

NEW THEATRE.

THIS EVENING, DECEMBER 26, Will be Presented, a Comedy, called, THE CHILD OF NATURE. End of the play, the Dance of DEMOY and KATHLEEN. To which will be added, THE CASTLE OF ANDALUSIA, Compressed into an after-piece.

Select Subscription Balls. NEW ASSEMBLY ROOM, South Fourth Street, between Chestnut and Walnut Streets.

MR. FRANCIS respectfully informs the subscribers to the above Balls, that the first will be on Thursday, the 21st of January, 1793.

The number of subscribers to be limited to forty. Subscribers' Tickets will be ready for delivery on Saturday the 30th inst.

Mr. Francis's days of teaching for his young pupils are Thursdays and Saturdays from 3 o'clock in the afternoon till 6, and from 6 till 9 for those of a more advanced age.

Office of the Insurance Company OF THE STATE OF PENNSYLVANIA.

In consequence of an application from a number of Proprietors of Stock, made agreeably to the act of incorporation, a general meeting of the Stockholders is particularly requested on Wednesday, the 3d January next, at 11 o'clock, at the Office of the Company.

SAM. W. FISHER, Sec'y.

Hyson and Young Hyson Tea. A few chests of excellent quality, For Sale, corner of Second and Pine Streets.

Prison Manufactory. FOR SALE, At the Prison of the City and County of Philadelphia.

FOR SALE, Cut Nails of all sizes, from 3d to 26d; Flooring Brads, Spriggs, saddle and card Tacks; Oakum and chipped Logwood; Shoemakers and Saddlers Thread.

TO LET, A Front Room, suitable for an Office or Counting house, with a large Cellar.

URIAH SMITH, No. 20, north Third Street—HAS FOR SALE, A neat and general assortment of Broad Cloths, Kerseymeres, Napt and Drab Coatings.

Samuel Pleafants & Sons, No. 74, South Second Street, HAVE received a supply of Seasonable GOODS, which they are now opening for sale, on reasonable terms.

COLUMBIA HOUSE Boarding School for young Ladies. MRS. GROOMBRIDGE with much pleasure and respect, returns her sincere acknowledgements for the liberal encouragement she has received during four years residence in Philadelphia; and assures her friends and the public, so far from intending to decline her school, she has made a superior arrangement for the more convenient accommodation of her scholars.

Yellow Fever and Peffilential Difeases. THIS DAY is PUBLISHED, in one vol. octavo. By WILLIAM YOUNG, Bookseller, No. 52, Second Street, the corner of Chestnut Street, (Price, in boards, 87 1/2 Cents.)

A VIEW Of the Science of LIFE; On the principles established in the elements of Medicine, of the late celebrated JOHN BROWN, M. D. With an attempt to correct some important errors of that work, and cases in illustration, chiefly selected from the records of their practice, at the General Hospital at Calcutta.

The Gazette.

PHILADELPHIA, WEDNESDAY EVENING, DECEMBER 27.

CHARACTER OF THE LATE GOV. WOLCOTT.

MR. FENNO, Please to insert the following in your useful paper. It is an extract of the Rev. Mr. Backus's sermon preached on the 3d inst. at Litchfield, in Connecticut, at the funeral of that distinguished patriot and statesman, the late GOVERNOR WOLCOTT.

After giving the character of King Hezekiah in an elegant style, the preacher proceeds— How far any of these traits in the character of good Hezekiah corresponded with the character of that venerable man whose funeral obsequies we have this day assembled to perform, the impartial public will now decide; sensible that the eulogy which exceeds general sentiment is not eulogy but eulogium. I had rather fall short of a man's true merits on such an occasion than be guilty of fulsome panegyric.

Should it be said that our late chief magistrate deserves an application in many respects of the character now contemplated, his enemies cannot say it favors of servile adulation; it is a character of which they are unambitious, a character disgusting to the taste of the age, not formed on the ruling principles of this world. A Jeroboam leading away a nation from ancient habits and religious institutions, or a Jehu driving furiously, is more adapted to modern taste. An Aristides, a Numa Pompilius, an Alfred and a Mahmo Capac are forgotten in the noise of a Pericles, a Sylla, a Marius, Cataline or Caesar of later days. But it is still a truth, that it is more glorious to moralize and happily, than to render terrible and to aggrandize, a people.

