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(PRINTER OF THE LAWS OF THE UNION.) 31, SOUTH GAY-STREET, NEAR THE CUSTOM-HOUSE, BALTIMORE.

Daily paper \$7 and Gountry paper 5 per ann. TAll advertisements appear in both papers.

THURSDAY, OCTOBER 31, 1805

Wanted to Hire.

BOY, from 12 to 14 years of age. Also, A a girl of the same age—for reference enquire of the Printer. Oct. 29

By order of the Orphans' Court,

WILL BE SOLD, N THURSDAY, the 7th November, at 11 o'clock, No. 41, High-street, Old-Town, A Yariety of HOUSEHOLD and KITCHEN FURNITURE, late the property of Isaac Brayton, deceased.

And the next morning, At the same hour, a Cooper's Shop and Tools, on the premises, as described in last advertisement. Oct. 29

B. H. Mullikin, Sign of the Sheaff of wheat and two Pigeons,

101, BALTIMORE-STREET, I AS imported by the ships Ceres, Diana A and Fame, from Liverpool, his supply of Fall and Winter Goods,

Amongst which are, Rose blankets, striped duffil ditto; blue, green, brown, gray and white kerseys; blue, green, and white halfthicks; gray, green, red, blue, brown and drab coatings; flannels, assorted; cotton and worsted hosiery ditto, &c.

Selected from the different arrivals, a handsome assortment of

Fancy and Seasonable Goods, Amongst which are,

Shamberry muslins, furniture, chintzes and trimmings; Bennett's patent cord for pantaloops: nearly d'tto for vests; Irish linens, India musline, German goods, &c .-- Which he will sell, wholesale and retail, at reduced prices

Wessels & Primavesi, 127, MARKET-STREET,

Have on Hand, an Extensive Assurament of GERMAN AND ENGLISH GOODS: Consisting of white and brown Hempen Ticklenburg, fine and coarse Bouriaps, white fiszen Osnaburg, Hessians, brown Roils, Dowlas, Creas, white and brown Piatillas, Flanders Sliceting, House Liner, white Rolls, Diaper and Table Linen, Toweling, Haarlem Tapes, Turkey Yarn, silk and velvet Ribbons, white and black real Brussels, and common Lace, Frenchi Baskets, Pocket Books, Letter Paper, Wafers, Colored Paper, &c.

An assortment of NURENBERG, WARES, Consisting of Looking Glasses, Violins and Bows, Violin Strings, Slates and Slate Pencils, Snuff Boxes, Bird Cages, Crystal Glass and gilt Beads, Cloth Brushes, Needle Cases, and Toys assorted.

ENGLISH AND GERMAN HARDWARE

AND CUTLERY. Double and single barreled Guns, Pistols, Cun Locks and Flints, Coffice Mills, Straw Knives, Knives and Forks, Pocket and Pen-Knives, Razors, Scissors, Powder Flasks and Shot Belts, Tooth Brushes, Combs. Thimbles, Shaving Boxes, Ink Stands, Fire Steels, Spoons, Waiters and Trays, Watch Keys, Chains and Seals, &c.

An asortment of HOLLOW GLASS WARE. Tumblers, Goblets, Wine Glasses, plain and cut; Ink Stands, Vases and Flower-Pots, &c. COLOGNE MILL-STONES, from 5 feet 6

inches to 6 feet.

Which they offer for sale on the usual credit for approved hoper Uctuber 16. d6teogt

Night School

TATILL be opened THIS EVENING, October 14, in the large school room back of the New Jerusplem Temple. The number will be limited to twenty five, and the terms as usual, ten shillings per month. THE DAY SCHOOL

Still continues open for youth of both sexes, and under the direction of a competent female teacher, the young ladies will be instructed if required, in plain sewing and marking, at stated hours.

The terms as follows: Dolle. Spelling, reading & sewing per quarter,
Writin; and arithmetic, in all, Mathematics and composition, do.

Firewood for the winter, JOHN HARGROVE. Oct. 14 M&Th12t

State of Maryland, CITY OF BALTIMORE, SS. Br THOROWGOOD SMITH, Mayor of the City of Baltimore,

'A Proclamation.

