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[Whole No. 417.]



BY THE PRESIDENT of the UNITED STATES of AMERICA.

A Proclamation.

WHEREAS it appears, that a state of war exists between Austria, Prussia, Sardinia, G. Britain, and the United Netherlands, of the one part; and France, on the other—and the duty and interest of the United States require, that they should with sincerity and good faith adopt and pursue a conduct friendly and impartial towards the belligerent powers.

I HAVE therefore thought fit by these presents, to declare the disposition of the United States to observe the conduct aforesaid towards those powers respectively; and to exhort and warn the citizens of the United States carefully to avoid all acts and proceedings whatsoever, which may in any manner tend to contravene such disposition.

AND I DO hereby also make known, that whoever of the citizens of the United States shall render himself liable to punishment or forfeiture under the law of nations, by committing, aiding or abetting hostilities against any of the said powers, or by carrying to any of them those articles, which are deemed contraband by the modern usage of nations, will not receive the protection of the United States against such punishment or forfeiture; and further, that I have given instructions to those officers, to whom it belongs, to cause prosecutions to be instituted against all persons, who shall, within the cognizance of the Courts of the United States, violate the law of nations, with respect to the powers at war, or any of them.

IN TESTIMONY whereof, I have caused the Seal of the United States of America to be affixed to these presents, and signed the same with my hand. Done at the City of Philadelphia, the twenty-second day of April, one thousand seven hundred and ninety-three, and of the Independence of the United States of America the seventeenth.

G. WASHINGTON.

By the PRESIDENT, TH: JEFFERSON.

LAWS OF THE UNION.

SECOND CONGRESS OF THE UNITED STATES, AT THE SECOND SESSION, Begun and held at the City of Philadelphia, in the State of Pennsylvania, on Monday the fifth of November, one thousand seven hundred and ninety-two.

AN ACT in addition to the act, entitled, "An act to establish the Judicial Courts of the United States."

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the attendance of only one of the justices of the supreme court, at the several circuit courts of the United States, to be hereafter held, shall be sufficient, any law requiring the attendance of two of the said justices notwithstanding; Provided, That it shall be lawful for the supreme court, in cases where circumstances shall, in their judgment, render the same necessary, to assign two of the said justices to attend the circuit court or courts, and it shall be the duty of the justices so assigned, to attend accordingly. And provided also, That when only one judge of the supreme court shall attend any circuit court and the district judge shall be absent, or shall have been of counsel, or be concerned in interest in any cause, then pending, such circuit court may consist of the said judge of the supreme court alone.

And be it further enacted, That if at any time only one judge of the supreme court, and the judge of the district shall sit in a circuit court, and upon a final hearing of a cause, or of a plea to the jurisdiction of the court, they shall be divided in opinion, it shall be continued to the succeeding court; and if upon the second hearing when a different judge of the supreme court shall be present, a like division shall take place, the district judge adhering to his former opinion judgment shall be rendered in conformity to the opinion of the present judge.

And be it further enacted, That the supreme court, or when the supreme court shall not be sitting, any one of the justices thereof together with the judge of the district within which a special session as hereafter authorized shall be holden, may direct special sessions of the circuit courts to be holden for the trial of criminal causes, at any convenient place within the district, nearer to the place where the offences may be said to be committed, than the place or places, appointed by law for the ordinary sessions: That the clerk of such circuit court shall, at least thirty days before the commencement of such special session, cause the time and place for holding the same to be notified for at least three weeks successively, in one or more of the newspapers published nearest to the place where the session is to be holden: That all process, writs and recognizances of every kind, whether respecting juries, witnesses, bail or otherwise, which relate to the cases to be tried, at the said special sessions, shall be considered as belonging to such sessions, in the same manner as if they had been issued or taken in reference thereto: That any special session may be adjourned to any time or times previous to the next stated meeting of the circuit court: That all business depending for trial at any special court, shall at the close thereof be considered as of course removed to the next stated term of the circuit court: And that the district courts of Maine and Kentucky, shall have like power to hold special sessions for the trial of criminal causes, as hath been heretofore given, or is hereby given to the circuit courts, subject to the like regulations and restrictions.

And be it further enacted, That bail for appearance in any court of the United States, in any criminal cause in which bail is by law allowed, may be taken by any judge of the United States, and chancellor, judge of a supreme or superior court, or chief or first judge of a court of common pleas of any state, or mayor of a city in either of them, and by any person having authority from a circuit court, or the district courts of Maine or Kentucky to take bail; which authority, revocable at the discretion of such court, any circuit court or either of the district courts of Maine or Kentucky, may give to one or more discreet persons learned in the law in any district for which such court is holden, where, from the extent of the district, and remoteness of its parts from the usual residence of any of the before named officers, such provision shall, in the opinion of the court be necessary. Provided, That nothing herein shall be construed to extend to taking bail in any case where the punishment for the offence may be death; nor to abridge any power heretofore given by the laws of the United States, to any description of persons to take bail.

