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SATURDAY, MAY 11, 1793.

[Whole No. 421.]



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 to ascertain the fees in Admiralty proceedings in the District Courts of the United States, and for other purposes.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the first day of May next, there shall not be taxed or adjudged to any officer or other person, any greater or other fee or reward, for, or in respect of any service to be done or performed, in any of the district courts of the United States, in cases of admiralty or maritime jurisdiction, than such as is herein specified; that is to say:

Fees of the Counsellor or Attorney in the district court, in admiralty and maritime proceedings. The stated fee for drawing and exhibiting libel, claim and answer in each cause, three dollars; Drawing interrogatories, three dollars; and all other services in any one cause, three dollars.

Fees of the clerk of the district court, in admiralty and maritime causes.

For drawing every stipulation, process, motion of subpoena, for each sheet containing ninety words, fifteen cents.

And for engrossing each sheet, ten cents; Entering the return of process, fifteen cents; Filing every libel, claim, pleading, or other paper, six cents;

Copies of the pleadings, interrogatories, depositions and exhibits, when required, for each sheet of ninety words, ten cents; Entering each proclamation, fifteen cents; Entering each default, twelve cents;

Entering every rule of court, fifteen cents; Examining each witness, and drawing his deposition, for each sheet containing ninety words, fifteen cents;

Certifying each exhibit of writing shewn to a witness, at his examination, twenty-five cents;

Drawing every decree, or decretal order, for each sheet containing ninety words, fifteen cents;

And for entering the same in the minutes, for each sheet, as aforesaid, ten cents;

For drawing a record, or making a copy of the proceedings, for each sheet containing ninety words, fifteen cents;

But no pleading, deposition, exhibit, or other writing, to be inserted therein verbatim, or in hæc verba, shall be computed as any part of such draft.

Entering a record in the register, or engrossing or copying proceedings or records to be sealed or exemplified, for each sheet of ninety words, including all the pleadings, depositions, exhibits and writings inserted therein, ten cents;

Every certificate, twenty cents;

Entering return of appraisement or sales, for each sheet of ninety words, ten cents;

Affixing the seal to any paper, when required, twenty five cents;

Drawing commission to examine witnesses, for each sheet containing ninety words, fifteen cents;

And for engrossing the same, if on parchment, including the parchment, twenty cents; And if on paper, for each sheet of ninety words, ten cents;

Swearing each witness in court, ten cents; For every entry or writing not mentioned or described, such allowance shall be taxed, as for similar services, herein mentioned.

All money deposited in court, one and a quarter per cent.

Fees of the Marshal in the district court, in admiralty and maritime causes.

For summoning every witness or appraiser, fifteen cents;

Making each proclamation, fifteen cents; Serving every capias, attachment or summons, one dollar and fifty cents;

Travelling each mile, going only, either to serve process, or subpoena witnesses, ten cents; Custody fees of vessel, for each day, one dollar and fifty cents;

Sales, for any sum under five hundred dollars, two and an half per cent; and for any larger sum, one and a quarter per cent. upon the excess.

And be it further enacted, That there be allowed and taxed in the supreme, circuit and district courts of the United States, in favor of the parties obtaining judgments therein, such compensation for their travel and attendance, and for attorneys and counsellors fees, except in the district courts in cases of admiralty and maritime jurisdiction, as are allowed in the supreme or superior courts of the respective States.

And be it further enacted, That this act shall continue and be in force for the term of one year, and from thence until the end of the next session of Congress thereafter, and no longer.

JONATHAN TRUMBULL, Speaker of the House of Representatives.

JOHN ADAMS, Vice-President of the United States, and President of the Senate.

APPROVED MARCH 1, 1793.

GEO. WASHINGTON, President of the United States.

AN ACT to authorize the adjustment of a claim of Joseph Henderson against the United States.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be allowed to Joseph Henderson, a yearly salary of one hundred dollars, for his services as paymaster to the Navy Board for the eastern department, from the tenth day of August, one thousand seven hundred and seventy eight, to the tenth day of August one thousand seven hundred and eighty-two, being four years; and that the officers of the Treasury be authorized to pass the same to his credit, and to settle his account accordingly.

JONATHAN TRUMBULL, Speaker of the House of Representatives.

JOHN ADAMS, Vice-President of the United States, and President of the Senate.

APPROVED FEBRUARY 22, 1793.

GEO. WASHINGTON, President of the United States.

AN ACT to authorize the Comptroller of the Treasury to settle the account of Thomas Wishart, late a Lieutenant in the army 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 Comptroller of the Treasury be, and is hereby authorized to adjust and settle the account of Thomas Wishart, late a lieutenant in the army of the United States, and to allow him, in addition to the pay, to which he may be entitled as an officer deranged under the acts of Congress of the year one thousand seven hundred and seventy eight, the pay of a lieutenant, from the 15th day of October, one thousand seven hundred and eighty, to the fifteenth day of October, one thousand seven hundred and eighty one.

