in, or attachment to the state, either by residence or contribution, was appointed to a lucrative and important office. No person can administer the office of a constable without the previous qualifications of citizenship; and yet, an office of far greater responsibility and interest, and which involves the safety, the property, the health and the lives of the citizens of the city and county of Philadelphia, was conferred by the governor upon a stranger, because he was his son-in-law, as much an alien to our constitution, as if he had been imported from Siberia.

The fashion which has been introduced by the governor, of having his name stamped upon the evidence of property, by means of a fac simile, and that too before they were completed by the proper officers, and passed through the necessary forms, is calculated to produce endless strife and contention, and to render uncertain the tenure of property conveyed by the state and for which it has received a valuable consideration.

The evil cannot be considered as trifling, when we reflect, that warrants on the treasury, and the laws of the commonwealth have been subject to the same unconstitutional process of verification. It is ascertained by the committee, that the name of the governor has been stamped upon public papers requiring his signature, and that too out of his presence; nay, so far has this practice been carried, that the judgement of the governor, rendering void the late election of a sheriff for the city and county of Philadelphia, was never seen by him, either before, or after his name was annexed. It can scarcely be necessary for the committee to enumerate the frauds, and the mischiefs, and the distrusts, which must result from a practice so repugnant to the constitution. The possessor of his fac simile becomes the governor to a certain extent, and instead of the wholesome restraints of the constitution and the laws upon imposition and fraud, the interests of the commonwealth, as well as those of its citizens may be jeopardized by an usurper of the governor's fac simile. The constitution requires, that the governor shall "*sign*" all bills, which shall have passed both houses, if he approve them; and by what mystical interpretation, a stamp of his name, impressed by another hand, can be made to comport with the injunctions of the constitution, must be left to those casuists to determine, who are skilled in the scenery and legerdemain of royal government.

The removal of Dr. James Reynolds from the office of a member of the Board of Health, the committee conceive to be a palpable infraction of the law which created the office. The constitution recognises a tenure of office during good behavior, and its silence on the subject of offices, not held during good behavior, or for a specified term, has led to the conclusion, that they are to be held during the pleasure of the governor; and upon this construction has the tenure during pleasure been established. The law creating the office of a member of the Board of Health, specifies the tenure of office to be for one year, and the commission of the governor is in accordance with the terms of the law; and to exemplify the governor's own sense of the law, the usual phrases, which accompany a commission during pleasure are erased from the commission; leaving no doubt of the governor's own conviction, that the tenure of office of a member of the Board of Health was not during the pleasure of the governor, nor the commission revokable by him.

The compromise offered by the governor to William Duane, is of a character truly dark and alarming. The outrage committed by his son Joseph B. M'Kean and others, upon Mr. Duane, transcends any thing in baseness and barbarity, ever perpetrated among us by men pretending to the honor of a soldier—After having beaten & bruised him until he was lifeless, they raised him from the earth on which he was prostrate, that one of them might again knock him down; and these heroes of our constitution and laws, finished their murderous assault, by whipping the insensible body of a man, they had rendered lifeless by previous barbarity. For this inhuman treatment, Mr. Duane appealed to the laws of his country, and from them expected a redress of his wrongs. On a charge of an intention to commit a breach of the peace, Mr. Duane had been previously arrested, and was held to surety of the peace; and under a pretext that he had been guilty of a breach of the peace, and a consequent forfeiture of recognizance, by the publication of certain paragraphs in the Aurora, charged to be libellous, he and his surety were summoned by the then attorney general to answer for the amount of their recognizance. Mr. Duane had instituted actions for damages against Joseph B. M'Kean, and some of his coadjutors, & to relieve his son and those concerned with him from the penalty of the law, the governor offered to discontinue the suits of the commonwealth against Wm. Duane and his surety on condition that Mr. Duane would withdraw the actions against his son J. B. M'Kean and his associates. Need the committee make any comment upon a proposition to commute an outrage so flagitious and unprecedented, & by a governor constitutionally enjoined to see the laws faithfully executed?

