ſame manner, as ſhall be practiſed at the bank; and to commit the management of the ſaid offices, and the making of the ſaid diſcounts, to ſuch perſons, and under ſuch agreements, and ſubject to ſuch regulations as they ſhall deem proper, not being contrary to law, or to the conſtitution of the bank.

16. The officer, at the head of the treaſury department of the United States, ſhall be furniſhed, from time to time, as often as he may require, not exceeding once a week, with ſtatements of the amount of the capital ſtock of the ſaid corporation, and of the debts due to the ſame; of the monies depoſited therein; of the notes in circulation, and of the caſh in hand; and ſhall have a right to inſpect ſuch general accounts, in the books of the bank, as ſhall relate to the ſaid ſtatements: Provided that this ſhall not be conſtrued to imply a right of inſpecting the account of any private individual or individuals with the bank.

VIII. *And be it further enacted*, That, if the ſaid corporation, or any perſon or perſons, for or to the uſe of the ſame, ſhall deal or trade in buying or ſelling any goods, wares or merchandiſe, or commodities whatſoever, contrary to the proviſions of this act, all and every perſon and perſons, by whom any order or direction for ſo dealing or trading ſhall have been given, and all and every perſon and perſons who ſhall have been concerned as parties or agents therein, ſhall forfeit and loſe treble the value of the goods, wares, merchandiſes and commodities, in which ſuch dealing and trade ſhall have been; one half thereof to the uſe of the informer, and the other half thereof to the uſe of the United States, to be recovered with coſts of ſuit.

IX. *And be it further enacted*, That, if the ſaid corporation ſhall advance or lend any ſum, for the uſe or on account of the government of the United States, to an amount exceeding one hundred thouſand dollars; or of any particular ſtate to an amount exceeding fifty thouſand dollars; or of any foreign prince, or ſtate, (unleſs previouſly authoriſed thereto by a law of the United States) all and every perſon and perſons, by and with whoſe order, agreement, conſent, approbation or connivance, ſuch unlawful advance or loan ſhall have been made, upon conviction thereof, ſhall forfeit and pay, for every ſuch offence, treble the value or amount of the ſum or ſums, which ſhall have been ſo unlawfully advanced or lent; one fifth thereof to the uſe of the informer, and the reſidue thereof to the uſe of the United States; to be diſpoſed of by law, and not otherwiſe.

X. *And be it further enacted*, That the bills or notes of the ſaid corporation, originally made payable, or which ſhall have become payable on demand, in gold and ſilver coin, ſhall be receivable in all payments to the United States.

XI. *And be it further enacted*, That it ſhall be lawful for the preſident of the United States, at any time or times, within eighteen months after the firſt day of April next, to cauſe a ſubſcription to be made to the ſtock of the ſaid corporation, as part of the aforeſaid capital ſtock of ten millions of dollars, on behalf of the United States, to an amount not exceeding two millions of dollars; to be paid out of the monies which ſhall be borrowed by virtue of either of the acts, the one entitled, "An act making proviſion for the debt of the United States;" and the other entitled, "An act making proviſion for the reduction of the public debt;" borrowing of the bank an equal ſum, to be applied to the purpoſes for which the ſaid monies ſhall have been procured; reimburſable in ten years, by equal annual inſtalments; or at any time ſooner, or in any greater proportions that the government may think fit.

XII. *And be it further enacted*, That no other bank ſhall be eſtabliſhed by any future law of the United States, during the continuance of the corporation hereby created; for which the faith of the United States is hereby pledged.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the Houſe of Repreſentatives.
JOHN ADAMS, Vice-Preſident of the United States, and preſident of the Senate.
Approved, February 25th, 1791.
GEORGE WASHINGTON, Preſident of the United States.

An ACT regulating the number of repreſentatives to be choſen by the ſtates of Kentucky and Vermont.

BE it enacted by the Senate and Houſe of Repreſentatives of the United States of America in Congreſs aſſembled, That, until the repreſentatives in congreſs ſhall be apportioned according to an actual enumeration of the inhabitants of the United States, the ſtates of Kentucky and Vermont ſhall each be entitled to chooſe two repreſentatives.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the Houſe of Repreſentatives.
JOHN ADAMS, Vice-Preſident of the United States, and preſident of the Senate.
Approved February 25th, 1791.
GEORGE WASHINGTON, Preſident of the United States.

KINGSTON, *December* 25.

INFORMATION is received by the Rover, that the Muſquito Indians, after having treated colonel Hudſon with every indignity, and reluctantly ſpared his life, through the interceſſions of his lady, finally drove him from his poſſeſſions, and compelled the unhappy couple with their family to quit the ſettlement in a ſmall canoe.

The inſurrection among the free people of colour in Hiſpaniola, is ſaid to be completely quelled. Upwards of 300 are in cloſe cuſtody, and among them are a general, two major-generals, ſeveral colonels, captains, and other officers. The coloniſts are ſo highly incenſed, and the neceſſity of a ſevere example has become ſo urgent, that it is believed near 250 of the inſurgents will atone for their rebellion by the loſs of life.