And be it further enacted, That writs of ne exeat and of injunction may be granted by any judge of the supreme court in cases where they might be granted by the supreme or a circuit court; but no writ of ne exeat shall be granted unless a suit in equity be commenced, and satisfactory proof shall be made to the court or judge granting the same, that the defendant designs quickly to depart from the United States; nor shall a writ of injunction be granted to stay proceedings in any court of a state; nor shall such writ be granted in any case without reasonable previous notice to the adverse party, or his attorney, of the time and place of moving for the same.

And be it further enacted, That subpoenas for witnesses who may be required to attend a court of the United States in any district thereof, may run into any other district: Provided, That in civil causes, the witnesses living out of the district in which the court is holden, do not live at a greater distance than one hundred miles from the place of holding the same.

And be it further enacted, That it shall be lawful for the several courts of the United States from time to time as occasion may require, to make rules and orders for their respective courts directing the returning of writs and processes, the filing of declarations and other pleadings, the taking of rules, the entering and making up judgments by default and other matters in the vacation and otherwise in a manner not repugnant to the laws of the United States to regulate the practice of the said courts respectively, as shall be fit and necessary for the advancement of justice and especially to that end to prevent delays in proceedings.

And be it further enacted, That where it is now required by the laws of any State, that goods taken in execution on a writ of fieri facias, shall be appraised, previous to the sale thereof, it shall be lawful for the appraisers appointed under the authority of the State, to appraise goods taken in execution, on a fieri facias issued out of any court of the United States, in the same manner as if such writ had issued out of a court held under the authority of the State; and it shall be the duty of the marshal, in whose custody such goods may be, to summon the appraisers, in like manner, as the sheriff is by the laws of the State required to summon them: and the appraisers shall be entitled, to the like fees, as

in a... appraisement under the laws of the State; and if the appraisers, being duly summoned, shall fail to attend and perform the duties required of them, the marshal may proceed to sell such goods, without an appraisement.

JONATHAN TRUMBULL, Speaker of the House of Representatives.
JOHN LANGDON, President pro tempore of the Senate.
APPROVED MARCH 2, 1793.
GEO. WASHINGTON, President of the United States.

AN ACT relative to Claims against the United States, not barred by any act of Limitation, and which have not been already adjusted.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all claims upon the United States, for services or supplies, or for other cause, matter or thing, furnished or done, previous to the fourth day of March, one thousand seven hundred and eighty-nine, whether founded upon certificates, or other written documents from public officers, or otherwise, which have not already been barred by any act of limitation, and which shall not be presented at the treasury before the first day of May, one thousand seven hundred and ninety-four, shall forever after be barred and precluded from settlement or allowance: Provided, That nothing herein contained, shall be construed to affect loan-office certificates, certificates of final settlement, indent of interest, balances entered in the books of the Register of the Treasury, certificates issued by the Register of the Treasury, commonly called registered certificates, loans of money obtained in foreign countries, or certificates issued pursuant to the act, intitled, "An act making provision for the debt of the United States." And provided farther, That nothing herein contained, shall be construed to prohibit the proper officers of the treasury from demanding an account or accounts to be rendered, for any monies heretofore advanced, and not accounted for, or from admitting, under the usual forms and restrictions, credits for expenditures, equal to the same which have been so advanced.

And be it further enacted, That it shall be the duty of the Auditor of the Treasury, to receive all such claims aforesaid as have not been heretofore barred by any act of limitation, as shall be presented before the time aforesaid, with the certificates, or other documents in support thereof, and to cause a record to be made of the names of the persons, and of the time when the said claims are presented; which record shall be made in the presence of the person or persons presenting the same, and shall be the only evidence that the said claims were presented, during the time limited by this act.

And be it further enacted, That it shall be the duty of the accounting officers of the treasury, to make report to Congress, upon all such of the said claims, as shall not be allowed to be valid, according to the usual forms of the treasury.

JONATHAN TRUMBULL, Speaker of the House of Representatives.
JOHN ADAMS, Vice-President of the United States, and President of the Senate.
APPROVED, FEBRUARY 12, 1793.
GEO. WASHINGTON, President of the United States.

