

ACTS OF THE THIRD CONGRESS

OF THE

UNITED STATES,

Passed at the second session, which was begun and held at the City of Philadelphia, in the State of Pennsylvania, on Monday, the third day of November, 1794, and ended on the third day of March, 1795.

GEORGE WASHINGTON, President; JOHN ADAMS, Vice President of the United States, and President of the Senate; HENRY TAZEWELL, President of the Senate pro tempore, from the twenty-fifth of February, 1795; FREDERICK AUGUSTUS MUHLENBERG, Speaker of the House of Representatives.

STATUTE II.

CHAPTER I.—*An Act to authorize the President to call out and station a corps of Militia, in the four western Counties of Pennsylvania, for a limited time.*

Nov. 29, 1794.

[Obsolete.]

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That a force not exceeding two thousand five hundred non-commissioned officers, musicians and privates, to be composed of the militia of the United States, be called forth and stationed in the four western counties of Pennsylvania, if, in the judgment of the President, the same shall be deemed necessary to suppress unlawful combinations, and to cause the laws to be duly executed: *Provided,* that the term of service of any one quota of the militia, to be called into actual service, pursuant to this act, shall not exceed three months after they shall have arrived at the place of rendezvous.

Certain militia force to be stationed in four western counties of Pennsylvania.

Term of service.

SEC. 2. *And be it further enacted,* That the President of the United States be, and he is hereby authorized, if, in his judgment, it should be deemed expedient, to direct voluntary enlistments of any of the militia of the United States, in lieu of all, or any part of the force herein authorized to be called forth, for the purposes aforesaid, for a term of service not exceeding thirty days after the commencement of the next session of Congress.

President may direct voluntary enlistments.

APPROVED, November 29, 1794.

STATUTE II.

CHAP. II.—*An Act extending the privilege of franking to James White, the delegate from the Territory of the United States, south of the river Ohio; and making provision for his compensation.*

Dec. 3, 1794.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That James White, the delegate to Congress from the territory of the United States, south of the river Ohio, be entitled to the privilege of sending and receiving letters free of postage, on the same terms, and under the same restrictions as are provided for the members of the Senate and of the House of Representatives of the United States, by the act, intituled "An act to establish the post-office and post-roads within the United States."

Privilege of franking extended to James White,

1792, ch. 7.

SEC. 2. *And be it further enacted,* That the said James White shall receive for his travelling expenses and attendance in Congress, the same

his compensation.

compensation, as is or may be allowed by law, to the members of the House of Representatives of the United States, to be certified and paid in like manner.

APPROVED, December 3, 1794.

STATUTE II.

Dec. 12, 1794.

CHAP. III.—*An Act to amend and explain the twenty-second section of "the act establishing the Judicial Courts of the United States."*

Act of Sep. 24, 1789.

WHEREAS by the twenty-second section of the act entitled "An act to establish the Judicial Courts of the United States," it is provided that "Every justice or judge signing a citation on any writ of error, shall take good and sufficient security that the plaintiff in error shall prosecute his writ to effect, and answer all damages and costs, if he fail to make his plea good." And whereas doubts have arisen as to the extent of the security to be required in certain cases:—

Security to be taken on signing citation on writ of error, &c.

Be it enacted and declared by the Senate and House of Representatives of the United States of America in Congress assembled, That the security to be required and taken on the signing of a citation on any writ of error, which shall not be a supersedeas and stay execution, shall be only to such an amount, as in the opinion of the justice or judge taking the same, shall be sufficient to answer all such costs as, upon an affirmance of the judgment or decree, may be adjudged or decreed to the respondent in error.

APPROVED, December 12, 1794.

STATUTE II.

Dec. 18, 1794.

CHAP. IV.—*An Act authorizing a Loan of two million of Dollars.*

[Expired.]
President of United States to borrow \$2,000,000.

SECTION I. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States be empowered to borrow, on behalf of the United States, any sum not exceeding two million of dollars, at an interest not exceeding five per cent. per annum, reimbursable at the pleasure of the United States, to be applied to such public purposes, as are authorized by law, and to be repaid out of the duties on impost and tonnage, to the end of the year one thousand seven hundred and ninety-five.

Bank of United States may loan said sum.

SEC. 2. *And be it further enacted,* That it shall be lawful for the Bank of the United States, and the said bank hereby is authorized and empowered to loan the said sum, or any part thereof.

APPROVED, December 18, 1794.

STATUTE II.

Dec. 31, 1794.

CHAP. VI.—*An Act making appropriations for the support of the military establishment for the year one thousand seven hundred and ninety-five; and for the expenses of the Militia lately called into the service of the United States.*

[Obsolete.]
Specific appropriations for militia on expedition to western counties of Pennsylvania.

SECTION I. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there be appropriated for the pay, subsistence, forage and other expenses attending the militia in their late expedition to the western counties of Pennsylvania, a sum not exceeding one million, one hundred and twenty-two thousand, five hundred and sixty-nine dollars and one cent; that is to say:—For the pay, subsistence and forage of the general staff, eighteen thousand six hundred and eighty-one dollars and thirty-four cents:—For the pay, subsistence and forage of the militia of New Jersey, eighty-eight thousand, seven hundred and eighteen dollars, and twenty-five cents:—For the pay, subsistence and forage of the militia of Pennsylvania, two hundred and ten thousand, eight hundred and seventy-five dollars and thirty cents:—For the pay, subsistence and forage of the

militia of Maryland, fifty-eight thousand six hundred and sixty dollars and ninety-one cents:—For the pay, subsistence and forage of the militia of Virginia, one hundred and seventy-five thousand and seven dollars and five cents:—For the pay and subsistence of artificers and drivers of ordnance, two thousand seven hundred and thirty-four dollars:—For the pay and subsistence of the cavalry of Virginia, twenty-two thousand three hundred and ninety-seven dollars and sixteen cents:—For clothing, eighty-three thousand one hundred and forty dollars:—For camp equipage, twenty-eight thousand seven hundred and seventeen dollars:—For hospital stores, two thousand seven hundred and seventy dollars:—For military stores, thirty-four thousand one hundred dollars:—For the quartermaster's and paymaster's departments, three hundred and sixty-three thousand six hundred dollars:—For forage for the cavalry, thirty-three thousand one hundred and sixty-eight dollars.

Specific appropriations, &c.

SEC. 2. *And be it further enacted,* That a sum not exceeding five hundred thousand dollars, be appropriated towards defraying the expense of the military establishment, for the year one thousand seven hundred and ninety-five.

for military establishment for 1795.

SEC. 3. *And be it further enacted,* That the several sums of money aforesaid, shall be paid and discharged out of the funds following, to wit:—First, the balance which may remain unexpended, of the sum of six hundred thousand dollars, reserved by the act making provision for the debt of the United States, after satisfying the appropriations made in the present session, for the support of government:—Secondly, the surplus of revenue and income beyond the appropriations heretofore charged thereupon, to the end of the year one thousand seven hundred and ninety-five.

Out of what funds payable.

1790, ch. 34.

APPROVED, December 31, 1794.

STATUTE II.

CHAP. VIII.—*An Act making appropriations for the support of Government for the year one thousand seven hundred and ninety five.*

Jan. 2, 1795.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That for defraying the expenditure of the civil list of the United States, for the year one thousand seven hundred and ninety-five, together with the incidental and contingent expenses of the several departments and offices thereof, there be appropriated a sum of money not exceeding four hundred and thirty-two thousand seven hundred and forty-nine dollars and fifty-three cents; that is to say:

[Obsolete.]

Specific appropriations for support of government for 1795.

For the compensations granted by law to the President and Vice-President of the United States, thirty thousand dollars.

For the like compensations to the members of the Senate and House of Representatives, their officers and attendants, estimated for a session of six months continuance, one hundred and eighty-five thousand eight hundred and ninety dollars.

For the expenses of firewood, stationery, printing work and all other contingent expenses of the two Houses of Congress, nine thousand five hundred dollars.

For the compensations granted by law to the chief justice, associate judges, district judges and attorney-general, forty-three thousand two hundred dollars.

For defraying the expense of clerks of courts, jurors and witnesses, in aid of the fund arising from fines, forfeitures and penalties, twelve thousand dollars.

For defraying the expenses of prosecutions for offences against the United States, and for the safe keeping of prisoners, four thousand dollars.

Specific appropriations for support of government for 1795.

For compensation to the Secretary of State, clerks and persons employed in that department, seven thousand seven hundred and fifty dollars.

For incidental and contingent expenses in the said department, three thousand nine hundred and seventy-one dollars and seventy-nine cents.

For compensation to the Secretary of the Treasury, clerks and persons employed in his office, seven thousand eight hundred and fifty dollars.

For expense of stationery, printing and all other contingent expenses in the office of the Secretary of the Treasury, five hundred dollars.

For compensation to the Comptroller of the Treasury, clerks and persons employed in his office, ten thousand two hundred dollars.

For expense of stationery, printing and all other contingent expenses in the Comptroller's office, eight hundred dollars.

For compensation to the Treasurer, clerks and persons employed in his office, four thousand one hundred dollars.

For expense of firewood, stationery, printing, rent and other contingencies in the Treasurer's office, six hundred dollars.

For compensation to the Auditor of the Treasury, clerks and persons employed in his office, eleven thousand four hundred and fifty dollars.

For expense of stationery, printing and other contingent expenses in the Auditor's office, five hundred dollars.

For compensation to the Commissioner of the Revenue, clerks and persons employed in his office, six thousand one hundred and fifty dollars.

For expense of stationery, printing and other contingent expenses in the office of the Commissioner, four hundred dollars.

For compensation to the Register of the Treasury, clerks and persons employed in his office, fifteen thousand five hundred dollars.

