

RHODE-ISLAND. DISTRICT, &c.

At a district Court held at Providence, with in and for the district aforesaid, on the first Monday of Nov. A. D. 1794, before the Hon. Henry Marchant, Esq. Judge of said Court.

Comes John Baptiste Bernarde, a citizen of the French Republic, and on the libel of Thomas Jennings, for himself & John J. Venner, both of the British province of New-Brunswick, under which certain monies, now remaining in the hands of William Peck, Esq. Marshal of said District, being the proceeds of the sales of the brigantine Perseverance and her cargo, have been arrested by order of this court, and detained from the lawful owners thereof; prays judgment, whether this honorable court will take any further cognizance of the said libel, and that the same be dismissed.

Because he says, 1st. That the legality of the capture of the said brigantine Perseverance, and her cargo, has already been determined under the authority of the United States, and agreeably to the practice of nations, and in a mode required at the special instance of the libellants, by their public consular resident here.

2d. Because the custody and possession of said brigantine Perseverance, and cargo, by the said William Peck, Marshal as aforesaid, were had in due course of law, and not under the authority of this court, and therefore the disposal thereof is not within the jurisdiction of this court.

3d. Because the libellants have not complained in their said libel of the illegality of the sale of said brigantine Perseverance, and cargo, by said Peck, nor of any unlawful interference on his part; and the said sale being made on the land, and within the body of the county of Providence, in open market, the Admiralty can have no jurisdiction.

4th. Because, if the libellants are entitled to receive the said monies, proceeding from the sales of said brigantine Perseverance and cargo they have a clear remedy for the same, at common law, in the Circuit Court of the United States, under an action of assumpsit, for monies received to use.

5th. Because the said brigantine Perseverance, and cargo, by the libellants own showing, at the time of the alleged capture thereof, were the property of some of the subjects of the King of Great Britain, and the same were captured on the high seas, and not within any of the waters of the United States, and more than one marine league from any of the shores thereof, by the crew of the armed schooner Sans Pareille, belonging to citizens of the French Republic, commanded by a French citizen, and manned with more than two thirds of her crew by French seamen and marines, and bearing a commission of war under the French Republic, the citizens of which were then, and still are, at open war with the King of Great Britain and his subjects; and that the United States are a neutral nation in the present war; wherefore, by the laws of nations, the courts of the United States can have no jurisdiction or authority to determine the question of prize or no prize, between the citizens of the French Republic and their public enemies, or to restore to such enemies what has been taken from them on the high seas, by the citizens of the said Republic.

Wherefore, for the reasons aforesaid, the said John Baptiste Bernarde prays this honorable court to take no farther cognizance of the libel aforesaid, but that the same be dismissed.

PETREZ MORTON, Attorney to Jean Baptiste Bernarde.

UNITED STATES.

Rhode-Island District Court, November Term, 1794.

In case of Thomas Jennings &c. British subjects, libellants against the brig Perseverance, and her cargo, on the money arising from the sales thereof, in the hands of William Peck, Esq. Marshal of said district; and upon which John Baptiste Bernarde, &c. citizens of the French Republic, are claimants and respondents.

Upon mature consideration of the allegations in the libel contained, and of the plea of the claimants against the jurisdiction of this court thereon, and of the arguments of the counsel of the respective parties, and the various authorities adduced, it appears to me, that the reasons assigned, or most of them, are to the merits of the cause, and not to the jurisdiction of the court: That they are altogether insufficient to take the cognizance and jurisdiction of this court from the present cause as set forth in said libel: And therefore I do sustain the jurisdiction of the court thereon.

HENRY MARCHANT, Judge of the said Court.

UNITED STATES.

CARLISLE, Nov. 19.

The returns from the different Election districts of Cumberland county and the adjoining produced on Monday last, agreeable to law, it appeared that Samuel Bennett was elected Senator; and David Mitchell, John Montgomery, and Jacob Craver were elected members of Assembly; and William Alexander, Commissioner.

The votes for a Representative in Congress were as follows;

Table with 2 columns: Name and Votes. James Wallace, 525; William Irvine, 470; Andrew Gregg, 383.

HARRISBURGH, Nov. 17.

The following gentlemen are chosen the lecturers of this county, to the

several offices annexed to their names:

John Keen, and Gabriel Heiter, Esq's. Senators in the General Assembly.

Jacob Weirich, Christian King, and Valentine Shouffler, Esq's. members of Assembly.

David Krause, Esq. commissioner.

