

of poison, by lying in wait, or with other kind of wilful, deliberate, premeditated intention, or which shall be committed in the perpetration or attempt to perpetrate any arson, rape, robbery or burglary. All other kinds of killing shall be deemed murder in the second degree. The kind of murder to be ascertained by the verdict of a jury.

Persons liable to be prosecuted for petit treason shall be proceeded against and punished as in other cases of murder.

Murder in the first degree is punished with death. High treason is punished with confinement in prison and the penitentiary house, not less than 6, nor more than 12 years—Arson, with confinement not less than 5 nor more than 12 years—Rape, not less than 10, nor more than 21 years—Murder of the second degree, not less than 5, nor more than 18 years—Forgery, not less than 4, nor more than 15 years, with payment of a fine, not to exceed 1000 dollars—maiming, not less than 2 nor more than 10 years, with a fine not to exceed 1000 dollars—man-slaughter, not less than 2 nor more than 10 years, and giving security for good behavior during life. Persons being charged with involuntary man-slaughter, the Attorney-General, with leave of the court, may waive the felony, and proceed against them as for a misdemeanor, and give in evidence any act of man-slaughter—or the attorney may charge both offences in the same indictment, and the jury may acquit the person of one or both—The benefit of clergy is for ever abolished.

In the Senate, U. S. Thursday 8th May, 1794.

On a motion made to suspend the execution of the 4th article of the treaty with Great Britain, until indemnification be made, &c. &c.

The Yeas and Nays were as follows:

YEAS, 2.

Messrs. Monroe, & Taylor.

NAYS, 14.

Messrs. Langdon, Livermore, Strong, Cabot, Foster, Bradford, Ellsworth, King, Frelinghuysen, Morris, Rofs, Henry, Potts, Izard. Absent, Messrs. Mitchell, Burr, Rutherford, Bradley, Robinson, Edwards, Brown, Hawkins, Martin, Vining, Gunn, Jackson, Butler—13.

The above article relates to the payment of debts to British Subjects.

We hear that a very interesting discovery has been recently made, in respect to the losses which have been sustained by depredations on the Mail of the United States.

On Saturday last a number of citizens met at Dally's Hotel in Shippen Street, to celebrate the late glorious success of the French Republic. Much credit is due to Mr. Dally, on this occasion, for the pains he took to provide for and accommodate the company.

After dinner the following toasts were drank.

- 1. The Republic of France one and indivisible,—may Peace, Liberty and Safety, soon become the harvest of its present glorious struggles.
2. The people of the United States, and the glorious Fabric of Freedom which they have erected in their own government.
3. The President of the United States, may he long enjoy good health, Prosperity, and the united plaudits of all freemen.
4. Perpetual union between the two Republics of France and America.
5. The neutral powers—may they support their honor and vindicate their rights against all sea robbers.
6. The Congress of the United States—may the happiest results be derived to the country from the wisdom of their deliberations.
The State of Pennsylvania—may her guardians angels be Peace, Liberty, Honour, Prosperity, Safety and Fraternity.
8. The ministers of America in Europe—may their exertions be constant and uniform to support the energy and vigour of all free governments.
9. The Universal Reign of true religion, Reason, Philosophy and equal rights.
10. The memory of the gallant veterans who have fallen in defence of freedom in the old and new world; "how beautiful is death when earned by virtue."
11. Liberty to all mankind—"at her voice let agriculture and commerce, those sources of national prosperity, multiply, aggrandize, and Cement, our friendly relations and public felicity."
12. Liberty of thought, Liberty of Speech and of the press—and a just attachment to a free Government.
13. The memory of Franklin, may his patriotic virtues, be ever the objects of universal imitation.
14. The armies and navies of France, by whose gallant achievements the successes we celebrate have been obtained and by which the political prospects of America have been brightened.
15. The late allied armies; by whose glorious exertions peace, liberty and safety were secured to America.

VOLUNTEERS.

By the Governor of Pennsylvania; May France triumph, and the world be at Peace! By the Minister of France—May the rights of men and of nations be respected in both worlds and over all seas. By the Speaker of the House of Representatives of the United States—The Mountain—

its summit the heavens, and its base the whole earth.

At a meeting of the Democratic Society of Pennsylvania, held at Philadelphia, on the 8th day of May in the year 1794, and of American Independence the Eighteenth:

Resolved, as the opinion of this society, that the constitution of the United States, the sacred instrument of our freedom which every public officer has sworn to preserve inviolate, has provided, that the different departments of the government should be kept distinct; and consequently that to unite them is a violation of it, and an encroachment upon the liberties of the people guaranteed by that instrument.

Resolved, as the opinion of this society, that, as by the constitution all treaties are declared to be the supreme law of the land, it becomes the duty of the judiciary to expound and apply them; to permit, therefore, an officer in that department to share in their formation is to unite distinct functions and tends to level the barriers of our freedom, and to establish precedents pregnant with danger.

