

## 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.

### Mr. WIGNELL's Night.

On MONDAY EVENING, April 18,

Will be presented,

A celebrated PLAY, interspersed with Songs, in three acts, (never performed here) called

### The Mountaineers.

[Written by George Colman, jun.]

Octavian,	Mr. Moreton,
Violet,	Mr. Green,
Killmallock,	Mr. Marshall,
Roque,	Mr. Wignell,
Mulleers,	Messrs. Darley, Warrell, jun. Rob-
Lope Tocho,	bins, and Rowson.
Perequillo,	Mr. Francis,
Goatherds,	Master T. Warrell,
	Messrs. Warrell, Blissett, Doñor,
	and Morgan.
Females,	Mrs. Harvey, Mrs. Bates, Mrs. De
	Marque, Mrs. Doñor, Mrs. Lege,
	Mrs. Rowson, Miss Oldfield, Miss
	Milbourne, & Miss Willems.
Bulcazin Muley,	Mr. Whitlock,
Ganem,	Mr. Beete,
Pacha,	Mr. Darley, jun.
Sadi,	Mr. Harwood,
Moors,	Mess. Solomon & Mitchell.
Zorayda,	Mrs. Whitlock,
Florante,	Mrs. Francis,
Agnes,	Mrs. Oldmixon.

Previous to the Play,

A new OVERTURE—composed by R. Taylor.  
The Music of the Songs, Duets, Glee and Choruses, by Dr. Arnold.

The accompaniments by Mr. Reinagle.

With new Scenery, Dresses, and Decorations.  
The Scenery designed and executed by Mr. Milbourne.

The 2d Act will conclude with

### A SPANISH FANDANGO,

Composed by Mr. Francis.

The principal parts by—Mr. J. Warrell, Miss Wil-  
lems, Miss Milbourne, Miss Gilaspie & Mrs. Demarque.

To which will be added,

A COMEDY, called

### High Life below Stairs.

Lovel,	Mr. Wignell,
Freeman,	Mr. Beete,
Sir Harry,	Mr. Francis,
Lord Duke,	Mr. Harwood,
Philip,	Mr. Green,
Coachman,	Mr. Warrell,
Kingston,	Mr. Warrell, jun.
Robert,	Mr. Blissett,
Tom,	Mr. Darley, jun.
Kitty,	Mrs. Morris,
Lady Bab,	Mrs. Rowson,
Lady Charlotte,	Mrs. Francis,
Cook,	Mrs. Bates,
Chloe,	Mrs. Rowson.

In Act II.—A Mock Minuet.

By Mr. Harwood, and Mrs. Morris.

\* On this Evening the Subscribers will be admit-  
ted as usual.

† Mrs. WHITLOCK's night is postponed.

‡ There will be a Performance on Wednesday—  
particulars will be expressed in future Bills.

†† On account of the expiration of Mr. HAR-  
WOOD's engagement, his night will be on Friday next.

BOX, One Dollar—PIT, Three-Fourths of a Dollar—  
and GALLERY, Half a Dollar.

TICKETS to be had at H. and P. RICE's Book-Store,  
No. 59, Market-Street; and at the Office adjoining the The-  
atre.

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 can-  
not, on any account, be permitted to remain.

VIVAT REPUBLICA.

## CONGRESS.

### HOUSE OF REPRESENTATIVES.

Wednesday, March 16.

Debate on Mr. Livingston's resolution continued.

Mr. Findley was glad to find the present debate  
coolly conducted. He hoped in what he should say  
upon the subject to follow the example of modera-  
tion; he should not, he said, go largely into the  
discussion, as it was difficult after so many gentle-  
men had spoken ably upon the subject, to occupy  
new ground. He said it was not strange that a va-  
riety of opinions was held on so important a sub-  
ject. There was a considerable difference in the  
opinions of gentlemen who opposed the measure; and  
he was glad to find they did not now insist upon  
quite so high ground as they set out with. It  
was at first said that the power of the President and  
Senate to make treaties was unlimited; that that  
house had no discretion in carrying treaties into ef-  
fect; and that though they might have opinions as  
citizens upon treaties, yet they ought to have none  
as members of that house.