For expense of stationery, printing and all other contingent expenses, in the Register's office (including books for the public stocks) two thousand four hundred dollars.

For the payment of rent for the several houses employed in the Treasury department (except the Treasurer's office) one thousand nine hundred and forty-six dollars, and sixty-eight cents.

For expense of firewood and candles in the several offices of the Treasury department (except the Treasurer's office) one thousand five hundred dollars.

For defraying the expense incident to the stating and printing the public accounts for the year one thousand seven hundred and ninety-five, eight hundred dollars.

For compensations to the several loan officers, thirteen thousand two hundred and fifty dollars.

For compensation to the Secretary of War, clerks and persons employed in his office, eight thousand five hundred and fifty dollars.

For expense of firewood, stationery, printing, rent and other contingent expenses in the office of the Secretary of War, one thousand one hundred and thirty-three dollars, and thirty-three cents.

For compensation to the accountant to the War department, clerks and persons employed in his office, six thousand four hundred and fifty dollars.

For contingent expenses in the office of the accountant to the War department, six hundred dollars.

For compensations to the following officers of the Mint:—The Director, two thousand dollars; the Treasurer, one thousand two hundred dollars; the Assayer, one thousand five hundred dollars; the Chief Coiner, one thousand five hundred dollars; the Engraver, one thousand two hundred dollars; four clerks, at five hundred dollars each, two thousand dollars.

For defraying the expenses of laborers in the different branches of refinery, melting and coining at the mint, five thousand two hundred dollars.

For the pay of mechanics employed in making and repairing machinery for the mint, two thousand six hundred dollars.

Specific appropriations for support of government for 1795

For the purchase of a new coining press, ironmongery, lead, wood, coals, stationery, office furniture, and for other contingencies of the establishment of the mint, five thousand five hundred dollars.

For the purchase of a house and lot for the mint, and of lumber, bricks and other materials for buildings to be erected, and other necessary improvements to be made, including mason's and carpenter's work, cartage and laborers, one thousand nine hundred dollars.

For compensations to the governors, secretaries and judges of the territory northwest, and the territory south of the river Ohio, ten thousand three hundred dollars.

For expenses of stationery, office rent, printing patents for lands, and other contingent expenses in both the said territories, seven hundred dollars.

For the payment of sundry pensions granted by the late government, two thousand and seven dollars, and seventy-three cents.

For the annual allowance to the widow and orphan children of Colonel John Harding, and to the orphan children of Major Alexander Trueman, by the act of Congress of the twenty-seventh of February, one thousand seven hundred and ninety-three, seven hundred and fifty dollars.

1793, ch. 14.

For the annual allowance for the education of Hugh Mercer, son of the late Major General Mercer, by the act of Congress of the second of March, one thousand seven hundred and ninety-three, four hundred dollars.

1793, ch. 28.

For the discharge of such demands against the United States, on account of the civil department, not otherwise provided for, as shall have been ascertained and admitted in due course of settlement at the treasury, and which are of a nature, according to the usage thereof, to require payment in specie, three thousand dollars.

SEC. 2. *And be it further enacted*, That for the maintenance and support of lighthouses, beacons, buoys, public piers, and stakeage of channels, bars and shoals, there shall be appropriated a sum of money, not exceeding twenty thousand dollars; and for making good a deficiency of appropriation for building a lighthouse at Baldhead, there shall be appropriated a sum not exceeding four thousand dollars.

For lighthouses.

SEC. 3. *And be it further enacted*, That for discharging certain miscellaneous claims upon the United States, there shall be appropriated a sum of money not exceeding eight thousand and four dollars, and thirteen cents, that is to say:—For making good, to the Bank of the United States, loss and insurance on shipments of money for, and on account of the United States, and for loss on silver and gold, received from the collectors at Wilmington and Edenton, one thousand four hundred and twelve dollars, and ninety-three cents:—For paying Joseph Stretch, sole administrator of Joseph Wright, deceased, for modelling a likeness, and cutting two dies, in conformity to a resolution of Congress, of the twenty-fourth of September, one thousand seven hundred and seventy-nine, two hundred and thirty-three dollars, and thirty-three cents:—For the payment of a balance due to Arthur St. Clair, pursuant to an act of Congress, of the thirty-first of May, one thousand seven hundred and ninety-four, one thousand and fifty-seven dollars, and eighty-seven cents:—For an allowance to the widow and orphan children of Robert Forsyth, late marshal of the district of Georgia, pursuant to an act of June the seventh, one thousand seven hundred and ninety-four, two thousand dollars:—For defraying the expense of publishing lists of invalid pensioners, in compliance with the resolution of Congress, of the ninth of June, one thousand seven hundred and ninety-four, eight hundred dollars:—For defraying the expense of sundry expresses to and from the

Specific appropriations for miscellaneous claims, &c.

1794, ch. 38.

1794, ch. 56.

Ante, p. 401.

collectors of the revenue, in relation to the embargo, five hundred dollars:—For the discharge of such miscellaneous demands against the United States, other than those on account of the civil department, not otherwise provided for, and which shall have been ascertained and admitted in due course of settlement at the treasury, and which are of a nature, according to the usage thereof, to require payment in specie, two thousand dollars.

Out of what
fund payable.
1790, ch. 34.

SEC. 4. *And be it further enacted*, That the several appropriations, herein before made, shall be paid and discharged out of the fund of six hundred thousand dollars, reserved by the act making provision for the debt of the United States.

APPROVED, January 2, 1795.

STATUTE II.

Jan. 2, 1795.

CHAP. IX.—*An Act to regulate the pay of the non-commissioned officers, musicians and privates of the Militia of the United States, when called into actual service, and for other purposes.*

[Obsolete.]

Monthly pay
of non-commissioned
officers,
&c.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That from and after the passing of this act, the allowance of bounty, clothing and pay to the non-commissioned officers, musicians and privates of the infantry, artillery and cavalry of the militia of the United States, when called into actual service, shall be at the rate per month, as follows:—Each serjeant-major and quartermaster-serjeant, nine dollars; each drum and fife-major, eight dollars and thirty-three cents; each serjeant, eight dollars; each corporal, drummer, fifer and trumpeter, seven dollars and thirty-three cents; each farrier, saddler and artificer (included as a private) eight dollars; each gunner, bombardier and private, six dollars and sixty-six cents.

Certain allow-
ance to the cav-
alry.

SEC. 2. *And be it further enacted*, That in addition to the monthly pay, there shall be allowed to each officer, non-commissioned officer, musician and private of the cavalry, for the use of his horse, arms and accoutrements, and for the risk thereof, except of horses killed in action, forty cents per day; and to each non-commissioned officer, musician and private, twenty-five cents per day, in lieu of rations and forage, when they shall provide the same.

Pay, when to
commence.

SEC. 3. *And be it further enacted*, That whenever the militia shall be called into the actual service of the United States, their pay shall be deemed to commence from the day of their appearing at the places of battalion, regimental or brigade rendezvous; allowing to each non-commissioned officer, musician and private soldier, a day's pay and rations, for every fifteen miles from his home to such place of rendezvous, and the same allowance for travelling home from the place of discharge.

Allowance for
travelling.

Additional pay
to the militia
called forth in
the expedition to
Fort Pitt.

SEC. 4. *And be it further enacted*, That in addition to the pay heretofore authorized by law, there shall be allowed and paid to the non-commissioned officers, musicians and privates of the militia lately called forth into the actual service of the United States, on an expedition to Fort Pitt, such sums as shall, with the pay heretofore by law established, be equal to the allowances respectively provided in the first and second sections of this act. *Provided nevertheless*, That the compensations made by any state, to the militia called forth from such state, shall be deemed to be included in the additional allowance authorized by this act; and such state shall be entitled to receive from the treasury of the United States, such sums as they shall have paid, or allowed to the non-commissioned officers, musicians and privates, over and above the pay heretofore allowed by law, and not exceeding the additional allowance granted by this act.

States to be
reimbursed a
certain sum.

SEC. 5. *And be it further enacted*, That for the completing and better

supporting the military establishment of the United States, as provided by the act, intituled "An act making further and more effectual provision for the protection of the frontiers of the United States," there shall be allowed and paid, from and after the first day of January, one thousand seven hundred and ninety-five, to each non-commissioned officer, musician and private now in service, or hereafter to be enlisted, the additional pay of one dollar per month, during the terms of their respective enlistments; and to each soldier now in the service of the United States, or discharged therefrom, subsequent to the third day of March last, who shall re-enlist after the first day of January next, an additional bounty of eight dollars, making the entire bounty sixteen dollars; and to each person not now in the army of the United States, or discharged, as above, who shall enlist after the said first day of January next, an additional bounty of six dollars, making the entire bounty fourteen dollars: but the payment of four dollars of each additional bounty hereby granted, shall be deferred until the soldier enlisting shall join the regiment or corps, in which he is to serve.

Additional pay of enlisted troops. 1792, ch. 9.

Additional bounty on re-enlistment.

Part of the additional bounty to be deferred.

Increase of rations to those employed in the military service of the U. States on the western frontiers.

SEC. 6. *And be it further enacted*, That to those in the military service of the United States, who are, or shall be employed on the western frontiers, there shall be allowed, during the time of their being so employed, two ounces of flour or bread, and two ounces of beef or pork, in addition to each of their rations, and half a pint of salt, in addition to every hundred of their rations.

APPROVED, January 2, 1795.

STATUTE II.

CHAP. X.—*An Act authorizing the transfer of the Stock standing to the credit of certain States.*

Jan. 2, 1795.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That at any time within two years from the passing of this act, transfers shall and may be authorized, of so much of the stock standing to the credit of any state, pursuant to the report of the commissioners for settling accounts between the United States and individual states, and the act passed thereon, intituled "An act making provision for the payment of the interest on the balances due to certain states, upon a final settlement of the accounts between the United States and the individual states," to creditors of such state, who were such, prior to the first day of July, one thousand seven hundred and ninety-three, as may be necessary to satisfy their respective demands: *Provided*, That no such transfer shall be made but with the consent of the said state and its creditors.