By his death the state is called to mourn one of the real friends of the simplicity and purity of her ancient constitutions. In the language of the prophet we may say, that "one of the strong rods is broken and withered." Descended from ancestors distinguished among the first settlers of New-England, Gov. Wolcott was a real, not a theoretic republican. He revered and embraced the religion of his country.

He was educated at Yale-College, and qualified himself for the profession of physic; but being appointed sheriff of this county, he held that office 14 years, when he was elected a member of the council, and made a chief justice of the common pleas, and judge of probates. In 1786 he was appointed lieutenant governor, and in May 1796, was promoted to the chief magistracy. He filled all his offices with uncommon dignity. During the struggle of the American revolution that tried men's souls he was the calm unshaken friend of his country's cause. He was a member of that ever memorable Congress which declared our independence; and in the course of the war repeatedly marched at the head of large detachments of the militia, as a general officer to repel the invasions of the enemy.

In the discharge of these several offices, integrity and firmness were the leading features of his character. He was an eminent exemplification of the vir tenax propolis\* of the bard of Venusia. Although he possessed a strong mind, capable of deep and thorough investigation, his abilities were not of that brilliant cast which have often ruined men in popular governments. He always seemed more desirous to do his duty than to shine, to be useful than to dazzle. His natural modesty, and what is more, his unblemished integrity, led him to horrid conceptions of the arts of political demagoguery, the sin that so easily begets men in free governments. He never stooped to court the suffrage of any man; he blushed at the thought of being the man of the people in the modern sense; and to the honour of the state it may be said, the suggestions of malice have never shaken their confidence in his integrity and patriotism. By his death the true interests of science have lost a strenuous defender; virtue, religion, and good men a sincere friend. He revered and loved public worship and divine ordinances; was a tried, but not an ostentatious friend of the gospel ministry. He sensibly felt every attempt to depart from the purity of christian practice and morals; he set his face like a flint against all the specious sophistry of new political theories, and the madness of infidel fanaticism. Rather than flatter or licence the vices of a community, like a popular sycophant, he was willing to put his continuance in office at hazard, and his reputation in jeopardy, that he might discharge a good conscience.

For several days before his death the shattered remains of a once noble mind and vigorous body were devoted continually to God; his very breath appeared to be prayer. With all the splendor of his station and of his well earned fame, he was not ashamed to pray in the expressive language of the psalmist "God be merciful to me a sinner;" until after many painful struggles he fell asleep.

O death! in what a mortifying light doth thy power put the little, little glory of this diminutive world. To what insignificance do human honors dwindle before the grandeur of Eternity! Notwithstanding the death of such a character is a grievous loss, especially under the present aspect of divine providence, and the perilous situation of this country. Such tried characters are "the salt of the earth," the pillars of our national existence. The presence, firmness, councils, prayers and examples of such fathers should be esteemed "the chariots of our Israel and the horsemen thereof."

A man tenacious of his purpose. Mr. Backus's text for the sermon he preached at the funeral of Gov. Wolcott. 2d Chronicles, 32d chap. and 33d verse. And Hezekiah slept with his fathers, and

they buried him in the chiefest of the sepulchres of the sons of David: and all Judah and Jerusalem did him honor at his death.

For the Gazette of the United States.

"When Justice calls, 'tis cruelty to save."