WHEREAS from the decline of the malignant fever in New-York and Philadelphia, and the advanced season of the year, it is believed that the uninterrupted intercourse with these cities, may again be happily renewed without danger:

have therefore thought proper, by and with the advice of the Commissioners of Health, to issue this PROCLAMA-TION, hereby annulling and making void, from and after the date hereof, my several Proclamations of the lixth and ninth days of September last, restraining he intercourse with the Cities of Philadelphia and New-York.

Given under the corporate scal of the City of Baltimore, the (z. s. c.) iwenty-third day of October,

THOROWGOOD SMITH, Mayor of the City of Baltimore.

Two Rooms RE WANTED, to rent, in a central situa-Ation. Apply to the Printer. Oct. 29

Caution.

ALL persons are warned not to harbour, conceal, employ or maintain ELIJAH BAS-SETT, (an apprentice belonging to my father) under the penalties prescribed by law.

W. L. NICOLL, jun. Agent for W. L. Nicoll, sen. October 22

R. Combs, No. 41, Market-street,

HAS RECEIVED HIS Fall Goods;

Among which are, one case very Kelegant FURNITURE CALICO. Oct. 26

GERMAN LINENS.

ME have imported in the ship Washington, from Varel. 500 pieces Bretagnes

50 do. Creas a la Morlaix

50 do. Dowlas

do. Listadoes 200 do. Bonten

16 bales Ticklenbergs and Osnabergs, which we offer for sale on the usual credit, or barter for Coffee and Maryland Tobacco. KENTER & VON HARTEN.

September 21 The Subscriber,

TAVING commenced as Broker, solicits A a share of the public favor in buying and selling Bills of Exchange, Netes, Stock, Tobacco, and other Merchandize, chartering and procuring freight for vessels, &c. He will study to deserve encouragement from his cmployers by integrity and attention.

D. L. THOMAS, No. 25, Commerce-st. corner of Pratt-street. Oct. 26 T&Th

Notice.

F a certain JOHN SHANNON, from the North of Ireland, who arrived at Norfolk, in November 1798, on board the ship New-York, from Londonderry, will apply to Archibald George, in Baltimore, he will hear of something to his advantage.

Printers throughout the union will aid the cause of humanity by giving the above an insertion in their papers.

SMITHFIELD HAMS.

CAMUEL D. LEGRAND has received O from Smithfield, and has for sale, at No. Market Space, a quantity of Excellent Salt-Petred HAMS, in fine order for shipping or | of Massachusetts at a late session, passed family use, and equal in quality to any ever brought to this market. Oct. 19

Russia Gocds.

TUST received per the ship Sally, captain Gorton, from St. Petersburg, White and brown Sheetings

Sail Cloth Ravens Duck Diapers, Drillings Hemp and Iron

For sale by WM, WILSON & SONS, Who have also for saie,

An assortment of IRISH LINENS, entitled to drawback. Oct. 8

Doctor Buchanan,

No. 198, Market street, TROM the solicitation of a number of in relation to the subject, and the parties friends and old patients, is inducted to recommence the practice of Physic and Mid-

N. B. A young gentleman of genteel parents and good education, would be taken as a uapprentice.

Oct. 12

The Subscribers

TTAVE received and offer at private sale, on liberal terms. 100 chests of Fresh Hyson Skin TEA

good quality. LEMMON & CAMPBELL, Auct'rs

Philadelphia Beer.

THE Subscriber informs his friends and former customers, that he has just received from Philadelphia a quantity of Pepper's best DRAUGHT BEER-and that he keeps, as usual, the best of liquors.

N. B. Good accommodations for genteel Boarders and Lodgers. JOHN HERBERT.

CIENTLEMEN on, and in the neighborhood of Bowley's WHARF, &c. and others are respectfully informed, that they can at all times

be furnished with the best oysters the market can afford, in all their variety, at the Indian King, Water-street, head of Cheapside. KERNS & SPECK.

Select parties can be accommodated with private reems. Oct. 14

For Sale,

At 19, Water-street. Spanish Hides and Tanners' Oil Red, green, yellow and black Morocco Skins White, Wetting, and Shammey Skins Leather, of all descriptions for Hatters' Sheep Skins, Skirting, and Bend soals A general assortment of Saddlers' leather Hog. Skins, of the first quality Soal and Upper Leather Boot legs, Calf Skins and Kips

Scotch Stone Tanners' and Curriers' Tools Currying Knives and Graining Boards

57 pair of Boots.