[Obsolete.] Certain stock standing to the credit of a state to be transferred to its creditors.

1794, ch. 37. 1797, ch. 14.

Proviso.

APPROVED, January 2, 1795.

STATUTE II.

CHAP. XI.—*An Act providing for the payment of certain instalments of foreign debts; and of the third instalment due on a loan made of the Bank of the United States.*

Jan. 8, 1795.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he hereby is authorized and empowered to cause any instalments of the foreign debts, which may fall due in the year one thousand seven hundred and ninety-five, and also the third instalment due on a loan made of the Bank of the United States, in pursuance of the eleventh section of the act for incorporating the subscribers to the said bank, to be paid out of the proceeds of any foreign loans heretofore made.

[Obsolete.] Certain instalments of debt how to be paid.

1791, ch. 10.

APPROVED, January 8, 1795.

STATUTE II.

Jan. 28, 1795.

CHAP. XII.—*An Act for reviving certain suits and process which have been discontinued in the District Court of Pennsylvania.*

[Obsolete.]

Certain suits and process revived in the district court of Pennsylvania.

Resolution of March 26, 1794.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all suits and process which were pending in the district court of Pennsylvania, which, by law, ought to have been holden on the third Monday of November last, and which were discontinued by the failure to hold the same; and all suits and process which were commenced for the said court, or returnable thereto; and also all suits and process, which were pending in any special court of the said district, and discontinued by failure to hold the adjournment thereof, on the day appointed, at any time since the last day of July last, be, and they are hereby revived; and hereby day is given to all the suits and process aforesaid, in the district court next by law to be holden in the same district; and the same proceedings may be had at the same last mentioned court, in all the suits and process aforesaid, as by law might have been had at the courts, respectively, in which the same were pending, or to which the same were returnable.

APPROVED, January 28, 1795.

STATUTE II.

Jan. 28, 1795.

CHAP. XIII.—*An Act further extending the time for receiving on loan the Domestic Debt of the United States.*

[Obsolete.]

Time for receiving on loan the domestic debt extended till the 31st December next.

Ante, pp. 281, 338, 370.
1790, ch. 34.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the term for receiving on loan that part of the domestic debt of the United States which has not been subscribed in pursuance of the provisions heretofore made by law for that purpose, be and the same is hereby further extended until the thirty-first day of December next, on the same terms and conditions as are contained in the act, entitled "An act making provision for the debt of the United States." *Provided,* That the books for receiving the said subscriptions shall be opened only at the treasury of the United States.

Non-subscribing creditors of U. States to receive for one year five per cent. on their demands.

1790, ch. 34.

SEC. 2. *And be it further enacted,* That such of the creditors of the United States as have not subscribed and shall not subscribe to the said loan shall nevertheless receive during the year one thousand seven hundred and ninety-five a rate per centum on the amount of such of their demands as have been registered or as shall be registered at the treasury conformable to the directions in the act, entitled "An act making provision for the debt of the United States," equal to the interest which would be payable to them as subscribing creditors.

APPROVED, January 28, 1795.

STATUTE II.

Jan. 28, 1795.

CHAP. XIV.—*An Act for the remission of the tonnage Duties on certain French vessels.*

[Obsolete.]

Certain tonnage remitted.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the duties on the tonnage of sundry shallops and small schooners, lately employed to convey to Boston, a number of French citizens, late inhabitants of Saint Petre and Miquelon, from Halifax and Shelburne in Nova Scotia, where they had been sent prisoners by the British, during the present war, be, and the same are hereby remitted.

APPROVED, January 28, 1795.

STATUTE II.
Jan. 29, 1795.

CHAP. XVII.—*An Act supplementary to the several acts imposing duties on goods, wares and merchandise imported into the United States.*

[Obsolete.]

WHEREAS difficulties have arisen in ascertaining the duties on certain articles imported into the United States, and further provisions for securing the collection of the impost duties, are found necessary :

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in lieu of the present duties, there shall be levied, collected and paid upon all printing types which, after the last day of March next, shall be imported into the United States, in ships or vessels of the United States, at the rate of ten per cent., and upon all girandoles, at the rate of twenty per cent. ad valorem; that after the said last day of March next, the present duties payable upon clayed sugars, shall cease, and there shall be paid upon all white clayed or white powdered sugars, three cents per pound, and upon all other clayed or powdered sugars, one and a half cent per pound; upon Malaga wine, twenty cents; upon burgundy and champaign, forty cents per gallon.

New duty placed on specific articles.

SEC. 2. *And be it further enacted,* That after the said last day of March, teas, commonly called imperial, gunpowder or gomee, shall pay the same duties as hyson teas: and where any entire article is, by any law of the United States, made subject to the payment of duties, the parts thereof, when imported separately, shall be subject to the payment of the same rate of duties.

Duty on tea.

Part of an article to pay proportionably to the whole.

SEC. 3. *And be it further enacted,* That after the said last day of March, the valuation of all goods, wares and merchandise, subject to the payment of duties ad valorem, shall be made upon the actual cost at the place of exportation, including all charges (commissions, outside packages and insurance only excepted), that the duty on any wines imported into the United States shall not be less than ten cents per gallon, and that bottles, in which any liquor is imported, shall be subject to the payment of the like duty as empty bottles.

Duties ad val. to be estimated at the place of exportation.

SEC. 4. *And be it further enacted,* That the duties upon all goods, wares and merchandise imported into the United States, after the said last day of March, (where the sum payable by one person or copartnership shall amount to more than fifty dollars,) shall be payable upon all articles, the produce of the West Indies (salt excepted), the one half in three, and the other half in six calendar months; and on all goods, wares and merchandise imported from Europe, (wines, salt and teas excepted,) one third in eight months, one third in ten months, and the remaining third in twelve months, from the time of each respective importation.

Duties above fifty dollars how to be paid.

1799, ch. 22.

SEC. 5. *And be it further enacted,* That in respect to the aforesaid duties, and the duties heretofore imposed on goods, wares and merchandise imported into the United States, there shall be an addition of ten per cent. to the several rates of duties, when imported in ships or vessels not of the United States: except in cases, where such additional duty has been before specially laid on any goods, wares or merchandise imported in such ships or vessels.

Additional duty on foreign vessels.

SEC. 6. *And be it further enacted,* That the duties aforesaid shall be collected in like manner, and under the same regulations, restrictions and provisions, and subject to the like appropriations, as goods, wares and merchandise imported into the United States are now subject to.

Duty how to be collected and appropriated.

APPROVED, January 29, 1795.

STATUTE II.
Jan. 29, 1795.

CHAP. XVIII.—*An Act making further provision in cases of Drawbacks.*

WHEREAS the allowance of drawbacks on goods, wares and merchandise imported into the United States is now limited to such as are ex-

1799, ch. 22.

Repealed by Act of March 2, 1799, ch. 22.

Drawbacks in other districts than those into which the goods were imported.

Proviso.

Manner of receiving certificate to entitle exporter to drawback.

Certain articles may have their packages filled up or changed.

Entry and examination necessary.

Debenture for drawback how and when to be paid.

ported from districts into which the same are imported, and great loss and inconvenience are experienced from such limitation, and further provision, in respect to goods, wares or merchandise entitled to drawback, is deemed necessary :

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That after the last day of March next, any goods, wares and merchandise imported into the United States, may be exported from any of the ports at which ships and vessels from the Cape of Good Hope, or from any place beyond the same, are admitted to make entry, and entitled to the same drawback of the duties, as goods, wares and merchandise exported from the districts into which they are imported, are now entitled to: *Provided nevertheless,* That such goods, wares and merchandise shall not be entitled to such drawback, unless they shall be accompanied by a certificate from the collector of the district into which they were imported, specifying the marks, numbers and descriptions of the casks or packages, with the names of the master and vessel in which, the time when, and the place from whence they were imported; and where the articles pay duties by weight or measure, the quantity in each; and in all cases, the amount of the duties paid or secured thereon.

SEC. 2. *And be it further enacted,* That in order to entitle any person to such certificate, he or they shall make out an entry of all such goods, wares and merchandise, specifying the marks, numbers and descriptions of the casks or packages and their contents, the names of the master and vessel in which, the time when, and the place from which they were imported; the names of the master and vessel in which they are intended to be laden, and the district in the United States to which they are destined; and shall moreover make oath or affirmation to the truth of such entry; which requisites being complied with, and the collector satisfied with the truth thereof, he shall grant such certificate, and such goods, wares and merchandise shall be entered with the collector of the district, into which they shall be brought from the place of their importation, previous to the landing or unloading thereof.

SEC. 3. *And be it further enacted,* That after the last day of March next, it shall be lawful for the importer or exporter of any liquors in casks, coffee in casks or other packages, or any unrefined sugars, to fill up the casks or packages, out of other casks or packages included in the original importation, or into new casks or packages, in case the original cask or package shall be so injured, as to be rendered unfit for exportation, and under the inspection of the inspector of the port, from which such liquors, coffee or unrefined sugars are intended to be exported.

SEC. 4. *And be it further enacted,* That when any goods, wares or merchandise entitled to drawback, shall be entered for exportation, from any other district than the one into which they were imported, the person intending to export the same, besides producing the certificate herein before directed, shall make an entry, in like manner, and the goods, wares and merchandise therein expressed shall undergo the same examination, as is by law required, relative to goods, wares and merchandise entitled to drawback, and intended to be exported from the place of original importation.

