

person so giving, promising, contracting or securing to be given, paid or delivered, say sum or sum of money, present, reward, or other bribe as aforesaid, and the judge or judges who shall in any wise accept or receive the same on conviction thereof, shall be fined and imprisoned at the discretion of the court; and shall forever be disqualifed to hold any office of honor, trust or profit under the United States.

And be it enacted, That if any person or persons, shall knowingly and wilfully obstruct, resist or oppose any officer of the United States, in serving or attempting to serve or execute any writ, process, or warrant, any rule or order of any of the courts of the United States, or any other legal or judicial writ or process whatsoever, or shall assault, beat or wound any officer, or other person duly authorized, in serving or executing any writ, rule, order, process, or warrant aforesaid, every person so knowingly or wilfully offending in the premises, shall, on conviction thereof, be imprisoned not exceeding twelve months, and fined not exceeding three hundred dollars.

And be it further enacted, That if any person or persons, shall by force set at liberty, or refuse any person who shall be found guilty of treason, murder, or any other capital crime, or refuse any person convicted of any of the said crimes, going to execution; or during execution, every person so offending, and being thereof convicted, shall suffer death.—And if any person shall, by force set at liberty, or refuse any person who before conviction shall have committed any of the capital offences aforesaid; or if any person or persons shall by force set at liberty, or refuse any person convicted of any other offence against the United States, every person so offending, shall, on conviction, be fined not exceeding five hundred dollars; and imprisoned not exceeding one year.

Provided always and be it enacted, That no conviction or judgment for any of the offences aforesaid, shall work corruption of blood; or any forfeiture of estate.

And be it enacted, That if any writ or process shall at any time hereafter be sued forth or presented by any person or persons, in any of the courts of the United States, or in any of the courts of a particular State, or by any judge or justice therein respectively, whereby the person of any ambassador or other public minister of any foreign prince or State, authorized and received as such by the President of the United States; or any domestic or domestic servant of any such ambassador or other public minister, may be arrested or imprisoned, or his or their goods or chattels be distrained, seized or attached, such writ or process shall be deemed and adjudged to be utterly null and void to all intents, constructions and purposes whatsoever.

And be it enacted, That in case any person or persons shall sue forth or prosecute any such writ or process, such person or persons, and all attorneys or solicitors prosecuting or soliciting in such case, and all officers executing any such writ or process, being thereof convicted, shall be deemed violators of the laws of nations, and disturbers of the public repose, and imprisoned not exceeding three years, and fined at the discretion of the court.

Provided nevertheless, That no citizen or inhabitant of the United States, who shall have contracted debts prior to his entering into the service of any ambassador or other public minister, which debts shall be still due and unpaid, shall have, take or receive any benefit from this act; nor shall any person be proceeded against by virtue of this act, for having arrested or sued any other domestic servant of any ambassador or other public minister, unless the name of such servant be first registered in the office of the Secretary of State, and by such Secretary transmitted to the Marshal of the district in which Congress shall reside, who shall upon receipt thereof affix the same in some public place in his office, whereat all persons may resort and take copies without fee or reward.

And be it enacted, That if any person shall violate any safe conduct or passport duly obtained and issued under the authority of the United States, or shall assault, strike, wound, imprison, or in any other manner infract the law of nations, by offering violence to the person of an ambassador or other public minister; such person, on conviction, shall be imprisoned not exceeding three years, and fined at the discretion of the court.

And be it enacted, That any person who shall be accused and indicted of treason, shall have a copy of the indictment, and a list of the jury and witnesses to be produced on the trial for proving the said indictment, mentioning the names and places of abode of such witnesses and jurors, delivered unto him at least three entire days before he shall be tried for the same; and in other capital offences that have such copy of the indictment and list of the jury two entire days at least before the trial: And that every person so accused and indicted for any of the crimes aforesaid, shall also be allowed and admitted to make his full defence by counsel learned in the law; and the court before whom such person shall be tried, or some judge thereof, shall, and they are hereby authorized and required, immediately upon his request, to assign to such person such counsel, not exceeding two, as such person shall desire, to whom such counsel shall have free access at all reasonable hours; and every such person or persons accused or indicted of the crime aforesaid, shall be allowed and admitted in his said defence to make any proof that he or they can produce, by law witness or witness, and shall have the like process of the court where he or they shall be tried, to compel his or their witnesses to appear at his or their trial, as is usually granted to compel witnesses to appear on the prosecution against them.

