The National Intelligencer,

AND

WASHINGTON ADVERTISER.

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Five Dolls. per ann. WEDNESDAY, SEPTEMBER 16th, 1801. *Paid In Advance.*

The quarterly court of Northumberland in Chancery, have decreed that part of the Tract of Land in the said county, commonly called

MOUNT SION,

THE property of Catesby Jones deceafed, together with the MILL adjoining, BE SOLD on the 10th day of October next, for ready money, to fatisfy a deed of mortgage made to Walter Jones for the payment of a certain fum of money, by the faid Catesby Jones; unlefs the heirs of the faid C. Jones fhall on or before the 20th day of September next, redeem the premifes, by payment of the money, for which they are mortgaged, referving to the widow her dower in the faid Land and Mill. They have alfo decreed, that the refidue of the faid tract of land together with FIFTEEN NEGROES, and the ftocks of cattle, fheep and hogs be fold at the fame time and under fimilar conditions, to fatisfy a mortgage made to Jekyll and Skelton Jones for the payment of another fum of money, and have alfo appointed William Claughton, Hierom Opie and Samuel Beachum, commiffioners for executing thefe their decrees. Now, this is to give notice, that the commiffioners will, on the premifes on the faid 10th day of October, proceed to execute the faid decrees according to their tenor.

The Land and Mill are very valuable, and are fituated on the navigable waters of the river Potowmac in the county of Northumberland.

Wm. Claughton,
Hierom Opie, } Com'rs
Samuel Beachum,

September 7, 1801 ep6t

By virtue of a writ of Fieri Facias, iffued out of Wafhington County Court, in the Diftrict of Columbia, to me directed, will be offered

FOR SALE,

TO the higheft bidder, on Tuefday the 22d inftant, at William Tunnicliff's Hotel, in the City of Wafhington, all George Walker's right to the following lots in the faid city, to wit:

Lots No. 4 and 5, in fq No. 1019.
Lot No 1, in fq No. 1044.
Lots No. 3, 4, 5, 6, 11, 12, 13, 14 in fq. No 963.

All the faid Walker's intereft in fq. No. 966—Lots No. 5 and 6, in fq. No. 896—Lot 4, in fq No 837—And lots No. 2, 15, 16, in fq. No. 836; or fo many thereof as may be fufficient to fatisfy a debt due to Overton Carr, for the ufe of Henry Roger. The fale to commence at 11 o'clock in the forenoon. Terms of fale cafh.

DANIEL C. BRENT,
Marfhal.

Wafhington City, Sept 2, 1801. 2awtf

NOTICE.

THE following flaves have been committed to the gaol of Wafhington county, viz.

SOLOMON JOHNSTON—Five feet 10 inches high, 33 years of age, has on a pair of nankeen trowfers and a coarfe fhirt; fays he belongs to captain Johnfton of the city of Baltimore.

JOHN PAINE—Five feet 8 or 9 inches high, 26 or 27 years of age, has on a blue coat much worn, a pair of light coloured corduroy breeches and an old hat, fays he belongs to col. Martin Pickett of Fauquier Court Houfe, Virginia.

MARK, alias THOMAS GORDON—Five feet 9 inches high, 40 years of age, has on a pair of old trowfers, and an old fhirt and a new felt hat; fays he belongs to David Allifon of Falmouth Virginia.

BEN COLE—Five feet 8 or 9 inches high, 22 years of age, has on a ftriped gingham coat, overhalls of the fame, and white dimity jacket; fays he is a free man, and that he came from Fells Point in the city of Baltimore, where he refides.

The owners of the above Runaways are defired to come and take them away, otherwife they will be fold as the law directs, to difcharge their prifon expences.

DANIEL C. BRENT.
Marfhal of the Diftrict of Columbia.

Wafhington, August 14, 1801. 1awtf

The fchooners Dolphin & Kitty,
now lying at Mr. Young's Wharf will conftantly take freights every three weeks from this to Annapolis or Baltimore. For terms apply to BROHAWN and BOYS.

Wafhington July 15, 1801. f

NOTICE.

A NUMBER of gentlemen, having expreffed their ideas of the benefit to be derived from the inftitution of a fociety in this city for the protection of property againft the defigns of fwindlers and Sharpers, and the bringing to juftice thofe who violate the laws, and purloin the property of the innocent and unfufpecting. It is propofed that a meeting be held on the 19th inft. at Mr. M'Munn's tavern, at 3 o'clock, for the purpofe of framing rules, appointing a fecretary and prefident, and organifing the fociety.

City of Wafhington, Sept. 9, 1801. t19

For the National Intelligencer.

No. VII.

The fifth power, whofe conftitutional exercife by Congrefs has been contefted, is that of making and keeping in repair Public Roads.

The conftitution fays, "Congrefs fhall have power to eftablifh poft-offices and poft roads."

Under this authority it is contended, that as Congrefs *may* make either the whole, or any part of the exifting roads, or any which may hereafter exift in the United States, poft roads, they poffefs the abfolute power over all roads, the power of laying out roads diftinct from any which are at prefent laid out, of making exifting roads poft roads, of keeping them in repair, and of impofing tolls for that purpofe.

