

NEW THEATRE.

On MONDAY EVENING, December 12, Will be presented, a TRAGEDY, called

The Fair Penitent.

Scioto, Mr. Warren, Altamont, Mr. Fox, Horatio, Mr. Cooper, (being his second appearance.)

To which will be added,

A FARCE, in two acts, called Who's the Dupe?

Doiley, Mr. Morris, Sandford, Mr. Wignell, Granger, Mr. Moreton, Gradus, Mr. Harwood, Servant, Master Warrell, Miss Doiley, Mrs. Francis, Charlotte, Mrs. Harvey.

Box, One Dollar twenty-five cents. Pit one Dollar. And Gallery, half a dollar. Tickets to be had at H. & P. Rice's Book-store, No. 59 High-street, and at the Office adjoining the Theatre.

The Doors of the Theatre will open at 5, and the Curtain rise precisely at 6 o'clock.

Places for the Boxes to be taken at the Office in the front of the theatre, from 10 till 2 o'clock, and from 10 till 4 on the days of performance.

Ladies and Gentlemen are requested to send their servants to keep places a quarter before 5 o'clock, and to order them, as soon as the company are seated, to withdraw, as they cannot on any account be permitted to remain.

No money or tickets to be returned, nor any person, on any account whatsoever, admitted behind the scenes.

VIVAT REPUBLICA!

On SATURDAY EVENING, the 10th December, at 6 o'clock, at the Merchant's Coffee-House, will be sold, the following

Houses, Lots, and Meadow Ground:

TWO neat well finished three story brick houses, 16 1-2 feet front, with convenient kitchens, north side market between Seventh and Eighth-streets. Each house has the privilege of an alley. The lots are 130 feet in depth.

One two story brick house in Zane Street, commonly called Sugar-alley; the house is 16 1-2 feet front on said alley, with a good kitchen. The lot is 90 feet in depth.

One vacant lot adjoining the said house in Zane-street, 16 1-2 feet front, and 90 feet deep, at the end of 90 feet the said lot widens to 33 feet and runs back to the Market street lots 111 feet.

One two story brick house and kitchen in Zane-street, 16 1-2 feet front. The lot 45 feet in depth.

One other lot situated at the distance of 92 feet from the east side of Eighth street, containing in length east and west 40 feet, and in breadth north and south 20 feet, subject to a yearly ground rent of 40s.

1 1-2 acres (according to the original deed) of choice meadow ground, with a wharf on the river Delaware, Paffyunk township, late the estate of the widow Parker.

Three acres and 6 perches of meadow ground, in Paffyunk township.

Any person inclinable to treat for the above property at private sale is requested to enquire of George Cooper, corner of market and Fourth streets, fourth side.

James M'Alpin, Taylor,

No. 3, South Fourth-street, RETURNS his grateful acknowledgments to his Friends and the Public for their liberal encouragement, and begs leave to solicit a continuance of their favors.

He has on hand an extensive assortment of the

Most Fashionable GOODS,

And of the best quality, suitable for the season. At this shop Gentlemen can be furnished with the best materials, and have them made up in the neatest and most fashionable manner, and on the shortest notice. He will thankfully receive any orders, and pay a prompt and punctual attention to them.

November 10. ws

Old London particular Madeira Wine, Landing from on board the barque Eagle, Capt. Bates, and for sale by ROBERT ANDREWS, No. 86, South Wharves.

November 10. codf

Just Arrived,

In the ship Dispatch, Captain Morton, from Havre de-Grace, and for sale by

Isaac Snowden, jun. No. 141,

SOUTH SECOND STREET, An invoice of Gloves of various kinds, Men's White Silk Hosiery, Black and White Laces, and a few pieces of Black Silk.

December 2. dxv.

Ten Dollars Reward.

LOST, last evening, a small packet of FRENCH PAPERS, among others, an account due to the Citizen MARTINEZ, and a power of attorney to the Citizen THIBEAULT. Whoever has found the same, and will leave it with the Printer, or with Citizen Thibeault, No. 251, South Second-street, shall have the above reward.

