New-Orleans and the province of Louisiana were ceded to the United States. Spain has refused to deliver them up; and we must abandon them or fight. The president has authorised our governor to hold in readiness 4000 men, to march and take possession. The government has done its part, it now remains for you, citizen soldiers to perform yours. You have waited with patience the result of negociation —You have expressed your confidence in the general government---You have pledged your lives and fortunes to support it in such measures as the honor and interest of the United States may require. Your country calls to arms---You must step forward and assert her rights.

*"To arms, to arms ye brave,*
*The avenging sword unsheath,*
*March on, march on, all hearts resolv'd*
*On victory or death."*

WORTHY OF IMITATION.

On Saturday last, captain Wyatt's company of militia had a parade in this town, 34 men only mustered, 25 of whom enrolled themselves as volunteers.

Yesterday, captain Postlethwait's company of light infantry paraded, 24 men only were on parade, and 20 enrolled themselves.

The following circular by order of the governor, has been sent by the secretary of state, to the officers intended to command on the expedition.

(CIRCULAR.)

SECRETARY'S OFFICE,
*Frankfort, November* 18, 1803.

SIR,

The governor of this commonwealth reposing high confidence in your courage, activity and zeal to serve your country, has thought proper to designate you as a CAPTAIN in a detachment of volunteers from the Kentucky militia, intended for a four month's expedition to Louisiana.

Suspicions existing that the Spanish government means to contest our taking possession of New-Orleans, and of the country West of the Missisippi, though it had solemnly ceded the same to France, and had directed a formal investure of the province to be made in the name of his Catholic majesty, and though France has transferred the same to the United States by a fair and honorable treaty, which has been ratified by the president, and with the advice and consent of the senate; it has been deemed expedient by the federal government to direct that eight regiments, comprehending 4,000 men, selected out of the Kentucky militia, should with all expedition be organized and embodied, and ready to march at the shortest notice.---Whether there will be actual occasion for the services of these troops, is at present uncertain, the embodying of them being adopted as a precautionary measure. Your commission shall be transmitted to you, whenever orders shall be sent to you to join your regiment, provided that it should appear that the number of men, whom you may be so fortunate as to engage, will be proportioned to the rank which you hold in the service.

Little doubt, indeed can be entertained that this will be the case, for it would discover an ignorance of the principles and spirit well known to prevail universally in our country, were it to be imagined that the brave militia men of Kentucky would not with eager footsteps press on, at the summons of patriotism and military glory.

They seek not wealth by war,—they are not a body of mercenaries who fight only for pay.

Their country knows it and accepts their services as a gratuitous pledge of their patriotism; but unwilling that they should suffer by their zeal, she offers them the same pay as she gives to the regular troops of the the United States.

They seek not blood and plunder. Tho' treaties were violated; though their rights were intringed; though their commerce was at an end; they sought no redress by violence; they relied on their government —it did them justice and they were satisfied. But if treaties cannot still be maintained without force; if their government, after trying in vain the influence of truth, and relying in vain on the power of justice —summon them to arms; they are ready. They envy not the tranquility of their neighbors—they aim not to enrich themselves with their spoils—but they will fight for their own; they will assert the honor of their nation; they will support the dignity of their government, and the claims of justice.

These, sir, are the sentiments which pervade the militia men of Kentucky, and are so truly congenial to the minds of citizen soldiers. You will find no difficulty in raising your quota of volunteers. The governor has directed the colony of your regiment to order an immediate regimental muster, for the purpose of facilitating the raising of the necessary proportion of troops. You will, no doubt, avail yourself of the opportunity to make up your complement of men: and it is the governor's request that a return of your company, including the names, numbers and accoutrements of the men, may be transmitted to this office, on or before the 10th day of Dec. next.

Your company having been mustered and embodied, they may return to their respective homes; but must hold themselves in readiness to march at the shortest notice.

