destroy its responsibility and defeat the purposes for which an executive was established.—Sir, the laws cannot be executed but by officers chosen for the purpose; and the control over the officer must be in the executive power. If any other doctrine be admitted, what is the consequence? certainly, Sir, that you may go on with equal reason, and set the senate at the head of the executive department. You may declare that all officers shall hold their places during the pleasure of either branch of the legislature. And by this means you may link together branches which the preservation of liberty requires to be constantly separated.

But, Sir, another species of argument has been urged against the clause—It has been said that it is improper, or at least unnecessary, to come to any decision on the subject. It has been said, that it will be officious in this branch of the legislature to expound the constitution, so far as relates to the division of power between the president and senate.—Sir, it is undoubtedly of as much importance to this branch as to any other, that the constitution should be preserved entire: It is our duty as well as interest to take care that its principles be adhered to. A breach in the constitution in one point, may lead to a breach in another. A breach in this point, may destroy that equilibrium in the government, by which this house maintains its share of authority. I do not think we can be charged with officious interference, as this bill, before it can have effect, is to be submitted to both those branches who are particularly interested in it. The senate may negative it—The president may object to it.

Sir, an objection strongly urged is, that the legislature itself has no right to expound the constitution; that whenever its meaning is doubtful, you must leave it undecided till the judiciary shall be called on to declare its meaning. I conceive, that in the ordinary course of things, the exposition of the constitution devolves on the judiciary. But I beg to know on what principle it can be contended that any one department derives from the constitution greater powers than another, in declaring what are the true limits of the constitution. We have a great charter which assigns certain great boundaries and fences to the several departments of government. If these constitutional boundaries be brought into question, I cannot conceive why any one of those independent branches has not a right to express its sentiments.

This is perhaps an omitted case; there is no one government, that I know of, in which provision is made for a particular authority to determine the great constitutional limits, and the great division of power between the branches of government. In all systems there are points which must be settled by the branches themselves, and to which no other power is competent. If they cannot be, there is no resource left, but the will of the community to be collected, either by the mode which our constitution provides, or by a mode dictated by necessity. It is therefore a fair question before us, whether the great point may not as well be decided by the whole legislature as by a part—by us, as well as by the executive or judiciary. As it will be equally constitutional, it cannot be less safe, that the explanation should come from the legislature, particularly as it comprehends all those branches whose powers can be affected by it; besides, Sir, I do not see how the question could be brought before the judges, were the right of determining assigned to them. If there is any part of the government from which an opinion on this capital point can come with singular advantage, it is this house, who being not so immediately interested, can form their opinion, and express their sense, with less bias than any other. My conclusion from these reflections is, that the clause is perfectly constitutional; that it expresses the meaning of the constitution, as a fair construction must explain it, and that it is not only consistent with liberty, but more favourable to it than any other possible interpretation.

Mr. Gerry was clearly of opinion with the gentleman last on the floor, that it was of importance to decide the question on its true principles. He declared he should be ready to oppose every encroachment of the legislature on the just rights of the executive. He considered himself bound not only by an oath, but by an obligation equally strong, that of honour. Gentlemen had laboured to prove the constitutionality of the clause.--He said he had listened to their arguments, and was convinced that the clause was as inconsistent with the constitution as any set of words which could be inserted in the bill.

There appeared to be two questions. One, whether the people had delegated to the government at all the power of dismissing at pleasure.—The other was, to whom it belonged. As to the first, he agreed that the power had been delegated. It seemed to be proved by the arguments of the gentlemen, that otherwise the clause in the constitution respecting the judges was nugatory. As to the second question, it was agreed that the power must rest in some department. He believed that gentlemen in support of the clause, would agree that this house did not possess the power, any more than the judges.—It lay therefore either with the president, or the president and senate. And if, so, it appeared to him, that the clause, in either case, was useless.—For if the senate would assent to the clause when set up by the house, they would assent to the provision contained in it when the president should exercise it. If the senate thought the power ought to be vested in the supreme executive, they would freely consent to his using it, if not they would reject this clause.—In either case the clause was nugatory.

[To be continued.]

HERMANSTADT, *March* 19.

ADVICES from the defile of Torzburg inform us, that on the 9th inst. about 60 Turks appeared near the village of Ruckur. Their intention was probably to reconnoitre the environs; for after firing a few shot against our advanced posts, they retired towards Kimpolung. The next day prince Hohenloe arrived at Torzburg; and, notwithstanding the badness of the roads, visited all the advanced posts, and examined the situation of the environs. The second regiment of Wallachian infantry is destined to defend the defile of Torzburg. The second battalion of that regiment, under the command of major Rinsfield, will guard the advanced posts. The dispositions of the major are not only defensive, but seem to be such as to enable him to act offensively, if necessary.