In our next we shall be enabled to inform the public the candidate elected for member of Congress. The number of votes for this county, stand as follow:

General John A. Hanna, had 1011 votes.

John Carlon, Esq. 438 do. Samuel M'Clay, Esq. 43

For Sheriff, John Elder, Esq. had 888 votes, and Alexander Montgomery, Esq. 723.

Our last accounts from the army state, that it was daily expected the main body would receive orders for marching homeward; a number, however, were enlisting, it is supposed, for the purpose of remaining sur le camp, to eradicate every propensity to opposition and disobedience, which might perhaps take place hereafter. The inhabitants of those parts, we are happy to assert, are now sensible, that the civil authority is fully competent to enforce the laws, and to punish both past and future offences, inasmuch as the people at large are determined to support every description of civil officers in the legal discharge of their duty.

The beginning of last week, a man in Lebanon, about 25 miles from this town, who has had, for a while past, some disagreement with one of his neighbours, and being led on by liquor, passion and the devil, beat the object of his revenge in such a manner, that put an end to his life. The jury summoned on the body of the deceased, brought in their verdict, "That he was wilfully murdered." The criminal has since been committed to the jail in this town.

PHILADELPHIA, NOVEMBER 24.

Says A Correspondent,

If a man in France says a word against the revolutionary government, he is taken up as an enemy to the people—an aristocrat—a counter-revolutionist. How happens it that our mouthing democrats in this country set up the same cry against any one that says a word for government? According to their present notions, the conduct that makes an aristocrat in France, indicates a tip-top republican in America.

The Constitution has been the admiration of the philosophic world. But which will most raise their wonder, that the people should at first agree to adopt it, in spite of so many separate interests, or lately to defend it in spite of so many lies? If the former event should be thought the better evidence of American penetration, the latter will to all nations and to all future times equally illustrate their steadiness and virtue. To disperse an army of whiskey men, required only a stronger army. To disperse the more numerous and formidable hosts of lies that set the whiskey-men in array, demanded a resource which no other country than America could rely on—found sense enough among the body of the citizens to disarm that host.

The monarchy-men. Much fruitless labour has been employed to give a currency to this term. It would answer a thousand pretty purposes at an election to get the name fixed on federal men. But it has been tried and will not go. There is perhaps no bug-bear that will not scare some children and some old maids. Most grown people, however, see whom this reproachful name will not fit: it will not suit those who on every occasion would have the laws reign.—When Robespierre reigned, and like a bloody tyrant, his will being his law, our pretended democrats admired his principles and character. One party advocates the reign of the laws, the other the reign of an usurper: which of them approaches the nearest to monarchy principles?

How is a man to shew he is a patriot? The only answer to be extracted from our insurgent Gazettes is—Let him bestow all his approbation and his confidence on the other side of the Atlantic.

By this Day's Mail.

BOSTON, Nov. 15. FEDERALISM or VERMONT,

A motion was lately made in the legislature of Vermont, censuring the executive law, approbating the opposition to

it by the Whisky boys, and charging the President with a stretch of power in calling out the militia to suppress the insurgents, and urging the Governor's representation to Congress of their sentiments. This motion was carried.—The next day, a motion was made, expressive of the danger of democratic societies; that their existence threatened serious consequences to the existing government, and that every good citizen and legislator, should use their utmost endeavors to destroy them. This was withdrawn to give place to another, "That the vote of the preceding day should be erased from the records," which was carried by a large majority.

In consequence, a mob collected, and burnt Mr. SAMUEL PAINE (who seconded the second motion) in effigy. The election for federal senator succeeded four days after, and PAINE was chosen.

CRIME OF FENATICISM.

[From "The Eastern Star," a new paper printed at Hallowell.

Hallowell, Oct. 29.

In our last was mentioned the murder of the wife of Pulton Warren, by Henry M'Cauffling. Perhaps it may be well to state some of the circumstances which led to the horrid murder. It appears that M'Cauffling has lately become deluded in matters of religion. For some time past he has principally associated himself with a party of Baptists, living on a plantation back of Pittston, headed by one Sanford, and two or three others. In one of his paroxysms of religious insanity, he burnt an elegant church in the town of Pittston. He says that Stinson told him that his brother Edward Fortis, who was lately executed for the murder of Pamela Tilton, was certainly gone to Heaven, and that the road to heaven was marked with blood.—M'Cauffling thought as Fortis had gone to heaven he should go there too, provided he used the same means. After he had reasoned himself into the propriety of going to heaven in blood, who should fall by his hand was his next object of inquiry. He pitched on Mrs. Warren, went to her house and enquired after her, and finding that she had gone to visit a sick mother he pursued her, in a dark night, through woods, & over river, which were almost impassible by day. When he arrived at the fatal spot he found her sitting behind, and holding up her sick mother's head. Waiting his opportunity, he lunged her back, with his left hand, and with his right drew a knife from his pocket, where he had concealed it, and instantly cut her throat, without her being able to say more than this—"M'Cauffling, are you going to murder me?" He immediately fled, but was soon arrested and committed to goal, where he must remain for the sentence that awaits him.