SEC. 5. *And be it further enacted,* That for all goods, wares and merchandise entitled to drawback, which, after the last day of March next, shall be exported from the district into which they were originally imported, the exporter or exporters shall be entitled to receive from the collector of such district, a debenture or debentures for the amount of the drawback, to which such goods, wares or merchandise are entitled, payable at the same time or times respectively, on which the duties on the said goods, wares or merchandise shall become due, except the same, or any part thereof has been paid, or shall become payable in less

than three months; in which case, such debenture shall be payable in three months: and it shall be the duty of the said collectors to discharge such debentures, at the time they become due, out of any public money in their hands. And where goods, wares and merchandise are exported from any other district, than the one into which they were imported, it shall be the duty of the collector of such district, to grant to the exporter, a certificate expressing that such goods, wares and merchandise were exported from his district, with the marks, numbers and description of the packages and their contents, the name of the vessel on which they were laden, the name of the commander, and the port for which they were cleared out, and the amount of the drawback, to which they are entitled. And such certificate shall entitle the possessor thereof, to receive from the collector of the district, with whom the duties on the said goods, wares and merchandise were paid or secured, a debenture or debentures for the drawback expressed in the said certificates, payable at the same time, and in like manner, as is herein directed for debentures on goods, wares and merchandise exported from the place of their first importation: *Provided nevertheless*, That the collector aforesaid may refuse to grant such debenture or debentures, in case it shall appear to him, that any error has arisen, or any fraud has been committed; and in case of such refusal, if the debenture or debentures claimed shall exceed one hundred dollars, it shall be his duty to represent the case to the Comptroller of the Treasury, who shall determine, whether such debenture or debentures shall be granted or not: *And provided always*, That in no case of an exportation by the original importer, shall a drawback be paid, until the duties on the importation thereof shall have been first received.

SEC. 6. *And be it further enacted*, That before the receipt of any such debenture, in case of exportation from the district of original importation, and in case of exportation from any other district, before the receipt of any such certificate, the person applying for the same shall give bond with one or more sureties, to the satisfaction of the collector who is to grant the debenture, or the certificate, as the case may be, in a sum equal to double the amount of the sum, for which such debenture or certificate is granted, conditioned to produce to such collector, like proof and certificates of the delivery of such goods, wares or merchandise, at some place without the United States, as are now required by law for obtaining the drawback on exportation, within one year, in case such goods have been shipped to any part of Europe or America, and within two years, if to any part of Asia or Africa: *Provided nevertheless*, That when it shall be made appear to the satisfaction of the collector, to whom such certificates are directed to be returned, that such certificates could not be obtained, the exporter or exporters shall be permitted to offer such other testimony, as to the landing or loss of the goods, wares and merchandise, as he may have; which proof shall be referred to the Comptroller of the Treasury, who shall have power and authority to admit the same, if he shall deem it satisfactory, and to direct the collector to cancel the bond accordingly.

SEC. 7. *And be it further enacted*, That so much of the act, intitled "An act to provide more effectually for the collection of the duties imposed by law on goods, wares and merchandise imported into the United States, and on the tonnage of ships or vessels," as extends the credits on bonds given for duties on account of the drawback on goods exported, shall, after the said last day of March next, be repealed: *Provided*, That nothing herein contained shall be construed to extend to any allowance made upon goods, wares and merchandise imported before the said last day of March next.

APPROVED, January 29, 1795.

When goods are exported from a district, other than that into which they were imported, certain certificate to be granted;

which shall entitle to debenture.

Proviso.

No drawback to be paid before duties are received.

Bond to be given to produce certificate of exportation within a limited time.

Proviso.

Part of former act repealed.

1790, ch. 35.

Proviso.

STATUTE II.

Jan. 29, 1795.

[Obsolete.]

Augmentation of bounty rendered more general.

1795, ch. 9.

CHAP. XIX.—*An Act in addition to the act entitled "An act to regulate the pay of the non-commissioned officers, musicians and privates of the Militia of the United States, when called into actual service, and for other purposes."*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the augmentation of bounty authorized by the fifth section of the act, entitled "An act to regulate the pay of the non-commissioned officers, musicians and privates of the militia of the United States, when called into actual service, and for other purposes," shall be allowed and paid to such recruits as shall have enlisted after the passing of the said act, or as shall hereafter enlist, in like manner as is by the said act provided in cases of enlistment after the first day of January next.

APPROVED, January 29, 1795.

STATUTE II.

Jan. 29, 1795.

Act of March 26, 1790, ch. 3.

Repealed by Act of April 14, 1802, ch. 28.

How an alien may become a citizen.

To express his desire of becoming a citizen, and to renounce his former allegiance.

To have certain residence.

To be sworn or affirmed to support the constitution.

To renounce former allegiance.

Court to be satisfied of certain things.

To renounce title, &c.

CHAP. XX.—*An Act to establish an uniform rule of Naturalization; and to repeal the act heretofore passed on that subject.*(a)

FOR carrying into complete effect, the power given by the constitution, to establish an uniform rule of naturalization throughout the United States:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any alien, being a free white person, may be admitted to become a citizen of the United States, or any of them, on the following conditions, and not otherwise:—

First. He shall have declared on oath or affirmation, before the supreme, superior, district or circuit court of some one of the states, or of the territories northwest or south of the river Ohio, or a circuit or district court of the United States, three years, at least, before his admission, that it was bona fide, his intention to become a citizen of the United States, and to renounce forever all allegiance and fidelity to any foreign prince, potentate, state or sovereignty whatever, and particularly, by name, the prince, potentate, state or sovereignty whereof such alien may, at the time, be a citizen or subject.

Secondly. He shall, at the time of his application to be admitted, declare on oath or affirmation, before some one of the courts aforesaid, that he has resided within the United States, five years at least, and within the state or territory, where such court is at the time held, one year at least; that he will support the constitution of the United States; and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatever, and particularly by name, the prince, potentate, state or sovereignty, whereof he was before a citizen or subject; which proceedings shall be recorded by the clerk of the court.

Thirdly. The court admitting such alien, shall be satisfied that he has resided within the limits and under the jurisdiction of the United States five years; and it shall further appear to their satisfaction, that during that time, he has behaved as a man of a good moral character, attached to the principles of the constitution of the United States, and well disposed to the good order and happiness of the same.

Fourthly. In case the alien applying to be admitted to citizenship shall have borne any hereditary title, or been of any of the orders of nobility, in the kingdom or state from which he came, he shall, in addition to the above requisites, make an express renunciation of his title or order of nobility, in the court to which his application shall be made; which renunciation shall be recorded in the said court.

(a) See note to act of March 26, 1790, chap. 3.

SEC. 2. *Provided always, and be it further enacted,* That any alien now residing within the limits and under the jurisdiction of the United States, may be admitted to become a citizen, on his declaring on oath or affirmation, in some one of the courts aforesaid, that he has resided two years, at least, within and under the jurisdiction of the same, and one year, at least, within the state or territory where such court is at the time held; that he will support the constitution of the United States; and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state or sovereignty whatever, and particularly by name, the prince, potentate, state or sovereignty, whereof he was before a citizen or subject; and moreover on its appearing to the satisfaction of the court, that during the said term of two years, he has behaved as a man of good moral character, attached to the constitution of the United States, and well disposed to the good order and happiness of the same; and, where the alien applying for admission to citizenship, shall have borne any hereditary title, or been of any of the orders of nobility in the kingdom or state from which he came, on his moreover making in the court an express renunciation of his title or order of nobility, before he shall be entitled to such admission; all of which proceedings, required in this proviso to be performed in the court, shall be recorded by the clerk thereof.

How an alien now resident in the U. States shall become a citizen.

SEC. 3. *And be it further enacted,* That the children of persons duly naturalized, dwelling within the United States, and being under the age of twenty-one years, at the time of such naturalization; and the children of citizens of the United States, born out of the limits and jurisdiction of the United States, shall be considered as citizens of the United States: *Provided,* That the right of citizenship shall not descend to persons, whose fathers have never been resident in the United States: *Provided also,* That no person heretofore proscribed by any state, or who has been legally convicted of having joined the army of Great Britain, during the late war, shall be admitted a citizen as aforesaid, without the consent of the legislature of the state, in which such person was proscribed.

How children shall obtain citizenship through their parents.

SEC. 4. *And be it further enacted,* That the act intitled "An act to establish a uniform rule of naturalization," passed the twenty-sixth day of March, one thousand seven hundred and ninety, be, and the same is hereby repealed.

Former act repealed.
1790, ch. 3.

APPROVED, January 29, 1795.

STATUTE II.

CHAP. XXI.—*An Act to amend the act intitled "An act making alterations in the Treasury and War departments."*(a)

Feb. 13, 1795.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in case of vacancy in the office of Secretary of State, Secretary of the Treasury, or of the Secretary of the department of War, or of any officer of either of the said departments, whose appointment is not in the head thereof, whereby they cannot perform the duties of their said respective offices; it shall be lawful for the President of the United States, in case he shall think it necessary, to authorize any person or persons, at his discretion, to perform the duties of the said respective offices, until a successor be appointed, or such vacancy be filled: *Provided,* That no one vacancy shall be supplied, in manner aforesaid, for a longer term than six months.

Act of May 8, 1792, ch. 37.
[Obsolete.]
In case of vacancy in the departments, President to fill them.

Proviso.

APPROVED, February 13, 1795.

(a) See note to act of May 8, 1792, chap. 37.

STATUTE II.

Feb. 13, 1795.

[Obsolete.]
Permit for ex-
portation to be
granted.

Collector of
Newbern.

1795, ch. 18.