It is expected that the riflemen comprehended in the proposed detachment, should be provided with good rifles, adapted to the service, together with the necessary accoutrements; but the infantry will be furnished with muskets at Fort-Adams, on the Missisippi.

I am, sir,
Your most obedient servant,
HARRY TOULMIN,
Secretary of State.

AUGUSTA, November 16.

We are informed that the Legislature of this state was not orgonized to proceed to business, until Tuesday the 8th instant, when the following officers were duly elected, viz: The Hon. David Emanuel, president of the Senate, and William Robertson, esq. secretary; and the hon. Abraham Jackson, speaker of the house of representatives, and Hines Holt, esq. clerk; And on Thursday following, the two branches having assembled, proceeded to elect the Governor, when his excellency John Milledge, was re-elected.

FREDERICK-TOWN, Dec. 3.

*Court Martial.*

On last Monday week, a general court-martial, ordered for the trial of colonel Thomas Butler, assembled in town, and proceeded to business the Wednesday following. The trial being not yet over, it would be premature for us at present to attempt a statement of the case, or to enter with any particularity into its merits; and we shall therefore only present a list of the thirteen officers, now constituting the court for colonel Butler's trial.

*President*—Colonel Burbeck.

MEMBERS:

| | |
|---|---|
| Colonel Freeman, | Colonel Kingsbury, |
| Major M'Rea, | Capt. Bruff, |
| Captain M'Clellan, | Stiles, |
| Reid, | Freeman, |
| Boote, | Beall, |
| Saunders, | Osburn. |

*Judge Advocate*—Lieutenant House.

A court is also again constituted for the trial of two other officers, arrested under mutual charges. But besides these, we believe there are no other cases, except that of a private, to be tried, as is said, for desertion; and it is not true, as stated in a democratic paper, that there are *thirteen* officers here under arrest: Nor can we possibly conceive the motive for this and other misrepresentations, equally calculated to disgust and to injure, unless it be that inveterate animosity which pursues and traduces every object in any way connected with the administrations of Washington and Adams---or that more general malignity of jacobinism which avoids in itself, and is offended in others, at every thing either honorable, gentlemanly or becoming ---Which, in private, is no less at war with the common rites of hospitality and the sentiments of decent courtesy, than it is with the principles and practices of public order.

ALEXANDRIA, December 2.

Arrived, schrs. Joanna, Charleston; Nancy, Gilpen, do.

Cleared, schrs. Potomack, Tucker, New-Providence; Active, George Town; Providence, Mann, Baltimore; Hilton, Hand, Philadelphia; sloop Victory, New-York; Henry, Providence.

## BY THIS DAY's MAIL.

BOSTON, November 29.

*From Port-au-Prince.*

A recent letter from Port-au-Prince to a respectable gentleman in this town, after stating the circumstance of its evacuation by the French troops, observes that but 62 white people remained in the town when general Dessalines took possession of it; of this number two were hung by order of the black general, and the remainder protected in their persons.

FOR THE BENEFIT OF HEIRS.

The governor and directors of the South-Sea company, with the characteristic honesty of Englishmen, have ordered a list to be made of all the unclaimed stock and dividends since the commencement of their charter, for the benefit of the descendants of the former holders of stocks.

NEW-YORK, December 3.

We learn by captain Bunker, of the brig Dove, that on the 8th of October, Port Republican was evacuated by the French troops, and the brigands took immediate possession. A great number of French vessels fell into the hands of the English, who were essentially assisted by the negroes.

It was not known at Port Republican that Cape Francois had been evacuated.

The brig Dove, on her homeward passage, was boarded by a British 74, and strictly examined. Two of the hands were taken out, and interrogated respecting the cargo; their answers being satisfactory, they were dismissed, and the vessel permitted to proceed. She was boarded also by a British frigate, a British barge, and a French cruizer, who were all equally particular respecting the property on board, but allowed her to proceed after a short detention.

