to be valuable, he felt it to be his duty to offer it. He then submitted his amendment, which went to authorise Brigadier Generals to appoint Inspectors of Brigade, whose duty it should be to train the officers on the days preceding general musters, and to exercise the regiments on days of review; for which they should receive 25s. per day while employed, as a compensation for their services.

GEN. WELLBORN proposed further amendment, by striking out 25s. and inserting 15s. which he stated to have been the former compensation of Brigade Inspectors.

Col SELBY agreed to this alteration.

Col. MONTGOMERY declared himself opposed to the amendment. We have already had experience of Brigade Inspectors, and he thought they had been of no service to the militia. The Legislature had entertained that opinion, and very properly struck them out of the organization. They were besides very expensive to the state. It was true that by the election of new officers, different persons in some instances, would have to make the appointments; but he had very little expectation that those offices would now be better filled than they had heretofore been.

Col SELBY professed to have very little knowledge of military subjects, and would not therefore undertake to say that it was impossible to have the militia completely organized without such an officer as a Brigade Inspector; nor would he say, that the office had uniformly been well filled, and that the officer had been of real utility in every part of the state. He could only answer for the district of Newbern. There he knew, because it had fallen under his own observation, that the Brigade Inspector had done more in a very short time to instruct and discipline the militia, than had been done in any space of time, before or since. He inspired every rank with a military ardour, that was productive of the happiest effects. The objection of expence is brought up against the measure. But can the trifling sum of 50l. or 60l. a year, stand in competition with the advantages of having a whole brigade of militia, put on a respectable footing? Assuredly not. If gentlemen are determined to encounter no expence to attain this great and important object, we might as well give up the whole militia system at once. As musters are now conducted, they are only assemblies for dissipation. Not the smallest improvement seems to be making in military discipline. In fact, the almost total inattention which is paid to it, leads to an insubordination, that makes militia musters, perhaps more injurious than they are beneficial. He believed Brigade Inspectors were the most valuable officers in the militia; & entertaining that opinion, he should see with regret the fate which he believed awaited his amendment.

The question was then taken on Col. Selby's amendment, and lost.

Col SELBY then submitted another amendment, which required colonels of cavalry to make annual returns of their regiments to the Brigadier Generals of their respective districts.—Carried.

The question was then taken on the bill as amended, and it passed nem. con.

[This bill was finally lost in the Commons. We give this sketch of the proceedings on it in the Senate, as the subject is important, and the observations there made by several military gentlemen, may be useful on some future occasion.]

From the BALANCE.

## GUN BOATS.

In our president's late message to Congress, he tells of the "obstacle to naval enterprise which gun-boats offer for our seaport towns;" of "their utility towards supporting within our waters the authority of the laws;" and finally, he talks of a time when "all our important harbours, by these and auxiliary means, shall be secured against insult and opposition to the law."

Before this message had been out of the press long enough to get dry, an account arrives, that

"Commodore Preble has bombarded Tripoli; and destroyed 3 and taken 3 gun-boats and one Kebec, and done considerable damage to the forts and town."

Never was a fine theory more completely knocked on the head by plain matter of fact. That Commodore Preble's little squadron, should destroy more gun-boats than No. 1, and No. 2, put together, augurs rather unfavourably for Mr. Jefferson's "obstacles to naval enterprise."—The bashaw

of Tripoli, i. seems, like our president, had calculated much on the protection of his gun-boats. He undoubtedly thought best to defend his harbours by "the smallest force competent"—Kebees, gun-boats, and such trumpery; and these he probably expected would "support within his waters the authority of the laws" and "secure them against insult and opposition." But, alas! how was he deceived. The smallest navy that floats on the ocean, has not only insulted him, violated his laws, demolished his gun boat, played the devil with his kebees; but has also damaged his forts, and battered his town about his ears.—Well, if the little remnant of our little navy, could make such havoc with the bashaw's "obstacles," what in the name of common sense is to become of our No. 1, and 2. should England, France or Spain, send some of their frigates and ships of the line to insult us, and to infringe and oppose our laws? The demerits will answer, They can flee to the cornfields, and our lord high admiral to the mountains. So be it.

## SHOE-STORE.

The subscriber has just received, and is now opening for sale at his Shoe Store and Manufactory, in Bow street, nearly opposite the Post Office, an extensive Assortment in his line, consisting of

Ladies' and Misses' Morocco and Kid Shoes and Slippers, of every colour.

Do. Do. Leather.

Gentlemen's and Boy's fine Shoes.

Men's coarse Do.

Morocco & other Leather, with a bountiful supply of the best Boot Legs, and best Northern Soles, equal to any imported.

And having a number of hands always employed he can at short notice accommodate any who may please favour him with their custom, with Boots and Shoes, or any other work in his way; and warrant it equal, if not superior to any in the place.—Orders from the Country will be strictly attended to.

SAMUEL SEXTON.

Fayetteville, Nov. 6, 1804.

[cowb]

## BOOTS & SHOES.

THE Subscriber respectfully informs the inhabitants of Raleigh & its vicinity, that he has for sale near the Market House a general assortment of Petersburg made

Suwarrow Boots & Shoes,

Also a quantity of

Three-quarter Boots,

of the newest fashions,

which he will sell low for cash.

WILLIAM KENNON.

November 17, 1804.

Mrs. NORMAN, Milliner,

Respectfully informs the Ladies of Raleigh, that she has opened a handsome

Assortment of Millinery.

IN the Store belonging to Mr. Shaw, for a few weeks, consisting of the following articles:

Silk Bonnets & Head Dresses	Cut Glass Bowls
Straw Bonnets, Gipsy Hats,	Do. Sugar Urns,
Silk and Straw wove Bonnets,	Goblets and Tumblers,
in different colours,	Quilt & Pint Decanters,
Wreath of Flowers,	Burnt Glass Mugs,
Feather and Silver Flames,	Blue Sugar Dishes and
Painted Combs & Parousols,	Salts, in Britania Metal
Al. 50	S. and S.
Elegant gilt framed Looking	A few elegant Plated Cas-
Glasses,	tors,
Gilt Framed Prints,	Plated Goblets, gilt inside
Beads and Fans,	Tea Pots, Sugar Urns,
Tea China in Sets,	Cream Ewers & Ladles,
Tea and Coffee Cups by the	Britania Metal Tea Pots,
Dozen.	Dozen.

All of which she is determined to sell at reduced prices, for Cash. Raleigh, Nov. 19.

WILLIAM SHAW

Has just received a Fresh Supply of

Holland Gin,

French Brandy,

Jamaica Rum,

Malaga and Sherry Wine,

Loaf Sugar,

Potter and Cheese,

A Trunk of remarkable neat Cotton Umbrellas,

An elegant assortment of Ladies' Straw Bonnets,

And a few Boxes first quality Spanish Segars.

For Sale at the Minerva Book Store,  
Martin's Revisal of the Laws  
of this State.

For Sale,  
THREE LIKELY NEGROES,  
Enquire of the Printer hercof.