

PRICES CURRENT.

Philadelphia, July 1.

PER QUANTITY—DOLLARS AT 100 CENTS.

Doll. Cts.	Doll. Cts.
ANCHORS, pr. lb. 7	TO Nuts, pr. lb. 12
Allum. Englsh, pr cut 7	Oil, linseed, per gall. 1 15
Ditto, Roach, pr lb. 11	—Olive, 9
Asbes, pot, per ton, 170	—ditto, per case, 9
Pearl, 150	—Suet, best, in 10
Arrack, per gallon, 10	—flask, per box, 10
Bacon, Shoulder, pr. lb. 13	—ditto baskets, 12
—Hams, 13	—bottles, 7
Brandy, common, 1 60	—Spermaceti pr gall 1 06
—Cognac, 1 67 2 2	—Train, per bbl. 18
Brazilletto, per ton, 32 34	—Wheat, per gal. 45
Bricks, per M. 7	Porter per case, 7 30
Bricks, ship, per cut. 6	—London, per doz. 2 50
Ditto, pilot 12	—American do. bott. 2
Ditto, small water 90	—incl. 2
per keg, 90	Pitch, per bbl. 3 50
Beer, American, in bot- 1 60	Perk, Burlington, per 19 to 20
tles, per dozen, bot- 1 60	—Lower county, 19
—Ditto, per barrel, 6	—Carolina, 16
Boards, Cedar, per M feet 30	Pear, Albany, pr bush. 93
—Heart, 30	Pepper, per lb. 38
—New England, 26 80	Pimento, 14
—Oak, 26	Raisins, best per bag 9
—Merchantable pine, 28	Ditto per jar, 5
—Sup, do. 18	Ditto per box 5
—Mahogany, pr foot 5 50	Rice, per cut. 5 50
The above are the shallop 5 50	Rosin, per barrel 5 50
prices, for the yard 5 50	Rum, Jamaica, pr gal. 1 75
price price, add 1 dol- 1 54	—Antigua, 1 54
lar, 33 cents, pr M. 1 40	—Windward, 1 40
Brimstone in rolls, per 2 61	—Barbadoes, 1 33
cut, 2 61	—Country, N. E. 1
Beef, Boston, per bill. 13 2 16	Saltpetre, per cut. 50
—Country, ditto 14	Sassafras, per ton 60
—Fresh, cut. 5 to 8	—ditto, 60
Butter per lb. 15	Steel, German, per lb. 14
—in kegs 14	—English, blif. pr cut. 12 24
Candles Sperm. per lb. 53	—American, per ton 133 33
—Wax 20	—Crowley's, pr faggot 12
—Myrtle Wax 20	Snake root, per lb. 35
—Mould tallow 18 to 19	Soap, brown per lb. 12
—Dipped 15	—White 14
Cheese, English, per lb. 23	—Castile 22
—Country 11 2 13	—Starb 16
Chocolate 23	Snuff, pr doz bottle 66
Cinnamon 66	Spermaceti refined pr lb. 1 06
Cloves 1 50	Sail cloth, English, No. 1, per yard, 33
Cocoa, per cut. 18	—Bacon, No. 1, do. 30
Coffee, per lb. 25 to 28	—No. 2, do. 25
Coal, per bushel, 40	Sugar, lump, per lb. 25
Copperas, per cut. 3	—Loaf, single ref. 27
Cardage, American, per 16 2 18	—Ditto double ditto 20
cut. 16 2 18	Havannah, white 20
Cotton, per lb. 33 to 40	Ditto brown 16
Currants 10	Muscovado, pr cut. 11 2 15
Duck, Russia, per piece, 18	—East India, pr. 14 66
—Raven 11 50	Sp. Turpentine pr gall. 66
Dutch Sail Duck 24	Salt, alum, pr bushel 66
Fashers, per lb. 60	—Liverpool 56
Flax, ditto 11	—Cadiz 60
Flaxseed, per bushel 33	—Lyon 63
Flour, Sup. per barrel 11 50	Ship building W. O. 22 67
—Common, 11	—frances per ton 26
—Bar middlings, best, 8 50	Ditto Live Oak, 26
—Meal, Indian 4 50	Do. Red Cedar pr foot 25
—ditto Rye, 6	Shingles 18 inches, pr 4
—Ship stuff per cut. 3 33	Ditto 2 feet 7
Fustic per ton, 25	Ditto 3 feet dressed 16
Gin, Holland per case, 7 50	Staves, pipe pr 1000, 60
Do. per gall. 1 93	—white-oak hoghead 45 33
Glue, per cut. 18	—Red oak ditto 28
Ginger, white, per cut. 18	—Logan 26 33
Ditto, common 16	—Barrel 28
Kitts, ground 24	—Heading 44
Gunpowder, cannon, per 23	Skins Otter, best pr piece 3 33
gr. case, 23	—Mink 20 to 54
Ditto, fine glazed, 28	—Fox, grey 1 20
Grain, Wheat, pr bushel, 50 2 2	—Ditto red 1 20
—Rye, 1 60	—Marrins 50
—Oats, 93	—Fibers 57
—Indian Corn, 93	—Bears 3
—Barley, 1 20	—Reasons 60
—Soft shelled pr lb. 75	—Musk-rate, 37
—Buckwheat per 13	—Beaver, per lb. 1 62
Hams, pr. lb. 300	—Deer, in hair 30
American, per lb. 10	Tar, N. Jerf. 24 gall. 2
Herrings, per bbl. 6	—Carolina, 32 gall. 2
Hides, raw pr lb. 8 09	Turpentine, per bbl. 3 20
Hops, 9	Tobacco, J. River best 6 2 33
Hoghead hogs per M. 30	—inferior 7
Indigo, French per lb. 1 67	—old 8
—Carolina, 1	—Rappahannock 7
Iron, sad per ton 133 33	—Colored Maryland 5
Iron, castings per cut. 4	—Dark, 4
—Pennsylv. bar scarce 113 33	—Long-leaf 5 33
—Russia per ton 97	—Eastern Shore 6 67
—Pig 32	—Carolina new 5 33
—Sheet, 22 2 33	—old 6 67
—Nail rods, 120 to 126 67	Tea Hyson, per lb. 1 to 2
—Tunk per cut. 5	—Hyson skin, 67
Lard, best per lb. 13	—Souabong, 1 2 13
Lead in bars, per cut. 5 33	—Congo, 35
—in pipes, 7	—Boboa, 35
—white, 7	Tallow, refined, per lb. 14
—red, 7	Tin, per box 16 50
Leather, sad per lb. 22	Verdigrease, per lb. 89
Lignum-vita per ton, 24	Vermillion, do. 89
Logwood, 40	Varnish, per gallon, 33
Mace, per lb. 11	Wax, Best, per lb. 33
Mackarel, best per bbl. 12	Whale-bone, long, pr lb. 12
—second quality, 8	Wine, Madeira pr p. 226
Madder, best per lb. 20	—Lisbon, 126
Marble wrought pr foot 60	—Tencriffe, pr gal. 70
Mat spars ditto 60	—Fayal, 67
Melass, per gall. 60	—Port per pipe 133 33
Mustard, per lb. 1 20	—Do. in bott. pr doz 50
—flour, in bottles, 1 20	—Claret, per cut. 40 to 50
—per dozen, 1 20	—Sherry, per gallon 1 50
Nails, 8d, 10d, 12d, 13	—Malaga, 84
and 20d, per lb. 13	Vessels that sail fast, quick sale.