Resolved as the opinion of this society, that justice requires, and the security of the citizens of the United States claims an independence in the judiciary power; that permitting the executive to bestow offices of honor and profit upon judges, is to make them subordinate to that authority, is to make them its creatures, rather than the unprejudiced and inflexible guardians of the constitution and the laws.

Resolved as the opinion of this society, that from the nature and terms of an impeachment against a President, it is not only necessary that the chief justice of the United States should preside in the Senate, but that he should be above the bias which the honors and emoluments in the gift of the executive might create; that it is, therefore, contrary to the intent and spirit of the constitution to give him a foreign mission, or to annex any office to that which he already holds.

Resolved as the opinion of this society, that every attempt to supersede legislative functions by executive interference, is highly dangerous to the independence of the legislature, and subversive of the right of representation.

Resolved as the opinion of this society, that the appointment of John Jay, chief justice of the United States as envoy extraordinary to the court of Great Britain, is contrary to the spirit and meaning of the constitution; as it unites in the same person judicial and legislative functions, tends to make him dependant upon the President, destroys the check by impeachment upon the executive, and has had a tendency to controul the proceedings of the legislature, the appointment having been made at a time, when Congress were engaged in such measures as tended to secure a compliance with our just demands.

Resolved, as the opinion of this society, that after the declaration made by John Jay, that Great Britain was justifiable in her detention of the western posts it was a sacrifice of the interests and the peace of the United States to commit a negotiation to him, in which the evacuation of those posts ought to form an essential part; that to abandon them is to put at stake the blood of our fellow citizens on the frontiers, is to give birth to a perpetual military establishment, an endless war, and all the oppressions resulting from excise and heavy taxation.

Resolved, That the above resolutions be made public, that they be immediately transmitted to all the democratic societies in the union, as a protest of freemen against the most unconstitutional and dangerous measure in the annals of the United States, and as an evidence, that no influence or authority whatever shall awe them into a tacit sacrifice of their sacred rights.

By order of the society.

J. SMITH Presid. pro tem. GEO. BOOTH, Sec'y.

GENERAL JOURDAN.

[For the recall of this General from the command of the French army of the North, so soon after his late successes, various motives have been alledged. In the following the truth, we believe may be seen.]

"SOME curiosity having been excited respecting the cause, and the manner of General Jourdan's removal from the chief command of the French army of the North—we insert an abstract of the Report of the Committee of Public Safety on the subject. "After our successes at Maubeuge, the Committee prepared a plan for driving the enemy from the territory of the Republic. For the execution of this plan, great boldness was necessary in the General. This quality is wanting in Jourdan, who seems to have forgotten the maxim, "That nothing is done while any thing remains to be done." "The committee thought he should be replaced by PICHEGRU, who possesses all the qualities, that JOURDAN wants. The latter, may return home for some time—but, not as suspected Generals do! He shall obtain an honorable retreat—worthy of his probity and patri-

tism. He is poor—and the Conqueror of Maubeuge, ought to receive a testimonial of National Gratitude. We propose to you to grant him the pension fixed by law."

The House of Representatives of the United States, this day, completed the discussion of the report of the committee of the whole on the ways and means, and appointed a Committee to bring in a bill.

A resolution was this day moved in the House for continuing the Embargo to the 20th of June—and notice given, that it would be called up on Monday next.

By this Day's Mail.

NEW-YORK, May 9.

Last Wednesday was held the annual Commencement of Columbia College. The Governor, Chancellor, Mayor, Regents of the University, Clergy of all denominations, Trustees of the college, professors of the faculty of arts, professors of the faculty of Physic, the graduates and students of the arts and physic— assembled on the green before the college, and thence went in a procession to church, preceded by a band of music. The president of the college being confined by sickness, the exercises of the day, were introduced with a prayer by the Rev. Dr. Gros, the senior professor.

The 1st salutatory oration in latin was spoken by Peter Jay, on Order.

The 2d salutatory oration in english, by Jacob Janeway, on the rights of Equality.

Leffert Lefferts, on the character of Caius Marius.

Gilbert Milligen, on the Passions.

Thomas Ustick, on War.

Montgomery Hunt, on the Military Character.

John Fisher, on Humanity.

Samuel Malcom, on history.

John Stringham, on Friendship.

Levi Graham, on Youth.

Peter Stuyvesat, on Sensibility.

Jacob M'Kie, on Ambition.

William Cox, on Man.

The degree of doctor of physic was then conferred upon Peter Irving, David G. Abeel, and Henry Mead; the degree of Bachelor of arts on Cyrus King, Jacob Janeway, Peter Jay, John Forbes, Leffert Lefferts, Gilbert Milligen, Thomas Ustick, Montgomery Hunt, John Fisher, Samuel Malcom, John Stringham, Levi Graham, Peter Stuyvesat, Jacob Mackie, and William Cox; and the degree of Master of arts, on the Reverend Richard C. Moore, of Staten Island, and the Rev. Cave Jones, of Virginia.