December 7. 3

Gentle Boarding and Lodging,

For Two Gentlemen, may be had at No. 63, South Third-street, opposite the New Bank—Where a few Gentlemen may be accommodated in the best manner with Boarding only.

December 5. 4

WANTED,

A WOMAN of good character, to undertake the care of a child, and who would occasionally do other work in a family. Apply at No. 109, Spruce-street.

7th December. 73

Washington Lottery.

TICKETS, warranted undrawn, may be purchased or exchanged for prizes, at the Office, No. 147, Chestnut-street, where a correct Numerical Book is kept for public inspection. Also Canal Lottery Tickets for sale or exchanged for prizes drawn in the Washington Lottery, of which the 44th and 45th days returns are received.

The Business of a Broker carried on as usual. A SHARE in the NEW THEATRE to be sold on reasonable terms. December 9. tttf

Horses taken in,

For the Winter Season, And fed on clover hay at the Subscribers place, 12 miles on the Bristol Road, where good stabling is provided, and great care will be taken of them.

William Bell, Nov. 23. mwfwmtthf.

Philadelphia, December 10.

Yesterday at twelve o'clock, both houses of the Legislature of this commonwealth, being assembled in the Senate chamber, the Governor delivered to them the following

SPEECH.

Gentlemen of the Senate, and Gentlemen of the House of Representatives; INVESTED with the arduous, though honourable trust, of legislating for a free and enlightened people, you will be gratified in contemplating so favourable an opportunity, for the performance of your duties, as the present season of peace and prosperity.

To provide for the preservation and administration of the republican system, under which our country has flourished beyond example;—to improve and protect the institutions, that are designed for the advancement of virtue, the dissemination of knowledge, and the administration of justice;—and to multiply the means, by which every species of honest industry, may be effectually encouraged and rewarded; are the great objects confided to your wisdom and patriotism. For these objects (it must be allowed) much has already been done; but it is implied in their very nature, that much will always remain to do: the increase of population, the extension of agriculture and commerce, the progress of arts, and the inevitable vicissitude of human passions and pursuits, can never fail to furnish occasions, for the exercise of legislative care and authority.

While affording the aid to your deliberations, which the constitution requires from the executive magistrate, permit me, gentlemen, to suggest some of the amendments, of which our laws, on these fundamental points, appear to be susceptible.

In relation to the organization, and the operations of a representative republic, the rights and rules of election, demand peculiar attention. From the complex character of our political association, the rights of suffrage may be acquired in various modes—by birth, by naturalization in this commonwealth, or by naturalization in any of our sister commonwealths;—but the successive changes of the State and federal constitutions, have so deranged the provisions which the law had previously made, that a declaratory act has become necessary, it is thought, to render the subject clear (as it ought to be) to every understanding. The adoption of such a measure, extending to a general revision of the election laws, I trust it will be deemed expedient to incorporate into one system, all the regulations that respect the federal, as well as State offices, and to introduce additional provisions, for securing, at this source of the health and vigor of the body politic, purity and independence, vigilance and impartiality.