From the preceding facts, your committee are impelled to declare that however unwilling they might be to arraign the chief magistrate upon charges trivial and unsubstantial, when the fundamental principles of our constitution are invaded, it would be treason against the public liberty, and a disgraceful abandonment of public duty not to demand the punishment of the aggressor. Public station ought to render no man inviolable, and the greater the trust, the more rigid should be the responsibility. If your laws justly punish a man for petit larceny, surely he ought not to escape the penalty of his bond, who assails the vitals of our constitution. Even ignorance of the law is held to be no excuse for transgression; but where knowledge illumines the path of the public functionary, how much greater is the guilt of his sinning against conviction?

"Crimes," said the enlightened and humane Beccaria, "are only to be measured by the injury done to society, they err, therefore, who imagine that the crime is greater, or less, according to the intention of the person by whom it is committed; for this will depend on the actual impression of objects on the senses & on the previous disposition of the mind; both which will vary in different persons, and even in the same person at different times, according to the succession of ideas, passions, and circumstances. Upon that system, it would be necessary to form not only a particular code for every individual, but a new penal code for every crime. Men often with the best intention do the greatest injury to society, and with the worst do it the most essential service." If then the principle be correct, that crimes are only to be measured by the injury done to society, he surely must be guilty of the greatest crime, who depredates upon the great charter of rights. The infraction of law, which embraces the case of an individual, must be considered truly venial, when contrasted with the violation of a constitution, upon which depends the fate and happiness of a whole community.

The committee deem it superfluous to sustain the resolution which is submitted by an appeal to the patriotism or the intelligence of the house. They are aware, that they are anticipated by its judgment and its integrity. The facts speak so loudly for themselves, that the feeble voice of the committee cannot be raised to reach their tone. Justice and the public welfare demand punishment. Do we desire to preserve our constitution in its letter and spirit? Then punish the infractor of it. Do we desire the government of laws, instead of that of the will of a public functionary?—Then make him amenable to justice who dares to substitute his will for that of the laws. Do we desire to preserve our republican institutions? Then permit no man to trample upon them with impunity. Do we hold the right of electing our public functionaries to be the essence of free government, and its exercise to be dear to the freemen of Pennsylvania? Then render him constitutionally accountable, who by an arbitrary *fiat* has laid it prostrate. Do we consider virtue as the vital principle of republican government? Then punish the officer who attacks republican virtue in her citadel; who, in disregard of public sentiment and public duty: and in defiance of solemn obligation, treats the people as his patrimony, and their rights as his inheritance.

Under a sense of imperious duty, and the solemnity of the obligation under which they act as representatives of the people of Pennsylvania, and from a conscientious conviction, the committee offer the following resolution, viz.

Resolved, That Thomas M'Kean, governor of this commonwealth, be impeached of high crimes and misdemeanors.

The very severe and tempestuous weather which we have experienced for several days past, and the disastrous consequences which have been produced upon our coasts, have become almost the sole topics of common conversation. As it may be gratifying to some of our readers to compare the present season with the last, we publish the following notes made by a friend at the time:

From 20th Feb. to 1st March, very mild; some shad taken; vegetation strong.
From the beginning of Feb. to the 17th, weather very moderate—navigation open.
19th. Oppressively warm.
20th. Very mild. A shad was brought to market.
From 1st to 18th March, very cold—The wind blew from the N. W. for 19 days, vessels suffered much on the coast, no advice then from England later than the 19th Dec.
20 March, an arrival at New York with advices to 1st Feb.
24 March a snow storm.
25 do. snow.
26 do. Durothea below from Canton.
From 25 do. to 5 April very cold and disagreeable winds N. W. and N. E.
April 9, 10 and 11 very cold, violent N. W. wind.
13 April, no vegetation, peach and plums supposed to be destroyed.
13 April to the 31 May, cold and dry weather.

[*U. S. Gazette.*

WASHINGTON CITY.

FRIDAY, APRIL 10.

DIED, on Wednesday last, in his 50th year, JOHN BECKLEY, Esquire, Clerk of the House of Representatives of the United States. He was born in Great Britain; but, when only eleven years old, came, under the protection of his uncle, to this country, where he has continued to reside ever since.

Our contest with Great Britain no sooner began to unfold itself, than, yielding to the most ardent impulses of patriotism, he took an active part in it, and assumed the discharge of duties full of responsibility and danger, and particularly those of the Mayoralty of Richmond, a place assigned him, notwithstanding his youth, by the confidence of his fellow-citizens, and at a period when the British army was overrunning the state of Virginia.