CHAP. XXII.—*An Act to authorize the allowance of drawback on part of the cargo of the ship Enterprise.*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the collector of the district of Pennsylvania be, and he hereby is authorized and directed to grant permits for the exportation of that part of the cargo of the ship Enterprise, Herbert Jones, commander, which has been imported in the said ship, and in the schooner Delight, John Cannon, commander, from Newbern in North Carolina, under the same regulations and restrictions, as if the same had been imported into the district of Pennsylvania, from any foreign port or place.

SEC. 2. *And be it further enacted,* That the collector of the district of Newbern be authorized to grant a debenture or debentures for the drawback of the said duties, in like manner, and under the same regulations, as are provided by the act, intitled "An act making further provision in cases of drawbacks," for goods, wares or merchandise exported from the United States, after the last day of March next.

APPROVED, February 13, 1795.

STATUTE II.

Feb. 14, 1795.

Act of March
2, 1799, ch. 22.
[Obsolete.]
Specific al-
lowance to col-
lectors, &c.

CHAP. XXIII.—*An Act relative to the compensations of certain officers employed in the collection of the duties of impost and tonnage.*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in lieu of the commissions heretofore by law established, there shall be allowed to the collectors of the duties of impost and tonnage, on all monies by them respectively received on account of the duties aforesaid arising on tonnage, and on goods, wares and merchandise imported after the last day of March next, as follows, to wit :

To the collectors of the districts of Pennsylvania and New York, three tenths of one per cent :

To the collector of the district of Boston and Charlestown, and to the collector of the district of Baltimore, five eighths of one per cent :

To the collectors of the districts of Salem and Norfolk, seven eighths of one per cent :

To the collectors of the districts of Alexandria, Charleston and Savannah, one per cent :

To the collector of the district of Newburyport, one and a quarter per cent.

To the collectors of the districts of Portsmouth, Portland, Newport, Providence, New Haven and Tappahannock, one and a half per cent :

And to the collectors of the districts of Vermont, Champlain, Gloucester, Marblehead, Plymouth, Barnstable, Nantucket, Edgar Town, New Bedford, Dighton, York, Biddeford, Bath, Wiscasset, Penobscot, Frenchman's Bay, Machias, Passamaquoddy, New London, Fairfield, Sagg Harbor, Perth Amboy, Burlington, Bridgetown, Great Egg Harbor, Wilmington in Delaware, Chester, Oxford, Vienna, Snowhill, Annapolis, Nottingham, Cedar Point, Georgetown in Maryland, Bermuda Hundred, Hampton, York Town, Yeocomico, Dumfries, Foley Landing, Cherrystone, South Quay, Kentucky, Wilmington in North Carolina, Newbern, Washington, Edenton, Cambden, Georgetown in South Carolina, Beaufort, Sunbury, Brunswick, Saint Mary's, and Hardwich, two per cent.

SEC. 2. *And be it further enacted,* That from and after the last day of March next, in lieu of the annual allowances heretofore established by law, there shall be yearly allowed to the following officers, the sums following, to wit :

To the collectors of the districts of Annapolis, Chester, South Quay, Yeocomico, Wilmington in North Carolina, Cedar Point and Washington, the sum of two hundred dollars each :

Specific allowance to collectors, surveyors, &c.

To the collectors of the districts of York, Passamaquoddy, Oxford, Vienna, Nottingham, Hampton, York Town, Dumfries, Foley Landing, Cherrystone, Beaufort, Saint Mary's, Brunswick and Hardwich, the sum of one hundred and fifty dollars each :

To the collector of the district of Perth Amboy, one hundred and twenty dollars :

To the collectors of the districts of Portsmouth, Vermont, Champlain, Gloucester, Plymouth, Barnstable, Nantucket, Edgartown, New Bedford, Biddeford, Penobscot, Frenchman's Bay, Machias, Newport, Fairfield, Burlington, Bridgetown, Great Egg Harbor, Wilmington in Delaware, Snowhill, Kentucky, Bermuda Hundred, Cambden, Georgetown in South Carolina, and Sunbury, the sum of one hundred dollars each :

To the collectors of the districts of Marblehead, Bath, Wiscasset, New Haven and Georgetown in Maryland, the sum of fifty dollars each :

To the naval officer of the district of Portsmouth, the sum of one hundred and fifty dollars :

To the naval officers of the districts of Newburyport, Salem, Newport, Providence, Wilmington in North Carolina, and Savannah, the sum of one hundred dollars each :

To the surveyor of the port of Salem, two hundred dollars :

To the surveyors of Portsmouth, Newburyport, Bristol, Warren, East Greenwich, Saint Mary's, Suffolk, Smithfield, Richmond, Petersburg, Fredericksburg, Wilmington, Beaufort, and Swansborough, the sum of one hundred and fifty dollars each :

To the surveyors of Newport and Providence, one hundred and thirty dollars each :

To the surveyors of Gloucester, Beverly, New Haven, Middletown, Albany, Hudson, Little Egg Harbor, and Lewellensburg, one hundred and twenty dollars each :

And to the surveyors of Ipswich, Portland, North Kingston, Pawhackett, Patuxet, New London, Stonington, Town Creek, Bermuda Hundred, Westpoint, Urbanna, Portroyal, Alexandria, Windsor, Hertford, Plymouth, Skewarky, Murfreesborough, Bennet's Creek, Winton, Nixonton, Newbiggen Creek, Pasquotank River, Indian Town, Currituck Inlet, Savannah, and New Brunswick in New Jersey, the sum of one hundred dollars each.

SEC. 3. *And be it further enacted*, That from and after the last day of March next, in lieu of the sum heretofore established by law, there shall be paid to each inspector, for every day he shall be actually employed in aid of the customs, a sum not exceeding one dollar and sixty-six cents; and that instead of the sum heretofore established by law, to be paid for the weighing of every one hundred and twelve pounds, in the districts of Pennsylvania, New York, Boston, Baltimore and Norfolk there shall be paid one cent and a half.

Allowance to inspector; and for weighing.

SEC. 4. *And be it further enacted*, That from and after the last day of March next, it shall be the duty of the several collectors, naval officers and surveyors, to keep accurate accounts of their official emoluments and expenditures, and the same to transmit, annually, on the last day of December, to the Comptroller of the Treasury, who shall annually lay an abstract of the same before Congress.

Collectors, naval officers, and surveyors to keep and transmit accounts.

APPROVED, February 14, 1795.

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STATUTE II.

Feb. 21, 1795.

[Obsolete.]

Right to pension, when to commence.

1793, ch. 17.

No arrears.

Pension how long to continue.

Officers to return commutation.

CHAP. XXIV.—*An Act supplementary to the act concerning Invalids.*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the right, any person now has, or may hereafter acquire, to receive a pension, by virtue of the act passed on the twenty-eighth day of February, one thousand seven hundred and ninety-three, intituled "An act to regulate the claims to invalid pensions," be considered to commence at the time of completing his testimony before the district judge, or commissioners, pursuant to the said act: And nothing shall be allowed to any invalid of the description aforesaid, by way of arrear of pension, antecedent to the date of his completing his testimony as aforesaid: And the pensions allowed under the said act shall be continued to the respective pensioners, during the continuance of their disability.

SEC. 2. *And be it further enacted,* That no commissioned officer, who has received commutation of half pay, shall be paid a pension, as an invalid, until he shall return his commutation into the treasury of the United States; except where special provision has been made, in particular cases, for allowing pensions on the return only of certain portions of the commutation.

APPROVED, February 21, 1795.

STATUTE II.

Feb. 21, 1795.

[Obsolete.]

Bank of U. States authorized to lend.

1794, ch. 7.

Surplus of certain revenues appropriated.

CHAP. XXV.—*An Act for the reimbursement of a Loan authorized by an Act of the last Session of Congress.*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Bank of the United States be, and the same is hereby authorized to lend to the United States, the whole, or any part of the sum of eight hundred thousand dollars (remaining unapplied) in pursuance of the authority granted to borrow one million of dollars, by the act, intituled "An act making further provision for the expenses attending the intercourse of the United States with foreign nations; and further to continue in force the act, intituled "An act providing the means of intercourse between the United States and foreign nations.

SEC. 2. *And be it further enacted,* That after reserving such sums as may be sufficient to satisfy prior appropriations, there be further appropriated, in aid of the provision heretofore made, out of the proceeds of the duties which have arisen, or may arise upon carriages for the conveyance of persons; upon licenses for selling wines and foreign distilled spirituous liquors by retail; upon snuff and refined sugar; and upon property sold at auction; which were imposed by acts passed during the last session, and which may be further continued, the present session of Congress, or from the proceeds of such duties or revenues as may be established in lieu thereof, a sum sufficient to the reimbursement, before the year one thousand eight hundred and one, of any loan or loans, which have been, or which may hereafter be made, in virtue of the act aforesaid: And that the faith of the United States be, and the same is hereby pledged, to make good any deficiency of the said duties.

APPROVED, February 21, 1795.

STATUTE II.

Feb. 21, 1795.

Lighthouse near the entrance of Georgetown harbor.

CHAP. XXVI.—*An Act authorizing the erection of a Lighthouse near the entrance of Georgetown Harbor, in the State of South Carolina.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby required to cause to be erected, as soon may be, a lighthouse near the entrance of the harbor of Georgetown, in the state of South Carolina, at such place, when ceded to the United

States, as shall be most convenient for the navigation thereof; and that a sum not exceeding five thousand dollars, be appropriated for the same, out of any monies not otherwise appropriated: And that a sum not exceeding one thousand dollars, be appropriated for placing buoys on certain shoals in Cape Fear river, below the town of Wilmington, in the state of North Carolina.

APPROVED, February 21, 1795.

Buoys in Cape Fear river.

STATUTE II.

CHAP. XXVII.—*An Act to establish the Office of Purveyor of Public Supplies.*

Feb. 23, 1795.