COURSE OF EXCHANGE.

On London, at 30 days, per £. 100 sterl.	165
—at 60 days, 165	165
—at 90 days, 161 1 162 1-2	161 1 162 1-2
Amsterdam, 60 days, per guilders, 42	42
—90 days, 40	40

By an Artist resident at Mr. Oellers's Hotel,

MINIATURE LIKENESSES

ARE taken and executed in that elegant and delicate style, which is so necessary to render a Miniature Picture an interesting jewel.

He will warrant a strong and indisputable resemblance, and he takes the liberty to lay before the public of this place his most earnest intention to deserve their patronage by his best endeavors to please.

N. B. Specimens are to be seen. May 11.

FOR THE GAZETTE OF THE UNITED STATES.

Mr. FENNO,

The power of pardoning is vested in the Governor of Pennsylvania in the same ample and extensive manner, as in England, it is exercised by the king of Great-Britain. The ninth section of the Constitution, on the powers of the Executive Magistrate, enables the Governor "to remit fines and forfeitures, and grant reprieves and pardons, except in cases of impeachment." The latter part of this clause has indeed introduced a difference, where an impeachment takes place by the popular branch of government; for, it has been generally supposed in England, though a pardon cannot be pleaded in bar or hindrance of an impeachment, that the king may pardon the sentence. In Pennsylvania, by the express letter of the constitution, the law is otherwise. But with respect to Courts of Justice, the English prerogative has not lodged greater powers in the king, on the subject of pardoning crimes, and remitting fines and forfeitures, than the constitution has lodged in the Governor of Pennsylvania.