The Valedictory Oration was then delivered by Cyrus King, on the present state of America, as influenced by foreign and domestic politics.

After an address from the presiding professor to the graduates in general, the whole was concluded by prayer.

N. B. As the Dean of the faculty of physic had been prevented the day before attending in the College Hall, the graduates in physic subscribed in the presence of the audience, the necessary articles, and an opportunity was taken by the Dean to deliver to them an address.

Yesterday arrived at the Hook, the ship Harmony, Captain Treagle, from Bordeaux. The Harmony has brought 22 passengers.

We have the pleasure to inform the public that Mr. Handersyde, a constable of this city, who was stabbed about a fortnight ago by a Capt. Fish, whom he had arrested for debt, is nearly recovered from his wounds. We trust that the recovery of Mr. Handersyde and the legal steps taken with Captain Fish, will prevent a repetition of the like offence towards any public officer.

BALTIMORE, May 6.

GENTLEMEN,

The advice, assistance, and support, you so readily afforded me, during my enquiry into the two last RIOTS, in this town, demand my public approbation and thanks; which you will be pleased to accept from, gentlemen,

Your most obedient servant, SAMUEL CHASE, Chief Judge of Maryland.

To the Worshipful

George Salmon, George G. Presbury, Thorowood Smith, and Nicholas Rogers, Esquires, Justices of Oyer, &c.

* Of whom speaketh the Judge—of the free, peaceful and happy citizens of the United States—or of some other people?

NORFOLK, May 1.

On Tuesday arrived here the ship Charlotte, Captain Randall, in 50 days from Ferrol, in Spain. In about 20 or 30 leagues off the Capes, spoke the ship Cincinnati, Captain Cannon, out 47 days from Amsterdam, bound to Baltimore—all well.

Arrived—Ships Charlotte, Randall, Ferrol; Almonac, Derby, Port Glasgow. Brig Maria, Wilkinson, Cadiz. Sch's Ranger, Harrison, St. Bartholomews; Sea Flower, Lobdel, St. Thomas's.

BOSTON, May 1.

Capt. Rollins, who arrived in town on Saturday last, has obliged the Editors with the following intelligence, which cannot be contraverted: He sailed from Portsmouth, (N. H.) some time since, bound for Point Petre, where he arrived, disposed of his cargo, and purchased a quantity of sugar, &c. the produce of the Island. He likewise took on board, on freight for Norfolk, about 30,000l. worth of English goods, which he took from a brig belonging to a Capt. Blaney, who was bound from London to Norfolk, but was blown off the coast last winter, and had put into Point Petre, where the vessel was condemned as unfit for sea, and the goods shipped on board of Capt. Rollins. Just after he left Point Petre, he was taken by a British privateer and carried into Montserrat, where he was libelled, tried and condemned, vessel and cargo, that on freight as well as his own, after the new orders were received. The judge told him that he had private instructions and must condemn all. The value of this ship and cargo was estimated at 35,000l. sterling, which is the richest prize they have condemned yet.

Capt. R. says they have condemned 42 vessels at Montserrat, and nearly half of them since the new orders were received.

PORT OF PHILADELPHIA.

ARRIVED.

Schr. Tartar, Luzane, Baltimore. Arrived at Fort Mifflin—1 ship, a Portuguese snow, 3 brigs, 1 schooner, 1 sloop, and the brig Ranger of Philadelphia.

At Chester—the ship Djana, Captain Cain. At Wilmington—the brig Fair American. In the Delaware—a snow, belonging to New-Providence.

REMAINING

OF THE

Ship India's Cargo,

FROM

B E N G A L.

A small assortment of

BALE GOODS,

250 bags COTTON of good quality, which would probably make an excellent remittance to Europe, and a Quantity of PEPPER.

For Sale by

Mordecai Lewis,

Who has also to dispose of

Barcelona Hand's, in boxes, Holland Gin in casks, Souchong, Hyson, and Tonkay Tea, A quantity of Brimstone, &c.

May 10 1794 d3w-

JUST PUBLISHED,

MATHEW CAREY,

118, Market Street,

Price 18 cents,

T H E

Catechism of Man;

Pointing out from sound principles, and acknowledged facts the Rights and Duties of every Rational Being.

Am I therefore become your enemy because I tell you the truth? Gal. iv. 16.

Now all these things happened unto them for examples, and they are written for our admonition, upon whom the ends of the earth are come. 1 Cor. xii.

May 10 1794 tuth&2w

NEW THEATRE:

THIS EVENING,

May 10.

Will be performed,

A TRAGEDY, called

O T H E L L O,

The Moor of Venice.

To which will be added,

A COMIC OPERA, called

Peeping Tom, of Coventry.

With the original Overture and Accompaniments.

Ladies and Gentlemen are requested to send their servants to keep places, at half an hour past 5 o'clock, and to order them to withdraw, as soon as the company are seated as they cannot on any account be permitted to remain in the boxes, nor any places kept after the first act.