

NEW THEATRE.

The Public are respectfully informed, that the Doors of the Theatre will open at half an hour after FIVE, and the Curtain rise precisely at half past SIX o'clock, for the remainder of the Season.

WEDNESDAY EVENING, April 13,

Will be presented, a TRAGEDY, called

HAMLET, PRINCE OF DENMARK.

Hamlet, (first time) Mr. Moreton,
King, Mr. Green,
Ghost, Mr. Whitlock,
Horatio, Mr. Marshall,
Laertes, Mr. Wignell,
Polonius, Mr. Morris,
Folencrans, Mr. Warrell, jun.
Guildenstern, Mr. Beete,
Francisco, Mr. Darley, jun.
Marcellus, Mr. Harwood,
Bernardo, Mr. Warrell,
Oftric, Mr. Francis,
Officer, Mr. Blisset,
Grave-Diggers, Mess. Bates & Milbourne.
Queen, Mrs. Shaw,
Ophelia, Mrs. Marshall,
Player Queen, Mrs. Rowson.

To which will be added,

A FARCÉ, in two acts, called

The Village Lawyer.

Scout, Mr. Harwood,
Snarl, Mr. Francis,
Charles, Mr. Darley, jun.
Justice Mitimus, Mr. Warrell,
Sheep-face, Mr. Bates,
Kate, Mrs. Bates,
Mrs. Scout, Mrs. Shaw.

BOX, One Dollar—PIT, Three-Fourths of a Dollar—GALLERY, Half a Dollar. TICKETS to be had at H. and P. RICE'S Book-Store, No. 50, Market-Street; and at the Office adjoining the Theatre.

Places for the Boxes to be taken of Mr. WELLS, at the Front of the Theatre.

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

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

VIVAT RESPUBLICA.

FOR SALE,

THE time of a NEGRO GIRL, about 24 years of age, an excellent disposition remarkably industrious, and can be well recommended for sobriety and honesty. For further particulars enquire at No. 14, north Eighth-Street. April 13. \$9t.

To the Public.

AT MR. O'ELLER'S HOTEL.

A French Miniature Painter respectfully offers his services to the Public, and hopes that the moderation of his terms, the very short time of his sittings, and the rate of his abilities, will induce his visitors to become his patrons. Feb. 20. \$

JUST PUBLISHED,

By THOMAS CONDIE, No. 20, Carters Alley, And Sold by all the Bookellers, [Price Three-Sixteenths of a Dollar]

THE CONSTITUTION OF THE STATE OF TENNESSEE.

April 11 m, th&cs.

Canal Lottery Office,

Near the Bank of the United States.

Philadelphia, 5th April, 1796.

THE Public are informed, that Tickets are Thirty-one Dollars each, and will continue to rise a dollar at least every other day. As the Lottery is near five-sixths finished every day's drawing must greatly enhance the value of Tickets on account of the five stationary ones of One Hundred Thousand Dollars, besides the 30,000 dollar, and other considerable prizes still in the Wheel.

Wm. Blackburn, Agent.

STATE of the WHEEL:

1 prize of 30,000	30,000
5 do. 20,000	100,000
2 do. 25,000	5,000
4 do. 15,000	4,000
8 do. 500	4,000
16 do. 100	1,600

With a proportionate number of 12 dollar prizes. A Check-book kept at the Office for examination and registering. \$

The annual Election

FOR DIRECTORS and a TREASURER of the Library Company of Philadelphia, will be held at the Library, in Fifth-Street, on Monday, the second of May next, at three o'clock in the afternoon, when the Treasurer will attend to receive the annual payments.

As there are several shares on which fines are due, the owners of them, or their representatives, are hereby notified, that they will be forfeited, agreeably to the laws of the Company, unless the said arrears are paid off on the said second day of May, or within ten days after.

By order of the Directors, BENJAMIN R. MORGAN, Secretary.

April 9. 34w.