The difficulties, which have again arisen in the election and returns of the electors of a President and Vice-President of the United States, have recently attracted the public attention, and are peculiarly calculated to enforce any recommendation, on the interesting subject, to which I have just adverted. By the law, it is made the duty of the prothonotaries to deliver the returns of their respective counties within 14 days after the election; and it is made the duty of the executive to enumerate the votes, to proclaim the electors having a majority of votes, and to cause those electors to be notified of their election, on, or before the last Wednesday of the month. In a few of the counties, however, the votes of particular districts for various reasons, were not included, in the general returns; and the returns of several of the remote counties were not received, when the term, prescribed to the prothonotaries, for executing their trust, had expired. By the precedent, established on the opinion of the judges and the attorney-general at the election of electors in the year 1792, and confirmed in the same manner on the late occasion, the limitation imposed on the prothonotaries, could only be considered as directory with respect to their conduct, and not as an exclusion of returns delivered at a subsequent period: The limitation imposed likewise on the executive magistrate must be considered as still referring to his discretion to delay enumerating the votes, and proclaiming the public choice, for any period, that was compatible with the delivery of official notifications to the electors, on the day designated by the Legislature. With this authoritative exposition of the law, possessed of positive information that elections had been held in all the counties; and concluding from repeated statements communicated to me, that the returns had been fraudulently intercepted, or accidentally postponed, I determined, contrary to my first intention, but upon mature consideration, and with the advice of the law officers of the State, to defer the enumeration to the latest hour that I legally could; and, in the mean time, to give a full and impartial opportunity, for supplying the deficiencies, and correcting the errors of the general returns.

As the best proof of the propriety of this determination, it now appears, that had I pursued a contrary course, the real voice of the people of Pennsylvania, fairly given, and accurately ascertained, would not have been announced. A neglect of the judges of election, to deliver in form, the returns of two districts in Northumberland and Lycoming counties; and the act of sending the mail which contained the returns of Westmoreland and Fayette counties, from Greensburgh, the place of deposit, or some subsequent stage to Pittsburgh, instead of being forwarded, as it ought to have been, to the city of Philadelphia; were the circumstances (the latter of which will, I am persuaded, undergo a strict scrutiny in the proper department) that, without any other imputable negligence, or delinquency, in the voters, or in the returning officers, of the State, had occasioned the delay and difficulty, which I have described. But, upon the whole, I am confident, that you, Gentlemen, that every candid citizen, will agree, conformably to the opinion and advice upon which I have acted, that no small fraud, force or accident, should be allowed to divert or defeat, the regular operations of the public choice; and that whenever the real sense of the people can be authenticated, the remedies, the mistakes, the malversations of officers, who are appointed merely to preserve form and order, in transacting the business of elections, cannot be sufficient to preclude investigation, in contradiction to evidence and reason, nor to establish error, at the expense of truth and justice. It is true, that the act respecting the choice of electors, has not provided a specific mode for examining and deciding upon the controversies, which have arisen, and, probably, will often rise, at elections of such importance; but it is the constitutional duty of the executive magistrate to take care, that all the laws of the State shall be faithfully executed; and it is my earnest wish, that the expression of the legislative will, may always be made so explicit and so ample, as to leave nothing for construction to explain, or discretion to supply.

It will be universally acknowledged, that to guard a republican government against internal encroachments, or external violence, a well organized and well disciplined militia, is the only safe and efficient instrument; and yet, it is, also, obvious, that the police of Pennsylvania is not, in any respect, more feeble and defective. Let it then be remembered, that the danger of foreign hostility (though I anxiously hope it is remote) is not a visionary evil; and that the emergencies will sometimes arise in the best ordered communities, which the power of the civil magistrate is not competent to encounter. In either case, if the militia cannot be seasonably embodied, it will be found hazardous and imprudent, to trust the defence and tranquillity of the State, to the only alternatives that occur;—a permanent military force, or the casual exertion of volunteers. Upon this topic, however, gentlemen, every opportunity has been embraced, to engage the attention of the Legislature; particularly, at a period, when the reputation, if not the security, of our government was menaced; and when a greater expense was incurred to obviate, in a single instance, the embarrassments produced by the imperfection of the existing law, than would be necessary for constantly maintaining, in a state of preparation and energy, a judicious and liberal establishment of the militia. Referring, therefore, to the records of the general assembly, and to the report of the adjutant-general, which will be laid before you, for a specification of the improvements essentially requisite, I can only add an opinion, fortified by every day's experience, (that the duty which we owe to our immediate constituents, our federal obligations, public convenience, and genuine economy, concur in recommending a prompt and radical reform.