If we are warranted in this position; and any doubts should arise touching the power of the Governor, to dispense with the penalty in any instance; an appeal to the law would be highly proper for a solution of the question. Let it be supposed, for example, we were desirous of deciding the point "in what cases the Governor may release or discharge a recognizance"; I apprehend we shall find, both on principle and authority, that it may be legally done, in all cases, except where it is taken at the request, and upon the complaint of the party.

The restriction on prerogative mentioned by Braxton—"non potest Rex Gratiam facere cum Injuria et Damno aliorum; quod autem alienum est, dare non potest per suam Gratiam"—is consonant to the soundest principles of reason and justice. But the difficulty lies in discerning the true extent and application of the remark.

It is admitted as a general rule, that where an interest is vested in the party, as in the case of bringing a popular or qui tam action, the Executive cannot release the penalty, or pardon the defendant; because, quod alienum est, dare non potest per suam gratiam. Upon a similar ground, it is understood, a penalty once actually vested, by Conviction, in the party, cannot be discharged. But, it is not so easy to point out the degree, or kind of interest, which thus limits the exercise of the executive authority. We shall however attempt to draw the line, and examine the question, both on principle and authority.

The great distinction on the subject appears to be this—Where surety for the peace is taken by a magistrate ex officio, or is ordered by a Court, as part of the sentence, the recognizances in these cases, may be discharged even before forfeitures. But where a recognizance is taken at the request and upon the complaint of the party, it is otherwise.

It is acknowledged on all hands, that any recognizance may be released after it is broken, and the debt thereby absolutely vested in the commonwealth. In which case we may observe, the prosecutor is as deeply interested in the business as he was before the forfeiture, in as much as compelling the wrongdoer to make satisfaction by the actual payment of the forfeiture to the public, is the only means of affording him that protection, which he seeks by an appeal to the laws of his country.

If a recognizance be taken upon the complaint of the party, it is certain, in this case, that before the condition broken, the executive cannot discharge it; because the party has an interest in it—his personal safety depends upon it. But if the offender should forfeit his recognizance by an actual assault upon the prosecutor, the debt may then be released, tho' it is evident, the prosecutor has become more deeply interested in the business than he was before the breach of the condition. The true reason therefore why a release will not discharge a recognizance, is not the prosecutor's having an interest in the event, but his being a party to the original transaction, and that the debt in the first instance was created at his request, and for his sole use and personal safety; for, the moment a forfeiture is incurred, the nature of the debt is changed—it becomes wholly vested in the public, and the executive may dispose of it, as he thinks proper, however interested the prosecutor may be in the payment of the penalty.

In all cases where a recognizance is taken without the complaint of the party, it is a debt created without his act or interference; and in such case, he can no more be said to have an interest in it, than where a fine is imposed by the court without his consent, which there is no doubt the executive may remit. Before bringing a qui tam action, the violation of the law may be pardoned—it is the actual commencement of the suit that vests an interest in the informer, which cannot be released. Upon the same principle there must be the act of the party applying for surety, to vest a similar interest in him. It is worthy of remark here, that the books which treat on this subject, uniformly mention the cases of the informer and the recognizance together, to illustrate the position, "that the king cannot discharge an interest vested in the subject;" which furnishes a pretty strong presumption, that it is the act of the party that vests the interest in both cases—in the one by bringing the suit—in the other, by making the complaint.

It is true, it is laid down in the books, in general terms, "that the king cannot pardon a recognizance for the peace before it is forfeited." But this should be understood of recognizances, taken in the usual and general course of business; which everybody knows, is on the complaint of a particular person to keep the peace towards him. And tho' it be the practice in such case, to insert in the recognizance, "and towards all other persons;" yet it is by no means a necessary part of the recognizance. Sir Edward Coke seems to insinuate a distinction, where the recognizance is to keep the peace towards another by name; and observes that in such case, the king cannot discharge it before the peace is broken. As recognizances to keep the peace, are generally taken on the complaint of an individual for the explicit purpose of protecting him by name in the recognizance; we cannot avoid think-

ing the passage should be understood as corroborating the idea now contended for.