JAMES BOSLEY. Oct. 4 co18t

MILLINERY.

TRS. ANDREWS has this day received IVI by the latest arrivals via New York and Philadelphia, an extensive assortment GOODS in her line, too numerous to mention, with a full variety of the London and Parisian J Fashions for the winter, which she will open on Tuesday next, at No. 125 1.2, Market-street, and intends selling on such terms as will insure a continuance of the favor heretofore so liberally experienced.

one thousand eight hundred and: with on favorable terms for cash or acceptances in town. One or two Apprentices wanted-A

fee expected.

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ON INIEPEALABLE LAWS

(Chartes for Banks, Turnpike roads, &c.) At the present day, when the rage for turnpikes, toll bridges, banks, &c. is so great, and the applications for charters are so numerous, to question the right of a legislature to bind its successors in all cases by acts of incorporation or otherwise, will doubtless excite alarm in the holders of the various species of stock created on the foundation of such acts, & supposed to be secured from any future power of government. But in a late paper we doubted the validity of this right which appeared to us as implying a power superior to the constitution itself, which can be amended when an irrepealable law or grant cannot. Since that time we found in a Kentucky paper, extracted from the Richmond Enquirer, (an excellent print which we too seldom receive) the following essay on the subject, which we presume cannot fail to gratify the curious reader, and interest all concerned in the systems on which it treats.

[Hudson Bee;]

From the Enquirer.

ON IRREPEALABLE LAWS.

There is no subject more important to the American people than one which involves the ascertainment of the just limits of the legislative power. In England such an attempt is nugatory, from the principle which there prevails of the omnipotence of parliament; but in America, where legislatures as well as other magistrates or agents of the people, for prescribed and limited purposes, this subject is truly important. In vain have our bills of rights and constitutions permitted the free exercise of legislative power, except as restrained by those instruments respectively, or by the operation of great principles, if an existing legislature can extend the prohibition; can abridge the power of future legislatures, by legislating under an irrepealable form, in vain have the people provided for a perennial and co-existing legislature, if the foundation of its powers can be taken away; it it can be rendered a nullity by the assumptions of an antecedent legislature. This subject is not merely a speculetive one. It is said, on the best autiority, that the legislature near thirty irrepealable laws, in the shape of charters, acts of incorporation, exclusive privileges, Sec. Not denying that some of those laws stand justified, even by the principles now admitted by the writer, the probability is, that some others of them are infractions on the rights of future legisiatures, and intringements on the constitution. A similar spirit seems gaming ground in other states, and hence

this discussion seems important. If a legislative act be irrepealable, be paramount to the power of future legislatures, this effect clearly arises, not from the form which may be given to the instrument; it must arise only from the operation and effect of great principles, to the ret, in relation to the benefits resulting therefrom to the public. Our bill of rights has drawn the line with sufficient distinctness in respect of exclusive privileges or emoluments, by declaring that they shall be granted only in consideration of pullic services.

Where this desideratum is wanting, the irrepealable character of the act cease, whatever may be its form. In some cases, the act is irrepealable by having its effect cuno & erdem statu; as where an act conveys public property to an individual, in consideration of a fair compensation received :- In this case, from the nature of the transaction from the principles of immutable justice, the act is beyond the reach of inture legislatures, by having already had its complete effect. In other cases, laws granting privileges and emoluments, are irrepealable, from the clear result of benefits to the community. If in a clear case the legislature grants the privilege for an adequate consideration to continue only during the existence of the consideration, (if it be a continuing one) the good faith due by future legislatures to this fair contract, and the sauction given by the before mentioned article of the bill of rights in relation to grants of exclusive privileges, would seem to guarantce the act: but if a legislature shall grant an important public right in consideration of none or a very inadequate compensation, or grant a perpetual privilege, on a consideration expiring at a short day, (which would therefore seem to be mere covers for the usurpation of power) no principles known to the writer hereof can justify the act as irrepealable.