That a general diffusion of useful knowledge among the citizens of a republic, serves invariably to repress the spirit of licentiousness, and to cherish a sense of rational liberty, the history of nations, and the speculations of philosophers, are, alike, calculated to demonstrate. Impressed, indeed, with this important truth, the framers of our constitution have emphatically imposed an obligation upon the Legislature, to devise and establish a system of education, "in such manner, that the poor, throughout the State, may be taught gratis." Independent, therefore, of the motives, which would, otherwise, induce every wise and benevolent Statesman, all the offspring of indigence and penury have an interlocking & incontrovertible right to the enjoyment of a public provision, for the illumination of their minds, and the cultivation of their faculties. But, still, regarding the institution only as an auxiliary to perpetuate the blessings of a free government, and to assimilate the language, sentiments, and manners of the citizens, you will not, I am confident, gentlemen, allow it to be retarded by the suggestions of a parsimonious policy; nor to be fettered by any restriction, proceeding from local jealousy, or habitual prejudice. Every part of the community is interested in the well being of the whole: the security of each member will always, in some degree, depend upon the intelligence and virtue of the rest: And thus, the measure now contemplated, as well as every other measure for the public benefit, is nothing more, in fact, than a common medium, through which all the individuals of the same society, (however classed, and wherever situated) infallibly derive a just proportion of advantage.

To this branch of our review, may be properly annexed the considerations that respect the departments, and public offices, in which the business of the State is transacted; since it must be necessary to recognize the theory of a free government, unless the mode of administering it, shall, at the same time, be arranged and enforced, on a corresponding principle of order, simplicity and energy. In the department of accounts, and the land office, several improvements will be suggested by the reports of the respective officers; but it is incumbent on me to represent, that the death of the State treasurer having occasioned a vacancy in that office; and some doubts being entertained of the constitutional power of the executive, to make a temporary appointment, during the recess of the Legislature, I was happy to find, that neither the interest, nor the credit, of the government would suffer, by my declining any direct interference on the occasion. It will be proper, however, to provide, by law, against the inconveniences, that may result from a similar situation at any future period: And you will readily excuse my reminding you, that an adequate arrangement has not yet been made, for establishing suitable buildings to contain and preserve the public records; particularly such as relate to the land office, to the office of the register of wills, and to the office of the prothonotaries of the several courts held in the city of Philadelphia, which are now exposed to constant danger from fire, and other accidents. If, indeed, the removal of the seat of the federal government, or any other occurrence should prevent the building, which has been lately erected by the State (and of which an account will be laid before you) from being permanently occupied according to its original destination, it might, perhaps, be conveniently appropriated to the accommodation of the legislative and executive departments, so as to preclude the necessity of incurring any additional expense, for the purpose that has been intimated.

Proceeding, gentlemen, to a consideration of our public institutions, for promoting the practice of virtue, and the administration of justice, the philanthropic and patriotic mind will discover in the

success that has hitherto attended every experiment, the noblest reward, as well as the strongest incentive to perseverance. The penal code of Pennsylvania, purified from its ancient sanguinary stain, continues to evince its efficacy in producing the only reform, that can be desired from the infliction or punishment—the reformation of offenders, and the tranquillity of the public: while the general constitution of our courts of justice, seems only to want a portion of the equitable powers of a court of chancery, in order to become completely operative. It may not be useless, however, on the first of these subjects, to submit to your consideration the expediency of reducing all the penal laws into one act; and, on the other, to recommend that some modification should be adopted, to render the remote circuits of the courts of common pleas, more convenient to the officers, as well as to the citizens, who attend them.