Arrived yesterday, the ship Bristol Trader, captain Phelps, in 56 days from Bristol. Left, to sail same day for N. York, the ship Charlotte Murdoch, Walker, and a Boston ship from Havre. Spoke, Oct. 25, in lat 52, a brig 23 days from New-York, for Liverpool. Nov. 15, in lat. 41, 13, the ship William, of Salem, 85 days from Amsterdam. 17th, a brig four days from Marblehead, for Bilboa. 25th, a brig two days from Boston, for the West-Indies.

Same day, the Spanish schooner Carmen, captain Fernandez, in 20 days from Porto-Rico. A Baltimore pilot built schooner sailed 3 days before the Carmen. Spoke, in lat. 36, 50, long. 75, 36, the brig Union, Barnet, 17 days from New-Orleans.

Same day, the schooner Hector, Doane, in 30 days from Port Antonio, Jamaica. Sailed in company, the schooner Commerce, for New-York, and a Boston schooner for ditto. Came passengers, captain Adams, and three of his men, late of the schooner Jenny, of and for Baltimore, from Jamaica, having been wrecked on Heneaga the 31st ultimo, and totally lost, and taken on board the Hector on the 16th instant. The rest of the crew got on board of another vessel. The Jenny was in ballast. Left, brig Hope, Hughes, for Boston; schooner Polly, Dunn, for do. and sch'r Drummore, Lily, of Kennebeck. Nov. 6, was chased by a French privateer, but could not overtake the Hector. On the 10th, in a light wind, was boarded by a privateer, supposed to be the same, overhauled our papers, and suffered us to proceed.

Same day, the brig Dove, Bunker, in 40 days from St. Jago-de-Cuba, and 18 from Watlin's Island. Sailed in company, October 9, with a number of American vessels, among which were, the brigs William Pugh, Blair, of Philadelphia; and Nancy, Ross, of Charleston, for St. Jago, all full of troops and inhabitants, who had evacuated Port-au-Prince. October 10, was boarded by the British ship Cumberland, of 74 guns, examined our papers, and permitted us to proceed, previously disarming 120 troops which we had on board. On the 15th arrived at St. Jago, and landed the troops on the 21st of October. Spoke November 23d, in lat. 35, 12, long. 72, 30, a Bremen ship, out 7 weeks for Charleston; supplied us with beef and bread.

Same day, the brig Jefferson, Morehouse, (late Adams) from St. Lucie. This brig, on the 14th inst. was run down by a French or Spanish ship, and so much disabled as to induce the crew to abandon her; and the mate and three men belonging to the schooner William, Pratt, left on board her, as particularly mentioned in this Gazette of the 25th ult.

Same day, the schooner Diana, Nichols, in 33 days from Kingston, Jamaica.—Left, under detention, the brig Little Sarah, and schooner Nancy, both of New-York; the schooner Polly, of Norfolk, and the ship George, of Philadelphia, to sail soon for New-Orleans. Captain N. informs, that the schooner ——, Wheeler, from New-Orleans for Cape-Francois, was also sent in there. Captain Wheeler, about the 5th of October off Turks-Island, spoke the pilot boat James Daniel, from New-York.

PHILADELPHIA, December 5.

Arrived, brigs Mercury, Gardner, St. Croix, 16 days; Mercury, Teal, Wilmington, D. sch'r Farmer's Delight, Brown, Grenada, 32.

Cleared, ship Wilmington, Woodward, Londonderry; sch'rs Iris, Pearson, Virginia; Agnes, Huson, New-York; sloop Abigail, Pindyard, do.

Ship Tencaecis, D'Costa, from Oporto; brig Union, Brown, from New-Orleans, and several other vessels, are below.

British sch'r Admiral Harvey, from Trinidad, is ashore on the Pea Patch.

## FEDERAL GAZETTE.

TUESDAY, DECEMBER 6.

At an election yesterday for directors for the Bank of Baltimore, the following gentlemen were duly chosen for the ensuing twelve months, viz.