SECTION I. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be in the department of the treasury, an officer to be denominated, "Purveyor of Public Supplies," whose duty it shall be, under the direction and supervision of the Secretary of the Treasury, to conduct the procuring and providing of all arms, military and naval stores, provisions, clothing, Indian goods, and generally all articles of supply, requisite for the service of the United States, and whose compensation shall be, a salary of two thousand dollars per annum. And all letters to and from the said officer shall be received and conveyed by post free of postage.

[Obsolete.]
Purveyor of public supplies to be appointed. His duty, &c. Abolished by act of 1812, ch. 46. 1798, ch. 85, sec. 4, 5. Letters free.

SEC. 2. *And be it further enacted,* That the said officer shall not directly or indirectly, be concerned, or interested, in carrying on the business of trade or commerce, or be owner in whole or in part, of any sea vessel, or purchase by himself, or another in trust for him, public lands, or any other public property, or be concerned in the purchase or disposal of any public securities of any state, or of the United States, or take, or apply to his own use, any emolument or gain, for negotiating or transacting any business in the said department, other than what shall be allowed by law; and if he shall offend against any of the prohibitions of this act, he shall upon conviction, forfeit to the United States, the penalty of three thousand dollars, and may be imprisoned for a term not exceeding five years, and shall be removed from office, and be forever thereafter incapable of holding any office under the United States.

His disqualifications.

SEC. 3. *And be it further enacted,* That the said officer shall, before he enters on the duties of his office, give bond with sufficient sureties, to be approved by the Secretary of the Treasury, and Comptroller, in the sum of twenty thousand dollars, payable to the United States, with condition for the faithful performance of the duties of his said office; which bond shall be lodged in the office of the Comptroller.

Penalty.

To give bond.

APPROVED, February 23, 1795.

STATUTE II.

CHAP. XXVIII.—*An Act to continue in force the Act "for ascertaining the fees in admiralty proceedings in the District Courts of the United States, and for other purposes."*

Feb. 25, 1795.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act, intituled "An act to ascertain the fees in admiralty proceedings in the district courts of the United States, and for other purposes," be, and is hereby continued in force, for the term of one year from the passing of this act, and from thence to the end of the next session of Congress, and no longer.

[Expired.]
Act continued one year, &c. 1793, ch. 20.

APPROVED, February 25, 1795.

STATUTE II.

CHAP. XXX.—*An Act to amend the act entitled "An act to establish the Post-Office and Post Roads within the United States."*

Feb. 25, 1795.

SECTION I. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the fol-

Post roads designated.

Post roads designated.

lowing be, and are hereby established, as post roads, namely:—From Pittstown in the district of Maine, to Wiscasset; and from Hallowell in the said district, to Norridgeworth: From Dover in New Hampshire through Berwick, to Waterborough Courthouse, and from thence to Kennebunk: From Portsmouth, through Dover, Rochester and Moultonborough, to Plymouth; and from Plymouth to Portsmouth, by New Hampton, Meredith, Gilmantown, Nottingham and Durham; the post to go and return on the said route alternately: From Fishkill by Newburgh and New Windsor to Goshen: From Cooperstown by Butternutt creek and Oxford Academy to Uniontown: From Pipers on the post road from Philadelphia to Bethlehem by Alexandria to Pittston in New Jersey: From Brownsville in Pennsylvania, to the town of Washington: From Reading, by Sunbury, and the town of Northumberland, to Lewisburg, commonly called Derstown, on the Susquehanna: From Bethlehem to Wilksburgh in the county of Luzerne: From Yorktown, through Abbottstown, and Gettysburg, to Hagerstown in Maryland; and from Hagerstown, through Williamsport, to Martinsburg in Virginia: From Annapolis, by Lower Marlborough, to Calvert Courthouse, and from thence to Saint Leonard's creek: From Bladensburg in Maryland through Upper Marlborough to Nottingham and from thence to the town of Benedict: From Belle-Air in Harford county, Maryland, to the Black Horse, on the York and Baltimore road: From Gloucester Courthouse, in Virginia, to Yorktown: From Powhatan Courthouse, to Cartersville: From Charlottesville, by Warren, Warminsten, Newmarket, Amherst Courthouse, Cabellsburg, and Madison to Lynchburg: From Winchester, through Romney, to Moorfields: From Charlotte in North Carolina, by Lancaster Courthouse, to Cambden in South Carolina; and from Charlotte, to Lincolnton: From Beardstown in Kentucky, to Nashville in the territory south of the river Ohio.

Certain post road altered.

Postmaster may discontinue certain roads.

May alter others.
Repealed 1810, ch. 30.

SEC. 2. *And be it further enacted*, That instead of the road from Fayetteville, by Lumberton to Cheraw Courthouse, the route of the post shall hereafter be on the most direct road from Fayetteville to Cheraw Courthouse: and that the Postmaster General shall have authority to discontinue the post road from Lumberton to Cheraw Courthouse, and from Hagerstown to Sharpsburg in Maryland. That if, in the opinion of the Postmaster General, an alteration in the post road from Cumberland in Maryland, to Morgantown in Virginia, and from thence, by Uniontown in Pennsylvania, to Brownsville on the Monongahela, could be made more conducive to the public interest, than the present route, yet so as to afford the same accomodation to the said places, he shall be authorized, with the consent of the present contractor for carrying the mail, to make such alteration.

APPROVED, February 25, 1795.

STATUTE II.

Feb. 26, 1795.

[Repealed.]

Penalty on hindering officer of the revenue from going on board a vessel.
1790, ch. 35.
1799, ch. 22.

CHAP. XXXI.—*An Act supplementary to the act, intituled "An act to provide more effectually for the collection of the Duties on goods, wares and merchandise imported into the United States, and on the tonnage of ships or vessels."*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That if the master or commander of any ship or vessel, coming into, or arriving at any port or place, within the United States, shall obstruct or hinder, or shall cause any obstruction or hindrance, with such an intent, to any officer of the revenue, in going on board such ship or vessel for the purpose of carrying into effect any of the revenue laws of the United States, he shall forfeit a sum not exceeding five hundred, nor less than fifty dollars.

SEC. 2. *And be it further enacted*, That in all actions, suits or informations to be brought, where any seizure shall be made, for any breach

of the revenue laws of the United States, the burthen of proof shall lie on the claimant only, where probable cause is shown for such prosecution, to be judged of by the court, before whom the prosecution is had.

SEC. 3. *And be it further enacted*, That in all cases, in which suits or prosecutions shall be commenced for the recovery of pecuniary penalties prescribed by the laws of the United States, the person or persons, against whom process may be issued, shall be held to special bail, subject to the rules and regulations, which prevail in civil suits, in which special bail is required.

SEC. 4. *And be it further enacted*, That from and after the last day of May next, there shall be established the following new districts and ports of delivery, to wit: In the state of New York, a district to be called the district of Hudson; which shall include the city of Hudson, and all the waters and shores northward of the said city on Hudson river, and the town of Catskill below the said city; and the said city of Hudson shall be the sole port of entry for the said district; to which shall be annexed the towns or landing-places of Catskill, Kinderhook and Albany, as ports of delivery only; and the collector for the said district shall reside at Hudson, and a surveyor to reside at Hudson, and another, at Albany, as is now by law established:—In the state of Connecticut, a district, to be called the district of Middletown; which shall include the several towns and landing-places of Lyme, Saybrook, Killingsworth, Haddam, East Haddam, Middletown, Chatham, Weathersfield, Glastenbury, Hartford, East Hartford, Windsor and East Windsor; of which, Middletown shall be the sole port of entry, and the other towns and landing-places before-named shall be ports of delivery only: and the collector shall reside at Middletown, and there shall be two other surveyors appointed within the said district, one to reside at Hartford, and the other at Saybrook:—In the state of Massachusetts, a district to be called the district of Waldoborough, and a collector for the district shall reside at Waldoborough, which shall be the sole port of entry; and to which district shall be annexed the towns of Bristol, Nobleborough, Warren, Thomaston, Cushing and Cambden; also a place, called Ducktrap, as ports of delivery only; and there shall be a surveyor to reside at Thomaston; and all the shores and waters from the middle of Damarascotty river to Ducktrap, shall be comprehended within the said district of Waldoborough. And in the district of Portland and Falmouth, Freeport and Harpswell; and also in the district of Bath, the towns of Georgetown and Brunswick shall be ports of delivery only:—And the collectors to be appointed in conformity with this act shall each become bound in the sum of four thousand dollars, and each surveyor, in the sum of one thousand dollars, in manner, as is by law provided in like cases. And the same duties, authorities and fees of office, with a similar distribution thereof, shall appertain to those appointments, as are now, in like cases, authorized by law. And the collectors aforesaid shall each receive the same per centage on the amount of all monies by them respectively received for duties, together with the same yearly allowance, as is allowed by law to the collector of the district of Fairfield; and each of the surveyors in the districts aforesaid shall receive the same yearly allowance, as is, or may be allowed, by law, to the surveyor of the district of New Haven.

SEC. 5. *And be it further enacted*, That the master or commander of any ship or vessel, bound from a foreign port or place, to the district of Hudson, or to the district of Bermuda Hundred and City Point, shall, if bound to the former, first come to, with his ship or vessel, at the city of New York, and if to the latter, after the last day of September next, at Hampton Road or Sewell's Point, and there make report to the collector of New York, or of Norfolk and Portsmouth, or to the collector of the port of Hampton, as the case may be, and take on board an inspector of the customs, before he shall proceed to the district of Hud-

Burden of proof in suit for breach of revenue laws to lie on claimant. Special bail to be given in suits for penalties on such breaches.

Certain new districts and ports of delivery established.

Collectors to give bond, &c.

Surveyors.

Masters of vessels bound to certain ports, how to conduct themselves.