The education of the poor being already mentioned, it is only necessary here to add, that institutions, calculated to supply them at all seasons, with the materials for labour, and to afford them an asylum, when age or infirmity afflicts, will prove a powerful guarantee for that purity of morals and manners, to which idleness and extreme indigence are incessantly and fatally opposed. The poor laws, the laws relative to the establishment of work-houses, and the laws affording a legislative patronage to public hospitals, claim, with this view, an early and careful revision. The temporary and gratuitous aid granted for the relief of distressed French emigrants, has been faithfully and effectually applied; and independent of its charitable uses, has, doubtless, produced many salutary effects as an act of policy: but you will perceive, by the report of the agents employed in distributing it, that there are still some of the emigrants, to whom the continuance of your bounty is necessary, as the only means of support, and for whom, at this season of the year, your humanity cannot fail to be deeply interested.

Directing your attention, gentlemen, to the means by which the industry of our fellow citizens may be encouraged, and rendered most productive and beneficial to the community, it will at once be discerned, that the interests of society are so intimately interwoven, and so mutually dependent, that endowments, which might superficially seem to be the immediate and exclusive advantage of a particular art, science, or occupation, may always, nevertheless, be accurately traced throughout the whole circle of our avocations and pursuits, diffusing a benign and salutary influence.

But the relations of agriculture and commerce are, at this period of our national independence, the most obvious, and perhaps the most important, to be considered cultivated. In order, therefore, reciprocally to promote those essential interests, permit me earnestly to recommend a liberal perseverance in the policy, of extending and facilitating the communication between the different parts of the State by every practicable mode, of roads, of rivers of bridges, and canals. Indeed, the spirited example which your predecessors gave, has excited, in one of our sister States at least, an emulation so active, as to demand some extraordinary exertion on our part, merely for preserving that portion of the benefits arising from an intercourse with the lakes and western waters, to which our local position, and other natural advantages, have fully entitled us. The towns that have been laid out, and in part sold (at a considerable price) on Lake Erie, and the western borders of the State, seem, likewise only to require the means of free communication, to ensure a rapid population, and prosperous trade. But it may be proper here to revive the idea which was intimated to the Legislature on a former occasion, that if a part of each of the reserved tracts in the neighbourhood of those towns, was divided into farms of convenient extent, and granted, for a moderate consideration to actual settlers, the measure would afford additional security to the frontier inhabitants, and at the same time enhance the value of the remaining public property.

In all these efforts, however, to augment the population of the State, by extending the sphere of population and settlement, every possible precaution should be observed to prevent the feuds and litigations which are produced by the collision of titles, or by a specious opposition of the equitable claim of an improver, or the legal rights of a patentee. The appearance on our western frontiers, in this respect, of a nature to excite some solicitude, and to demand immediate care: nor will it be found, upon examining the documents which I have directed to be laid before you, that the territorial controversy with Wyoming, which has so long violated the public authority, and disturbed the public peace, is at all abated in its virulence, or audacity. In compliance with the request of the Legislature, a proclamation, relative to the latter object, was issued, and communicated to the governors of New-York, Massachusetts, Rhode-Island, and Connecticut; and it affords me great pleasure publicly to acknowledge the alacrity and decision with which, in every instance, except perhaps in the instance of Connecticut, I was honoured with the authoritative co-operation of those magistrates. But it is evident, from the systematic proceedings of the lawless intruders on the Wyoming district, that measures, more operative than those which have hitherto been sanctioned by the Legislature, must be adopted, to evince the power, and assert the rights, of the commonwealth; unless, under the peculiar circumstances of this controversy, it shall be thought most equitable and prudent, to promote a compromise between the parties, by allowing either of them to take, in commutation for the lands now claimed, a proportional quantity of unappropriated public lands, in any other part of the State.

When considering the direct aid which the Legislature may afford to commercial industry and enterprise, it can scarcely be necessary to remark, that these ought ever to be distinguished in their treatment, as they are ever distinguishable in their nature, from the wild and fascinating movements of the spirit of speculation—a spirit that never fails to taint the morals, and to blight the credit of the nation which is exposed to its malignant influence. Though it is impossible, under the present circumstances of our country, to avoid noticing this evil, and perhaps lamenting that our government, by an indiscriminate sale of the public lands, has ex-