

CHAPTER V.

RESOLVED by the Senate and House of Representatives of the Commonwealth of Pennsylvania, That the secretary of the commonwealth be, and he is hereby directed to procure thirty-nine copies of the minutes of the convention, including the minutes of the committee of the whole, that framed the present constitution, provided the same can be procured at a price not exceeding three dollars per copy; and that the said secretary first having caused them to be bound and lettered, shall distribute them in the following manner, to wit: Two copies for the table of the House of Representatives, one copy for the table of the Senate and the residue to be by him transmitted, one copy to each county organized, and shall be sent forward with the laws and journals of the present session, and deposited in the commissioners' office of each county, to be open to the inspection of the citizens. And that the expense incurred in consequence thereof, be paid out of any unappropriated money in the treasury.

Secretary to procure 39 copies of the minutes of the convention, &c. Price not to exceed 3 dollars per copy. How to be distributed.

JAMES ENGLE, *Speaker of the House of Representatives.*  
P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-third day of February, one thousand eight hundred and nine.

SIMON SNYDER.

CHAPTER VI.

Commonwealth of Pennsylvania.

RESOLVED by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That our senators in Congress be instructed and our representatives requested; and they are hereby so instructed and requested to use their influence to procure the passing a law establishing weights and measures. Resolved, That the Governor be and he is hereby requested to transmit a copy of this resolution to the executive of the United States, in order that it may be presented to Congress at their next session.

Representatives in Congress to endeavour to obtain a law regulating weights and measures.

JAMES ENGLE, *Speaker of the House of Representatives.*  
P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-ninth day of March, one thousand eight hundred and nine.

SIMON SNYDER.

CHAPTER VII.

RESOLVED by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That it shall be the duty of the secretary of the commonwealth, to forward to the prothonotaries of the several counties, a copy of the laws passed during the present session of the legislature, and likewise a copy of the laws passed at the second session of the tenth Congress of the United States, as soon as they are printed and he shall receive them, to each of the members representing such counties in the legislature (the clerks and assistant clerk of each house respectively) with the name of such member or clerk written on the title page. And it shall be the duty of the prothonotaries, after receiving said copies, to deliver them to such members and clerks when applied for. Provided, That a member or clerk re-

Copies of laws of the present session and of the 2d session, 10th Congress, to be distributed; and in what manner.

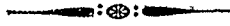
ceiving a copy as aforesaid, shall not be entitled to another at the next session of the legislature.

JAMES ENGLE, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the third day of April, one thousand eight hundred and nine.

SIMON SNYDER.



### CHAPTER VIII.

WHEREAS the Governor in a communication to the Legislature, has represented that the supreme court of the United States, had ordered a peremptory mandamus to be issued in the suit of Gideon Olmstead and others, *versus* Elizabeth Sergeant and Esther Waters, executrixes of the late Mr. Rittenhouse ; and that immediate application will be made to Richard Peters, judge of the district court of Pennsylvania, for an execution against the persons and effects of the said Elizabeth Sergeant and Esther Waters ; or that, rather an attachment against their persons will be the compulsory process adopted on the occasion. And that, in conformity to the provisions of an act of Assembly passed the 2d of April. 1803, it becomes the duty of the executive to protect the property and persons of the said executrixes against such process : And whereas the causes and reasons which have produced this conflict between the general and state government, should be made known, not only that the state may be justified to her sister states, who are equally interested in the preservation of the state rights ; but to evince to the government of the United States, that the Legislature, in resisting encroachments on their rights, are not acting in a spirit of hostility to the legitimate powers of the United States' courts ; but are actuated by a disposition to compromise, and to guard against future collisions of power, by an amendment to the constitution ; and that, whilst they are contending for the rights of the state, that it will be attributed to a desire of preserving the federal government itself, the best features of which must depend upon keeping up a just balance between the general and state governments as guaranteed by the constitution.

BE IT THEREFORE KNOWN, that the present unhappy dispute has arisen out of the following circumstances :

Statement of the case respecting Gideon Olmstead and others, and the proceedings thereon. That on the night of the 6th of September, 1778, Gideon Olmstead being a prisoner on board the armed sloop *Active*, bound to New York, on the passage prevailed on three of the seamen, to assist him in endeavouring to take the said sloop from the captain and the rest of the crew, and to carry her into an American port. In pursuance of this bold and hazardous design, they secured the captain and crew under deck, and contemplated running the sloop into Egg Harbour. A considerable contest then arose between those under and those on deck, for the command of the vessel.

On the 8th of September, they were boarded by the brigantine *Convention*, fitted out by the state of Pennsylvania, commanded by captain Thomas Houston, and in a very short time after the sloop *Active* was thus seized by the *Convention*, the privateer sloop *Le Gerard* of Philadelphia, commanded by captain James Josiah, hove in sight.

The prize was brought into the port of Philadelphia, and was libelled in the court of Admiralty of the state, on the 14th of September. Captain Thomas Houston for the state, himself and crew, claimed *one half*, captain James Josiah, commander of the privateer sloop *Le Gerard*, for himself, crew and owners, as consort of the *Convention*, and as in sight at the time of the capture, claimed *one fourth*, allowing *one fourth*