UNITED STATES, Pennsylvania District, NOTICE is hereby given, That in pursuance of a Writ to me directed, from the Hon. RICHARD PETERS, Esq. Judge of the District Court of the United States, in and for the Pennsylvania District,

WILL BE EXPOSED TO PUBLIC SALE, at the Stores of David Callaghan, on Pine-Street wharf, on Saturday, the 16th day of April, instant, at twelve o'clock at noon,

- 28 Pipes of LISBON WINE;
- 8 Hogheads of Do.
- 43 Quarter Casks of Do.

The same having been saved from a wreck in the bay of Delaware, libelled against, prosecuted, and condemned, and to be sold for the benefit of the salvors.

William Nichols, Marshal.

Marshal's Office, April 12, 1796. \$

Pennsylvania Hospital.

THE Election will be held at the Hospital pursuant to law, at 3 o'clock in the afternoon on the second day of the fifth month next, being the second day of the week, at which time the Contributors are desired to attend to choose out of their number Twelve Managers and a Treasurer to the said Institution for the ensuing year.

By order of a Board of Managers, SAMUEL COATES, Clerk.

4th mo. 15th, 1796. \$

FOR SALE.

A FOUNT of BREVIER, half worn; about four hundred weight. Enquire at the Office of the Gazette of the United States, No. 119 Chestnut-Street. December 1. \$

CONGRESS.

HOUSE OF REPRESENTATIVES.

Wednesday, March 16.

Debate on Mr. Livingston's resolution continued.

Mr. Freeman observed that the resolution before the committee had unexpectedly to him involved in its discussion a question of a serious and interesting nature. It was not his intention to consider at present the principle advocated by the gentleman from Pennsylvania, that on all treaties embracing legislative objects, the ultimate sanction of that house was necessary to give them effect. Many ingenious arguments had been adduced for and against the principle, and had created such doubts and difficulties in his mind, that he could not now solve them to his own satisfaction. He regretted that any zeal had been discovered in discussing a delicate constitutional question. He did not think much zeal had a tendency to discover the truth. Men actuated by it were generally like bodies which are consumed by their own heat without imparting much warmth or light to others.

In the course of the debate gentlemen appeared to have shaped the question to the observations they intended to make, instead of adapting their observations to the real state of the question. A gentleman from Massachusetts had flated the real question to be whether that house should by construction and implication invade the powers vested in the other departments of government. He did not think this a fair view of the question. He considered the real question to be, how far the treaty-making power could be extended without infringing the specific powers delegated to Congress. He should follow the example of other gentlemen and take such a view of the subject as appeared to him sufficient on the present resolution—and the question with him was whether the house when called upon to make legislative provision for carrying a treaty into effect had a right to discuss the expediency or inexpediency of granting it. On this question he contended the house had as complete and absolute a discretion as they had on other objects of legislation. If the granting an appropriation to carry a treaty into effect, would produce greater evils to the community than the withholding it, he certainly should consider the house justifiable in refusing to make the appropriation. Gentlemen have contended that the representatives were under a moral obligation resulting from a treaty to carry it into effect. But many circumstances are mentioned by writers on the laws of nations which render treaties a nullity of themselves—and each individual when called upon to give or withhold his assent to an appropriation bill for carrying a treaty into effect was to examine, and judge for himself of the extent of that obligation, and of the propriety of giving or withholding his assent. He must be governed by his own moral sense, and not by that which resides in the breast of another. The argument founded on the moral obligation did not amount to any thing. For in all cases of legislation where the most ample discretion, was admitted, if the fitness of a measure could be demonstrated, the house were under a moral obligation to adopt it.—It was true, he contended, that a treaty with a foreign power was a serious thing, and ought not for light causes, to be violated. The nature and obligation of the compact would be taken into view on the question of the expediency of giving it operation; but gentlemen ought not to confound the freedom of the will or the right of vesting according to the judgment and discretion of the agent, with the strong motives which may be offered to influence the decision either the one way or the other. To say that a man was under a moral obligation to do a thing without examining the subject and ascertaining the moral obligation by his own moral sense was absurd. He conceived that even where existing laws ascertained the compensation for certain officers, still circumstances might arise to justify the legislature in suspending the necessary appropriations for the payment. The whole resources of the public might be absorbed in time of war in providing the means of national defence. It might become indispensably necessary to delay the payment of the salaries due even to the President, and judicial officers whose compensation by the constitution is not to be increased or diminished during their continuance in office. But causes of this kind stop upon stronger ground, than compensations to other officers, and appropriations for carrying laws or treaties into effect; neither did he agree with the gentleman from South Carolina that the President of the United States had the same right to refuse to fill an office created by a law, or the judges of the supreme court to refuse to decide causes, as the house had to withhold their assent to an appropriation to carry a treaty into effect. The only discretion in the first instance was not to determine whether he should obey the law, but to select a proper character; in the second, not to determine whether they should decide causes but the manner in which they should be decided. And if either of the officers above mentioned were to refuse to obey the laws, they were impeachable; but that house was amenable to no tribunal on earth, for refusing an appropriation whenever they thought proper so to do.