Having been educated to the bar, he pursued that profession with reputation, so far as various public duties admitted, until the organization of the General Government, when he was chosen Clerk of the House of Representatives, a place which he filled with rare, perhaps unprecedented distinction, with the intermission of a term of two years, until his decease. His articulation was distinct, his elocution commanding, and his parliamentary knowledge accurate and extensive. But his highest distinction was his inflexible patriotism, & adherence to republican principles. Through the whole period of his life he pursued an unbending course. Devoted to the cause of liberty, much of his happiness flowed from its triumphs; and the zeal, which prompted him in the ardor of youth, to resist external tyranny, remained unabated, during the more mature period of life, against internal oppression.

DIED on the 5th inst. in this city, J. W. PRATT, Esq. late deputy marshal of the District of Columbia.

APPOINTMENTS,
made by and with the advice and consent of the Senate.

Brockholst Livingston, of N York, an associate justice of the Supreme Court of the U. S. in the room of Wm. Paterson, deceased.

William Hull, governor of Michigan, a commissioner to treat with certain Indian tribes in the vicinity of Detroit.

William Henry Harrison, of Indiana, governor of Indiana.

Eli Williams, of Maryland, a commissioner for the road from Cumberland to Ohio.

Joshua Lewis, of Kentucky, one of the judges of the territory of Orleans, on the resignation of John B. Prevost.

Walter Leake, of Virginia, one of the judges of the U. S. for the Mississippi territory.

John Coburn, of Kentucky, one of the judges of the U. S. for the territory of Michigan.

Michael McClary, of N. Hampshire, marshal of New Hampshire.

Peter Curtenius, of New York, marshal of New-York.

Peter A. Schenck, of N. York, now surveyor of the port of New York, inspector of revenue for the same.

John Barnes, of the territory of Columbia, collector and inspector for the district of Georgetown.

Willis W. Parker, of Virginia, now collector of the port of South Quay, inspector for the same.

John Page, of Virginia, commissioner of loans for the state of Virginia.

James Taylor, of North Carolina, collector and inspector for Ocracock.

William Dunham, of Georgia surveyor and inspector of Darien, in Georgia.

Edwin Mounger, of Georgia, collector for the district of Savanna.

John Lovell, of Orleans, who is surveyor of the port of New Orleans, inspector for the same.

James Lovell, who is surveyor of the port of New Orleans, inspector of the revenue for the same.

Thomas Nicholson, of Maryland, who is collector of Chestertown, in Maryland, inspector of revenue for the same.

Jeremiah Clarke, of Massachusetts, collector for the district and inspector of the revenue for the port of York in Maine.

John Linton, of Virginia, collector for the district, and inspector of the revenue for the port of Dumfries in Virginia.

Julien Poydrass, of Orleans, member of the legislative council of Orleans.

Seth Pease, of the territory of Columbia, surveyor of the public lands of the U. S. south of Tennessee.

Edmund Blount, of North Carolina, marshal of the district of N. Carolina.

Frederick Bates, of the territory of Michigan, secretary for the territory of Louisiana, and recorder of land titles in the same territory.

Pierre Foucher and *James Mather, senior*, of the territory of Orleans, members of the legislative council of Orleans, to supply the places of Messrs. Detrehan and Sauve resigned.

George Johnson, of New York, consul for the U. S. at Glasgow, in Great Britain.

Thomas Gamble, of Pennsylvania, consul for the U. S. in the island of Santa Cruz.

Maurice Rogers, of Pennsylvania, consul for the U. S. at St. Jago de Cuba.

John B. Dabney, of Massachusetts, consul for the U. S. at Fayal.

Edward Carrington, of Connecticut consul of the U. S. at Canton in China.

Coal is actually worked in forty-seven departments of France, and indication of its occurrence have been traced, in sixteen others. The yearly produce from the mines of thirty-four departments has been estimated at 77,600,000 quintals. More than 60,000 individuals earn their subsistence at the French collieries.

Baltimore, April 8.