NEW-YORK, *February* 28.

Captain Henry Williams, in the ſchooner Polly, in 28 days, from Cape-François, arrived here yeſterday. About the 7th of November the citizens of the Cape had an engagement with the rebels under the mulatto rebel chief Oujai, killed a number and took 130 priſoners; after that, Oujai with about 20 of his gang fled to the Spaniſh lines.—The Spaniſh governor ſent an expreſs to the Cape informing that he had ſecured him. Immediately a French frigate was ſent after him, and on the 8th of December he was landed at the Cape. He had a large ring around his neck, and two chains; one faſt round his body, incircling his thighs, and faſtened to his legs: the other alſo went round his body and arms, and faſtened to his wriſt.—In that condition he was landed, and guarded by 400 regular troops, and 6000 militia. He was upon trial when captain Williams ſailed, and would moſt aſſuredly ſuffer an ignominious death. Peace was effectually reſtored.

PHILADELPHIA, *March* 2.

Extract of a letter from Ohio country, February 19.

"This will be handed to you by a perſon who is to carry a petition from the inhabitants of this and Waſhington county, to the preſident, ſetting forth our dangerous ſituation. Six men being over the river hunting, and on their return homewards, were overtaken (Saturday 29th January) about break of day the Indians fired on them as they lay ſleeping in their camp, and alſo ruſhed in with their tomahawks, and what is ſtill ſurpriſing, only one man was killed, the other five got off clear, only two of them were wounded, and were almoſt naked; they had to come about 30 miles through the froſt, to Wheeling, where they lived. On Friday the 11th inſtant, about one mile from Charleſtown at the mouth of Buffaloe, five perſons were killed, and two taken priſoners; there were three taken, but one got off, as follows:—The woman of the family was firſt taken, ſhe was ſome diſtance from the houſe making ſugar; they tied her to a ſapling, and then left her and went to the houſe, during which time ſhe by ſome means got looſe and made her eſcape. The Indians brought her ſucking infant to the place where they left her, and when they found her gone, beat the child's brains out againſt a tree, &c. I was at Buffaloe next day, after this happened, and ſaw the men juſt returning from burying the dead, and alſo talked with one of the men that was ſurpriſed at the fire before mentioned, perhaps you know him, he is brother to colonel Daniel Williamſon, late ſheriff of Waſhington,—he ſays when he got up to make his eſcape, an Indian caught him round the neck, but he with all his might threw the Indian on the ground, and being very dark, got away."

ANNAPOLIS, *March* 10.

PROCEEDINGS of CONGRESS.

In SENATE, February 25, 1791.

On motion, that the following reſolution be entered into, to wit:

RESOLVED, That it be a ſtanding rule that the doors of the ſenate chamber remain open whilſt the ſenate ſhall be ſitting in a legiſlative capacity, except on ſuch occaſions as in their judgment may require ſecrecy; and that this rule ſhall commence and be in force on the firſt day of the next ſeſſion of congreſs.

The yeas and nays were required by one fifth of the ſenators preſent.

YEAS.—Meſſieurs Butler, Foſter, Gunn, Hawkins, King, Lee, Maclay, Munroe, Schuyler. 9.

NAYS.—Meſſieurs Baſſett, Carroll, Dalton, Dickinſon, Ellſworth, Elmer, Few, Henry, Johnſon, Johnſton, Izard, Langdon, Morris, Read, Stanton, Strong, Wingate. 17.

So it paſſed in the negative.

A meſſage was received from the preſident of the United States, informing the ſenate, that he had this day approved and ſigned the bill, entitled, An act to incorporate the ſubſcribers to the bank of the United States, and the bill, entitled, An act regulating the number of repreſentatives to be choſen by the ſtates of Kentucky and Vermont.

The bill, entitled, An act fixing the time for the next annual meeting of congreſs, was read a ſecond time and ordered that it paſs to the third reading.

For the MARYLAND GAZETTE.

Meſſrs. PRINTERS,

I HAVE been favoured with the opinion of an orphans court of this ſhore, lately delivered upon the ſubject of the ſettlement of guardians accounts. Whether the ſentiments expreſſed, or the rules eſtabliſhed, by the court, be perfectly accurate, I ſhall not take upon myſelf to determine; but ſuch as they are, their publication will at leaſt have the effect of calling the attention of the public to a ſubject extremely intereſting to orphans; and, upon a fair examination of their principles, may ultimately produce a propriety of practice in the courts. When we conſider that a diſtinct tribunal is erected in each of the counties, whoſe opinions are unknown to each other, and from which appeals are rarely taken, and that, in the adminiſtration of juſtice, nothing is more deſirable than an uniformity of deciſion, I truſt I ſhall be excuſed in my endeavours to promote ſo valuable an end through the medium of your paper.

A FRIEND.

Eaſtern Shore, February 15, 1791.

The OPINION of the COURT.