The reprieve of the execution of O'Hara, which is probably intended as the prelude to his pardon, has excited the surprise, and for myself I am not ashamed to say, the indignation, of many citizens as good, as virtuous and as humane, as those who have exerted themselves to defeat the laws and justice of their country.—To use the sentiments and I believe the expressions of the court at the trial of O'Hara, he has been guilty of a most wanton and unprovoked murder; and there is not a country on earth, governed by laws, where he would not suffer the punishment of death. And yet, in this country of reformation, he is to be turned again into society, washed by the magic operation of a pardon, as pure and unpolluted in the eye of the law, as any of us, and entitled to as many privileges and an equal rank with the most meritorious citizen in the community.—This too is to be done, without a pretension that his conviction or sentence has been improper or mistaken; without a suggestion that any circumstances of palliation attended his offence or any discoveries in his favor have been made since his trial. Is this justice, either by human or divine law? Is it prudence and policy? Is it even benevolence or humanity? Is it not rather madness, folly, and cruelty to those who may be the future victims of the diabolical revenge of this villain? For a mind more bent upon mischief, more maliciously wicked and depraved than O'Hara's discovered itself in this business, has seldom been exhibited.—Is not this pardon particularly dangerous and improper at this time, when a man can scarcely walk the streets without having a pistol placed at his head, and his pockets rifled? What is the lesson held out, in broad characters, to these ruffians? Simply this—If you rob and are detected, it is an heinous crime, and you will be severely punished; but if you are daring and wise enough to murder the man you have robbed, you not only quiet a material witness, but if you should be detected by any other means, you will escape with impunity, by the good natured insatiation of a certain class of our citizens.—Don't steal a filling and the vengeance of the law will overwhelm you, but add murder to the crime and your escape is certain. We have, in the absurd spirit of reformation, that now seems to prevail, so inverted the order of justice and nature, that murder is the only offence for which there is no punishment in Pennsylvania. I attended the trial of O'Hara, and am acquainted with all the evidence and circumstances of his case, and will venture to assert if he is an object deserving of the executive interference, if the course of justice and the law is to be arrested for him, no case can possibly happen or be supposed in which the punishment assigned by law for murder should be inflicted and consequently the law itself is worthy of derision and contempt, and will soon meet with it from rogues as well as from honest men.—Let the governor remember, that it is his duty to administer the laws justly, impartially, and firmly.—That he should not suffer himself to be driven from that duty by clamor and importunity, however improper and indelicate, nor expose every citizen of the commonwealth to the unchecked outrages of a murderer to gratify enthusiastic and theoretical opinions in direct contempt and opposition to that law and government he is sworn to support. He has too long held the station he now occupies to be unacquainted with the facility with which petitioners may be procured for the most shameful and improper requests. He well knows that if every convict is to be pardoned for whom petitioners, and respectable ones too, may be had, the penal code may as well be destroyed at once, and our criminal courts be closed forever.—Some men have an unaccountable fondness for this kind of officious interference, and are gratified with having their names handed about as friendly to the unfortunate. The consequences of such lenity they never consider, and feel no kind of responsibility for them. In short, they consider it as a matter of course to sign every paper that is handed to them under the name of a petition.—All the mischief that may result from the compliance with the petition, falls on the governor; all the credit is assumed to themselves. It is time the exercise of this pardoning power was a little enquired into; and I doubt not the result would be, a conviction that it is improperly placed in a single man, without any restriction or modification; for it can scarcely be expected that any one man can resist the kind of arguments and influence that are generally used on these occasions.—Where penal laws are mild, they should be certain.

BECCARIA.

For the Gazette of the United States.

AS there are few political duties more important than those of elections, and as it is essential to the purity of our elections, that none but natives qualified agreeably to the Constitution of Pennsylvania, or aliens qualified according to the laws of the United States, and the constitution and laws of Pennsylvania, should exercise the rights of an election at our election, it may not be deemed improper, at a time when our Legislature are about to pass a law on the subject, to bring into public view the different modes of naturalization, and the other qualifications necessary to entitle a person to vote.—It may at least serve to aid an investigation of the subject; for which purpose it will be necessary to divide the inhabitants of this state into three classes—to wit:

1st. Natives.

2d. Emigrants, citizens of some other of the United States or North Western Territory—and

3d. Emigrants from Foreign States.

It may be proper here to premise a general rule equally applicable to all, that there are five things essential to entitle any person to vote—an elector must be—1st. a freeman—2d. of the age of 21 years or upwards—3d. a citizen—4th. he must have resided in the state 2 years next before the election—and 5th, he must within that time have paid a state or county tax, assessed at least 6 months before the election—from this view of the subject it appears to stand as follow:

I. A native to be entitled to vote, must be a freeman of the age of 21 years or upwards—have resided 2 years next preceding the election within the state, and paid a state or county tax assessed, at least 6 months before his exercising the rights of an elector. See Con. Penn. Art. 3. Sec. 1.

