

martial, shall refuse to receive or keep any prisoner committed to his charge, by any officer belonging to the forces of the United States; which officer shall, at the same time, deliver an account in writing, signed by himself, of the crime with which the said prisoner is charged.

Art. 18. No officer commanding a guard or provost martial shall presume to release any prisoner committed to his charge, without proper authority for so doing; nor shall he suffer any prisoner to escape, on the penalty of being punished for it by the sentence of a court martial.

Art. 19. Every officer or provost martial to whose charge prisoners shall be committed, is hereby required, within twenty-four hours after such commitment, or as soon as he shall be relieved from his guard, to give in writing to the colonel of the regiment to whom the prisoner belongs (where the prisoner is confined upon the guard belonging to the said regiment, and that his offence only relates to the neglect of duty in his own corps) or to the commander in chief, their names, their crimes, and the names of the officers who committed them, on the penalty of his being punished for his disobedience or neglect, at the discretion of a court martial.

Art. 20. And if any officer under arrest shall leave his confinement before he is set at liberty by the officer who confined him, or by a superior power, he shall be punished for it.

Art. 21. Whatsoever commissioned officer shall be convicted before a general court martial, of behaving in a scandalous, infamous manner, such as is unbecoming the character of an officer and a gentleman, shall be discharged from the service.

Art. 22. In all cases, where a commissioned officer is punished for cowardice, or fraud, it shall be added in the punishment, that the crime, name, place of abode and punishment of the delinquent, be published in the newspapers, in and about the camp, and of that particular state from which the offender came or usually resides; after which it shall be deemed scandalous for any officer to associate with him.

SECTION XV.

Art. 1. When any commissioned officer shall happen to die, or be killed, in the service of the United States, the major of the regiment, or the officer doing the major's duty in his absence, shall immediately secure all his effects or equipage then in camp or quarters; and shall before the next regimental court martial make an inventory thereof, and forthwith transmit the same to the office of the board of war, to the end that his executors may, after payment of his debts in quarters, and interment, receive the overplus, if any be, to his or their use.

Art. 2. When any non-commissioned officer or soldier shall happen to die, or be killed in the service of the United States, the then commanding officer of the troop or company shall, in the presence of two other commissioned officers, take an account of whatever effects he dies possessed of, above his regimental clothing, arms, and accoutrements; and transmit the same to the office of the board of war; which said effects are to be accounted for, and paid to, the representative of such deceased non-commissioned officer or soldier. And in case any of the effects are authorized to take care of the effects of dead officers and soldiers, should, before they shall have accounted to their representatives for the same, have occasion to leave the regiment, by preferment or otherwise, they shall, before they be permitted to quit the same, deposit in the hands of the commanding officer, or of the agent of the regiment, all the effects of such deceased non-commissioned officers and soldiers, in order that the same may be secured for, and paid to, their respective representatives.

SECTION XVI.

Art. 1. All officers, conductors, gunners, matrosses, drivers, or any other persons whatsoever, receiving pay or hire in the service of the artillery of the United States, shall be governed by the aforesaid rules and articles, and shall be subject to be tried by courts martial, in like manner with the officers and soldiers of the other troops in the service of the United States.

Art. 2. For differences arising amongst themselves, or in matters relating solely to their own corps, the courts martial may be composed of their own officers; but where a number sufficient of such officers cannot be assembled, or in matters wherein other corps are interested, the officers of artillery shall sit in courts martial with the officers of the other corps, taking their rank according to the dates of their respective commissions, and no otherwise.

SECTION XVII.

Art. 1. The officers and soldiers of any troops, whether minute men, militia, or others, being mustered and in continental pay, shall at all times, and in all places, when joined or acting in conjunction with the regular forces of the United States, be governed by these rules or articles of war, and shall be subject to be tried by courts martial in like manner with the officers and soldiers in the regular forces, save only that such courts martial shall be composed entirely of militia officers of the same provincial corps with the offender.

That such militia and minute men as are now in service, and have by particular contract with their respective states engaged to be governed by particular regulations while in continental service, shall not be subject to the above articles of war.

Art. 2. For the future, all general officers and colonels, serving by commission from the authority of any particular state, shall, on all detachments, courts martial, or other duty, wherein they may be employed in conjunction with the regular forces of the United States, take rank next after all generals and colonels serving by commissions from congress; though the commissions of such particular generals and colonels should be of elder date; and in like manner, lieutenant-colonels, majors, captains, and other inferior officers serving by commission from any particular state, shall, on all detachments, courts martial, or other duty, wherein they may be employed in conjunction with the regular forces of the United States, have rank next after all officers of the like rank serving by commissions from congress, though the commissions of such lieutenant-colonels, majors, captains, and other inferior officers, should be of elder date to those of the like rank from congress.

SECTION XVIII.

Art. 1. The foregoing articles are to be read and published once in every two months at the head of

every regiment, troop or company, mustered or to be mustered in the service of the United States; and are to be duly observed and exactly obeyed by all officers and soldiers who are or shall be in the said service.