GEORGE SALMON
WILLIAM LORMAN
ELIAS ELLICOTT
WILLIAM WILSON
WILLIAM WINCHESTER
WILLIAM MATHEWS
JOSEPH STERETT
ALEXANDER MACDONALD
JOHN STRICKER
JAMES WEST
BENJAMIN WILLIAMS
EMANUEL KENT
HENRY ALEXANDER
THOMAS TENNANT
THOMAS POULTNEY.

The Almira, Jenkins, of Baltimore; Evelina, Chapman, do. Harriot, Nash, do. and Alert, Smith, of Alexandria, have arrived at Boston.

The brig Polly, Manchester, from hence, has arrived at Providence, R. I.

The ship Susanna, Forrester, from hence, has arrived at Charleston in five days.—The Missisippi, Dawson, at Savannah, in 9 days.

Captain Woodworth, of the schr. Favourite who arrived on Sunday from New providence, left there November 6, brig President, Hubbard, of Middletown, to sail in a day or two, and schr. ——, Jones of New-York, in a few days.—November 20, lat. 37, N. long. 73, 50, W. spoke brig Hound, Fuller, of New-York, from Corracoa, 30 days out—short of provisions supplied him.

FROM THE AMERICAN.

*Messrs. Pechin & Frailey,*

The enclosed bill has been reported in the senate, and will be acted upon this session—its provisions are more extensive and considered less exceptionable than those contained in the bill which passed the last session; if it obtains, the county court establishment will be placed on as reputable a footing and as permanent as the now general court, and the people will be saved from the heavy expence and unavoidable delay necessarily incurred in the trial of facts in the general court, and justice will be carried to every man's door; its basis is the convenience of the people.

*An act to provide for the trial of facts in the several counties of the state, and to alter, change and abolish, all such parts of the constitution and form of government which relate to the general court and the court of appeals.*

BE *it enacted by the general assembly of Maryland*, That from and after the ——— day of ———, eighteen hundred and five, the state of Maryland shall be divided into six judicial districts, in manner and form following, to wit: Saint-Mary's, Charles and Prince-George's counties shall be the first district; Calvert, Anne-Arundel and Monegomery counties shall be the second district; Frederick, Washington and Allegany counties shall be the third district; Baltimore and Harford counties shall be the fourth district; Cæcil, Kent, Queen-Anne's and Talbot counties shall be the fifth district; Caroline, Dorchester, Somerset and Worcester counties shall be the sixth district; and there shall be appointed for each of the said judicial districts one person of integrity and sound legal knowledge, a resident of the state of Maryland at least six months previous to his appointment, who shall be stiled in his commission chief judge of the —— district of the state; and also, two persons of integrity and sound legal knowledge, residents of the state six month previous to their appointments, who shall reside in the district for which they shall be appointed, and who shall be stiled in their commissions associate judges of the ——— district of the state; and the chief judge, together with the two associate judges, shall compose the county court in each respective district, and each judge shall hold his appointment during good behavior, removable for misbehavior on conviction in a court of law, or shall be removed by the governor, upon the address of the general assembly, provided that two-thirds of all the members of each house concur in such address; and the county courts, so as aforesaid established, shall have, hold and exercise, all and every the powers, authorities and jurisdictions, which the general court and the county courts of this state have heretofore held, used and exercised except at the appellate jurisdiction heretofore exercised by the general court; and the said county courts, established by this act shall, respectively hold their session in the several counties at such times & places as the legislature shall direct and appoint.