PARIS, *April* 2.

Though every thing is quiet respecting political affairs, the dearness of bread has given occasion to very violent tumults in some of the southern provinces. At Aix, Marseilles and Toulon, the riots have been carried to a great height. The count de Montfera, who had rendered himself obnoxious to the people, was obliged to retire to his house: Here he was pursued and besieged; and unfortunately firing on the multitude, by which a man was killed, he was at length dragged from his house, and *literally torn in pieces* by the populace. The bishop of Sisteron narrowly escaped with his life, but was so ill-treated, that it is supposed he will not long survive. On the other hand, the count de Mirabeau (the Wilkes of the people) has been every where conducted in triumph. On his entry into a town where he was elected a deputy for the Third Estate, the windows were let at two guineas, for seeing the procession; not only the horses, but the wheels also were taken from his carriage, and he was thus carried on the people's shoulders.

VIENNA, *(Germany) April* 17.

The emperor's indisposition has returned with such alarming symptoms, that he has expressed a desire to have, and has had, the sacrament administered to him.

Seven thousand Turks have began hostilities, by attacking the advanced post of Vallie-mulicri—they were well received, and finally routed—Their loss 253 killed—our's 10.

LONDON, *April* 18.

Extract of a letter from Vienna, March 28.

"Some authentic accounts from Moldavia inform us, that hostilities are already begun in those countries. A numerous troop of Turks made an incursion as far as Okna. In this single town was an advanced post of 18 volunteers, who were surprised by the Turks, and all, except two, killed. The Turks afterwards set fire to the town, and retired. In their retreat many villages met the same fate. They have since retired to Fokschan."

Extract of a letter from Vienna, March 31.

"We learn, with the greatest satisfaction, that his majesty the emperor is better, and within these two days he has left his bed, and dressed himself. The fever quitted him; his strength is so far returned as to enable him to give his directions relative to the different branches of administration, but his majesty is not well enough to appear in public, on which account there will not be any circle at court on Sunday next."

April 26. We learn from Constantinople, that the captain pacha is employed half the day at the arsenal and in the docks, where he opens his purse very freely to encourage the workmen, whilst at the same time he keeps up a severe discipline. He keeps also a vigilant eye on the police of the capital, to prevent any tumults, and perserve the peace. The Asiatic troops are defiling fast in great numbers to the army, and a considerable train of artillery went the latter end of February to the grand vizier. The captain pacha persists in his plan of attempting a descent on the Crimea, and he has requested to have 24,000 men, to embark on the flotilla and the grand fleet for this purpose. This plan is proposed to oblige the Russians to reinforce the army of prince Potemkin, and draw their troops from other parts. An army of 100,000 men, under a Seraskier, is preparing to face that hitherto commanded by field marshal Romanzow, and the grand vizier is to oppose the Austrians on the Danube. Independent of these three general points, the Turks will have a fourth army in Bosnia of 50,000 men, which are near the army formerly under marshal Laudohn.

If we add these terrible preparations to those that are making in the north, two belligerent fleets in the Baltic, and several light squadrons, two armies in Finland, the motions of the Danes, the fire which a single spark may light in Poland, and the designs which are manifest enough in other powerful courts, the present moment may be deemed pregnant with events of the first magnitude and importance.

May 2. The king will not go this year to Hanover—positively.

His majesty, and the prince of Wales are perfectly reconciled to each other.

Prince William Henry is arrived at Spithead in 21 days from Halifax.

May 4. At Paris, there has been an alarming insurrection—A capital manufacturer having unintentionally offended the common labourers, they assembled in great numbers to pull down his works, &c.—He applied to the military for protection—the military came, and were attacked by the mob, who killed several of the soldiers—The military were then reinforced, and a dreadful slaughter ensued, in which more than 600 persons were killed. The scene was the Faubourg de St. Antoine.

PHILADELPHIA, *July* 7.

We learn by the last accounts from Europe, that the war between the Turks, Swedes, Russians, &c. is likely to be renewed this campaign with redoubled vigour, and that in all human probability France and England will be involved in the bloody contest. An English fleet of 16 sail of the line, we are assured, is already preparing for the Baltic.