Art. 2. The general, or commander in chief for the time being, shall have full power of pardoning, or mitigating any of the punishments ordered to be inflicted, for any of the offences mentioned in the foregoing articles; and every offender convicted as aforesaid, by any regimental court martial, may be pardoned, or have his punishment mitigated by the colonel, or officer commanding the regiment.

Art. 3. No person shall be sentenced to suffer death, except in the cases expressly mentioned in the foregoing articles; nor shall more than one hundred lashes be inflicted on any offender at the discretion of a court martial.

That every judge advocate, or person officiating as such, at any general court martial, do, and he is hereby required to transmit, with as much expedition as the opportunity of time and distance of place can admit, the original proceedings and sentence of such court martial to the secretary at war, which said original proceedings and sentence shall be carefully kept and preserved in the office of said secretary, to the end that persons intitled thereto may be enabled; upon application to the said office, to obtain copies thereof.

That the party tried by any general court martial shall be intitled to a copy of the sentence and proceedings of such court martial, upon demand thereof made by himself or by any other person or persons on his behalf, whether such sentence be approved or not.

Art. 4. The field officers of each and every regiment are to appoint some suitable person belonging to such regiment, to receive all such fines as may arise within the same, for any breach of any of the foregoing articles, and shall direct the same to be carefully and properly applied to the relief of such sick, wounded or necessitous soldiers as belong to such regiments; and such person shall account with such officer, for all fines received, and the application thereof.

Art. 5. All crimes not capital, and all disorders and neglects, which officers and soldiers may be guilty of, to the prejudice of good order and military discipline, though not mentioned in the above article of war, are to be taken cognizance of by a general or regimental court martial, according to the nature and degree of the offence, and be punished at their discretion.

IN CONGRESS, August 21, 1776.

Resolved, That the following resolution be printed at the end of the rules and articles of war, viz.

THAT all persons not members of, nor owing allegiance to any of the United States of America as described in a resolution of congress of the 24th of June last, who shall be found lurking as spies in or about the fortifications or encampments of the armies of the United States, or any of them, shall suffer death according to the law and usage of nations, by sentence of a court martial, or such other punishment as such court martial shall direct.

By order of the congress,

JOHN HANCOCK, president.

L O N D O N.

Admiralty office, June 6.

By letters received from vice admiral Shuldham, dated at Halifax the 23th of April last, it appears, that on the 15th of that month, capt. Furneaux of the Syren, one of the frigates under his command, took a brigantine belonging to the rebels, which was carrying from Philadelphia to Charlestown in South Carolina, a company of artillery, consisting of a captain, commissioned by the continental congress, and 79 men, most of whom have since entered into his majesty's service with gen. Clinton; it also appears, that the other cruizers of his squadron had intercepted and taken 44 merchant ships and vessels belonging to his majesty's rebellious subjects in North America; and that capt. Barkley, of the Scarborough, who had been sent to Savannah, in the province of Georgia, for provisions, had let free 23 vessels richly laden, which had been seized and detained there by the rebels.

Admiralty office, June 11, 1776.

By letters from capt. Douglass, of his majesty's ship Isis, dated Quebec the 18th and 15th of May, received yesterday by capt. Hamilton, late of the Lizard, who arrived from thence in his majesty's sloop the Hunter, it appears, that the Isis, which sailed from Portland on the 11th of March, having succours on board for the relief of the place, made the island of St. Peter's, on the 11th of April; that he had from thence with the greatest difficulty made his way, pressing the ship by force of sail for fifty or sixty leagues through large fields of thick ice; that on the 21st of April, when he got clear of the ice, he made the island of Anticoffie, and the same evening entered the river St. Lawrence; that on the 30th he anchored in a snow storm near the Pilgrim islands, and from thence, as the storm cleared up, observed successive smokes from cape to cape towards Quebec; and that, after various obstacles from fogs, calms, or contrary winds, he arrived on the 14th of May near Isle aux Couffres, where he was joined by his majesty's ship the Surprise, and Martin sloop, which sailed on the 20th of March from Plymouth, having likewise succours on board. Capt. Douglass adds, that having secured here all the French pilots, and every hour becoming more precious, he gave orders on the 5th of May to capt. Linzee of the Surprise, to make the best of his way, and give notice to governor Carleton of the approaching relief. Capt. Linzee arrived in view of the town at six o'clock the next morning; and after answering the private signals from the garrison, came to anchor in the basin of Quebec, between the rebel battery on point Levi and the lower town, where the Isis and Martin came to an anchor also, very soon after; and the several detachments they had on board were immediately landed. Capt. Douglass further observes, that the general wisely availing himself of the different impressions which the arrival of the ships had made on the minds of the rebels, marched out to give them battle, but that they as instantly retreated; on which capt. Douglass ordered capt. Linzee and capt. Harvey of the Martin sloop, with a province armed vessel to proceed up the river as far as the rapids, in hopes to annoy them in their retreat which was attended with good effect, as it hindered the parties on the

opposite sides of the river from joining in their flight towards Montreal. He represents their flight to have been very precipitate, as they left not only their cannon undischarged, their ammunition, scaling ladders, intrenching tools, and provisions, but even many of them their musquets.