It was somewhat remarkable, he said, that the  
arguments used upon the occasion, lay so widely  
from the question itself. The motion was for cal-  
ling for certain papers from the President relative  
to the late treaty with Great Britain. He would  
remark, that if these papers related to the affairs of  
the Union, they had a right to them; it was there-  
fore his opinion that the President had not a right  
to refuse them, if they were called for. There was  
one advantage in speaking upon the subject in this  
stage of the debate that there was not at first. It  
was now admitted that a reasonable construction  
was to be given to the clauses of the constitution,  
which were apparently at variance with each other.  
His opinions on the subject were much the same as  
those of the gentlemen from Virginia who spoke so  
ably yesterday.

It was not denied, he said, that all legislative  
powers are vested in Congress—they are fairly lodg-  
ed there; such as levying of taxes, regulating com-  
merce, &c. also the power of carrying all those into  
effect, and all other powers. The power of the Ex-  
ecutive, he said, had often been objected to because  
it was too extensive, but he never before heard it

complained of as being too narrow. The business  
of making treaties being partly executive, it was  
not convenient that the power of making them  
should be placed in the legislature, but it did not  
follow that an unlimited power should be placed in  
the hands of the executive. When the treaty power  
was placed in the General Government, it was ne-  
cessary it should be paramount over all the constitu-  
tions and laws of individual states, which gave rise  
to the clause in the constitution, that "the consti-  
tution, laws and treaties shall be the supreme laws  
of the land, any thing in the constitution and laws  
of any state to the contrary notwithstanding." In  
one place it was said treaties made by "the Presi-  
dent and Senate," and in another, "under the  
authority of the United States." How that dif-  
ference in the expression happened he did not know.  
By "the authority of the United States" it was  
reasonable to suppose, that all the authority vested  
in any part of the government of the United States,  
was meant. He believed it was fully in the power  
of the President and Senate to make all such trea-  
ties as were authorized by the laws of nations; but  
since the sixteenth century, commercial treaties have  
come into use, affecting the internal concerns of  
nations, by which a value is given and received  
which was not before contemplated. The power of  
regulating commerce was placed in the legisla-  
ture by the constitution. Foreign commercial re-  
gulations could not perhaps be carried into effect,  
except in the form of treaties. But he did not be-  
lieve the President and Senate had the power to  
form such treaties without their consent; to be-  
lieve this, was to transfer the power which had been  
placed in them by the constitution; for they could  
exercise it no longer than another branch of the  
government chose to permit them. But he said  
they had not the power to dispense with, or trans-  
fer, their legislative authority; it was a trust de-  
posited with them to be exercised for the benefit  
of their constituents.

He would enquire how far it was practicable for  
the legislature to exercise the power placed in it  
with respect to commercial regulations. It had  
been called absurd. But if facts and experience  
were recurring to, it might not appear so. He would  
be told that they were not to be influenced by the  
conduct of foreign nations. He believed that trea-  
ties in every country must be made by the sove-  
reign authority, lie in what hands it will, to give it  
validity. It was not long since that limited gov-  
ernments made treaties; but since it had been the  
practice, all such governments give to treaties the  
sanction of sovereign authority. Holland and Bri-  
tain were mentioned as examples. Inconveniences,  
he said, there were, but the business was by no  
means impracticable.

He said the gentleman just sat down had comba-  
ted the idea of a treaty being partly valid, and partly  
invalid. He mentioned, as an instance, of part  
of a treaty being accepted, and part rejected, the  
treaty of Utrecht, the commercial part of which  
was never carried into effect. It had been said that  
the practice of Great Britain could be no rule of  
practice for them. It was objected that their con-  
stitution was made up of use and customs. He said  
a practice founded on experience became the strong-  
er for being so founded. According as nations come  
to understand their liberties, he said, in the same  
proportion would they grow into consequence.

Cases would occur, he said, where commercial  
regulations would be necessary to be entered into  
by treaty; but it was always understood that such  
regulations must receive the sanction of that house  
before they were in law. But this was denied; and  
tho' it was not allowed that the President and Senate  
could turn them out of their house, yet they could  
do their business.