Captain Gorham, of the sch'r Federal Republican, arrived at Boston, on the 25th ult. from New Orleans, spoke on the 24th February off the Dry Tortugas, the ship Thomas captain Charles of Philadelphia, from Jamaica for New-Orleans, who informed that a sch'r with dispatches from Mr. BURR, had arrived at Jamaica.

PROCLAMATION
By the Chief of the Government of Hayti.

The numerous abuses which have taken place in the different branches of the government, particularly in the custom house department, have obliged me to take rigorous measures to repress them. The notices which I have given to these hardened and faithless officers, have not brought them to their duty; and my kindness towards foreigners, who came to trade in our ports, has only served as an incentive to their fraud.

It is therefore necessary to adopt severe measures, in order to remedy these abuses, which have deprived government of its resources.

Consequently, to put a stop to such dilapidations, I do order as follows:

1. Every Haytian or foreigner, convicted of having fraudulently endeavored to land or take on board any goods, with a view to avoid the payment of duties, shall be condemned to be hung, and his effects confiscated to the use of the state.

2. Every officer, convicted of having lent a hand to such fraud, shall be condemned to be hung, and his effects confiscated to the use of the government.

3. Every person convicted of having fraudulently embarked or debarked, from one vessel to another, any merchandize, shall also be condemned to be hung, and his effects confiscated.

4. The custom house officers in particular [and the other officers of the government] are charged with the execution of the present order; and they shall be considered as accomplices in all offences of this nature, of which they shall not inform.

The present proclamation shall be printed, read, and affixed to the doors of the different custom houses, &c.

Given at the head quarters, at the Cape, the 30th January, 1807, the fourth year of Independence.

Chief of the Government.
HENRY CHRISTOPHE.
By his Excellency, the Secretary of the Government.
ROUANEZ, junior.

In Chancery, March 30, 1807.

On the petition of the Executors of Francis Deakins respecting his claim to a part of the proceeds of certain property in the District of Columbia heretofore sold by a decree of this court, in which the said Francis Deakins, Thomas Sim Lee, the heirs of Peter Casenave and the Commissioners of the city of Washington were interested and on which the auditor has made his report. It is ordered that the said report will be considered and acted on (as far as it respects the claim of the said Francis Deakins) at any time after the 5th day of May next: Provided a copy of this order be inserted in the National Intelligencer once in each of three successive weeks before that time.

True copy,
Test SAML. H. HOWARD, R. C. C.
April 10—w3t

NOTICE.

IN pursuance of a law of the Corporation of the city of Washington, directing the improvement of the Public Burial Grounds, PROPOSALS will be received by either of the subscribers, until the 1st day of May next, for furnishing the following materials; by the 1st day of June next, viz.

144 red cedar posts, 8 feet long, and not less than 8 inches diameter at the smallest end
6 do. 12 feet long, and not less than 12 inches diameter at the smallest end.
760 best split chesnut rails, 11 feet long, not less than 7 inches wide, and not less than 3 inches thick at the thickest edge.

The above to be delivered on the Wharf, on the Tyber creek near the Theatre, or on square No. 109 near Mr. Hollmead's.

191 red cedar posts, 8 feet long, and not less than 8 inches diameter at the smallest end.
6 do. 12 feet long, and not less than 12 inches diameter at the smallest end.
955 best split chesnut rails, 11 feet long, not less than 7 inches wide and not less than 3 inches thick at the thickest edge.

To be delivered on the Commissioners wharf on the Eastern Branch, or on square No. 1026, near Mrs. Young's on the Bladensburg road.

The proposals must specify at which of the aforesaid places the materials will be delivered.

PROPOSALS

Will also be received until the 1st May next for making & putting up in a Good & Workmanlike manner, 536 pannels of 5 rail, morticed post and railed fence, and 6 large Gates The whole of the work to be completed by the 1st day of July next

ROBERT UNDERWOOD,
HENRY INGLE,
THOMAS H. GILLISS,
Commissioners.
April 10—w1M

SALE AT AUCTION.

ON Saturday next, at 2 o'clock in the afternoon, at Rhodes's Hotel, will be exposed for sale, sundry

Public Horses,
AND A
DOUBLE GIG,
WITH HARNESS COMPLETE.

SAMUEL SPEAKE, Auct'r.
April 10—1t.

PUBLIC SALE.