Fenaticism only, led this poor mortal astray. Let those who have been the means, see well to it that they clear themselves of the blood which has been spilt.—It seems, by his own confession, that he had not only marked the Rev. Mr. Warren and others, as objects of destruction, but his own family, he intended should fall by his own hands.

SPRINGFIELD, Nov. 18.

FEDERAL REGISTER.

We hear that the hon. Theodore Sedgwick is re-elected a Representative to Congress, for the first western district. In the second western district, from what we have been able to collect, the votes appear to be nearly divided between Messrs. Shepard and Lyman. In the fourth western district, it is said, Levi Lincoln, Esq. is elected. Samuel Lyman, Esq. is undoubtedly elected in this district. The hon. Fisher Ames is again chosen.

From the times a Boston Paper

Among the number of our fellow citizens who gave their suffrage for a Representative at the late election, was a person in the dress of a sailor. On entering the hall, he was accosted by one of the party, distributing votes for Mr. Jarvis, with "be ye good men, take this and vote for that friend to mankind, Dr. Jarvis." "I have my vote already," replied the seafaring man. "Who do you vote for?" rejoined the questioner—"For that invaluable staple commodity of our country," replied he, folding his vote at the same time, and shewing him part of the name of the gentlemen chosen viz FISH!

A MAN who made his nose the reservoir of many a bag of snuff and whose handkerchief had become the receptacle of the metamorphosed matter which issued therefrom, and which if ever in the wash-tub, never wanted to be there more than at the present time, was asked by a friend, "What he intended to do with it?"—do with it!" replied the snuffer—"Why roll it up, and use it for segars."

PORT OF PHILADELPHIA

Table with 2 columns: Ship Name and Arrival. Ship Gov. Miffin, Church, Havana 21; Rochuck, Bliss, Bristol 36; Brig York, M'Alister, N. Mole 27; Two Sisters, Segourney, Char-

Table with 2 columns: Ship Name and Arrival. Schooner Honey, Coin, Virginia 11; Endeavor, Whithead, do. 10; Sloop Abby, James, London 10

Saturday evening arriv'd the ship Roebuck, Capt. Bliss, in 59 days from Bristol. On the 4th October, in lat. 49° 35', long. 13° 30', fell in with the Jamaica fleet, of 80 or 90 sail, bound to England; and spoke the ship Lady Mackworth—information ten weeks. On the 22d, in lat. 41° 30', fell in with a fleet of French men of war, and at meridian was spoke by the Fidele frigate, Capt. Barnard. One of the officers came on board and took out all the passengers with their baggage, on board the Roebuck, with the Captain and ship's papers. After a detention of three hours on board the frigate, they suffered Capt. Bliss to return, but detained the passengers and made sail for the fleet, which consisted of a 94, four frigates, and two armed brigs. They had taken a great number of prizes, one of which was taken in sight, a Scotch brig from the Straights, laden with silks, &c. and said they were ordered to remain in that latitude for some weeks.

On the 8th of Nov. in lat. 36° 45', long. 67° 30', spoke the brig John. Capt. Howland of Boston, from Bourdeaux bound to Baltimore, out 75 days. The John being in great distress for provisions, Capt. Bliss hoisted out his boat at night, and sent them two barrels of bread, one barrel of beef, two barrels of water, and sundry other stores.

The following are the names of the passengers taken out of the Roebuck and detained by the frigate—

Messrs. Edward Darch, and Thomas Smith, cabin; Messrs. James Ellis, wife and two children, G. Smith, Richard Brown, Lewis Morgan, and Bernard Oakley.

BRISTOL, Sept. 25.

Arrived, Columbus, from Virginia; Sally, North America; Polly, from N. Carolina; and Union, London, New York.

DEAL, Sept. 25

Sailed Victory, Jenkins, for Boston.

ARRIVED.

