[From the Examiner.]

The danger not over.

Although one of my age (eighty) can have little to hope, and less to fear, from forms of government, as rather belonging to the next world than the present; and possibly may be charged with intermeddling, where he has no interest, whenever he utters opinions concerning social regulations; yet I feel impelled by an anxious desire to promote the happiness of my country, to submit to the public consideration some reflections on our political state.

It is far from my intention to damp the public joy, occasioned by the late changes of our public agents, or to disturb the calm which already perfuses the minds of the serious consequences; on the contrary, I consider this event as having arrested a train of measures which were gradually conducting us towards ruin.

These changes will be matter of tenfold congratulation, if we under the proper use of them; if instead of negligently resting upon that wisdom and integrity, which have already softened even political malice, we seize the opportunity to erect new barriers against folly, fraud and ambition; and to explain such parts of the constitution, as have been already, or may be interpreted contrary to the intention of those who adopted it.

This proposition does not argue a want of proper confidence in our present Chief Magistrate, but the contrary. It can be no crime to believe that he has a nobler destiny to fulfil, than that of making his contemporary countrymen happy for a few years; and that the rare event of such a character at the head of a nation, imposes on us the sacred duty of fixing the propitious opportunity, to do all in our power to perpetuate that happiness; as to that purpose of coincidence, which would frustrate free enquiry and popular watchfulness, it is never desired by *patriotism*, nor ought to be yielded by *freemen*.

In pursuit of our purpose, we ought to keep in mind certain principles which are believed to be found; to enquire whether they have been violated under the constitution? and then consider how a recurrence of those violations may be prevented—As thus,

1. Government is instituted for the good of the community, and not to gratify avarice or ambition; therefore unnecessary increase of debt—appointment of a host of officers, such as stationary ministers to foreign courts, with which we have little connexion, and sixteen additional judges at a time when the business of the Federal Courts had greatly diminished—and engaging in a war abroad, for the sake of advancing party projects at home, are abuses in government.

2. The chief good derivable from government, is *civil liberty*; and if government is constituted, as to enable its administrators to afraid that liberty with the several weapons he receives most fatal to it, the Constitution is defective; of this fortifanding armies—fleets—severe penal laws—war—and a multitude of civil officers are universally admitted to be; and if our government can, with ease, and without, any thefe forces against civil liberty, the constitution is defective.

3. Peace is undoubtedly that state which proposes to society the best chances for the continuance of freedom and happiness; and the situation of America is such, as to expose her to fewer occasions for war, than any other nation; yet it will be difficult to keep from gaining any thing by war. But if by indirect means, the executive can involve us in war, not declared by the Legislature; if a treaty can be made, which will incidentally produce a war, and the legislature are bound to pass all laws necessary to give it full effect; or if the judiciary may determine a war to be unlawful, the legislature hath refuted to declare it; then the constitution is defective, since it admits constitutions which pawn our freedom and happiness; on the security of executive patriotism, which is inconsistent with republican principles.

4. Union is certainly the basis of our political prosperity; and this can only be preserved by confidence, with members, the federal government to the exercise of powers clearly required by the general interest, or repelling foreign nations, and the state governments to objects of a local nature; because the states exhibit such varieties of character and interests, that a consolidated general government would be in a perpetual conflict with state interests, from want of local knowledge, or from a prevalence of local prejudice or interest, for certainly to produce civil war and division. If then the difinct provinces of the general and state governments are not clearly defined; if the former may assail the latter by penalties, and by absorbing all subjects of taxation—if a system leading to consolidation, may be formed and purfued—and if, instead of leaving it to the respective states to encourage their agriculture or manufactures, as their local interest may dictate, the general government may by bounties or protecting duties, tax the one to promote the other; then the constitution has not sufficiently provided for the continuance of the union, by securing the rights of the state governments and local interests.

5. It is necessary for the preservation of Republican government, that the legislative, executive, and judiciary powers should be kept separate and distinct from each other, so that no man, or body of men, shall be authorised to exercise more than one of them at the same time: The constitution, therefore, in configuring to the Federal States, a participation in the powers of each department, violates this important principle, and tends to create in that body, a dangerous arbitrocracy.—And

6. An essential principle of representative government is that it has undoubted the will of the people; which will can never be expressed, if their representatives are corrupted, or influenced by hopes of office; if their hope may multiply, by the exercise of patronage—if the president may nominate to valuable offices, members of the legislature, who shall please him, and displease the people, by increasing his power and patronage—if he may be tempted to use this power and patronage for securing his re-election—and if he may even bestow lucrative diplomas upon judges, whilst they are receiving liberal salaries, paid as the price of their independence and purity; then if he exists, left the legislature should legislate—the judges decide—and the Senate concur in nominations with an eye to those offices—and left the president may appoint with a view to his re-election; and thus may at length appear the monstrous sight of a government, republican in form, without possessing a single chalke organ for securing the public will.