PURSUANT to an order of the Orphans Court of Princes George's county will be exposed to Public sale in the town of Upper Marlborough in Prince George's county on Thursday the 16th day of April next all the personal estate of Samuel Hepburn late of said county deceased, consisting of valuable Negroes, among them some very valuable house servants, Stock, Plantation utensils, and a variety of Household and Kitchen furniture. The terms of sale are nine months credit for all sums above ten dollars, the purchaser giving bond with two good securities bearing interest from the day of sale; for all sums of and under ten dollars the cash will be required.

SAMUEL JUDSON COOLIDGE,
Administrator.
March 24, 1807. w3t

This is to give notice that the Subscriber of the city of Annapolis hath obtained from the Orphans Court of Prince George's county in Maryland, Letters of Administration on the personal estate of Samuel Hepburn, late of said county, deceased—all persons having claims against the said deceased, are hereby warned to exhibit the same with the vouchers thereof, to Trueman Tyler, esq. of Upper Marlborough, who is fully authorised to conduct and settle said Administration at or before the 16th day of October next, they may otherwise by law be excluded from all benefit of said estate.

Given under my hand this twenty-fourth day of March 1807.

SAML. J. COOLIDGE, Adm'r.
March 27—w6t

BY THE
PRESIDENT OF THE
UNITED STATES.

WHEREAS by the first article of the terms and conditions declared by the President of the United states on the 17th day of October 1791 for regulating the materials, and manner of buildings and improvements on the lots in the city of Washington, it is provided, "That the outer and party walls of all houses in the said city, shall be built of brick or stone;" and by the third article of the same terms and conditions, it is declared, "that the wall of no house shall be higher than forty feet to the roof, in any part of the city, nor shall any be lower than thirty five feet on any of the avenues." And whereas the above recited articles were found to impede the settlement in the city of mechanics and others whose circumstances did not admit of erecting houses authorised by the said regulations, for which cause the operation of the said articles has been suspended by several acts of the President of the United States from the fifth day of June, 1796, to the first day of January, last; and beneficial effects arising from such suspensions having been experienced, it is deemed proper to revive and continue the same with the exception hereafter mentioned. Wherefore, I THOMAS JEFFERSON, President of the United States, Do declare, that the first and third articles above recited, shall be, and the same hereby are suspended until the first day of January, in the year one thousand eight hundred and eight, and that all houses which shall be erected in the said city of Washington previous to the said first day of January in the year one thousand eight hundred and eight, conformable in other respects to the regulations aforesaid shall be considered as lawfully erected; except that no wooden house covering more than three hundred and twenty square feet, or higher than twelve feet from the sill to the eve, shall be erected, nor shall any such house be placed within twenty four feet of a brick or stone house.

Given under my hand the twenty-seventh day of March in the year one thousand eight hundred and seven.

TH: JEFFERSON.
March 30—w6t

This is to give notice, That the subscriber of Prince George's county and state of Maryland, hath obtained from the Orphans' court of said county, letters of administration on the personal estate of Richard Cramphin late of said county deceased. ALL persons having claims against the said deceased are hereby warned to exhibit the same, with the vouchers thereof to the subscriber on or before the 10th day of September next, they may otherwise by law be excluded from all benefit of the said estate. And all persons indebted to the said deceased are requested to make immediate payment to the subscriber

Given under my hand this 12th day of February, 1807.

THOMAS BOWIE, Admr. of
Richard Cramphin.
Feb 18—w6t

PUBLIC SALE.

BY virtue of a deed of trust from James Wigfield to the subscriber will be sold to the higest bidder on the 2[?] of May next at the hour of 11 o'clock A. M. on the premises a Lot of ground supposed to contain ten acres with the wood thereon, situated near the lower Eastern Branch bridge and on the road leading to Marlbro Terms of sale cash.

BENSON L. M'CORMICK, Trustee.
February 27—wtdos

20 DOLLARS REWARD.

RANAWAY from the subscriber in August last, Negro CHARLES—he is a straight well made black man, about 26 years of age, 5 feet 9 or 10 inches high; has lost some of his fore teeth; is remarkably polite and much of a gallant. The above reward will be paid to any person who will bring him home or lodge him any jail so that I get him again.

WM. B. BEANES.
Upper Marlbro', Jan. 9—taw