JONATHAN TRUMBULL, Speaker of the House of Representatives.

JOHN ADAMS, Vice-President of the United States, and President of the Senate.

APPROVED FEBRUARY 22, 1793.

GEO. WASHINGTON, President of the United States.

AN ACT in addition to, and alteration of the act, entitled, "An act to extend the time limited for settling the accounts of the United States with the individual States."

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second section of the act, entitled, "An act to extend the time limited for settling the accounts of the United States with the individual States," which extended the powers of the board of commissioners to the settlement of the accounts between the United States and the State of Vermont, be and hereby is repealed.

And be it further enacted, That the board of commissioners established to settle the accounts between the United States and the individual States, in apportioning the aggregate of all the balances due to each State, between the States, agreeably to the act, entitled, "An act to provide more effectually for the settlement of the accounts between the United States and the individual States," shall have no regard to the State of Vermont. And be it further enacted, That in the apportioning of the balances aforesaid, the State of Kentucky shall be deemed to be included in the State of Virginia, the admission of the said State of Kentucky as a member of the Union notwithstanding.

JONATHAN TRUMBULL, Speaker of the House of Representatives.

JOHN ADAMS, Vice-President of the United States, and President of the Senate.

APPROVED FEBRUARY 27, 1793.

GEO. WASHINGTON, President of the United States.

FROM THE COLUMBIAN CENTINEL.

MR. RUSSELL,

THE following Stanzas were lately composed at Cambridge, and inferred to a gentleman in that town, whose taste is so pleasingly exhibited in his elegant Seat; and of which a recent display reflects no less honor on his generosity. A beautiful current, which his Fish-Pond discharged, had long flowed unnoticed, through a low ground to the banks of the CHARLES. On one side of this rivulet, he raised a gravel-walk, prepared a receptacle for a larger stream, shaded it with willows, and terminated the Mall with an arch, through which the water is emitted, by a gentle and transparent cascade. This modern Lyceum has enrolled the daughters of beauty in the academy of Peripatetics; and the Muses, who warbled on the banks of Ilissus, have consecrated it with their lyres, to APOLLO and HYGEIA; "While the 'Willow' waves all its green boughs to their song." SHERIDAN.

STANZAS TO BRATTLE.

WRITTEN IN JUNE, 1793.

WHERE'ER the vernal hower, the autumnal field,

The summer-arbour and the winter ice; Where'er the charms, which all the seasons yield, Or, NATURE's gay museum can inspire;

Delight the bosom, or the fancy please, Or, Life exalt above a splendid dream; There, BRATTLE's fame shall freight the grateful breeze,

Each grove rebound it, and reflect each stream. Each bough that waves o'er brown POMONA's plains,

Each bud, that blossoms in the ambrosial hower, Nurs'd by this great IMPROVER's art, obtains A nobler germin, and a fairer flower.

The rural vale a kind asylum gave, When peace the seats of ermin'd woe forsook; RETIREMENT found an ATRIUM in a Cave, And man grew social with the babbling brook.

Here, happy BRATTLE, in thy lov'd recess, 'Twas thine the philosophic grove to trace; And, viewing NATURE in a gay undress, With ART's slight veil embellish every grace.

The airy hill-top and the Dryad's bowyer, No more shall tempt our sportive nymphs to rove;

Thy Willow-shade shall woo the social hour, And BRATTLE's Mall surpass ARCADIA's grove.

Fair Friendship, lovely virgin, here resort! Here with thy charms the joy-wing'd morn beguile;

THY EYES SHALL GLISTEN UTTERANCE TO THOUGHT, And learn the cheek of hopeless gloom to smile.

Here too, at eve shall choirs of damsels pass, Yield a soft splendor to DIANA's beam, Gaze at the image in the watery glass,

And blush new beauty to the flattering stream! While the pleas'd NAIAID, watching their return, As oft at morn her sportive limbs she laves, Hears their lov'd voice, and leaning on her urn, Stops the smooth current of her silver waves.

Here, mingling with the fair, the classic Beau Shall quit his EUCLID and his evening oil, To "Jove" a compliment, "prope," a bow, Or, "calculate" the "eclipses" of a SMILE.

Here too, shall HARVARD's more ennobled sons, In whom the vestal "fires of genius glow," Stand musing, as the chrysal mirror runs, While Fancy topics its pellucid flow.

And here, when SPRING her earliest flowerets srews,

When first ZEPHYRUS, from his winter cave, Looks out—a blonish'd at the change he views, And kissing, leaves a dimple on the wave,

Some fair PHILENIA, with her plaintive lyre, May charm the mind, and moisten every eye, While weeping Muses hush the festive wire, And the lorn Willow undulates a sigh.