The Surprise and Martin were farther successful in taking an armed schooner belonging to the rebels, carrying four 6 pounders and 6 three pounders, but the men escaped into the woods; they also recovered his majesty's schooner the Gaspee which in the last winter had fallen into the hands of the rebels, and had been sunk by them, but was soon weighed and found to be not materially damaged. It also appears, from capt. Douglass's letters, that on the 8th of May his majesty's ship Niger arrived with three transports, having on board the 47th regiment from Halifax; and that on the 10th, capt. Lutwidge, of his majesty's ship the Triton, arrived with the Lord Howe and Bute transports, having troops on board, together with the British Queen, Agnes, and Beaver, victuallers from England.

Capt. Douglass speaks highly in commendation of the captains and officers of the ships employed to carry succours, for their perseverance and exertion in the many difficulties they had to encounter in the passage thro' the gulph, and in every other part of the service.

Yesterday capt. Page, of the corps of engineers, was presented to the king by lord viscount Townshend, and most graciously received. His majesty was pleased to say much in favour of his conduct at Bunker's Hill, on the seventeenth of June, under general Howe.

On Saturday morning some experiments were tried at Woolwich, before lord viscount Townshend, lord Amherst, generals Harvey and Defaguliers, and a number of other officers, with a rifle gun, upon a new construction, by capt. Ferguson, of the seventeenth regiment; when that gentleman, under the disadvantage of a heavy rain and high wind, performed the four following things, none of which had ever been accomplished with any other small arms. First, he fired during four or five minutes at a target, at two hundred yards distance, at the rate of four shots each minute. Secondly, he fired six shots in one minute. Thirdly, he fired four times per minute, advancing at the same time at the rate of four miles in the hour. Fourthly, he poured a little water into the pan and barrel of his piece when loaded, so as to wet every part of the powder, and in less than half a minute the fired as well as ever, without extracting the ball. He also hit the bull's eye at one hundred yards, laying with his back on the ground; and, notwithstanding the unequinness of the wind and wetness of the weather, he only missed the target three times during the whole course of the experiments.

Extract of a letter from Amsterdam, July 9.

"There is not a maritime nation in Europe but which privately carries on a trade with the British colonies of North America, France, and Spain in particular, who have the best opportunity for it; witness, that commerce never flourished so much throughout all Europe as it actually has done since the beginning of the present American war. Thus Great-Britain, formerly the provider of the whole globe, now suffers foreign nations to enrich themselves by trafficking with her own colonies, while she is contending with power and vain superiority. The armament of France and Spain, which of late has so much taken up the notice of Europe, we now find to be for the following purpose. It is far from the intention of either of those two powers to interrupt Great-Britain whilst she is engaged in the present contest; but their views merely are to carry on an open trade (warlike stores excepted) with the colonies of North America. They argue thus: as the colonies were kept in subjection by the mother country, the latter prevented other nations from dealing with them, and the former, through their defiance, and mutual interest, submitted their trade to be monopolized by the mother country; but now the ties being dissolved, the colonies being declared as enemies, the monopoly seized from itself, every nation may go to market according to their interest. It was in the power of Great-Britain to prohibit her colonies to trade with foreigners, but it is not in her power to prescribe laws to other nations, prohibiting them from trading with America; nor does it consist with the laws of nations; just as if Russia, as long as she was at war with the Ottoman Porte, would have prohibited all Europe from trading to Turkey. But if Great-Britain should insist upon it that she has a right to prevent other nations from trafficking with North America, both France and Spain are determined to oppose her by force of arms; to which purpose a strong united force of these two nations is cruising in the sea, merely to act in their own defence: and as it is impossible for Great-Britain to submit to this, nothing is more sure than open hostilities to be soon commenced at sea, which cannot fail from involving all Europe in a most horrid war."

July 20. A correspondent assures us, that some accounts of a very disagreeable nature have been received from America within these few days; but whether it be relative to the rumour spread of lord Howe being killed, and the troops under his convoy cut to pieces on his attempting to land at New-York or Rhode-Island, or whether these disagreeable accounts relative to any repulse in the southern colonies, have not yet transpired. Certain it is, however, that the court and all the great official officers were in the utmost confusion and embarrassment, on Sunday and Monday last.

The same correspondent says, that after the repeated attempts authorized by the most specific instructions, our ambassador cannot bring the French ministry to any direct or absolute engagement relative to the trade carried on by their subjects with our American colonies. The French cabinet treat the complaint as having no ground, but a mere smuggling commerce, opened by some persons of desperate fortunes in the northern part of the kingdom. They say it is not in their power to repress or annihilate the illicit trade carried on within their own dominions, both by foreigners and natives, much less that carried on at three thousand miles distance. In short, they insist on being permitted to remain passive, and declare they have no manner of objection to Great-Britain's taking every step in her power to put a stop to this illegal intercourse, which may be consistent with the law of nations.