If doubts arose on the construction of the consti-  
tution, the most obvious meaning must be given to  
it. If the doctrine in favor of unlimited treaty power  
was to prevail, they could not remain assured of  
any thing but the forms of the constitution. The  
gentleman last up had said, if they checked the gov-  
ernment any more it would stand still. They did  
not wish any more checks, and they had now no more  
than was enjoyed by other nations. A great deal  
had been said about the opinions held about the time  
of passing the constitution. He believed the opi-  
nions then held were unfavourable to the extent of  
powers placed in the President. Both the *Federalist*  
and *Federalist Farmer* supported the doctrine he in-  
sisted upon. It was said this was a new doctrine;  
—but he could not have believed that a contrary  
opinion would be held in that house, had he not  
heard it.

He referred to the Pennsylvania convention, in  
confirmation of his opinions; but, he said, owing to  
some strange conduct, the arguments used on both  
sides of the question were never published—the ar-  
guments of the minority being suppressed; on which  
account, such a number of subscribers withdrew their  
names from the newspaper which published the de-  
bate, that it was given up. That the legislature  
had a check on the treaty power was not denied by  
any one.

The gentleman from Rhode-Island yesterday took  
a new ground, with respect to the small states. He  
was surprised to hear particular states mentioned,  
or that it should be the interest of any state to pass a  
way legislative rights. This, he said, was the first  
treaty (except Indian treaties) made under the new  
government, and it was important to have the point  
of right settled. Small states had an advantage over  
large ones; they had more representatives in propor-  
tion to their numbers, and consequently more power  
in the government. He did not suppose any discrimi-  
nation would have been attempted between differ-  
ent states of the Union.

Governments must be possessed of the principles of  
self-preservation. Is the taking away of power from  
the legislature the best way of preserving the govern-  
ment of the United States? It would not do to tell  
them, that because the President and Senate were  
elected, & consequently representatives of the peo-  
ple as well as them, that therefore they were safe in  
their hands. Those checks, he said, were not made  
for that purpose; and if the powers proposed now  
to be established, were vested in the President and  
Senate, they should have less security for their liber-  
ties than G. Britain, less than almost any other na-  
tion. But if they conceived that they were of the  
same materials with other nations; that they could

not always have men of inflexible virtue in their ex-  
ecutive they ought to exercise that jealousy of power  
which may be seen in various parts of the consti-  
tution. He was not even sure that all the checks  
with which their government was possessed, were  
sufficient to guard against the encroachments of  
power. It was his opinion that they ought to have  
a formal check over the President. This was what  
he had always contended for.

A number of arguments had been made use of  
which had not been replied to, and which he ap-  
prehended would not be replied to. A gentleman  
from Massachusetts had made a comparison between  
the members of that house and those of the Senate;  
that the latter were men of tried patriotism and vir-  
tue; but that the former were obscure individuals  
from remote parts of the Union; but, he said, if  
matters were examined there might be found ex-  
ceptions in both cases. If the gentleman rises again,  
he begged he would say what use he meant to make  
of this assertion, and then he would make him a  
reply.

It was said, that if a treaty of peace was made a  
war might be declared the next day; and, he said,  
if they had the power to declare war, might they  
not do less? It was asked whether the treaty was  
not law in G. Britain? He said if Parliament had  
approved of it, it was, and not else.

But, to have done, he did not think any one meant  
to give the treaty the same discussion, as a bill.—  
Was it not to be supposed, that that house would  
properly consider all the circumstances relative to  
the business? Gentlemen were willing to allow  
them a sound discretion, and it could not be expect-  
ed they should wish to hinder the execution of it,  
if it were not evidently calculated to be greatly in-  
jurious to the interests of their country.

[Debate to be continued.]

Saturday, April 15.

Mr. Swanwick presented a petition from Charles  
Caldwell who had been a prisoner in Algiers, and  
had paid, by the assistance of his friends, 2000  
dollars for his ransom. He prayed for a re-imburse-  
ment of that sum from government. It was read  
and referred to the secretary of state.

Mr. Gallatin called up the resolution which he  
laid upon the table on Thursday for the appoint-  
ment of a committee to enquire of the bank of the  
United States whether they were willing to let  
the sum of 3,800,000 dollars which they had ad-  
vanced to government by way of anticipations,  
remain on new loans as usual.