And be it further enacted, That if any person or per-

son be indicted of treason against the United States, and shall stand mute or refuse to plead, or shall challenge peremptorily above the number of thirty-five of the jury; or if any person or persons be indicted of any other of the offences herein before set forth, for which the punishment is declared to be death, if he or they shall also stand mute or will not answer to the indictment, or challenge peremptorily above the number of twenty persons of the jury; the court in any of the cases aforesaid, shall notwithstanding proceed to the trial of the person or persons so standing mute or challenging, as if he or they had pleaded not guilty, and render judgment thereon accordingly.

And be it further enacted, That the benefit of clergy shall be denied or allowed, upon conviction of any crime, for which by the statute of the United States, the punishment is or shall be declared to be death.

And be it further enacted, That no person or persons shall be tried or punished for treason or other capital offence aforesaid, wilful murder or forgery excepted, under the indictment for the same shall be found by a grand jury, within three years next after the treason or capital offence aforesaid shall be done or committed; nor shall any person be prosecuted, tried or punished for any offence not capital, nor for any fine or forfeiture under any penal statute, unless the indictment or information for the same shall be found or instituted within two years from the time of committing the offence, or incurring the fine or forfeiture aforesaid:

Provided, That nothing herein contained shall extend to any person or persons fleeing from justice.

And be it further enacted, That the manner of inflicting the punishment of death, shall be by hanging the person by the neck until dead.

Frederick Augustus Muhlenberg,
Speaker of the House of Representatives,

JOHN ADAMS, Vice-President

of the United States, and President of the Senate.

Approved April 13, 1790.

George Washington,
President of the United States.
(True Copy)

THOMAS JEFFERSON, Secretary of State.

CONGRESSIONAL LIBRARY

HOUSE OF REPRESENTATIVES,

Wednesday May 5, 1790.

THE house receded from their amendments to the bill for the government south of the Ohio, which had been disagreed to in the Senate—they also agreed to the amendments proposed by the Senate to the bill for the mitigation or reduction of forfeitures and penalties accruing in certain cases under the revenue laws.

The committee appointed for that purpose, reported a bill for the collection of the additional duties on Wine, Rum, &c. as proposed by the late resolution of the house. The said bill was read a first time and laid on the table.

On motion of Mr. Smith (S. C.) The Secretary of the Treasury was directed to report the amount of tonnage duty colleted in each of the States, between the fifth day of September and the first day of January last; distinguishing the foreign from the domestic tonnage.

Thursday, May 6.

A very long memorial of Nathaniel Twining was read—paying further compensation for the transportation of the mail in 1787.

Mr. Stone of the committee appointed for the purpose, reported a bill for funding the public debt of the United States—which bill was read a first and second time, and made the order of the day on Wednesday next—100 copies were ordered to be printed.

In committee of the whole on the bill for adjusting and satisfying the claims of William Frederick de Steben.

The clause which proposes an annuity of 2,000 dollars during life was further discussed—several amendments were proposed to the bill—one of which were withdrawn and others negatived, it was at length agreed to in committee without alteration. This bill was opposed in its progress by Messrs. Williamson, Bloodworth, Steele, White, Boudinot, Sene, Sennick and Stone—and supported by Messrs. Smith (S. C.) Lawrence, Vining, Huntington, Wadsworth and Clymer—Adjourned.

Friday, May 7.

In committee of the whole on the bill for adapting the Judiciary laws of the United States, to the state of North Carolina, some amendments were agreed to, and several clauses added to the bill; the committee then reported the same; the House acceded to their amendments.

