liberty to ourselves and our posterity." It is not, however, meant to be intimated that this part of the Constitution would alone warrant the exercise of these powers. On the contrary, it is admitted that it would not. But it may throw some light on the terms of the powers subsequently conferred. Let us then proceed to the other provisions of the Constitution.

1. The 8th section of the 1st. Art. gives Congress power "*to lay and collect taxes, duties, imposts, and excises* to pay the debts, and *provide for the* common defence and *general welfare of the United States*"—

2. "*To regulate commerce* with foreign nations, and *among the several States*"

3. "To establish Post-Offices and Post-roads"—

4. "To promote the progress of science and useful arts, by securing for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries."

These, it is believed, are all the Constitutional provisions that can be considered as applicable to this point.

The first gives an unlimited power to lay taxes, leaving altogether unspecified the purposes for which they are laid. It becomes necessary to enquire to what objects they can be constitutionally applied. To all objects, surely, mentioned in the Constitution. But is the door to be shut upon all others? Although it be true that the Constitution of the United States differs from most others, inasmuch as it is a government of circumscribed and delegated powers, does it follow that it is denied all the attributes of other governments because they are not expressly given. For instance, there is no power expressly given to relieve from distress, or to reward merit by a pecuniary donation or the erection of monuments? Yet will it be contended that, because these powers are not expressly given, they are altogether denied? This will be contended by no one. It follows, therefore, that it is allowed, by an universal assent, that the government does possess some powers, *not specified*, which had been previously considered as incident to all other governments. And the only remaining question is whether the power to provide for education and internal improvements is not of this kind.

It so happens that the very clause of the Constitution, which confers the unlimited power of laying taxes, likewise bestows the power of providing for the *general welfare* of the United States, *in addition* to that of providing for the *common defence*. It is confidently believed that this provision viewed in connection with the preamble, already cited, was intended principally to apply to these great objects. Why else was it introduced in this place, in the very section that authorises the imposition of taxes, and why was the imposition of those taxes left without limitation? It would seem that the eye of the Convention connected these great objects together, and that impressed with the magnitude of the ends to be effected, the members were not regardless of the necessity of creating means of correspondent importance. If this construction be not put on the words *general welfare*, what other shall be placed upon them? Will it be contended that they amount merely to a general expression, embracing numerous powers specially conferred, such as the raising an army, the creation of a navy, the establishment of a mint? If so, are not the words altogether supernumerary; as competent provision is made elsewhere for these objects? Will the precision and conciseness of the instrument justify this inference? If they will not, where shall we look for objects, omitting education and internal improvements, that would require or justify such comprehensive language as providing for the general welfare.

Further, one of the great ends of the Constitution is, in the preamble declared to be "to secure the blessings of liberty to ourselves and our posterity."

Can there be devised a more potent engine for obtaining this great and invaluable end, than education? Is it not generally believed that the preservation of liberty entirely depends upon this object being properly attended to? These considerations add forcibly to the assurance that it was not intended by the framers of the constitution to deny this power to congress.

Further: Among the numerous prohibitions of power to the general government, contained either in the original instrument, or the amendments subsequently made, there is not indicated the least jealousy of such a power, a strong proof that the people apprehended no danger from its exercise. It will, perhaps, be replied that as no direct power over these objects was given to Congress in the original instrument, there was no occasion to restrain it in the amendments. But may not the same thing be said of most, if not all, of the objects provided for in the amendments? By the 3rd amendment Congress are prohibited from making any law respecting an establishment of religion—Yet in the Constitution no power is given to Congress relative to religion. The amendments deny to Congress the power of abridging the freedom of speech or of the press. Yet the Constitution is silent on this subject. And so with regard to several other provisions established in the amendments. It is clear then that it was imagined that Congress might, if uncontrolled by a positive veto, go beyond their literal charter of delegated powers.