It is urged, that without fuch power the poft-office eftablifhment, fo important to the *general* interefts of the nation, would be at the mercy of local and ftate interefts.

On the other hand it is ftated, that the words of the conftitution, ftrictly conftrued, mean no more than that Congrefs have power to *eftablifh* poft roads, that is to defignate what exifting roads fhall be poft roads, and to render fuch free for the carriage of the mail. In fupport of this opinion, it is ftated that the abfolute and exclufive right of laying out and keeping in repair roads was attached to the fovereignty of the refpective ftate governments previoufly to the adoption of the articles of confederation, and afterwards of the Federal Conftitution; that this laft, which is our prefent rule, does not diveft the ftates of this right; that if it had been the intention of the inftrument to diveft the ftates of it, it would have exprefsly fo declared; that not being fo declared, it muft be inferred that no fuch intention exifted. It is further urged, that if Congrefs poffefs over roads an authority paramount to that of the ftates, they may declare all the roads in the United States poft roads, and by the impofition of oppreffive tolls deftroy that facility of intercourfe which is fo defirable.

It will readily be obferved, that many of thefe arguments are more the refult of vigilant jealoufy, than dictated by any probable collifion of interefts between the general and ftate governments. Yet it muft be acknowledged, even in this point of view, that the duration of harmony between thefe governments can never be fo ftable, as when the conftitutions and laws, whereby both are governed, fhall clearly and unequivocally circumfcribe the powers, and prefcribe the duties of each.

But this point becomes of great importance, when we reflect that it is probably owing to the doubtful authority of the general and ftate governments that our roads remain neglected. It is a fact, on firft fight difgraceful, to our national character, that we have not a fingle road from one extreme of the union to the other, that can be travelled either with perfonal fafety or with facility and difpatch. Ought this to be? How much wealth ftagnates, how much induftry remains inactive, that would be occupied in the promotion of ufeful objects, were our country bleffed with good roads?

The evil exifts—How fhall it remedied? I anfwer, that the firft ftep fhould be to define with the greateft precifion the powers, and the duties of the general and ftate governments. Let each know its province, and we may rationally infer that each, actuated by a defire to advance the public good, will devife and execute plans for its promotion.

At prefent the ftates forbear to expend their refources upon an object that may be wrefted from them without compenfating them for their expenditures; and the general government forbears to affume a power, at beft doubtful. Let then the limits of power poffeffed by each government be fixed. It is not apprehended that the tafk will be a difficult one. As there will be no party feeling engaged, as the object in view will be equally interefting to all, it may be prefumed that all will unite in its amicable accomplifhment.

SOLON.

To fhew the attention the government of Ireland are paying to the improvement of their cattle, as a branch of farming, and to hint that it would not be unworthy of imitation in the United States, we copy the following:

FARMING SOCIETY OF IRELAND.

Right honorable John Fofter, Prefident.

COMMITTEE.

Marquis of Sligo, Rev. Richard Wynne, fir Edward O'Brien, bt. George Grierfon, efq. fir John Freke, bt. Richard Aldworth, efq. Owen Wynne, efq. James Harvey, efq. Richard Reynell, efq. right hon. D. Latouche, Rofs Mahon, efq. fir W. G. Necomen, Robert Wynne, efq. bt. Chas. P. Doyne, efq. John Garnet, efq. Robert St. George, efq. S. Garnet, jun. efq. Rev. Dr. Beaufort, Ger. O'Farrel, efq. Henry Stewart, efq. John Hamilton, efq. right hon. D. Latouche and co. Treafurer. Mr. C. Mills, No. 44, Cuffee-ftreet, Dublin, Secretary and Agent.

Refolved, That a fhew of neat cattle, fheep, pigs, horfes, &c. be holden at Balinafloe, on Wednefday the 7th of October, 1801, and that the following premiums be given by the fociety.

CATTLE OF ANY BREED.

1ft clafs—To the owner of the beft imported bull, of any breed or age, a piece of plate, value 10l.

2d. clafs—To the owner of the beft one year old bull, of any breed, got in Ireland, a gold medal.

3d clafs—To the owner of the beft two years old bull, of any breed, a gold medal.

4th clafs—To the owner of the beft three years old bull, of any breed, a gold medal.

5th clafs—To the owner of the beft four years old bull, and upwards, of any breed, a gold medal.

6th clafs—To the owner of the beft yearling heifer, of any breed, a gold medal.

7th clafs—To the owner of the beft two years old heifer, of any breed, a gold medal.

8th clafs—To the owner of the beft cow, of three or four years old, any breed, giving milk, a gold medal.

9th clafs—To the owner of the beft cow, of five years old, or upwards, of any breed, giving milk, a gold medal.

10th clafs—To the owner of the beft cow and her calf, of this year, a gold medal.

They go on with no lefs than 70 or 80 premiums for cattle, horfes, hogs, ploughing, &c. which are to be claimed under the following conditions:

CONDITIONS OF THE DUBLIN PREMIUMS.