Mr. Blaund obtained leave of absence for one week.

Adjusted.

Tuesday, May 11.

Sundry petitions were read and referred.

A bill for repealing the act laying duties on wines after a certain date, and laying other duties in their stead, was presented by Mr. Fitzsimons, and read.

A report from the Secretary of the Treasury purporting to order the House, with an abstract of the debts received on America and foreign tonnage, to sit December last was read.

In committee of the whole, on the report of the select committee on the memorial of the merchants and traders of Portsmouth (N. H.) respecting an enhanced duty on tonnage.

A motion to strike out the clause which proposed that the duty on foreign tonnage should be raised to one dollar, occasioned a lengthy debate—the affirmative was supported by Mr. Jackson, Mr. Smith, (S. C.) Mr. White, and Mr. Bloodworth, Mr. Fitzsimons, Mr. Wadsworth, Mr. Page, and Mr. Livermore, who is

not passed at the last session of Congress, entitled "An act providing for the payment of invalid pensions of the United States," and that no claim of any officer under any transfer or power to receive the same be admitted, as valid to entitle any person to receive any part of the said arrears of pay, due to the officers and soldiers of the said lines, except as aforesaid.

This motion was committed to Mr. Blaund, Mr. Williamson and Mr. Burke.

The bill for adjusting and satisfying the claims of the Baron de Steben, as reported by the committee of the whole, was taken up by the House. An amendment tantamount to a substitute for the whole bill, was moved by Mr. Boudinot; which proposed the payment of 700 dollars, and an annuity of 1,500 dollars during life; to commence from the first of January 1790; a motion was made, and carried, to strike out 1,500 dollars, to leave the sum blank.

The motion for striking out the first part of the bill in order to admit this amendment, was determined by ayes and nays—Ayes 28. Noses 21.

The amendment was put, and agreed to. Subsequently another amendment consequential on this vote, was then ordered that the bill be engrossed for a third reading on Monday next.

Monday May 10.

The bill entitled an act for giving effect to a certain act therein mentioned in respect to the state of North Carolina—and for amending said act, was brought in, engrossed, read the third time and passed.

A petition from Thomas Jenkins and Co. merchants in Hudson, State New York, was read, stating the loss of goods by fire while on their passage from New York to Hudson and paying a remission of the debts on said goods; referred to a select committee.

Sundry other petitions and memorials were presented and read and referred.

On motion of Mr. Parker, the report of the Secretary at War, on the petition of Dr. Middleton, was read—it was then moved that this report be referred to a select committee—and Mr. Parker, Mr. Tucker, and Mr. Bloodworth, were appointed.

Mr. Gilman of the Committee of enrollment, reported that the Committee had examined four bills, which had passed the House, and found them duly enabled—the Speaker affixed his signature to the same.

The bill for adjusting and settling the claims of Frederick W. de Steben, was brought in engrossed, and the third time—the gratuity in land being omitted in the bill, Mr. Smith, (S. C.) moved that the bill should be recommended, in order to re-embed the clause. This motion after a short discussion was lost.

The blank in the clause stating the gratuity, Mr. Smith moved should be filled up with 2700 dollars.

After some debate the ayes and nos were taken, and the motion was negatived, as follows :

AYES,

Meigs, Ames, Benson, Bland, Boudinot, Candler, Carroll, Coles, Conste, Fitzsimons, Gale, Gerry, Hartley, Hester, Huntington, Lawrence, Lee, Madison, P. Marshall, Page, Scott, Smith, (S. C.) Trumbull, Tuck, Vining, Wadsworth, Wynkoop.—25.

NOES.

Meigs, Atkinson, Baldwin, Bloodworth, Boudinot, Brown, Conste, Floyd, Foote, Gatz, Goodine, Griffin, Green, Hartshorn, Livermore, Mathews, Moore, Parker, Partridge, Ranford, Schurman, Seney, Sherman, Stickney, Smith, (M.) Steele, Stone, Sturges, Sylvester, White, Williamson.—30.