But we are referred to that Constitutional provision that empowers Congress "to promote the progress of science and useful arts, by securing, for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries": And it is contended that this limited bestowal of power on a particular subject is equivalent to a denial of any other power relative to it. This, however, will, I think, on a little reflection appear to be a very unfair inference. We well know that it had long been a subject of regret that there existed in the United States no power pervading all the states for giving copy rights to authors, and patents to inventors, for their works and discoveries. It was essential to the efficacy of this power that it should be reposed in some body whose authority should extend beyond the limits of a state, and it was likewise important that this authority should be exclusive of that of any other bodies. The foregoing constitutional provision has these two effects. So far then as it was important to promote the progress of science and useful arts, by securing, for a limited time, to authors and inventors, the exclusive right to their respective writings and discoveries, this power to promote the progress of science and the useful arts, was *exclusively* vested in Congress. But does it necessarily follow that because this power was *exclusively* granted to Congress, all other power on the subject, to be *concurrently* exercised with the states, was denied? This provision then giving Congress exclusive power to grant copy rights and patents may have been introduced entirely, with a view of prohibiting a like power to the respective states.

(TO BE CONTINUED.)

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A Boston print states that on the arrival of Mr. Bowdoin at Corunna, the customary quarantine regulations were dispensed with in his favor. He was politely received by the brother of the Spanish prime minister who commands at Corunna; and he readily received his passports to proceed to Madrid.—Soon after he was taken ill; and on a consultation of physicians, a voyage to Great-Britain was recommended for the recovery of his health, where he no doubt now is. Madrid is considered an unhealthy place.

*New-York, Sept. 5.*

Captain Fairchild, of the ship Aurora, from Havanna, informs us that three days previous to his sailing, Mr. HILL, the American consul, shut his office, and declined doing any business, in consequence of some dispute with the Spanish government, on the subject of the depredations committed by Spanish cruisers on the commerce of the United States; several masters of vessels, who have been taken, plundered, and sent into Batabano and other places in the Island, having applied to the consul for redress.

Six American schooners had been sent into Batabano (west side of Cuba) and the masters of them arrived at Havanna the day before the Aurora sailed. One of them was captain Cranston of a pilot boat schooner from Philadelphia, taken by the privateer Launch.

*New-Orleans, July 25.*

We understand that his excellency, William C. C. Claiborne, has been appointed by the President of the United States, governor, and the hon. J. B. Prevost, Buckner Thruston and Geo. Duffield, judges of the superior court of the territory of Orleans, under the act of Congress extending to us the second grade of government.

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## WASHINGTON THEATRE.

*THIS EVENING,*

*Will be presented the Comedy of*

She wou'd and she wou'd not:

OR

The kind Impostor.

To which will be added the Farce of

Ways and Means,

OR

A Trip to Dover.

ADMITTANCE—Box one Dollar, Pitt three quarters of a Dollar.

Tickets to be had at Mr. M'Laughlin's tavern, George-Town, at the office of the Washington Federalist, at the Theatre, and at A. & G. Way's Printing-Office.

☞ Doors to be opened at 6, and the performance to commence at 7 o'clock precisely.

## PUBLIC SALE.

On the first Monday in November next will be sold at Public Auction, on the premises at the hour of eleven o'clock A. M all those Lots of ground, No. 18 and 26 which were allotted and set apart for JAMES WIGFIELD, of Washington county, District of Columbia, situated near the south end of the Eastern Branch Bridge, and vested in me in virtue of a deed of trust from said Wigfield. Terms of sale cash.

BENSON L. M'CORMICK,

July 29—1wtN.

## For sale on a liberal credit,

or will be exchanged for ground rents or improved property in Alexandria, George Town or Washington, one half or the whole of the LONG GLADES, containing thirteen hundred and fifty acres of land, situated three miles from the Great Falls of Potomac, in the county of Fairfax, on the post road from Alexandria and the city of Washington, twenty miles from the former, and fourteen from the latter.

On this land is the well know White House, half way between Alexandria and Leesburgh. The buildings are convenient and good. The situation for a Public House is inferior to none. A store might be established here to advantage.

This property can be divided so as to give an equal proportion of woodland to each part. There is no tract of the same size in the county that is better watered, that has a larger proportion of valuable meadow, nor no one in the state on which plaister of paris answers better. Hay meets with a ready sale as at Washington or Alexandria. There are on it two mill seat, a stone Quarry, and an excellent situation for a distillery. There are strong appearences of copper ore on part of the land that adjoins the mine tract, belonging to Lord Tankerville and others.

Also, a plantation containing 400 acres of good lime stone land, situated within 12 miles of Winchester 7 of Newtown, and 7 from the Shanandoah river which is now opening. One half the tract is in heavy timber, has a good proportion of meadow and is well watered.