II. Emigrants, citizens of any other of the United States, or North Western Territory, must be freemen of the age of 21 years or upwards—have resided 2 years next before the election within the state, and have paid a state or county tax, assessed, at least, 6 months before the election—and

III. Emigrants from foreign states must be freemen of the age of 21 years or upwards—have resided within the state 2 years next before the election—and paid a state or county tax assessed, at least 6 months before the election—and

IV. They must have been naturalized agreeably to the constitution and laws of Pennsylvania, existing between the 28th Sept. 1776 and 26th March 1790.—Which provisions required 1 year residence within the state, and an oath or affirmation of allegiance to the same—See 42d sec. of the then frame of government—or

2d. They must be naturalized agreeably to an act of Congress of the 26th March 1790, which declares—That any alien being a free white person who shall have resided within the limits and under the jurisdiction of the United States for the term of 2 years, may be admitted to become a citizen thereof on application to any common law court of record, in any one of the states where he shall have resided for the term of one year at least, and making proof to the satisfaction of such court that he is a person of good character, and taking the oath or affirmation prescribed by law to support the constitution of the United States—or

3d. They must be naturalized according to an act of Congress of the 25th January 1795, which declares that any alien being a free white person, may be admitted to become a citizen of the United States, or any of them, on the following conditions and not otherwise:

First—He shall have declared on oath or affirmation, before the supreme, superior, district or circuit court of some one of the states, or of the territories north-west or south of the river Ohio, or a circuit or district court of the United States, three years, at least, before his admission, that it was, bona fide, his intention to become a citizen of the United States, and to renounce forever all allegiance and fidelity to any foreign prince, potentate, state or sovereignty whatever, and particularly, by name, the prince, potentate, state or sovereignty whereof such alien may, at the time, be a citizen or subject.

Secondly—He shall, at the time of his application to be admitted, declare on oath or affirmation, before some one of the courts aforesaid, that he has resided within the United States, 5 years at least, and within the state or territory, where such court is at the time held, one year at least; that he will support the constitution of the United States; and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatever, and particularly by name, the prince, potentate, state or sovereignty whereof such alien may, at the time, be a citizen or subject.

Thirdly—The court admitting such alien shall be satisfied that he is entitled to the benefit of this act.

Fourthly—In case the alien, applying to be admitted to citizenship, shall have borne any hereditary title, or been of any of the orders of nobility, in the kingdom or state from which he came, he shall, in addition to the above requisites, make an express renunciation of his title or order of nobility, in the Court to which his application shall be made; all of which proceedings shall be recorded in the said Court.—This law also declares, "that aliens residing within the limits and under the jurisdiction of the United States, at the time of its passing, may be admitted to become citizens, on their declaring on oath or affirmation, in some one of the Courts aforesaid, that they have resided two years at least, within and under the jurisdiction of the same, and one year, at least, within the state or territory where such Court is at the time held; that they will support the Constitution of the United States, and that they doth absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state or sovereignty, whereof they were before citizens or subjects.—They shall also renounce any title of nobility which they may have held—all of which proceedings shall be recorded in the said Court. It is also provided in each of these laws, that the children of persons duly naturalized, dwelling within the United States, being under the age of 21 years, at the time of such naturalization, shall also be considered as citizens of the United States.—and the children of citizens of the United States, that may be born out of the limits of the United States, shall be considered as natural born citizens.—provided that the right of citizenship shall not descend to persons whose fathers have never been resident within the United States: And provided also, that no person heretofore prescribed by any state, shall be admitted a citizen as aforesaid, except by an act of the Legislature in which such person was prohibited.

It will be observed, that the operation of the law of Congress of the 26th March, 1790, is repealed by the law of 25th January, 1795, except as it relates to aliens then resident within the United States. From this statement of the subject, it appears, that if an emigrant from any foreign state hath been naturalized agreeably to any one of the foregoing rules, he stands upon the same footing as a native, and is entitled to vote, on having resided two years within the

state, and paid a state or county tax, assessed at least six months before the election.

A PENNSYLVANIAN.

C O N G R E S S.

HOUSE OF REPRESENTATIVES.

TUESDAY, DECEMBER 26.

Mr. Livingston, agreeably to notice, moved that a committee be appointed to bring in a bill in addition to the act for the relief and protection of American seamen—agreed.

Mr. Griswold asked and obtained leave of absence, for his colleague, Mr. Edmond, for 20 days.