II. *And be it enacted*, That there shall be a court of appeals, and the same shall be composed of the chief judges of the several judicial districts of the state, which said court of appeals, shall hold, use and exercise, all and singular the powers, authorities and jurisdictions, heretofore held, used and exercised by the court of appeals of this state, and also the appellate jurisdiction heretofore used and exercised by the general court, and the said court of appeals hereby established shall sit on the Western and Eastern Shores for transacting and determining the business of the respective shores, at such times and places as the future legislature of this state shall direct and appoint; and any three of the said judges of the court of appeals shall form a quorum, to hear and decide in all cases, pending in said court, and the judge who has given a decision in any case, or upon any point, in the county court, shall withdraw from the bench upon the hearing of the same case or point before the court of appeals; and the judges of the court of appeals may appoint the clerks of said court for the Eastern and Western Shores respectively, and supply vacancies, in the same manner and in the like cases, as the judges of the general court and county courts heretofore by the constitution could or might, respectively appoint their clerks and supply vacancies; and every law shall hereafter be recorded in the office of the court of appeals of the Western Shore.

III. *And be it enacted*, That all and every part of the constitution and form of government which relates to the court of appeals and the general court, or to the judges thereof, or that is in any manner repugnant to, or inconsistent with, the provisions of this act, be and the same are hereby repealed, abrogated, abolished and annulled, upon the confirm tion thereof.

IV. *And be it enacted*, That if this act shall be confirmed by the general assembly of this state, after the next election of delegates in the first session after such new election, as the constitution and form of government directs, that in such case this act, and the alterations and amendments of the constitution and form of government, therein contained, shall be taken and considered, and shall constitute and be valid, as a part of the said constitution and form of government, to all intents and purposes, any thing in the said constitution and form of government notwithstanding.

Caleb Adams is to be executed at Windham, (Connecticut,) on Tuesday next the 29th instant, for the murder of Oliver Woodworth, a child of six years old; this young man is only nineteen years of age.

## Port of Baltimore.

*ENTERED,*

| | | |
|---|---|---|
| Barque | Unternehmung, Wendt, | Bremen |
| Snow | Anna, Kœper, | ditto |

*CLEARED,*

| | | |
|---|---|---|
| Ship | Warren, Brantz, | Leghorn |
| Brig | Henrietta, Darnell, | Barbados |
| Sch'r | Mary Ann, Edwards, | Jamaica |
| | Rainbow, Rogers, | Charleston |

## Notice.

☞ *On Sunday, the 11th instant, at half past 10 o'clock, a Charity Sermon will be preached, and a collection made, in the Methodist Church on Fell's-Point, for the benefit of the Free Male School in Light-street.*

*December 6.*

## Notice is hereby given,

To all persons not to trust any of the crews of the Portuguese brigantine Pastor, or yacht Caninha, as we are determined not to pay any of their debts.

*Joaquim Joze d'Almeida,*
Master of the brigantine Pastor.
*Frar M. Ferr. Veiho,*
Master of the yacht Caninha.

December 6. eo6t

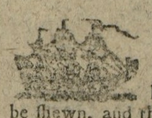

## Sale by Auction.

To-Morrow Morning,

*The 7th instant, at 12 o'clock, at the auction room at the head of Frederick-street dock, will commence the sale of*

The CARGO of the schooner Carmelite, consisting of
37 hhds first quality Sugar
60,000 wt. Green Coffee.

*Also,*



The Schooner
CARMELITE,
Burthen 800 barrels, completely sound. Her inventory will be shewn, and the terms made known at the time of sale.

VAN WYCK & DORSEY, Auct's.
December 6.

## *Sale by Auction.*

*In addition to the Cargo of Sugar and Coffee, advertised for sale to-morrow, at 12 o'clock, will be sold,*

210 boxes Havanna white } SUGAR
140 do. do. brown }
7 tons LOGWOOD.

*Also,*

3200 feet Mahogany PLANK.

VAN WYCK & DORSEY, Auct's.
December 6.

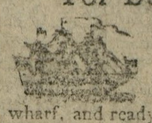
## For Freight or Charter,

The Schooner
INDUSTRY,
*Thomas Lunt, master,*
Lying at Dixon's wharf, Fell's-Point, carries 1350 barrels. Apply to the master on board.

*For sale on board said schooner,*
200 barrels No. 1 and 2 Beef
60 tons Plaister of Paris
1000 bushels excellent Potatoes.