Also, a tract of land containing three hundred and fifty six acres in the district of Columbia, on four mile run, between seven and eight miles from Alexandria, and about four from George Town or Washington.

More than half this land is in valuable timber; has a large quarry of building stone, and is well watered. The improvements are indifferent. It has several elegant scites for building, that command a prospect of the city of Washington and adjacent country.

J. SWIFT.

Sept. 11—3t.

## Anacosta Library.

NOTICE to the Stockholders—That the annual election was held at the Library room in conformity to the constitution, on Tuesday the 3d inst. when the following gentlemen were elected officers:

Doct. A. McWilliams,<br>
James Burgess,<br>
Azariah Gatton,<br>
Matthew Wright,<br>
Adam Lindsay, } Trustees.

Gustavus Higdon—Librarian.<br>
Samuel Fowler - Treasurer.<br>
Robert Bunyie—Secretary.

The Library is now removed to Mr. Higdon's, at the corner of L street south and 8th street east,

R. BUNYIE, Secretary.

City of Washington, Sept 11—3t

## Runaway Negro.

WAS Committed to the jail of this county on the 18th day of August last, a negro man by the name of

RALPH

about 23 or 24 years old, about 5 feet 10 or 11 inches high, has a scar on his throat or neck, and two of his fore teeth out; his cloathing is a tow shirt and trowsers, old swandown jacket, old wool hat, two pair striped cotton trowsers and an old linen shirt, says he belongs to James Wyate near the Red House, Prince William county state of Virginia. His owner is desired to come, prove property, pay charges, and take him away, otherwise he will be sold for his prison fees according to law on the 20th day of November next.

L. HILLEARY, Sheriff. Allegany county, Maryland.

Cumberland, Sept 11—w3t

*IN CHANCERY, MARYLAND,*
*August 5, 1805.*

Hezekiah Berry,

vs.

Samuel Smallwood, Amastatia Smith & Cornelius Smith her husband and others.

The object of the bill in this cause filed is to obtain a decree to foreclose a mortgage executed by Henry Smallwood on fifth day of July seventeen hundred and ninety-nine for conveying to the complainant sundry tracts of land in Charles county. The bill states that Samuel Smallwood, Amastatia Smith and Cornelius Smith her husband reside out of the state of Maryland. It is thereupon adjudged and ordered that the complainant by by causing a copy of this order to be inserted three successive weeks in a newspaper in the city of Washington, before the 25th day of October next, give notice to the defendants of this application and of the substance and object of the bill, that they may be warned to appear here in person or by a solicitor of this court before the twenty fifth day of February next, to shew cause if any they have wherefore a decree should not pass as prayed

Test

SAMUEL HARVEY HOWARD,
Reg. Cur. Can.

Sept 11—w3t

## PUBLIC SALE,

*Of Houses, Lots, and lands, situated in Frederick town, and in the county of Frederick and state of Maryland.*

ON the 23d of October next, at Mrs. Kimbolls in said town, will be sold at auction for the benefit of creditors, viz in Frederick-town.

A large, handsome and commodious three story brick dwelling & storehouse, in a central situation for business—Also an extensive range of building, forming a very eligible family residence, in an airy situation with every needful improvement, and an out lot of 21 acres, enclosed with a post and rail fence, now in clover—453 acres of good farming land, in two tenements well apportioned, with meadow, upland, improvements and timber, distant about 12 miles. The terms, one twelfth in hand, one fourth in one month, the residue in two equal annual instalments with interest, on bond and security.

JOHN RITCHIE, Trustee.

Frederick town, Sept. 11—

## NOTICE.

THE citizens who are interested in obtaining a market near the NAVY YARD, are requested to meet at Gatton's tavern on Thursday next at 6 o'clock in the evening to consider of the best means of accomplishing that object.

Washington, Sept. 11—1t

## Sale at Auction
*OF FURNITURE.*

ON Tuesday 17th September will be sold at public auction, next door to Mr. Harrison Smith's on Pennsylvania avenue, a variety of furniture the property of Miss SALLY DASHIEL, consisting of beds, bedsteds and furniture, Mahogany dining and card tables, an elegant side board, chairs, brass andirons, shovels and tongs, mahogany bureaus, fine carpets, and a quantity of blankets all in excellent order, also a quantity of kitchen furniture. The terms of sale for all sums amounting to 20 dollars cash, for all sums over 20 dollars, negotiable notes with approved indorsers at the city bank, to bear interest from day of sale. Sale to commence at 10 o'clock in the forenoon.