AS the annual ſettlement of accounts by guardians is a ſubject of much importance to the property of orphans, as well as to the indemnification of their guardians, the court thought proper to reſerve the firſt caſe, which occurred, for ſerious conſideration. And in order to enable themſelves to decide, with as much propriety as poſſible, they have taken into view the directions of former laws upon this buſineſs, and the practice which has prevailed in conſequence; and then have conſidered the proper operation of the act of November ſeſſion, 1785.

In viewing the effect of the former laws with regard to the *real eſtates* of orphan children, they have carefully traced the duties and privileges of guardians; and we think the following particulars proper to be mentioned.

Upon the appointment and qualification of a guardian, by entering into bond, and obtaining the uſual certificate, it was his duty, within one month thereafter, under a certain penalty, to obtain a valuation of his ward's eſtate, purſuant to the terms of the act of aſſembly. This valuation was, or ought to have been, the fair reſult of a juſt eſtimate of the annual value of the eſtate, compared with the real ſituation and condition of the land, plantation, houſes and improvements—with what more of the plantation the guardian might be permitted to clear and improve—and likewiſe with the yearly charge the guardian might incur by keeping and leaving the plantation, houſes and improvements, in repair: but this eſtimate had alſo a reſpect to the *maintenance* of the orphan; but when conſidered with a view to this charge, it was unavoidably affected by the ſhare of *perſonal property* which the orphan poſſeſſed.

Under theſe laws the practice, we believe, has invariably been—to charge the guardian with the annual amount of the valuation; to oblige him to comply with the *terms* of the return; to diſallow all claims for the board, cloaths, medicine, or education of the ward; and to ſuffer him to derive all advantages from the rents, uſe or profits, of the eſtate beſides.

With regard to *perſonal eſtates*, they find, that, upon the appointment and qualification of a guardian, he received an order from the court upon the executor for the delivery of the eſtate of his ward into his hands. Property of this nature was conſidered as claſſed into the following kinds—ſervants and ſlaves; money, plate, rings and jewels; cattle, horſes and ſheep; and houſehold ſtuff and lumber.

Servants and ſlaves were to be appraiſed to the guardians, and he was accountable in any event for the like number in value, quality and ſpecies, or compellable to make up the deficiency in money. Money, plate, rings and jewels, were to be preſerved, and delivered identically to the orphan. Cattle, horſes and ſheep, were to be returned by the guardian, the ſame in kind and value. Houſehold ſtuff and lumber were to be appraiſed, and the amount was payable to the orphan in money or tobacco.

If any loſſes happened in this eſtate, they were ſuſtained by the guardian; if it became increaſed, he was benefited by the gain. In the mean while he enjoyed the uſe and intereſt of the eſtate, and was preſumed to apply the profits to the board, cloaths, phyſic, and education of his ward; and was accordingly *precluded* from claiming any allowance for theſe charges.

Thus were the laws underſtood and practiſed under previous to the year 1786. But at November ſeſſion, 1785, the legiſlature were pleaſed to interpoſe, and to direct that guardians appointed thereafter ſhould neither gain nor loſe in the management of the eſtates of their wards, but ſhould receive a reaſonable compenſation for their care and trouble. It is, perhaps, to be feared, that formerly it was too much the intereſt of guardians to neglect the proper maintenance and education of the orphans committed to their charge: And indeed the ſyſtem of remoter periods might contemplate the improvement and cultivation of the earth, more than the advancement of ſcience, manufactures and commerce; and the confinement of children to plantations, and inuring them to labours and habits of a rural nature, might be allowable in the ſentiments of a people, who were ſolicitous to open the wilderneſs. But with a happier change of times the opinions of our citizens have alſo changed; and agriculture is but one of many objects which appear to have engaged the minds of the legiſlature; And how far they deſire the promotion of the arts in general, in the care and education of the riſing generation, is diſcoverable not only in the law we are conſidering, but alſo in the "act reſpecting apprentices," the execution of which deſerves the watchful attention of thoſe in whom the authority is veſted.

But it is not neceſſary on this occaſion to ſearch more minutely into the motives which gave riſe to the preſent regulation, ſince there can be no doubt that an honeſt performance of duty will very fully prove the juſtice and policy of it. Conſidered with relation to former laws, we may venture to declare that it does not alter in the leaſt degree the manner in which a guardian was *to obtain poſſeſſion* of the real or perſonal eſtate of the orphan; but it very eſſentially changes the manner in which he muſt *account* for it. From the connexion of the ſubjects contemplated by the law, and a fair conſideration of its language and intention, the following opinion may be ſaid down as a general rule:—That a guardian is accountable to his ward for the whole real and perſonal eſtate received into his care, and for all increaſe, rents, intereſt and profits, received by him in the faithful management thereof, and is entitled to allowance for all loſſes or decreaſe of the eſtate by unavoidable accidents, for all fair applications of the *profits* to the proper maintenance and education of his ward, for an application of one tenth part of the *principal* of the perſonal eſtate to his education annually, if directed by the court, and for ſuch a commiſſion upon the whole annual produce of the eſtate as the juſtices ſhall think right to allow.

In ſtating, therefore, and ſettling their annual accounts, the following particular rules ought to be at-