After some observations on the nature and prop-  
riety of the enquiry from Messrs. Gallatin, Swan-  
wick, Hillhouse, Harper, Sakgwick, and Living-  
ston, and the sum being struck out, it was agreed  
to, and a committee was appointed to carry the  
enquiry into effect.

The house then resolved itself into a committee  
of the whole on the state of the Union, and Mr.  
Muhlenberg having taken the Chair, and read the  
resolution for carrying into effect the treaty with  
Great Britain. Mr. Nicholas delivered a speech  
against, and Mr. Swift in favor of the resolution.  
The committee then rose and had leave to sit a-  
gain.

Mr. Goodhue moved that the house resolve itself  
into a committee of the whole, on the report of  
the committee of commerce and manufactures on  
the petition of the Boston Humane Society and  
others, which they went partly through, but not  
having finished the business, they had leave to sit a-  
gain. Adjourned.

### EXECUTIVE DIRECTORY.

PARIS, 2d Nivose.

The executive directory to the ministers.

"The executive directory, Citizen Ministers,  
have thought proper to recommend by means of  
the Minister of the Interior, to all the administra-  
tions under his superintendance, a severe economy;  
they are particularly prevented from creating offi-  
ces or employments which shall not be of demon-  
strated necessity; they are forbidden in a word to  
go into any expence which shall not be absolutely  
necessary to the public service; that which the  
executive directory have recommended to the minis-  
ter of the interior ought equally to apply to the  
different parties who are connected with each of  
you. But, citizens ministers, the true means of  
coming at this salutary end is not so much by or-  
dering as by setting yourselves the examples. It is  
in the superior administration that the most austere  
reform should be established, and presently every  
other will model themselves after them. Too long  
did a conspiring court and the factions that suc-  
ceeded to it before the establishment of the repub-  
lic create a crowd of useless employments, and per-  
mit horrible depredations to raise up a set of crea-  
tures, or to satisfy powerful solicitations, and even  
yet a crowd of useless men fill the offices, for no  
other reason than to spread corrupting luxury and  
devour the substance of the state; it is no longer  
possible to suffer such corrupting abuses.

"You certainly have not yet had time to re-  
form them, but the moment is at length arrived,  
to cut them off with a prompt, inflexible and steady  
hand; the executive directory trusts you will em-  
ploy all your efforts in seconding this their im-  
mutable will, and their indefatigable superinten-  
dance.

"In free countries, government owes to indi-  
viduals the example of order and of economy, vir-  
tues with which public felicity and private happi-  
ness can never have existence. Decorum and a  
dignity proportioned to the extent and splendour of  
a nation, are necessary, it is due to the maintenance  
of social order; but we ought not to confound  
them with a ridiculous parsimony in the number and  
in the train of persons employed in the offices, that  
the nation pays, not to represent but to serve it,  
their labors ought to be honorably rewarded and  
their salaries sufficient to the maintenance of their  
families; but they ought not to become a subject  
of dilapidations and disorders, and to bring the re-  
public to ruin by an inordinate expence.

"These principles, citizens ministers, are no  
doubt ours; animated like us with the desire of  
saving your country you feel how much it is incum-  
bent upon you to give to the public mind its true  
direction on a point so capital, and to put at the

same time every part of the administration of the  
public into such order that the annual revenue  
shall at last surpass the expences, by this means we  
shall restore confidence, and with it credit.

"It is in order to fulfil this object without the  
shortest delay, citizens ministers, that the executive  
directory charge you forthwith to submit to their  
inspection the number, and the exact compositions  
of your offices, as well as the names of all the persons  
that are employed there, a note of the business  
with which each person is charged as well as the  
amount of his salary and appointments. Presently  
by a powerful concurrence of mind and action, the  
expences of the administration will be reduced with-  
in their just limits, and its activity will be doubled  
by the simplicity of its proceedings, but at the same  
time, citizens ministers, the directory think it their  
duty to recommend to you strongly to maintain  
with the greatest severity this order when once es-  
tablished; not to forget that a civil officer ought  
not to be removed when he discharges his duties;  
and that no fear, no hope, no solicitation, though  
it might be made by men the most eminent in their  
functions and powers, ought to make you deviate  
from the line which will be pointed out for the  
good of the country.