I will put the case, which is a very strong one, of Col. Mayo's bridge. When this privilege was granted, it ws not for the benefit of the grantee only, but also for that of the public; on no other ground than this last, could the legislature pretend to the power. It was considered that the erection would conduce to the public benesit. So long as things remain in an ordinary state; so long as this bridge shall continue to be real public benefit; so long even as it shall remain questionable, whether it be so or not, the privilege is inviolable. But an order of things may, by possibility, arise, which may change the state of the transaction; which was not contemplated by either party at the time J of the grant, and which seem to produce a different result. Richmond for an example, may become as large a city as Moscow: it may extend up to Westham. In that event would the city be benefitted by the continuance of the exclusive priVileges? Would not the consideration on which the grant was made be clearly seen to fail? Would not the grantee receive emoluments not only without rendering adequate services of a similar nature which might be rendered by others? Is it not evident that this is a situation of things entirely extraordinary, and not contemplated by the parties? It must be admitted, therefore, that while all just respect is paid to the inviolability of public privileges, converted into private property, it ought not to be carried to an extent subversive of all those considerations which dictated and arise out of the clause of the rights, before mentioned, and which both parties must be considered to have had in view. consigned to John Watson. In such cases, however, the spirit of equity steps in, and protects the grantee from perpetual and un-compensated benefits.

solid foundations of irrepealable laws, and | second vessel belonging to this port, which such is a general view of the degree of he has caused to be restored. inviolability to which they can reasonably lay claim. That inviolability, it is readily admitted, however, should not be assailed under doubtful circumstances. The respect due to the rights of property, will preponderate in all cases which are not drawing should be considered as validpalpable. In a situation of doubt the that the managers should pay the Prize right of the possessor is to be preferred. But it is clear, that it is not the legislature, to the owner of the last drawn ticket nor the form of the act, which confers | against it, and that the other Ten Thousinviolability: it is not the general legis- and Dollar Prize should belong to the lative power, for that is in its nature re- owner of the last drawn ticket; from this ficalable, nor the form but the essence of | opinion an appeal was taken, and the cause the act, which confers this high privilege.] Rights founded on the principles of eternal justice, are paramount, perhaps, to all power; but the jealous principles of our constitution have justly prohibited the legislature from giving this character, ad tibitum, to acts merely indifferent or ordinary; they have in relation to such acts, preserved the equal rights of succeeding legislatures.

The act " establishing religious freedom," declares as natural rights, certain great and clear principles, which would seem to challenge universal assent. This act would seem to be, emphatically fundamental; and the rights it declares sacred, and therefore the act is irrepealable. Yet so great was the respect of the enlightened committee who reported, and the legislature who enacted it, that they disclaimed in the act itself, a power to bind succeeding legislatures. The example is a great one, and the principle should ever be borne in mind.

If a construction should gain ground, enlarging the sphere of legislative power, in relation to irrepealable laws, what an effect would it not have, in derogation of the power of the people, operating a change of representatives? Let a legislature be ever so corrupt, their measures ever so destructive of the public interest, !ct the people be ever so unanimous in effecting a change at the next election, in lavor of more faithful and upright agents, the power of the succeeding legislature is forestalled by tire irrepealable form their predecessors have given to their acts, and by the opinion. (I strust however, an unfounded one) that an act declared or affecting to be irrepealable, in fact is soand if such be the impotency of the people with respect to the measure, after it is effected, and an opinion be correct which is advocated by some, that representatives are not bound to obey instructions on general subjects, their constituents are equally incapable to firevent the ade stion, as to effect the abolition of such pernicious measures! Their instructions if given, may on this principle be whelly disregarded!

It is hoped that the importance of this subject will arrest the public attention; that it will be viewed in all its aspects and consequences, and that every measure of this kind may be tried only by the standard of the bill of rights, and the principles of eternal justice. This is particularly necessary at present, when the rage of speculation and the amor sceleratus habendi have almost cast a cloud upon the national character, and have in some instances, even affected the purity of the legislative bodies.

LOUISVILLE, (G.) Sept. 12. Extract of a letter from Natchez, dated the 14th August, 1805.

"On the 14th of this month, a great part of what is called the old town sunk into the Mississippi :- Twelve or fifteen houses, and a large amount of property was lost; next day two more houses suffered the same fate, and last night a large piece of the town land fell into the river. The inhabitants were moving what houses remained upon the Bluff."

Hugh Thompson

Has now in store, and offers for sale, LARGE quantity of CLARET, in hhds. of a superior quality, prepared for the East or West India Market, and iron hooped. Claret in cases of two, three, and four dozen each, calculated for either home consumption, or exportation.