The clear cascade, whose lucid lapse supplied, Spreads an unruffled sheet of lymph refin'd, Shines a fair emblem of thy bounty's tide, The exhaustless fountain of BRATTLE's mind.

While thus enjoying all, that ease bestows, That Friendship yields, or Science can refine; While ART to thee a brighter polish owes,

And NATURE owns, that hall her charms are thine;

Tho' no PACTOLUS rolls his golden waves, Nor waits his liquid INDIA to thy shores; More affluent CHARLES thy fertile villa laves, And laves, + EUPHRATES-like, Edenian bowers.

MENANDER.

Boston, April 27, 1793.

* PHILENIA.

+ The finest river of Turkey, in Asia, washing the luxurious country of Diarbek, the ancient Mesopotamia, in which the garden of Eden is supposed to have been situated.

For the GAZETTE of the UNITED STATES.

THOUGHTS ON THE

STATE OF AMERICAN INDIANS.

(Continued from No. 97, of this Gazette.)

No. VI.

CIVILIANS have remarked three stages in the progress of society from barbarism to refinement—distinct from each other, and marked by a peculiar character.

The transition from one of these to the other, is formed by almost imperceptible gradations.

Those countries which have presented us with man in his rudest form, have uniformly exhibited him in the character of a hunter. Thus the inhabitants of the Islands in the Atlantic and Pacific oceans, the natives of this country, the original inhabitants of ancient Greece, and many other countries of antiquity, when first visited by civilized people, knew no other means of subsistence than hunting and fishing.

In this state they have few ideas of private property. Their weapons, the game they have taken in the chase, the fruits they have gathered, and in general those things which they immediately occupy, are the only objects to which they claim an exclusive right. The idea of personal appropriation is formed only by the progressive improvement of manners.

Men, in this stage of society, depend wholly upon the success of hunting and fishing, and those fruits and vegetables which the earth produces without culture for their subsistence—when these fail, they are reduced to the most fatal extremity. An unfavorable season, a dearth among the animals, and the stratagems of a neighboring enemy, may oppress them with all the miseries of pinching necessity. It is to the famines which have taken place in consequence of these evils, that we must ascribe the practice of devouring one another, which has been found to prevail among savage nations. Fear and want, except the thirst for revenge, are the only springs of action in the savage state—hunting and war are their chief employments. Surrounded by dangers on every side—exposed to the rapacity of ravenous beasts on the one hand, and hostile neighbors on the other, the savage is kept in perpetual alarm.—The peculiar imperfections of the savage state—the want of known and acknowledged laws—of a common judge to adjust the differences that may arise, and of authority to enforce those equitable decisions of nature and reason, to which even savages are competent, cherishes the seed of contention, and multiplies the number of wars. The constant call for war, the growing scarcity of game, and consequent difficulty of the chase, must necessarily excite their ingenuity and improve their dexterity in the invention and use of their weapons. As their numbers increase as their intercourse with each other becomes more frequent, and their ideas expand, their wants multiply—new arts become necessary, and more provision is requisite than their ordinary sources of supply will furnish. Experience would soon teach them that some animals are superior to others, in delicacy, in flavor, and in nutritive virtue—they would soon learn also to distinguish the tractable from the ferocious, the gregarious from the more solitary; these they would collect and tame—they would erect enclosures to prevent their wandering, to distinguish them from others, and designate them as their own. Thus by degrees they would exchange the hunter's for the pastoral life, and divert their care from the chase to their flocks. In every step of this progression new wants arise, new arts are invented, and every social improvement makes proportional advances. Innumerable causes contribute to the improvement and progress of the pastoral life. The greater certainty and abundance of subsistence it furnishes—the easy means of procuring it—the facility of guarding more effectually against the evils of famine, and the leisure it affords, render intercourse with each other more frequent and more desirable, and mature and strengthen their social dispositions.

The necessity of being in the neighbourhood of springs and rivers—the extraordinary fertility of particular spots of earth, or the fear of enemies, may have first suggested the idea of a permanent residence. The accidental discovery of the influence of the refuse and filth of their hovels in refreshing a barren or exhausted soil, and in increasing and preserving the fertility of a new one, with some attempts to cultivate and rear those plants which experience had taught them were wholesome and nourishing, may have insensibly brought them from pasturage to agriculture.

This is the foundation of civil society—and until this takes place, society cannot be said to exist. This is the natural order of the gradations by which a nation advances from rudeness to refinement, when left to the impulse of its own genius, and the ordinary course of things. Accidental causes disturb this progress. A nation is sometimes, by the force of particular circumstances, brought