1. That each candidate fhall produce his cattle or fheep at the place of fhew the day before adjudication.

2. That the cattle and fheep for the November fhew fhall have been fed on grafs or other green vegetables from the firft of June preceding.

3. That the cattle and fheep for the April fhew may have been fed upon any food except grains or ftill-wafh. The mode of feeding in all cafes to be afcertained on oath before the judges.

4. That no beaft fhall be permitted to be fhewn, or entitled to a premium, but fuch as fhall be led to the place of fhew by a ftrong rope or chain, and fufficiently fecured to prevent accidents.

5. That no candidate fhall be entitled to more than one premium in the fame clafs.

6. That thofe cattle and fheep to which premiums fhall be adjudged, fhall be weighed alive and flaughtered, as the judges fhall direct.

N. B. No candidate fhall be reftricted from felling to any butcher who will comply with the above condition.

7. That each candidate be requefted to give the moft accurate information in his power to the judges, refpecting the breed, &c. of the beaft which he fhall exhibit.

8. That no perfon fhall act as judge who fhall be interefted in the decifion.

9. That the premiums be paid in money or books of agriculture, at the option of the claimants, the books to be ftamped by the fociety.

Refolved, That the judges fhall have a power of withholding any premium in cafe where there fhall not appear to be fufficient merit.

Lifts may be had of the fecretary, No. 44, Cuffee-ftreet.

By order,
CHARLES MILLS, Sec'ry.

From French Papers.

The following are the particulars which the general of brigade Devaux, commanding the troops, has fent the minifter of war, by a letter dated from Algefiras, July 7.

"I have the honor to make you acquainted, citizen minfter, with the memorable battle which took place on the 6th inftant, between the divifion under the command of vice-admiral Linois, confifting of three line of battle fhips and one frigate, Le Formidable, L'Indomptable, Le Defaix, and Lamouron frigate, and fix Britifh fhips of the line and a frigate. Our divifion was attacked in the roads oppofite to Algefiras, at 8 A. M. The engagement, which was one of the moft terrible that has taken place for a confiderable time, lafted feven glaffes and a half. I want expreffions fufficiently energetic to defcribe the valour with which our divifion fought; the land troops on board ably fupported the gallantry of the feamen. Vice-admiral Linois, by his perfonal bravery and his judicious manœuvres, contributed effentially to the fuccefs of the day. Capt. Paloere, of Le Defaix, proved himfelf a hero, as did alfo the officer who commanded the frigate; the captains of Le Formidable and L'Indomptable, who fell in the field of honor during the action, call forth the moft fincere regret. The Hannibal, a Britifh 74, was captured, two other line of battle fhips were difabled. We have had a great number of killed and wounded, but the Englifh had ftill more. We are threatened with a frefh attack, and the burning of our fhips in the port. I had the good fortune to be with French gunners in the battery of Algefiras, which we attended to the beft of our abilities.

(Signed) Devaux."

"To the Secretary at War."

Befides the Hannibal, captured in the action of Algefiras, two other Britifh fhips of war are difabled—they gained Gibraltar with the greateft difficulty, and in the moft leaky condition—they were declared unfit for fervice. The Pompey is one of thefe fhips; it was fhe that ftruck during the engagement. The three other veffels fuffered confiderably, and were towed into Gibraltar. The Englifh had a heavy lofs.

The Republican captain Moucoufu was killed. On the 8th of July the French fhips were already fit for duty, and the admiral's crew was completed. On the 9th, admiral Morano, with five Spanifh veffels, and vice-admiral Dumonoin, with fome French fhips appeared off Algefiras, to join vice-admiral Linois, and to take the Hannibal in tow into Cadiz to refit. Admiral Linois captured feveral Englifh merchantmen during his cruife. Admiral Mazaredo, commanding at Cadiz, was very active in difpatching admiral Moreno's fquadron, and in fending provifions, &c. to the French at Algefiras.

The 24th of June, at break of day, admiral Gantheaume, being in the channel between Candia and Egypt, fpied a fhip of war, and inftantly iffued orders for a general chace—the French fquadron failed much better than the purfued fhip. At 5 P. M. fhe proved to be a Britifh 74; having no hopes of efcaping, the enemy attempted to get the weather gage of us, availing himfelf of the moment that the French fquadron was widely difperfed; the hoftile fhip crowding all her fails, fhe went before the wind, for the purpofe of endeavoring to fight her way through the French fquadron, but L'Indivifible and Le Dix-Aout bore up againft and engaged her at the diftance of 600 toifes—the fighting fhips foon came within mufket fhot, and after a tolerable action of an hour, the Britifh fhip was compelled to ftrike. She proved to be the Swiftfure, one of the fineft fhips belonging to admiral Keith's fquadron. L'Indivifible and Le Dix-Aout, fuffered but little, the former having only four men killed, the latter fix, and 23 wounded.

Admiral Gantheaume put men on board the Swiftfure, and fhe was foon enabled to keep the fea.