Saint Croix Sugar Jamaica) KRUM-Antigua Grenada White and Brown Havanna Sugar

Tenerisse Wine Men's Hats (of French Manufactory) entitled to drawback. The whole of which will be disposed of on accommodating terms,

American,

COMMERCIAL DAILY ADVERTISER The same of the sa THURSDAY, OCTOBER 31, 1805

The ship Margaret, Eldridge, 34 days; from Grenock, for Baltimore, was spokett Sept. 30, lat. 43, long. 46.

The schooner Federal George, Field, from this port, has arrived at Boston.

The brig Commerce, Bowers, has arrived at Charleston fr. Africa, with TWO? HUNDRED AND SIXTY NEGROES!

We mention with pleasure, that Geneloss. This course appears much more it al Ferrand has caused the sloop George ! conducive in such circumstances to fair; of this port, and her cargo, captured by an and equal justice, than one which, on French privateer to be restored. It is no grounds which have clearly failed, or ceas- more than justice to remark, that so far ed to exist, preserves to the individual, as the conduct of this General has come? under our notice, we can say, that he is Such then, and such only, are the only | disposed to respect our rights, this is the

(Norfolk Ledger.)

William & Mary College Lottery .- We understand that at the District Court at Williamsburg, the Court decided that the of Ten Thousand Dollars that was drawn will be argued on the 7th of next month before the Court of Appeals. (Ibid.)

VERMONT ELECTION.—Information is received from 181 towns, out of this number, 197 are republican, and 74 federal—16 towns remain to be heard from; from these towns the representation stood last year 6 republican and 10 federal;calculating from which there is a majority of 29 republican members in General Assembly, out of 197 towns.

[Hartford (Con.) Mercury.

The prospect of, the result of the ensuing election in New Jersey, is in a high degree pleasing and auspicious. The number of Federalists in the Legislature will be so small, that their opposition to the adoption of republican measures, or the appointment of republican officers, can avail nothing; of course we may calculate upon harmony in the deliberations of the Members-and dispatch in their

If our estimate is correct, there will be in Council. eleven Republicans to trus Federalists, in Assemuly, thirty-six Republicans to four Federalists-and in Joint Meeting, forty-seven Republicans to six Federalists.

With such majorities, if true to their principles and to one another, (of which ne have no fear) the Republicans can have nothing to apprehend either frem the intrigues or the strength of their opponents—and may proceed in promoting the best interests of the State, and giving permanency to Republican principles, without embarrassment or hindrance.

[Trenton True American.]

We have the Indiana law of negrocs and mulattoes. All brought into that Territory under 15 years, are to serve, the male, till 35 years of age, and the females till 33 years of age. All over that age, are to serve by agreement, and if the term carries them above 45 years of age, then the master is to give bond that such do not come chargeable to the county. All children born after the law, are to serve till 20, or 28 years of age, and are to serve under the law of apprentices, to be removed if ill treated. Every thing relating to this interesting concern deserves to be mentioned and examined.

(Salem Register.)

EXPORTS

Of flour and middlings, together with rye and Indian meal, from the port of Philadelphia from the 1st July to the 30th September, 1805, both inclusive, taken from the outward entries in the Custom House.

41,606 bbls. flour, 3,713 half do.

312 bbls. midddlings, 1,308 bbls. rye meal, 2,038 hhds. Indian corn meal, 4,861 bbls. do.

COMMUNICATION. City of Washington Races.

The sweepstakes were run for yesterday at the city of Washington, when great sport was afforded to the amateurs of the turf. Seven horses started and came out as follows:

les heas. 2d. heat. Maid of the Oaks, owned by Willis Bird, Oscar, Gen:-Ridgeley, Top Gallant, J. Tayloc, esq. distanced Napoleon, N. Lufborough,

Floretta, D. Edin, Dolar, Mr. Loyd, drawn Sir Solomon, J. Allen,

drawn

DARING ROBBERY.

The Portsmouth mail stage was robbed on Tuesday night last, in or near Saliabury. Two trunks were taken from behind by some villain, who after rifling one of them (belonging to Mr. Wadsworth, midshipman) left it in an open cases of 25 each, of a superior quality—all field in Salisbury, where it was found next day, The other trunk (belonging to a lady) has not yet been found. The trunks contained clostling Newburgport Hereld,