December 6. d3t

## For Boston or Salem,



The Schooner
JULIA ANN,
*Captain M. Hopkins,*
Burthen 75 tons, lying at Smith's wharf, and ready to receive a cargo. For freight or passage apply to the captain on board.

December 6. eo3t

## A Saw Miller

IS wanted by the subscriber, at his mills on Gwinn's falls, two miles from Baltimore; where logs will be sawed into plank or scantling, upon the usual terms.

JAMES CARROLL.
December 6. eo6t

## To Rent

THREE very convenient ROOMS, one on the first floor, for the use of a store, with an excellent cellar for dry goods, and two on the second, in Light-lane, nearly opposite the Fountain Inn. Apply to the printers.

December 6. eotm

BALTIMORE

## *Office of Discount and Deposit,*

6th December, 1803.

ON Monday next the President and Directors will proceed to the appointment of an Assistant Runner to this institution, a vacancy occasioned by the resignation of Mr. George M'Claiky, the late discount clerk, (owing to his ill state of health) and the promotions in consequence thereof.

Those who intend to apply for said office will deliver in written applications, addressed to the President and Directors, any day before Sunday next, to

d4t DAVID HARRIS, Cashier.

## *Genuine Oysters, Canvas Backs, Beef Steaks, and Partridges.*

THE subscriber keeps constantly throughout the season, got ready on the *shortest notice*, and as *usual* in the *best manner* to be found. Also, LIQUORS of every description, of the very *first* quality, and among them a *fresh* supply of *real* IRISH WHISKEY, *high proof* and well flavored.

N. B. Private families and others can be supplied with excellent Draught ALE and BEER, always fresh on tap.

The public's humble servant,
DANIEL M'EVERS,
Eagle and Harp Inn, Gay-street.
December 6. eo3t

## To be Let,

*And immediate possession given,*

A three-story HOUSE in Lombard-street, a few doors above Howard-street; it has stabling, coach-house, and every convenience to accommodate a large family; it might suit a gentleman who would like to have a compting room or office of any sort in the house, as there is a room well adapted to such uses, which has a door to the street.

*To be Let also,*

A small brick HOUSE, with a garden, on Pratt-street, between Howard and Eutaw-streets. Apply to Mr. James Carroll, in the city, or to Mrs. Margaret Carroll, Mount Clare.

December 6. eo4t

## New Theatre.

LAST NIGHT BUT TWO.

*THIS EVENING, December 6,*
Will be presented a celebrated Comedy, in 3 acts, (not acted these 3 years) called

*The Mask'd Friend.*

Written by Thomas Holcroft, esquire, author of the Road to Ruin, and performed at the theatre Royal, Covent Garden, with unbounded applause.

*After which a comic interlude, in one act, called*

Sylvester Daggerwood;

*Or, THE MAD DUNSTABLE ACTOR,*

To which will be added, a musical farce, in two acts, (not acted this season) called

*The Sixty-Third Letter.*

Written by Walley Chamberlain Fulton, and performed at the theatre Royal, Hay Market, upwards of 40 nights, with distinguished approbation.

*With entire new Music.*

The music of the first act by Mr. Reinagle—that of the second act and finales by Mr. Taylor.

*A new Miscellaneous Overture, composed by Mr. Reinagle.*

☞ On Wednesday, the play of Adelmorn, the Out-Law; with High Life below Stairs—being the last night but one.

December 6.

## 25 Dollars Reward.

THE subscriber, on the 25th ultimo, removed from a two-story brick house, about one mile from the centre market, on the York road, (owned by Abraham Van Bibber)—on the 3d instant, his son was occasionly at the house, when he discovered nothing amiss—since that time some person has broke 41 panes of glass. The above reward will be paid for the discovery of the perpetrator, so that he can be brought to justice.

PETER POLLARD.

N. B. The aforesaid House, with its privileges, offered for rent. For particulars enquire of *Peter Pollard.*

12th mo. 6. eo4t