(Signed) REWBELL, President.

By the Executive Directory

La GARIE, General Sec'y.

December 13.

If we may judge by the last letters from Basle,  
the return of Monsieur Barthelemi will not be the  
means of suspending the negotiation for peace.—  
This minister has been for sometime useless at Basle  
as the other Plenipotentiaries had left the place.  
The Envoys of Hesse Cassel, Wurtemberg, and the  
Palatinate took their departure on the 7th of De-  
cember; the Prussian Ambassador with all his suite,  
left it the Thursday after, and he was to be followed  
immediately by all of the agents from the different  
states of the empire. They give as the ostensible  
reason for their retiring, the hauteur and the exces-  
sive demands of the French, but the better reason  
without doubt is, the news of the late events up-  
on the Rhine.

December 21.

The Journal which, without being official, approach-  
es nearest to the official Gazette, has, on the occasion  
of the King of England to his Parliament, printed ob-  
servations, the tone of which announces that they had  
good authority for their insertion.

"If the English Minister does not deceive the peo-  
ple," says this Journal, "if he is sincerely desirous  
of Peace, it will be easy for him to obtain it. It is  
certain that our Government, touched by the tel-  
lurionies of affection of the English people towards  
the French, will consent in lieu of all reparation and  
indemnity to the respective restitution of France and  
Holland, which are now in the power of the En-  
glish, and will not require from their Ministry any  
other thing than that they shall no longer interfere  
with the interior Government of France and Hol-  
land, nor in the war in which they are engaged with  
neighbouring powers. The French Government in  
showing these dispositions so pacific, they yield only  
to the desire which has been frequently manifested  
on the part of the nation, to live in peace and frater-  
nity with the English people, and to their hope  
that the union of these two People might in time  
bring about the tranquillity and happiness of Eu-  
rope."

Here then we see the two Governments expressing  
their desire for Peace, they will not employ themselves  
we suppose in laying down the foundations and draw-  
ing out the terms; this is a task which may require a  
considerable time, and during which there may still  
flow a considerable torrent of blood.

The process of Cormatin is finished—he is condem-  
ned to exportation; two of his accomplices are con-  
demned to imprisonment until Peace; the others are  
set at liberty. This sentence was, no doubt, dictated  
by political considerations of great importance; they  
could not forget in pronouncing on the fate of Cor-  
matin, that the Chouans, whom he commanded, are  
not yet totally subdued, and they have Republican fol-  
lowers in their hands.

NEW-YORK, April 14.

It is said in Spain, that the King has in con-  
templation to diminish the number of religious or-  
ders, and to apply the property to more useful pur-  
poses, than the support of Monks and Friars.

While France continues to be distracted with  
parties, perhaps as violent as ever, it is evident that  
she has gained something in the stability of her gov-  
ernment, by a division of her legislature into three  
branches. Imperfect as her constitution is, it is a  
great acquisition; and by balancing parties, it may  
prevent the bloody triumphs of either.

With these facts before all the world, there is a  
party of men in America, weak or wicked enough  
to strain every nerve to demolish this balancing  
power of our government, and to draw all the au-  
thority of the nation into one house. If the late  
attempt of the House of Representatives, in Con-  
gress—to usurp the rights of the other branches—  
and concentrate in themselves powers expressly ves-  
ted in the President and Senate, does not alarm the  
people of this country, and convince them that the  
most violent preachers of liberty are rank tyrants at  
heart, it must be because they are still doomed to be  
the prey of hypocrites.

JUST PUBLISHED,

[Price 25 Cents]

By SAMUEL H. SMITH, No. 118, Chestnut-Street,

LETTERS

OF HELVIDIUS:

In reply to Pacificus, on the President's Proclamation  
of Neutrality.

Ascribed to Mr. MADISON.

Lately Published,

Pacificus—Political Truth—Paterson's Charge.

In a few Days will be published,

[Price 25 Cents]

A REVIEW of the QUESTION—In whom has  
the Constitution vested the Treaty power?

By a Senator of the United States.

April 18.

1844.

WANTED,

And suitable wages will be given

To a white Woman COOK, in a family without young  
Children, and where several other Servants are kept.  
Apply to the Printer.

April 18.

tf.

LOST,

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.

31.