A motion was then made to fix the annuity at 2,500 dollars. This was negatived—Ayes 27—Noses 30.

A motion for 2000 dollars was agreed to—Ayes 21—Noses 24.

The bill being completed—on the question—Shall the bill pass—it was carried in the affirmative. The ayes and nos being as follows.

AYES,

Meigs, Ames, Benson, Bland, Boudinot, Candler, Carroll, Coles, Conste, Fitzsimons, Gale, Gerry, Hartley, Hester, Huntington, Lawrence, Lee, Madison, P. Marshall, Page, Parker, Scott, Sherman, Smith, (M.) Steele, Trumbull, Tucker, Vining, Wadsworth, White, Williamson.—34.

NOES.

Meigs, Atkinson, Baldwin, Bloodworth, Brown, Floyd, Foote, Gilman, Goodine, Grout, Hartshorn, Mathews, Partridge, Kenstler, Schurman, Seney, Sylvester, Stickney, Steel, Stone, Sturges, Williamson.—21.

The house then resolved itself into a committee on that part of the report of a select committee on a portion of the merchants and inhabitants of Portsmouth, in New-Hampshire, which relates to an increase of the rate on foreign shipping, &c. Some progress was made therein when the committee rose.

Mr. Boudinot obtained leave of absence for one week.

Adjusted.

Tuesday, May 11.

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A report from the Secretary of the Treasury purporting to order the House, with an abstract of the debts received on America and foreign tonnage, to sit December last was read.

In committee of the whole, on the report of the select committee on the memorial of the merchants and traders of Portsmouth (N. H.) respecting an enhanced duty on tonnage.

A motion to strike out the clause which proposed that the duty on foreign tonnage should be raised to one dollar, occasioned a lengthy debate—the affirmative was supported by Mr. Jackson, Mr. Smith, (S. C.) Mr. White, and Mr. Bloodworth, Mr. Fitzsimons, Mr. Wadsworth, Mr. Page, and Mr. Livermore, who is

not of the enhanced duty—but the committee rose & reported progress without taking the question.

A report of the Secretary of the Treasury relative to the statement of monies paid by the several states from the commencement of the revolution to the ratification of the constitution.

A message was received from the first amendment occasioned some debate; the House adjourned without coming to a decision.

AUGUST 1, 1790.

We have had for some days past, the greatest fall of rain that has been known for a number of years; the creeks and rivers were impalpable for three or four days; the river Savannah had swelled to that degree on Monday last, as to be almost even with its banks, which are upwards of thirty feet above its confluence level. At Call's Ware-house, the water penetrated so far as to reach the lower tiers; it was however prevented from getting to any great distance, by the activity of a number of hands who were employed in raising a bank around it; by the timely caution no damage was sustained. We are told that the lower settlements, bordering close upon the river, have suffered immense losses in corn, horses, cattle and hogs.

WINCHESTER, R. April 24.

On Monday last, as a man, his wife and four children, were crossing the river Shanandoah, (which had been swelled to an amazing height by the late rains) between this town and Harrisonburg, in a wagon, the rapidity of the flood carried the bed of the wagon, of the passengers, by which unfortunate accident the women and children were all drowned, and it was with the utmost difficulty the master escaped sharing a similar fate.

The hand of Henry the IV of France that the peasants of his kingdom might die at once on a winter evening—should the revolution in that country be brought to a favourable issue there is the fairest prospect of a much greater and happier change in their circumstances. But in the United States every industrious mechanic and farmer may dine upon the fat of the land every day in the week.

The late extraordinary demand for the produce of our country has given an extraordinary spring to the exertions of the cultivators of the soil—in some parts of the United States one half, the produce of the last year, has been taken by the speculators; so that under the influence of Providence, there is a prospect of the United States becoming the granary of the world.

The President of the United States continues to recruit his health very rapidly.

BOSTON, May 27.