JOHN TRAVERS, Auct.

Sept. 11—3t

## Rich Kanahwa Bottom Lands
*FOR SALE OR EXCHANGE.*

THE subscriber offers for sale, or exchange for Lands or other real property on the east side of Blue Ridge about 7000 acres of rich bottom land on the Great Kanahwa river, and on both sides thereof, opposite and below the mouth of Poketollico creek in the state of Virginia, 23 miles from Point Pleasant, the county town of Mason county, and 12 miles from the county town of Kanahwa county, and adjoining the lands of the late Gen. Washington. They were surveyed at the same time with these lands, viz. in the year 1772, and are held under the same titles, viz. old military rights which are unquestionable.

The Lands are of the very first quality, the bottoms in many places a mile wide. They have been lately resurveyed and divided into lots containing from 150 to 350 acres each, for the accommodation of purchasers, each Lot fronting on the river, and extending back from thence to the hills, which afford a most extensive range for stock, which can never be interrupted. 160 acres therefore of this rich bottom with its advantages would make a good settlement. The great Virginia state road leading to the states of Ohio and Kentucky, passes by and through these lands, which being on a fine navigable river will command a ready and high price for the produce to the emigrants to the western countries both by land and water. Their situation besides gives their occupants choice of the eastern or western markets as produce or stock may be found most profitable. The climate is mild and remarkably favorable to the production of fruit. Salt works are erected on the banks of the river but a few miles above these lands, and the neighborhood furnishes abundance of iron, coal, limestone, mills and mill seats—so that there is no part of the western country which holds out more advantages to persons desirous of emigrating. A more particular description of these lands, with plots of the several lots, their situation, description and price may be had by application in Alexandria, to Mr. Wm CRAIK who attended the surveying of them, or to the subscriber.

JAMES CRAIG.

Sept. 11—w6w.

*District of Columbia,*
*Washington county, ss.*

BE it remembered that on the 10th day of September, 1805, Stephen Osbourne, residing near Rock creek church, brought before me the subscriber, a justice of the peace in and for the county aforesaid, a black mare taken up as astray about 6 years old, 14 hands high, a long blaze down her forehead, with a remarkable scar on the right buttock.

Given under my hand the day and year above written.

SAML. N. SMALLWOOD.

The owner of said mare is requested to prove property, pay charges and take her away.

STEPHEN OSBOURNE.

Sept. 11——3t.

## CHARLES H. VARDEN,
*MERCHANT TAYLOR.*

Has received from Philadelphia a handsome assortment of FALL goods, consisting of the best London and French superfine cloths, cassimeres, patent Bennet's cord, toilenetts, fancy and white Marseilles, black and figured silk, moleskins, fancy silk, Marseilles, constitution cords, velvets, Genoa cord, silk and sattin Florenteens, superfine coating, knapped cloths, with a variety of other articles suitable for the winter season.

N. B. Ladies habits, regimentals, and navy uniforms made in the first stile of fashion.

New Jersey avenue near the Capitol,
December 10——tf


## PROPOSALS

*For publishing by subscription,*

A NEW WORK, ENTITLED

"*PLAIN DISCOURSES ON THE CHEMICAL LAWS OF MATTER*"

*Containing a general view of the principles and improvements of the science of* CHEMISTRY, *with a particular detail of such parts as are the objects of more common attention.*

BY THOS. EWELL, M. D. &c. of Virg.

TO THE PROMOTERS OF USEFUL KNOWLEDGE.

I HAVE ventured to present for your patronage a new work. It is a system of Chemistry exempt from such technical terms as retard the study, by those not desirous of entering into the useless refinements of the science; and it will convey particular descriptions of those processes which are for domestic purposes. The object of the work is to render the study of chemistry less difficult, more general and agreeable, as well as to lead to improvements in various arts.