If the executive hath power to pardon the foundation, it seems reasonable to assert, that he can pardon every thing depending thereon, or proceeding from it. When surety for keeping the peace is deemed by the court necessary for the preservation of good order, it must be considered as the effect, or consequence of the criminal conduct of the party; and therefore within the reach of the pardoning power, equally with the crime, of which he is convicted.

To say the executive can pardon one part of the sentence only, is a doctrine perfectly novel, and is a limitation on the pardoning power, not to be found in the books, unless in some special cases, particularly on acts of parliament—and the doctrine, in the present instance might lead to very serious consequences.

It is a fact as notorious, as it is melancholy, that the most usual objects of the criminal jurisdiction of courts, are the poor and friendless, who have generally made themselves so by their vices. To require persons of this description to give surety to keep the peace, is to require impossibilities. If courts therefore were to adopt the practice of ordering criminals convicted, to procure bail for their good behaviour and keeping the peace, the pardoning power might be extremely impaired, as the miserable wretches would still be kept in custody for want of sureties.

With respect to releasing a recognizance taken by a magistrate ex officio, or that has been ordered by a court as part of the sentence, the legal effect of such discharge, agreeably to the principles here stated, must be, to prevent an arrest and demand of sureties for the same cause; just as a pardon will operate in other cases. And as the courts do not require surety from offenders, without good reasons, which commonly occur in the course of the trial, the prudence of the executive will naturally suggest the propriety, of not rashly releasing recognizances for the preservation of the peace and order of society, even in those cases, where he may think proper to pardon the rest of the sentence.

In support of the preceding observations, we shall refer to two authorities; the one extracted from an abridgment, to which more weight is due, than to any other compilation of the like nature—the other, from the very oracle of the law.

"After a recognizance is forfeited, the king may pardon the forfeiture; but he cannot release the condition before it is broken; because the party at whose complaint it was taken, has an interest in the condition."

The statute Westm. 2. chap. 20. was made to prevent trespasses in parks and fish ponds—and in case of recovery in an action founded upon the statute, the trespasser is not only to pay heavy damages, but to suffer three years imprisonment—and at the expiration of the imprisonment, is to make ransom to the king, to find sureties that he will not afterwards commit the like offence, and for want of such sureties, he is to abjure the realm.

Even in a civil action, founded upon this statute, the king may not only remit the fine, but by pardon, discharge the defendant, from that part of the judgment, that requires him to give sureties, or to abjure the realm.

HAMBDEN.

Hills of Berks County, June 24.

\* Broke's abridgment, recognizance, pl. 22. id. Chart. de pa. 3 pl. 24. † Sir Edward Coke's 2 Inst. 200. 3 id. 171.

FOR THE BENEFIT OF

Mr. WELLS, Box-Book-Keeper.

New Theatre.

Last night this season of the company's performing.

On FRIDAY EVENING, July 1,

Will be presented, a Comedy, called

THE DESERTED DAUGHTER

[Written by THOMAS HOLCROFT, author of the Road to Ruin, &c. &c.] As performing at Covent Garden Theatre, London, with universal applause.

Mordent,	Mr. Green.
Cheveril,	Mr. Moreton.
Lennox,	Mr. Marshall.
Item,	Mr. Francis.
Grime,	Mr. Beete.
Clement,	Mr. Warrell, jun.
Donald,	Mr. Bates.
Joanna,	Mrs. Marshall.
Mrs. Sarfnet,	Mrs. Francis.
Mrs. Enfield,	Mrs. Solomon.
Betty,	Mrs. Doctor.
Lady Ann,	Mrs. Shaw.

End of the Tragedy.

A Concerto on the French Horn,

By Monsieur ROSIER, being his ad performance in this country.

To which will be added, (not performed this season) an OPERA, in two acts, called

Rosina.

[With the original Overture and Accompaniments, composed by SHIELD.]

Belville,	Mr. Marshall.
Capt. Belville,	Mr. Darley, jun.
William,	Mr. Francis.
Ruffic,	Mr. Warrell.
1st Irishman,	Mr. Green.
2d Irishman,	Mr. Bliffet.
Rosina,	Mrs. Warrell.
Dorcas,	Mrs. Bates.
Phoebe,	Mrs. Green.

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

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

VIVAT RESPUBLICA.