The Selectmen having received from the Executors of Dr. Franklin's will, extracts therefrom, communicated the same to the town, at the adjourned town-meeting on Tuesday last. They consider legacy to the town, the American Academy of Arts and Sciences, & his relations. To the town he has bequeathed 1,000, sterling, 100l. of which to the Grammar School—the interest of which is to be laid out in Medals, to be given to such schools as shall excel in certain acquirements.

The other 1,000, sterling, the Selectmen of the town of Boston are to hold in trust, to let out in sums not exceeding 60, now less than 1,000, sterling, to young married artisans, under the age of 25 years, who can procure sufficient recommendation for themselves; the affair is thus related by a captive that has lately made his escape from the Indians, who was a spy and an unwilling instrument in the tragedy.

Mr. May, in defending the King-Kahnawake and Ohio, about the 20th of March last, discovered on the western shore of the latter, near the mouth of Scio, a white man, who, with a primitive voice, was calling, for God's sake, to come and take a poor prisoner on board, that was endeavouring to escape from the savages.—This had the intended effect. Mr. May ordered the boat towards the shore, and did not discover his mistake until the Indians rose up from their ambush, fired, shot him dead, and wounded some others of the passengers on board, who immediately endeavoured to make off; but being told in the English tongue they should have good quarters, surrendered without resistance.—The Indians, however, on boarding the boat, maffred all, without distinction. Two days after, the party attempted to decoy three large boats that were coming down from Fort Pitt, ashore, at the same place where they had captured Mr. May's; but they were discovered in time, and our people effected off. The enemy, being prepared, suddenly manned the boat taken from Mr. May, with about 30 warriours, and gave chase. The crews of two of the boats, fearing they might be overtaken, quitted them, and went on board the third, where they threw overboard all the horses, and some heavy articles, and plied all their oars to effect their escape. The Indians, on their return, took possession of the two boats that were abandoned, and bound in these 17 horses, 2000 dollars worth of merchandise and considerable property belonging to the emigrants."

On Saturday last a most melancholy accident happened in this city. A daughter of Capt. Hamilton, in Crown-street, an amiable girl of near 16 years of age, went with her brother in her arms (an infant of 2 years old) into the sleep of the New Dutch Church, within a small distance of her father's dwelling house, when she had ascended as high as the fourth story, and inadvertently treading upon some loose boards, they gave way, and both came to the pavement shockingly bruised, and the girl with part of her skull beaten in. The latter died instantly, the infant survived about three quarters of an hour.

Why [says a late writer] are not some measures taken in legislatures to prevent the lives of so many persons from being destroyed almost every day by the ignorance and presumption of pretenders and unqualified practitioners, who swarm over every part of the United States—the disgrace of a profession which has for object the modicum of valueable bleeding, health and its attendant comforts.

Ridicule may be sufficient to check many absurdities, but it requires the force of law to restrain medical Empiricism.

SUICIDE.

We hear from Amherst, [Mass.] that one Kesp, the person who was convicted of setting fire to the barn of Joshua Atherton, Esq; by which it was entirely consumed with its contents and for which he was sentenced to the court to stand in the pillory one hour, and receive 30 stripes—set on the gallows, and receive 30 stripes on Friday last.

Greenfield, May 10, 1790.

WILL be kept for covering at the Stable of William Moore, YOUNG SCRIP, OLD VIRGINIA, and the famous Bull JACK-ASS. The Horses will cover at g. or f. the single leap. Four pounds in Cash will be given for each Mile at 5 months, without any charge for the use of the Jack.

Greenfield, May 10, 1790.

WILL be kept for covering at the Stable of

John Kneeland, Boston, May 20, 1790.

WILL be kept for covering at the Stable of the Subcriber, upon the most reasonable terms.

The credit of the LARK for a sire, is equal, both for strength, beauty and activity to any Horse in the country.

Constant attendance, and every favour gratefully acknowledged.

ASAHEL POMEROY.

Norampton, May 15, 1790.

WILL be kept for covering at the Stable

of William Moore, YOUNG SCRIP, OLD

VIRGINIA, and the famous Bull JACK-ASS.

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