The gentleman from Massachusetts had said that he was advocating an unpopular doctrine. Mr. Freeman did not know why he should think so. The gentleman undoubtedly supposes that he has reasoned justly. If so why should he conclude that a majority of the people will not reason as correctly as he had, and entertain the same sentiments. Mr. Freeman believed that a majority of the people generally reasoned justly upon political subjects.—But in debate he did not like allusions of that kind.

A gentleman from New-York had said that revenue officers might follow the example of that house and say that their will was necessary, and refuse to execute a law until it had their approbation.—But did it follow from the doctrine that the concurrence of the House of Representatives was necessary in passing a law, that the concurrence of Revenue officers was also necessary?—The same gentleman farther observed that the people might say their consent was necessary to sanction a law. In the lat-

ter case the gentleman stood on better ground. The consent of the people was necessary and by their constitution the legislature are the organ to express the public will. Imperious necessity might induce the people to demand a new organization of the government, but he presumed the enlightened people of America would never seek an alteration in the form of their government, in any other than the constitutional mode, until all hopes of success in that way should fail.

The gentleman from Massachusetts has said that the house had no right to call for the papers in question because they were the joint property of Great Britain and the United States. They may contain secrets which would not be divulged without a breach of faith.—In support of the doctrine the gentleman alluded to some principles in Paley's Moral Philosophy and Vattel's Law of nations. Mr. Freeman denied the application of the principle to the case before the committee.—Where two nations were in alliance and carrying on joint operations against a common enemy there might be secrets which neither party could divulge without a breach of faith. But the United States are not in alliance with Great Britain. They are concerned in no operations against a common enemy. What secrets could possibly exist betwixt them. Were the President and Senate the depository of the secrets of the British court? He did not conceive that they were upon so intimate a footing. Indeed he should conceive it to be the vilest calumny were any man to suggest that any other connections subsisted between them than what was publicly known. A treaty of amity commerce and navigation was a mere bargain.—And the negotiators would represent the situation of their respective countries in the most favorable point of view. Would Mr. Grenville betray the secrets of his government? Would he represent it to be exhausted with public debt, and crumbling to pieces, or exhibit its situation in the most splendid colours? On the other hand would Mr. Jay communicate any thing to the British minister respecting the situation of this country which would be improper to be laid before the House of Representatives? Surely not.