At Barcelona, Danie, from Maryland.

At Cork, Hodge, Hable, from Philadelphia for Liverpool.

BALTIMORE, Nov. 19.

Arrived yesterday, the ship Rebecca, Walls, in 7 weeks from Liverpool. Spoke the ship Betty, Lower, bound from Liverpool to Philadelphia, all well. Caroline Wilmans, Manges, 7 weeks from Bremen; Ich. Eagle, Kean, 6 weeks from Madeira; Betty, Phelps, London.

In the Betty came passengers, Mr. Thomas Bodkin and Lady; Mr. and Mrs. Horne, and family; Mr. Mouff, Captain Russell, Mr. Demelow, and Mrs. Abernethy.

NEW THEATRE.

The Managers respectfully acquaint the Public, that the Entertainments for the Season WILL BEGIN ON Monday the 1st December. Particulars will be expressed in Future Advertisements. Nov. 24 d6t

Old American Company.

THEATRE—CEDAR STREET.

LAST NIGHT BUT THREE.

For the Benefit of Mr. Hallam jun. & Mr. Carr,

THIS EVENING, November 22.

Will be presented, A COMEDY called

The Suspicious Husband.

Between the Play and Entertainment, a Concertante Duett, for two grand Piano Fortes, by Messrs. Guenin and Carr

To which will be added,

New Musical Piece, in two acts, never performed in America, called the

Children in the Wood.

Performed in all the Principal Theatres in Great Britain, with unbounded Applause.

The Music by Dr. Arnold, with accompaniments and additional Songs, by Mr. Carr.

Places in the Boxes may be had at the Box Office, from ten to one every day (Sundays excepted) and on days of performance from three to five P. M. where also tickets may be had, and at Mr. Bradford's book-store, No. 3, fourth Street, and at Mr. Carr's music-store.

The doors will be opened at half after five, and the curtain drawn up precisely at half after six o'clock.

BOX, one Dollar—PITT, three quarters—GALLERY, half a dollar.

Messrs. HALLAM & HODGKINSON respectfully acquaint the Citizens in general, that every experience has been cheerfully sustained, that might tend to make the Old American Company, worthy a share of their patronage, during the short stay the nature of their engagements will permit them to make here.

CONGRESS.

HOUSE OF REPRESENTATIVES.

Monday, November 24, 1794.

After reading and referring several petitions, the House resolved itself into a Committee of the whole, Mr. Cobb in the Chair, and took into consideration the reported draft of an address to the President of the United States, in answer to his Speech to both Houses. The several amendments proposed to this report, (some of which were agreed to) occasioned debates which continued till past three o'clock, when the Committee rose and reported progress, and the House adjourned.

To-Morrow will be Landed

from on board of the Brig Mary, Capt Beaks, at Sims' wharf,

Old sherry Wine,

In lhd. and quarter casks, FOR SALE BY Philips, Cramond & Co. Nov. 24 d3t

The Officers of St. Andrew's Society,

are particularly requested to attend at Cameron's Golden Swan Third Street, This Evening, the 24th inst. at 7 o'clock P. M. to take matters into consideration relating to the Society. RICHARD LAKE. November 24.

To-Morrow Morning,

At TEN o'Clock, at

Footman & Co's Auction

Room, Will be sold a

QUANTITY OF

Cabinet Ware,

Amongst which are,

Elegant Mahogany Card

Tables inlaid, Camp Desks, Tea Caddes, Dressing Cases, Cheest Boards, a Wine Cooler, lined with lead, Mahogany Liquor Cases, Tea Trays, Tea Chests, &c. Also A quantity of best Brussels, Scotch and Kidderminster Carpets and Carpeting, Hair Seatings, Chintz Fringes and Tassels, Vellum Tassels and Lace, &c. Footman & Co. Auctioneers. Nov. 24.

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OR ALMANACK, for the YEAR 1795.

Lists of the Officers of the American Government, Civil and Military.

The terms of the Federal Circuit & District Courts.

The Latitudes and Longitudes from the Meridian of Philadelphia, of all the Capital Cities in the Union.

The dates of the periods when each of the States was first settled;

Their respective Territories and numbers of People;

The number of Inhabitants of each, in each square mile—and a brief State of their relative progress in Population; together with various other Articles of Information.

Ornamented with an elegant Frontispiece, Title Page, and twelve VIGNETTES, alluding to scenes in Thompson's Seasons, engraved by the most ingenious Artists in the City. Nov. 11 3174W