AN ACT supplementary to the act for the establishment and support of Light-houses, Beacons, Buoys, and Public Piers.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all expenses, which shall accrue from the first day of July, next inclusively, for the necessary support, maintenance and repairs of all light-houses, beacons, buoys, the stakeage of channels on the sea-coast, and public piers, shall continue to be defrayed by the United States, until the first day of July, in the year one thousand seven hundred and ninety-four, notwithstanding such light-houses, beacons, or public piers, with the lands and tenements thereunto belonging, and the jurisdiction of the same shall not, in the mean time, be ceded to, or vested in the United States, by the state or states respectively, in which the same may be: and that the said time be further allowed to the states respectively, to make such cession.

And be it further enacted, That the Secretary of the Treasury be authorized and directed to cause a floating beacon or buoy to be provided and placed on Smith's Point shoal, in the Chesapeake bay, and a beacon or floating buoy, at the south west straddle on the royal shoal, near Ocracoke inlet, in North-Carolina.

JONATHAN TRUMBULL, Speaker of the House of Representatives.
JOHN LANGDON, President pro tempore of the Senate.
APPROVED MARCH 2, 1793.
GEO. WASHINGTON, President of the United States.

Foreign Intelligence.

CONSTANTINOPLE, December 25.

THE Porte has sent orders to the Hospodars of Moldavia and Wallachia, to receive the Russian ambassador who is expected here in February, with the most distinguished marks of honor and respect. The reports which have been spread in Europe that the Porte was making preparations of war against Russia, are without foundation. The people in general detest France.

STOCKHOLM, Feb. 1.

A war between this country and Russia has long been deemed probable, it now appears inevitable.

The tidings of the tragical end of his most Christian Majesty, has filled every mind with horror and dismay. The court is expected to go into mourning for six weeks like that of Copenhagen.

LEGHORN, Jan. 31.

The Grand Duke has sent an express to Vienna with intelligence which has been received here by private letters, that the French are in possession of the island of Sardinia.

MADRID, Feb. 7.

Our armament which was at first to consist of twenty-one ships, has been increased, and orders have been given to have every thing in readiness to arm the whole Spanish navy.

The Portuguese fleet which was only to have consisted of six sail, is also increased to ten sail of the line.

HAGUE, Feb. 24.

Nimeguen is still safe from hostile attack, and its garrison has been reinforced by 2000 men. Great preparations are also making for the defence of Gorinchem, and all the trees have been felled round that place and on the roads; on the islet adjacent, a battery has been raised, and a large dyke erected, so that no vessel can attack the town from that quarter. All the surrounding districts are laid under water.

The French are still marching in large bodies from Antwerp against this country, and their numerous hosts are followed by large trains of artillery.

The French privateers have taken the Culloden, from Leith, and carried her into Boulogne; likewise the Fly, Capt. Wright, from Exeter to London; and at Ostend, the Favourite, Capt. Lambert, from Leghorn.

All the French are banished from Saxony. The latest accounts from Constantinople state, that the Porte gave to M. de Choiseul Gouffier, the late French Ambassador, a present of 10,000 pistoles, previous to his departure.

It is confidently reported there, that the credentials of Semonville will be accepted.

His royal highness the Duke of York arrived here late on Thursday night. His highness immediately took up his quarters in the palace of the Stadtholder.

The English guards arrived safely at Helvoet on the 1st inst. The only accident that happened amongst them was one man's breaking his arm by a fall. They are stationed at Helvoet, at the Brille, and at Dort. Sixteen hundred are at the latter place.

The hereditary prince of Orange is named commander in chief.

Feb. 25.—Their high mightinesses have issued a proclamation for public prayers, to begin on Wednesday the 27th inst. and to be continued for a fortnight, to implore the blessing of Almighty God on the Dutch arms, and those of other allies, against the French.

March 4.—On the 25th ult. Breda was surrendered by treachery, without having stood a siege. The garrison, by terms of capitulation, marched out with all the honors of war, and with full liberty to serve again. It was surrendered in consequence of a confederacy between Count Byland, the governor, and some discontented magistrates and other inhabitants, and much against the inclination of the garrison. Count Byland is at the Hague, under arrest, and a commission is ordered for trying him.

Williamstadt, Klundert, Steenberg, Gertruydenberg, and Maestricht, are all vigorously besieged, but hold out with determined resolution. Before the first place, many French have fallen, without the smallest impression having been made upon the fortress.

The state of defence by water is strengthened every day.

General Clairfayt crossed the Coer, and on the 1st inst. attacked the French army, under Gen. Miranda, which he defeated, killing and taking 2000 men, with nine pieces of artillery. It was understood that he was to detach 5000 men to prince Frederick of Prussia, who was about to make an immediate attack upon Ruremonde—and Clairfayt himself was preparing to march to the relief of Maestricht.