Long has the greater part of mankind laboured under difficulties which might have been avoided by learning the discoveries of Philosophers. During the study of most sciences we notice improvements unknown to the majority of the people; and in no one have these become more conspicuous than in the science of Chemistry. Since the wild conjectures of deluded men were banished from its annals, the study has become one of the most useful and interesting to ALL of common understanding. The science is now characterised by a simplicity hostile only to the pride of the pedantic scholar. Its extensive scenes are open, and with powerful attraction they invite the entrance of the intelligent in the pursuit of pleasure, of information, or of most of the arts. An entrance is desired, that the wonderful beauty and wisdom displayed in the operations of nature may be contemplated with rapture, in parts neglected by the vulgar as a "dreary void."

To those in the pursuit of pleasure, the study of chemistry affords the greatest delight. The conversion of solids into volumes of vivifying airs and of airs and other fluids into solids are processes which altho' inferior to many in chemistry, give unusual satisfaction. To know the composition of the substances surrounding us, with their connection and relation to each other, and to understand many of the arts of chemists—will impart to the mind an agreeable action, while they increase its capacity to make improvements. And such are the fascinating powers attached to the pursuit of this knowledge, that France is fast becoming a nation of chemists, in consequence of the general study of the science by the ladies as well as gentlemen.

The respectable cultivators of Land will be much benefited by an acquaintance with chemistry. It will teach them the properties of the soil they cultivate, the art of making manures, and the kinds of vegetables as well as manures best adapted for their respective farms. An idea of this may be formed from the famous fact, that by a judicious management of the grave yards at Paris, such quantities of salt-petre were procured for the powder manufactories as to enable the French government to prosecute their war.

To be able to detect the presence, and discriminate between the noxious and innocent metals, as well as to make most useful combinations of them, to ascertain the constituents of medical springs, to detect the adulterations of our drinks, and to correct corrupted airs, must be of consequence to most individuals. The combustion of bodies, the arts of tanning and preserving meats, of coloring and of making glass, of brewing and distilling, as well as many other arts, are chemical operations. No doubt most of them could be improved by a further cultivation of the science, which from its simplicity could be done in but a small part of the time often mispent by the artists. This will be less doubted by reading the following extract from a letter I received from the President, Mr. Jefferson, dated MONTICELLO, August 1805.

"Of the importance of turning a knowledge of chemistry to household purposes, I have been long satisfied. The common herd of philosophers seem to write only for one another. The chemists have filled volumes on the composition of a thousand substances of no sort of importance to the purposes of life; while the arts of making bread, butter, cheese, vinegar, soap beer, cyder, &c. remain totally unexplained. Chaptall has lately given the chemistry of wine making; the late Dr. Pennington did the same as to bread, and promised to pursue the line of rendering his knowledge useful to common life; but death deprived us of his labors. Good treatises on these subjects should receive general approbation. Accept of my salutations and assurances of respect.

TH: JEFFERSON."

But, fellow citizens, for you to know the beauty, the connection and the importance of the science I wish to communicate to you, it is necessary that you know the science itself. To relate in the most intelligible terms the discoveries of chemical philosophers will not be the extent of my labors. I shall offer a new view of the art of ascertaining the fertility of Lands, and of the formation of vegetable juices, which has been approved of by some distinguished characters. I shall also relate some original experiments, a part of which establish a hitherto disputed doctrine concerning heat, & throw light on the art of enriching impoverished Lands.

You will now determine by your subscription, whether the desire of one to disseminate useful knowledge shall be gratified—whether the proposed publication shall appear.

*T. EWELL.*

TERMS OF PUBLICATION.

*As soon as a sufficient number of subscribers are obtained, the work shall be put to the press. It will be comprised in from 4 to 500 pages 8vo. will be printed on good paper with suitable type.—A general Index will be annexed to the work—with proper drawings of the apparatus commonly used by chemists. The work shall be bound in boards and delivered to Subscribers at three dollars per copy.*

*Those who become answerable for more than five copies, shall receive the usual allowance of Booksellers.*

*Subscriptions received at the office of the* NATIONAL INTELLIGENCER, *and at* MR. MARCH'S, *George-town.*


## ELIAS B. CALDWELL,
*ATTORNEY AT LAW,*

HAS removed his Office, to the house lately occupied by Mr. LAW, on Capitol Hill.

Washington, July 26—tf

## REMOVAL.

THE CITY TREASURER'S OFFICE COUNCIL HALL is removed to the Brick House next west of the Theatre.

August 23—w3t