Mr. Kittera obtained leave also for his colleague, Mr. Gallatin for 6 days.

Mr. Sitgreaves obtained leave of absence for 10 days.

Mr. Dwight Foster, from the committee of claims to whom was referred the bill from the Senate for the relief of Wm. Inlay, made a report recommending the bill to be passed, which was twice read and committed for Thursday.

Mr. Harper called for the order of the day on the bill prescribing the mode of taking evidence in cases of contested elections, which motion being acceded to, the house resolved itself into a committee of the whole accordingly, Mr. Kittera in the chair, and after discussing the subject for some time, the committee rose and had leave to sit again.

Mr. Sewall from the committee to whom was referred that part of the President's speech which related to the protection of commerce and the defence of our country, made a report in part. The committee stated it as their opinion that legislative provision ought to be made in order to distinguish between cases in which it was lawful for merchants to arm, and in which it would be unlawful. They therefore report a bill, in which it is made the duty of masters or owners of vessels to report their intention of arming their vessels, and his duty to inspect them to see that they are not improperly armed, and to require bonds for those arms being properly used.

The bill was on motion read a second time, and ordered to be committed to a committee of the whole. On the speaker's making the usual enquiry, "for what day shall it be made the order?"

Mr. Sewall answered Monday next.

Mr. Nicholas the first Monday in February.

According to the rules of the house, the question was taken on the most distant day, and carried 40 to 37.

Mr. Shepard rose, soon after the question was decided, and said he had been mistaken in his vote; that he understood the day of order to have been the first Monday in January. He moved, therefore, for a re-consideration of the question.

The motion was seconded (which is necessary) by a member, who voted in the affirmative of the question. In consequence of this motion a very warm debate, of considerable length took place, which is deferred till to-morrow. It was supported by Messrs. Pinckney, Oris, Rutledge, Brookes, Isaac Parker, Hartley, Sewall, Dana, Thatchcr, J. Williams and Allen. It was opposed by Messrs. Harper, McDowell, Nicholas, Baldwin, N. Smith, S. Smith, At length, the question for re-consideration was taken, and negatived 44 to 58.

Adjournd.

PENNSYLVANIA LEGISLATURE

HOUSE OF REPRESENTATIVES

December 22.

William Sterrett from Missin county appeared, was qualified and took his seat.

Several petitions were presented and read. The committee on the petition of Frederick Leber, praying leave to erect a dam across Bald Eagle creek, asked and obtained leave to report a bill conformably to the petition.

The committee appointed to enquire into and make a statement of facts relative to David Acheson, a member from Washington county, made report.

The bill to make compensation to certain members of the late Legislature, was read a second time and agreed to.

The House, agreeably to the order of the day, resolved itself into a committee of the whole, on the bill declaring certain roads within this Commonwealth, to be State roads; when, after some time spent, the Committee rose, reported progress, and asked leave to sit again, which was granted for Wednesday next.

Adjournd.

December 23.

A petition from a number of the citizens of Germantown and its vicinity, praying the Governor may be authorized to incorporate a company to make an artificial road from the city to the twelve mile stone, on the Reading road or to Reading, was presented, read and referred to Messrs. Leib, W. McClay, Gardner, Belleward and Sterrett.

The Committee on unfinished business made further report in part.

The Committee on the petition of some of the citizens of Missin county, praying the appointment of a Trustee for the county, made a report in favour of the petitioners.

The bill to compensate the members of the late Legislature who were prevented from receiving their dues by the abrupt rising of the Legislature, was read a third time and passed.

A petition from Francis Johnson, Receiver General of the land office, praying that he had been obliged to disburse his own moneys for the employment of clerks, as the allowance made by the state was inadequate, and praying that such moneys may be returned to him, and that an additional allowance, may be made for the employment of a sufficient number of clerks to transact the public business, was presented, read and referred.

The report of the committee on the petition of a committee of the Directors of the Bank of Pennsylvania, was called up for a second reading, and the House agreed that they should have leave to bring in a bill agreeably to the prayer of their petition.

The House adjourned till Wednesday.

Ad laying Duties on Stamped Velum Parchment and Paper.

A FRW copy of the above act may be had in the Office of the Gazette of the United States, No. 19, Chestnut Street.

July 19.