Extract of a letter from William Cooper, of the city of Burlington, dated Cooper's Camp, June 2, 1789. *(This encampment is about 145 miles from Philadelphia, and about 7 miles west of the northern road.)*

"Respecting the navigation of the Susquehanna, I may inform thee, that a boat built by myself and two hands in one day, and without tar, carried a burthen of 3 tuns from the Otsega Lake down to Ononguague, which is a distance of about 70 miles.

"Kettles are much wanted here for making pot-ash and sugar. This last article is an object of greater consequence than is commonly supposed.—In a former letter, I mentioned that 30 hogsheads had been made at our settlement the last season; but upon inquiry, I find they have exceeded that quantity—and that some of those who had proper kettles, made their sugar equal in appearance to any Muscovado. The New-England people value a sugar-tree equal to an apple. Each tree is said to yield 5lb. of sugar; 50 trees are found upon one acre. In common, where they set their kettles, three hands will make 1500lb. in a season: say three weeks.

"Although, from the local situation and scarcity of provisions, this country is not so readily settled as I supposed, yet if favoured with health, I shall complete the sale of the several tracts in this neighbourhood in the course of this season; being in the whole about 28,000 acres. However difficult our Pennsylvania farmers may make the settlement of this country, I can assure thee that I shall this day complete the sale of 10,000 acres, which will have 40 families upon it in the course of this and the next summer. The contracts for this land are made with men of character; and it is my judgment, and also that of the settlers, that the soil is excellent for grain and grass."

Annapolis, July 10, 1789.

By virtue of a DEED of TRUST from captain ALEXANDER TRUEMAN, to the subscriber, will be SOLD, at PUBLIC SALE, on the sixth day of August next, the following PROPERTY, that is to say:

THAT valuable and well situated LOT and IMPROVEMENTS in this city, lately occupied by Mr. THOMAS PRICE, and where Mr. WILLIAM REYNOLDS formerly lived. This lot, and the improvements, with its advantageous situation, are too generally known to need a particular description.

Also a TRACT of fertile and valuable LAND, being part of MONOCACY MANOR, in Frederick county, containing about one hundred and thirty-three acres.

Also four LOTS of LAND, containing fifty acres each, all adjoining, to the westward of Fort Cumberland, in Washington county.

Also the INTEREST of captain TRUEMAN in the LOT whereon the THEATRE stands, and one other LOT where Mrs. CLARKE lately lived.

Also a TRACT of LAND, in Bedford county, in Virginia, situate near James River, containing nearly six hundred acres.

The sale to be at the house first above mentioned, and on CREDIT, the extent of which will be made known on the day of sale. SPECIE CERTIFICATES and FINALS will be received at a rate to be agreed on.

tf

1 G. DUVALL.

Pig-Point, July 1, 1789.

Pursuant to the last will and testament of PHILIP HOPKINS, late of Anne-Arundel county, deceased, will be SOLD, at PUBLIC SALE, on the first day of August, 1789,

THAT valuable TRACT of LAND called HOPKINS's FANCY, containing about two hundred acres, situated within three miles of Pig-Point, whereon is a comfortable DWELLING, TOBACCO HOUSE, and other OUT HOUSES, with an excellent APPLE ORCHARD. Further particulars and terms will be made known on the day of sale.

w 3 RICHARD HOPKINS.

N. B. The above plantation was advertised for sale in the Maryland Gazette of the fifteenth of April last, when Stephen West threw in a caution to hinder the sale thereof; but the right by my late father's will, laying undoubted in me, (which on the day of sale said will will be produced, or to any person previous thereto, if desired.) Therefore I intend proceeding to sell according to the direction of said will, when the purchasers may be assured of a good and sufficient title from R. H.

1 o 7/6

DOCTOR FENDALL,

Operator upon TEETH,

IS now in this city.—Those that are disposed to apply to him, will find him at Mr. STEVENS's, where he may be consulted in all disorders of the TEETH, GUMS, SOCKETS, &c.—The Doctor's continuance in Annapolis will be but for a few days, as he is on his way to BATH, and Baltimore.—The Doctor still sells his DENTIFRICE, which is infinitely superior, he thinks, both in elegance and efficacy, to any thing hitherto ever made use of for the teeth and gums.—'Tis a most powerful Antiscorbutic, united with the most Balsamic and Antiputrefactive substances—There is nothing in the composition but what is of the softest and smoothest kind—Free from every thing that is in the smallest degree injurious.

Annapolis, July 15, 1789. 1