- son, or to the district of Bermuda Hundred and City Point: and if bound to any port on Connecticut river, shall take an inspector on board, at Saybrook, before proceeding to such port. And if any master or commander shall neglect or refuse to comply with the duty hereby enjoined, or which is enjoined in the third section of the act, intituled "An act to provide more effectually for the collection of the duties imposed by law on goods, wares and merchandise imported into the United States, and on the tonnage of ships or vessels," he shall forfeit a sum not more than five hundred, and not less than fifty dollars: *Provided, however,* That from and after the last day of May next, the restrictions contained in the said third section shall not extend to, and be considered, as affecting, the several ports or places included within the district of Middletown; also the ports of North Yarmouth, Freeport and Harpswell in the district of Portland and Falmouth, or the ports of Georgetown and Brunswick in the district of Bath.
- Penalty.**
- 1790, ch. 35.
- 3d section of certain law not to extend to certain ports.
- Limits of the district of Hampton, for James River.
- The part of goods forfeited belonging to the United States applied to pay costs, if under a certain value.
- When agent enters goods penalty of bond to be increased.
- New article in the condition of the bond.
- In case duties are paid, security is to be given.
- How bonds, given for goods on which drawback is payable, shall be discharged.
- Certificate from consignee.
- SEC. 6.** *And be it further enacted,* That the district of Hampton for James river shall only extend up to the east side of Chickahomony river: and from thence upwards to Richmond on the north side shall be annexed to the district of Bermuda Hundred and City Point, which district shall extend down James river on the south side to Hood's.
- SEC. 7.** *And be it further enacted,* That whenever a seizure, condemnation and sale of goods, wares and merchandise shall hereafter take place, in the United States, and the value thereof shall be less than one hundred dollars, that part of the forfeiture, which accrues to the United States, or so much thereof as shall be necessary, shall be applied to the payment of the costs of prosecution.
- SEC. 8.** *And be it further enacted,* That from and after the last day of May next, whenever an entry shall be made with the collector of any district, of any merchandise imported into the United States, subject to duties, by any agent, factor or person, other than the bona fide owner or consignee of such merchandise, it shall be the duty of the collector to increase the penalty of the bond to be given for the duties, the sum of one thousand dollars, and to make it a part of the condition of the said bond, that the bona fide owner or consignee of such merchandise shall, on or before the first day of payment stipulated in said bond, deliver to said collector a full and correct account of the said merchandise imported for him, or on his account, or consigned to his care, in manner and form, as is now required by law, in respect to an entry, previous to the landing of any merchandise; which account shall be verified, as in the case of an entry, and by a like oath or affirmation, to be taken and subscribed before any judge of the United States, or the judge of any court of record of a state, or before a collector of the customs of some other district. And in case of the payment of the duties, at the time of entry, by any factor or agent, on the goods entered by him, the collector shall take his bond with security, in the penalty of one thousand dollars, with condition, that the account, verified by the oath or affirmation of the bona fide owner or consignee, in manner as before directed, shall be delivered to the said collector, within ninety days.
- SEC. 9.** *And be it further enacted,* That all bonds, which may be given for any goods, wares, or merchandise exported from the United States after the last day of May next, and on which any drawback of duties, or allowance, shall be payable in virtue of such exportation, shall and may be discharged, and not otherwise, by producing, within one year from the date thereof, if the exportation be made to any part of Europe or America, or within two years, if made to any part of Asia or Africa, a certificate under the hand of the consignee at the foreign port or place, to whom the said goods, wares or merchandise shall have been addressed therein particularly setting forth and describing the articles so exported, with their quantities or amount, and declaring that the same have been

delivered from on board the vessel, in which they were exported, at the said place; as also, a certificate under the hand and seal of the consul or agent of the United States residing at the said place, declaring, either that the facts stated in such consignee's certificate are, to his knowledge, true, or that the certificate of such consignee is, in his opinion, deserving of full credit: which certificate of the consignee and consul or agent, shall, in all cases, as respects the landing or delivery of the said goods, wares or merchandise, be confirmed by the oath of the master and mate, if living, or in case of their death, by the oath or affirmation of the two principal surviving officers of the vessel, in which the exportation shall be made. And in cases where there shall be no consul or agent of the United States, residing at the said place of delivery, the certificate of the consignee before required shall be confirmed by the certificate of two reputable American merchants residing at the said place; or if there be no such American merchants, then by the certificate of two reputable foreign merchants, testifying that the facts, stated in such consignee's certificate, are, to their knowledge, true, or that such consignee's certificate is, in their opinion, worthy of full credit; which certificates shall be supported by the oath or affirmation of the master and mate, or other principal officers of the vessel, in the manner before prescribed. And in cases of loss at sea, or by capture, or other unavoidable accident, or when, from the nature of the trade, the proofs and certificates before mentioned are not, and cannot be produced, the exporter or exporters shall be allowed to adduce, to the collector of the port of exportation, such other proofs, as they may have, and as the nature of the case will admit; which proofs shall, with a stating of all the circumstances attending the transaction, within the knowledge of such collector, be transmitted to the comptroller of the treasury, who shall, if he be satisfied with the truth and validity thereof, have power to direct the bonds of such exporter or exporters to be cancelled.

Certificate from consul

to be confirmed by oath of captain, &c.

How to proceed where there is no consul.

When certificate cannot be produced,

proofs, &c. to be sent to the comptroller.

APPROVED, February 26, 1795.

STATUTE II.

CHAP. XXXIII.—*An Act to provide some present relief to the officers of government, and other citizens, who have suffered in their property by the Insurgents in the western counties of Pennsylvania.*

Feb. 27, 1795.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorized to draw out of the treasury of the United States, the sum of eight thousand five hundred dollars, to be applied by him to aid such of the officers of government and other citizens, who have (in consequence of their exertions in support of the laws) sustained losses in their property, by the actual destruction thereof, by the insurgents in the western counties of Pennsylvania, as, in his opinion, stand in need of immediate assistance, to be by them accounted for, in such manner, as may hereafter be directed by law.

\$8,500 appropriated for the present relief of certain persons.

APPROVED, February 27, 1795.

STATUTE II.

CHAP. XXXV.—*An Act for allowing an additional compensation to the Judges of the districts of Rhode Island and Delaware.*

Feb. 27, 1795.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be allowed to the judges of the districts of Rhode Island and Delaware, each, two hundred dollars yearly, in addition to the compensation heretofore allowed, to commence on the first day of the present year, and to be paid at the treasury of the United States, in quarterly payments.

\$200 additional to judges of R. Island and Delaware districts, respectively.

Ante, p. 128, 1801, ch. 29.

APPROVED, February 27, 1795.

STATUTE II.

Feb. 28, 1795.

[Obsolete.]

In case of invasion President may issue orders to militia officers.

Act of April 18, 1814, ch. 82.

In case of insurrection in a state President may when applied to by the state legislature, &c. call out the militia of other states.

President to call out the militia to suppress combinations against the laws of the United States.

To issue a proclamation.

Militia when in service to be subject to the articles of war.

Term of service not to exceed three months, &c.

Penalty on not obeying the orders of the President in the cases before recited.

Courts martial.

Fines assessed how to be levied.

CHAP. XXXVI.—*An Act to provide for calling forth the Militia to execute the laws of the Union, suppress insurrections, and repel invasions; and to repeal the Act now in force for those purposes.*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That whenever the United States shall be invaded, or be in imminent danger of invasion from any foreign nation or Indian tribe, it shall be lawful for the President of the United States to call forth such number of the militia of the state, or states, most convenient to the place of danger, or scene of action, as he may judge necessary to repel such invasion, and to issue his orders for that purpose, to such officer or officers of the militia, as he shall think proper. And in case of an insurrection in any state, against the government thereof, it shall be lawful for the President of the United States, on application of the legislature of such state, or of the executive, (when the legislature cannot be convened,) to call forth such number of the militia of any other state or states, as may be applied for, as he may judge sufficient to suppress such insurrection.

SEC. 2. *And be it further enacted,* That whenever the laws of the United States shall be opposed, or the execution thereof obstructed, in any state, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals by this act, it shall be lawful for the President of the United States, to call forth the militia of such state, or of any other state or states, as may be necessary to suppress such combinations, and to cause the laws to be duly executed; and the use of militia so to be called forth may be continued, if necessary, until the expiration of thirty days after the commencement of the then next session of Congress.

SEC. 3. *Provided always, and be it further enacted,* That whenever it may be necessary, in the judgment of the President, to use the military force hereby directed to be called forth, the President shall forthwith, by proclamation, command such insurgents to disperse, and retire peaceably to their respective abodes, within a limited time.

SEC. 4. *And be it further enacted,* That the militia employed in the service of the United States, shall be subject to the same rules and articles of war, as the troops of the United States: And that no officer non-commissioned officer, or private of the militia shall be compelled to serve more than three months, after his arrival at the place of rendezvous, in any one year, nor more than in due rotation with every other able-bodied man of the same rank in the battalion to which he belongs.

SEC. 5. *And be it further enacted,* That every officer, non-commissioned officer, or private of the militia, who shall fail to obey the orders of the President of the United States, in any of the cases before recited, shall forfeit a sum not exceeding one year's pay, and not less than one month's pay, to be determined and adjudged by a court martial; and such officer shall, moreover, be liable to be cashiered by sentence of a court martial, and be incapacitated from holding a commission in the militia, for a term not exceeding twelve months, at the discretion of the said court: And such non-commissioned officers and privates shall be liable to be imprisoned, by a like sentence, on failure of payment of the fines adjudged against them, for one calendar month, for every five dollars of such fine.

SEC. 6. *And be it further enacted,* That courts martial for the trial of militia shall be composed of militia officers only.