A special meeting of the American Philosophical Society

WILL be held at their Hall NEXT FRIDAY EVENING at 7 o'clock.

As the occasion of this meeting is mournfully interesting, all the members now in the city are requested to attend.

By order of the Vice Presidents, ROBERT PATTERSON, Sec'y.

June 28

AN ACT

Making further provision relative to the revenue Cutters.

BE it enacted by the Senate and House of Representatives of the United States, in Congress assembled, That from and after the first day of May, in the present year, there be allowed, in lieu of the compensation now established, to the master of each revenue cutter, fifty dollars per month; to each first mate, thirty five dollars per month; to each second mate, thirty dollars per month; to each third mate, twenty-five dollars per month; and to each Mariner, not exceeding twenty dollars per month; to be paid by the collectors of the revenue, who shall be designated for that purpose.

Sec. 2. And be it further enacted, That all penalties, fines, and forfeitures which may be incurred under the impost laws of the United States, and recovered in consequence of information given by any officers of a revenue cutter, shall, after deducting all proper costs and charges, be disposed of, as follows: One fourth part shall be for the use of the United States, and be paid into the treasury thereof; one fourth part for the officers of the cutters, to be distributed in the manner now provided, relative to that part of the forfeitures they are now entitled to: and the remainder thereof, to the officers of such cutter, to be divided among them, in proportion to their pay.

Sec. 3. And be it further enacted, That the President of the United States be, and he hereby is authorized to cause other revenue cutters to be built or purchased, in lieu of such as are or shall, from time to time, become unfit for further service; the expense whereof, as well as all future expenses of building, purchasing or repairing revenue cutters, shall be paid out of the product of the duties on goods, wares and merchandise, imported into the United States, and on the tonnage of ships or vessels.

Sec. 4. And be it further enacted, That the President of the United States be, and he is hereby authorized, to cause such revenue cutters as shall, from time to time, become unfit for service, to be sold at public auction, and the proceeds of such sales to be paid into the treasury of the United States.

Sec. 5. And be it further enacted, That so much of this act as fixes the compensation of the officers and men on board the said cutters, shall be, and remain in force, for the term of one year, and from thence to the end of the next session of Congress thereafter, and no longer.

JONATHAN DAYTON, Speaker of the House of Representatives.

JOHN ADAMS, Vice-President of the United States, and President of the Senate.

Approved—May 6th, 1796.

Go: WASHINGTON, President of the United States.

The Old Soldiers

OF the Pennsylvania line of the army (both officers and privates) are informed that there appears in the Massachusetts and Connecticut papers a design to take from them nearly all their lands over the Allegheny. Long publications have appeared at Stockbridge and Hartford, setting up the Connecticut claim (though extinguished by the decision at Trenton) to as to take the following lands given by Pennsylvania to the army.

DONATION LANDS.

District No. 1, about 1-4 claimed as Connecticut's	Do. No. 2. The whole claimed as ditto.
Do. No. 3. The whole claimed as ditto.	Do. No. 4. The whole claimed as ditto.
Do. No. 5. The whole claimed as ditto.	Do. No. 6. The whole claimed as ditto.
Do. No. 7. The whole claimed as ditto.	Do. No. 8. The whole claimed as ditto.
Do. No. 9. The whole claimed as ditto.	Do. No. 10. The whole claimed as ditto.

The Court of Commissioners was a regular constituted authority—There were among them two eastern members—They were all five unanimous. What should be thought of the Connecticut claimants by every friend to the peace and the laws of this country?

July 1,

Bank of North-America.

July 1, 1796.

At a meeting of the Directors, a Dividend was declared of SIX PER CENT. for the last half year, which will be paid to the Stockholders any time after the 10th instant.

By order of the Board, JOHN NIXON, President.

July 1.

A stated Meeting of the Pennsylvania Society for promoting the ABOLITION OF SLAVERY.

&c. &c. will be held at the usual place, on the fourth instant, at 8 o'clock in the evening.

BENJAMIN KITE, Secretary.

July 1.

Sugars for sale at Fox's Auction-room.

At 3 o'clock To-morrow afternoon.

Will be sold by Auction, for approved Notes at 60 days,

60 hhds. prime St. Croix Sugar.

EDWARD FOX, Auctioneer.

June 30.

Lottery

FOR raising six thousand six hundred and sixty-seven dollars and fifty cents, by a deduction of fifteen per cent from the prizes, and not two blanks to a prize. viz.