A gentleman from New-York made some further observations which he should not notice. He said common sense revolted at the construction put upon the constitution, which he said had been well understood from the school boy to the Senator. Mr. F. did not know how well the gentleman understood it, but for his own part he had his doubts. The Judges of the Supreme Court and other gentlemen of abilities had held different opinions on several parts of the Constitution. Was it wonderful then that members in that house should entertain different sentiments with respect to the extent of the treaty-making power. The same gentleman said it was no matter whether the treaty was good or bad—it was all stuff.—That many people were determined not to like it before it was promulgated. Mr. F. observed that he should be extremely unhappy that the people should suppose that their representatives assembled to support a side, not to investigate truth, that they voted one way or the other, just as party spirit or prejudice led them. Though he believed that gentleman had made up his mind on the subject, his mind, and he believed the minds of many others were open to receive such impressions as the arguments which might yet be adduced ought to produce. The same gentleman had said that some persons were opposed to the treaty, because it compelled them to pay their debts. Every one knew that the remark was pointed to a particular state; but he would ask what clause in the treaty placed an individual debtor of the United States in a worse situation as to the payment of his debts than he was before? He could discover none. He could not, he said, place his eye upon a single member in that house, and say that he believed he wished to subvert the government, or to destroy the peace and happiness of the United States. The same member had said that the gentleman from Virginia ought to be bold, and that he might expect to be called, jacobin, revolutionist, disorganizer, &c. as removers of ancient land marks were always ill spoken of.

Mr. F. held it to be criminal, not only to remove ancient land marks, but to suffer them to moulder away through inattention. The present question was not intended to remove land marks but to ascertain and establish them; not to invade the powers of any department of government, but to ascertain the true boundaries, and the appropriate powers of each. The gentleman had said he should vote in the negative, because he had sworn to support the constitution. Mr. F. said that he should contend for the right of the house, not only because he had sworn to support the constitution, but from a more generous principle, because he was attached to it. He could not give an impressive effect to his observations by appealing to the blood which he had shed, or to a frame mutilated in acquiring the independence of his country, but if occasion required, he was willing to mutilate the one, and to shed the other in its defence; but the man who means in these times honestly to discharge his duty, must prepare for a fevered declivity; to have his reputation assailed by unfounded calumnies; to be branded with epithets which he does not deserve; to have sentiments ascribed to him which he never felt—to be charged with base, dark, malignant designs against the government, which the human heart is hardly capable of conceiving.

With respect to the resolution before the house, when it was first laid on the table he viewed it with regret; but as the discussion had involved a different question, if the amendment formerly moved by a gentleman from Virginia, should be renewed, and obtain, he should vote for the resolution.

Gentlemen asked what benefit would result from adopting the resolution? In the first place it would be conciliatory. Many members wished to see the papers, and he was willing they should be gratified. In the second, they might explain any doubtful parts of the treaty. If the present resolution was considered by him an encroachment upon the executive, he certainly should be against it. On what principle was it that the representatives were placed at such an immense distance from the executive, that they could not approach him with decency and respect, to ask for information on a subject before them?

It had been observed, that the papers might be seen in the office of the Secretary of the Senate. Why then should those members who wished to see them be compelled to go into the office of the Secretary of the Senate, and depend upon the courtesy of the clerk for information which might as well be obtained in a more direct channel. Was it improper to have that information before the house which might be obtained in a more indirect manner.

The negotiator has publicly quoted a part of the correspondence, and perhaps if the whole could be seen by the house, they would be convinced of the general friendly disposition of Great Britain towards this country.

Mr. Freeman did not conceive himself committed as he claimed the right of changing his opinion as often as good reasons therefor presented themselves to his mind.

[Debate to be continued.]

Monday, April 11.

The house went into a committee of the whole on the bill for regulating intercourse with the Indian tribes, which after making some few amendments to it, was gone through. The committee rose and reported, and the house took up the consideration of it, when coming to the clause enacting that a forfeiture of all title to their claim in lands should take place, in case of being found within the territory of the Indian Tribes, for the purpose of marking out lands, &c. thereon; Mr. Blount again moved to strike out that clause, and Mr. Holland moving that the yeas and nays should be taken on the question; they were taken as follows:—

Y E A S.

Messrs. Bailey, Baird, Baldwin, Benton, Blount, Brent, Bryan, Burgess, Cabell, Claibourne, Coles, Franklin, Gallatin, Gilchrist, Gregg, Grove, Hampton, Harrison, Havens, Heister, Holland, Jackson, Locke, W. Lyman, Maclay, Macon, Milledge, Moore, Muhlenburgh, New, Orr, Page, Parker, Patton, Tatom, Venable—36.