May of the objections were foreseen when the constitution was ratified, by those who voted for its adoption; but many have, because of the vast importance of the union, which a rejection might have placed in hazard.—Of the provision made for amendments, as trial should discover defects—and the hope that in the mean time, the influence of those with all the profits, might produce social happiness, if a proper tone was given to the government by the federal agents, in its operations—left force experience, and the practical mischief may be done under an unwise administration; and that even the most valuable parts of the constitution, may be evaded or obliterated, we confide for the security of our security upon the vain hope which depends on the rectitude of fallible men in successive administrations; but now that the union is firmly established, and the general opinion of the citizens, as we can ever hope it to be, it behoves us to bring to remedy the amendments which may fix it upon *principles* capable of withstanding human frailties.

Having, I trust, shewn the utility and necessity of such efforts at this time, I will endeavour to submit to the consideration of my fellow citizens, with great humility and deference, whether it would not be advisable to have the constitution amended,

1. By rendering a president ineligible for the next term, and transferring him to the legislature, the appointment of the judges, and stationary foreign ministers, making the appointment of the latter to be longer difretionary in the executive, or subjecting its members to removal by their constituents.

3. By rendering members of the legislature and the judges, whilst in office and for a limited time thereafter, incapable of taking any other office whatsoever; (the offices of President and vice-president excepted) and subjecting the judges to removal by the concurring vote of both houses of Congress.

4. By forming some check upon the abuse of *public credit*, which, though in some instances useful, like fleets and armies, may, like these, be carried to a dangerous excess, ruinous to liberty, and inconsistent with economical government.

5. By initiating a fair mode of impeaching juries.

6. By declaring that no treaty with a foreign nation, so far as it may relate to peace or war—to the expenditure of public money—or to commercial regulations, shall be saw, until ratified by the legislature the interval between such treaty and the next meeting of Congress, excepted, so far as it may not relate to the grant of money.

7. By defining prohibited powers so explicitly, as to defy the wiles of construction. If nothing more should be gained, it will be a great acquisition, clearly to interdict laws relating to the freedom of speech,—of the Press—and of religion—To declare that the Common Law of England, or of any other foreign country, in criminal cases, shall not be considered as a law of the United States,—and that treaties shall be confined to the cases fixed in the constitution, so as not to be extended further, by law, or construction, or by ufing other terms, such as fedition, &c.

8. By marking out with more precision, the distinct powers of the General, and state Governments.

In the Virginia Bill of Rights is expressed this inestimable sentiment, "That no free Government, or the blessing of liberty, can be preserved to any people, but a firm adherence to justice, moderation, temperance, frugality, and virtue; and by frequent recurrence to fundamental principles." A sentiment produced, no doubt, by the impressive effects of this melancholy truth, 'That of men advanced to power, none are inclined to destroy liberty, that end defeat it there is of course a continuing, and a growing necessity, to call upon them to be by correspondent efforts for its preservation."

These principles and propositions are so simply clear, so limited to our fellow citizens, with this observation, "That is only when great and good men are the head of a nation, that the people enjoy tranquillity and safety, forming no temptation to constitutional encroachments on their rights; and whenever a nation is unlucky as to suffer such an opportunity to be lost, they will soon feel that" The date was not over.

EDMOND PENDLETON.

Caroline County,
Virginia, Oct. 21st, 1801.

City of Washington,

Commissioners Office,
2d October, 1801.

By virtue of an act of Assembly of the state of Maryland, entitled "a further supplement to the act concerning the territory of Columbia and seat of government," the Commissioners will offer to public sale for ready money, at William Brooks's tavern, in the said city, on the EIGHTH day of DECEMBER next, the following lots, in the said city, to wit: Nos. 4 and 5 in square no 99, nos 1 2 4 7 8 9 14 15 and 16 in square 136, no 10 in sq no 247, nos 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71, nos 1 2 3 4 9 10 11 12 19 20 21 22 28 29 & 30 in sq no 76, nos 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 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The lots will commence at 10 o'clock in the forenoon, and continue from day to day (Sundays excepted) till the whole shall be sold, or until the further order of the Commissioners. The highest bidder shall be preferred; but if he fails to pay the money offered, on the day of sale, the next highest bidder shall be considered as the purchaser; provided he pays the money offered by him previous to opening the sale on the enfuing day; if he also fails, the sale shall be void, the lots bid for again, exposed without further notice, and both bidders excluded from purchasing during the sale.

WILLIAM THORNTON,
ALEXANDER WHITE,
TRISTRAM DALTON.

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A Contract offered.

THE Directors of the Eastern Branch Bridge Company have received proposals until the first day of December next, for a bridge to be made over the Eastern Branch or Potomac River, at the place where the Bridge is contemplated, at the place where the Bridge is contemplated, to be made of stone hewed and squared three feet and the over the eighth of water in depth, and the width of the River