N A Y S.

Messrs. Ames, Bourne, Bradbury, Buck, Christie, Coit, Cooper, Crabb, Dearborn, Dent, Earl, A. Foster, D. Foster, Gilbert, Gilman, Glenn, Goodhue, Goodrich, Griswold, Harper, Hathorn, Heath, Henderson, Hillhouse, Hindman, S. Lyman, Malbone, Murray, Read, Rutherford, Seagwick, Sherbourne, Jr. Smith, W. Smith, N. Smith, Isaac Smith, Israel Smith, Sprigg, Swift, Thatcher, Thomas, Thompson, Tracey, Van Allen, Van Cortlandt, Wadsworth, Williams—47.

Tuesday, April 11.

Mr. Sherbourne, of the Committee to whom was referred the business of the revenue cutters, brought in a bill on the subject, which was twice read and ordered to be committed to a committee of the whole to-morrow.

Mr. Harrison of the committee to whom was referred the business of regulating the weights and measures of the United States, made a report, which was twice read and referred to a committee of the whole on Monday.

Mr. Tracey, of the committee of claims, made a report on the petition of John Gibbons, treasurer of the state of Georgia, respecting the renewal of some certificates, which was against the petitioner; the report was read twice and ordered to be committed to a committee of the whole on Monday next.

Mr. Dearborn, of the committee to whom was referred the President's message relative to the territory south west of the river Ohio, reported that the territory, now bearing the name of the state of Tennessee, was entitled to all the privileges enjoyed by the other States of the Union, and that it should be one of the sixteen states of America.—The report was twice read and committed to a committee of the whole on Tuesday next.

The order of the day being called for, the house formed itself into a committee of the whole, on the bill for making provision in part for the payment of the debt due to the Bank of the United States; when the motion made by Mr. Gallatin yesterday to strike out five millions and insert 1,200,000 dollars, being under consideration, Mr. Sedgwick, Mr. Dayton (the Speaker) and Mr. Hillhouse opposed the motion, and Mr. Gallatin supported it. The committee rose and had leave to sit again. The debate which was of considerable length (Mr. Gallatin having spoken nearly 2 hours) will be given in a future paper.

Adjourned.

Bar-Iron Manufactory.

TO BE SOLD,

On reasonable terms and convenient payments, a new

FOUR FIRE FORGE,

Advantageously situated on the river Walkkill, in the county of Suffolk, and state of New-Jersey, and distant one mile and a half from Sharp's Furnace; the Forge lot contains twenty-eight acres of land, on which are four good houses for the workmen, with lots adjoining for gardens, two large coal-houses, a black-smith's and carpenter's shop, and also a commodious dwelling-house, with a good cellar and garden, for a manager, and a Store adjoining of twenty feet square. The buildings are new, and the works in good repair, and now in full business, and fully supplied with stock and the necessary workmen; wood-land for coaling, sufficient to afford a never failing supply and lying convenient, will be sold with the Forge, if wood supplied on contract by the cord, as may be left to the purchaser. If desired, a FARM adjoining the Forge, of 150 or 200 arable and meadow land, with a good orchard, and convenient buildings, will be sold to accommodate the Forge: And also, a four horse team, coal and other waggons, and implements of every kind to carry on the works. If not before disposed of by private contract (which may be known by the continuance of this advertisement) the Forge, Forge-let and buildings thereon, together with 1500 cords of wood, will be exposed to sale at PUBLIC VENDUE, on the premises, on Friday, the 3d day of May next, at ten o'clock in the forenoon, at which time and place the conditions will be made known, and attendance given, by the proprietors.

ROBERT OGDEN, ELIAS OGDEN,

SPARTA, April 9, 1796. N. B. The partnership of Robert and Elias Ogden, will then be dissolved.

L O S T,

A TICKET in the Washington Lottery, No. 17901—Any person having found the same is requested to leave it with the Printer hereof.

April 12.