SEC. 7. *And be it further enacted,* That all fines to be assessed, as aforesaid, shall be certified by the presiding officer of the court martial, before whom the same shall be assessed, to the marshal of the district, in which the delinquent shall reside, or to one of his deputies, and also to the supervisor of the revenue of the same district, who shall record

the said certificate in a book to be kept for that purpose. The said marshal or his deputy shall forthwith proceed to levy the said fines with costs, by distress and sale of the goods and chattels of the delinquent; which costs and the manner of proceeding, with respect to the sale of the goods distrained, shall be agreeable to the laws of the state, in which the same shall be, in other cases of distress. And where any non-commissioned officer or private shall be adjudged to suffer imprisonment, there being no goods or chattels to be found, whereof to levy the said fines, the marshal of the district, or his deputy, may commit such delinquent to gaol, during the term, for which he shall be so adjudged to imprisonment, or until the fine shall be paid, in the same manner, as other persons condemned to fine and imprisonment at the suit of the United States may be committed.

Fines, how levied.

1813, ch. 18.

SEC. 8. *And be it further enacted*, That the marshals and their deputies shall pay all such fines by them levied, to the supervisor of the revenue in the district in which they are collected, within two months after they shall have received the same, deducting therefrom five per centum, as a compensation for their trouble; and in case of failure, the same shall be recoverable by action of debt or information, in any court of the United States, of the district in which such fines shall be levied, having cognizance thereof, to be sued for, prosecuted, and recovered, in the name of the supervisor of the district, with interest and costs.

Marshal to pay over fines collected.

SEC. 9. *And be it further enacted*, That the marshals of the several districts, and their deputies, shall have the same powers in executing the laws of the United States, as sheriffs and their deputies, in the several states, have by law, in executing the laws of the respective states.

Marshals of the districts to have the same powers in executing the laws of U. States as sheriffs in the states.

SEC. 10. *And be it further enacted*, That the act, intituled "An act to provide for calling forth the militia, to execute the laws of the Union, suppress insurrections, and repel invasions, passed the second day of May one thousand seven hundred and ninety-two, shall be, and the same is hereby repealed.

Former act repealed. Ante, p. 264.

APPROVED, February 28, 1795.

STATUTE II.

CHAP. XXXVII.—*An Act to continue in force for a limited time the acts therein mentioned.*

March 2, 1795.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act, entitled "An act declaring the consent of Congress to an act of the state of Maryland passed the twenty-eighth of December one thousand seven hundred and ninety-three for the appointment of a health officer." And also the act, entitled "An act supplementary to the act for the establishment and support of lighthouses, beacons, buoys and public piers," so far as the same provides for defraying the necessary expense of supporting lighthouses, beacons, buoys and public piers and the stakeage of channels on the sea-coast. And also, so much of the act, intituled "An act to provide for mitigating or remitting the penalties and forfeitures accruing under the revenue laws in certain cases, and to make further provision for the payment of pensions to invalids," as relates to the mitigating or remitting the penalties and forfeitures accruing under the revenue laws in certain cases, be and the same hereby are continued in force until the end of the next session of Congress, and no longer.

Acts relating to the law of Maryland for the appointment of a health officer; Ante, p. 393.

Ante, p. 339.

Lighthouses, &c. Ante, p. 275. The mitigating or remitting of penalties &c. accruing under the revenue laws; continued in force.

APPROVED, March 2, 1795.

STATUTE II.

March 2, 1795.

Cession of jurisdiction of places for light-houses, &c with reservation of execution of process sufficient.

Such reservation to be implied, where not expressly made.

CHAP. XL.—*An Act relative to cessions of jurisdiction in places where light-houses, beacons, buoys and public piers have been, or may hereafter be erected and fixed.*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That where cessions have been, or hereafter may be made, by any state, of the jurisdiction of places, where lighthouses, beacons, buoys or public piers have been erected and fixed, or may, by law, be provided to be erected or fixed, with reservation, that process civil and criminal, issuing under the authority of such state, may be executed and served therein, such cessions shall be deemed sufficient, under the laws of the United States providing for the supporting or erecting of lighthouses, beacons, buoys and public piers.

SEC. 2. *And be it further enacted,* That where any state hath made, or shall make a cession of jurisdiction, for the purposes aforesaid, without reservation, all process civil and criminal, issuing under the authority of such state, or the United States, may be served and executed within the places, the jurisdiction of which has been so ceded, in the same manner, as if no such cession had been made.

APPROVED, March 2, 1795.

STATUTE II.

March 2, 1795.

Privilege of coasting between R. Island and Long Island.

CHAP. XLI.—*An Act relative to the passing of coasting vessels between Long Island and Rhode Island.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That coasting vessels going from Long Island in the state of New York to the state of Rhode Island, or from the state of Rhode Island to the said Long Island, shall have the same privileges as are allowed to vessels under the like circumstances going from a district in one state to a district in the same or an adjoining state.

APPROVED, March 2, 1795.

STATUTE II.

March 3, 1795.

[Repealed.]

Duty taken off snuff, and laid on snuff mills.

Repealed 1800, ch. 36.

1794, ch. 51.

CHAP. LXIII.—*An Act to alter and amend the act intituled "An act laying certain duties upon Snuff and refined Sugar."*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the duty of eight cents per pound on snuff laid by the act of the last session, intituled "An act laying certain duties upon snuff and refined sugar," shall cease on the last day of March, in the present year, and shall not thenceforth be collected: but in lieu thereof, there shall be levied and collected upon all mills employed in the manufacture of snuff within the United States, the following yearly rates and duties, to wit: For and upon each and every mortar contained in any mill worked by water, and for every pair of millstones employed in the manufacture of snuff, five hundred and sixty dollars: upon every pestle in any mill, other than mills worked by hand, one hundred and forty dollars: upon every pestle in any mill worked by hand, one hundred and twelve dollars: and upon every mill in which snuff is manufactured by stampers and grinders, two thousand two hundred and forty dollars per annum.

How the duty is to be collected.

Ante, p. 199.

SEC. 2. *And be it further enacted,* That the duties aforesaid, shall be levied, collected and accounted for, by the same officers, as are provided by the act, intituled "An act repealing after the last day of June next, the duties heretofore laid upon distilled spirits imported from abroad, and laying others in their stead, and also upon spirits distilled within the United States, and for appropriating the same;" subject to the superin-

tendance and control of the department of the treasury according to the respective authorities and duties of the officers thereof.

SEC. 3. *And be it further enacted,* That every person, who shall be a manufacturer of snuff, on the first day of April in the present year shall within thirty days thereafter, and in each succeeding year, at least thirty days before the first day of April, make a true and exact entry or entries, in writing at the office of inspection which shall be nearest to the house or building where he shall carry on the business or trade of manufacturing snuff, therein specifying, truly and particularly, every house or building in which the said manufacture shall be carried on, with the number of mortars in every mill by him owned, occupied or used, and worked by water, and every pair of millstones used or employed in the manufacture of snuff, and every pestle in every mill as aforesaid, distinctly specifying such pestles as are worked by other means than by hand, and also every pestle worked by hand, as also every mill in which snuff is manufactured by stampers and grinders: And every person who shall commence the business or trade of manufacturing snuff, after the said first day of April, shall, at least thirty days before commencing such manufacture, make like entry or entries yearly, in manner as is before directed; and in failure thereof, every such manufacturer shall forfeit and lose every mill, in respect to which such entry shall not be made, with the utensils thereto belonging, and shall also forfeit and pay the sum of five hundred dollars, to be recovered with costs of suit.

Entry to be made under a penalty.

SEC. 4. *And be it further enacted,* That every person who shall be, on the first day of April in the present year, or at any time thereafter, a manufacturer of snuff within the United States, and who shall have made the entry or entries herein before directed, shall be entitled, on application therefor, in writing, by himself, or his agent or attorney, to the officer of inspection with whom entry shall have been made, to receive a license for each and every mill by him owned, occupied, or used in carrying on the said manufacture of snuff, for the term of one year, which license shall be granted without fee or charge, upon the condition of giving a bond or bonds, with one or more sufficient sureties, for the amount of the duty or duties for one year, which according to this act ought to be paid for and upon the mill in respect to which the said license is requested, with condition to pay the same in three equal parts: one third part at the expiration of nine months, another third part at the expiration of twelve months, and the remaining third part, at the expiration of fifteen months from the date of such license: *Provided,* That in lieu of the said bond or bonds, it shall be at the option of the manufacturer to pay the said amount of the said duty immediately, with a deduction or abatement of six per cent.

License to be received,

on giving bond:

or making payment of the duties.

SEC. 5. *And be it further enacted,* That the licenses herein directed to be granted, shall be prepared by the supervisors of the revenue, respectively, pursuant to such forms as shall be prescribed by the treasury department; and when issued, such licenses shall, in respect to all persons who shall be manufacturers of snuff, on the first day of April in the present year, bear date on the said day; and in respect to all persons who shall thereafter commence the said manufacture, such license shall bear date on the first day of the quarter of the year in which the said licenses shall be issued; and the said quarters of the year shall be deemed, and are hereby declared to commence on the first days of January, April, July, and October, in each year.

Form of license, and time from which they shall bear date.

SEC. 6. *And be it further enacted,* That every manufacturer of snuff, to whom a license shall have been granted, so long as he or she shall intend to carry on the business of manufacturing snuff, shall yearly, and every year, within the thirty days immediately preceding the expiration of each license, apply for a new license for the next succeeding year, in

New license to be applied for yearly.

manner heretofore directed, and in like manner, shall pay or secure the payment of the duties for such year.

Penalty on manufacturing snuff without license, &c.

SEC. 7. *And be it further enacted*, That if after the first day of April next, any person shall carry on the business of manufacturing snuff, without a license for that purpose, according to this act, or shall carry on the same at or with any mill other than that mentioned in such license, such manufacturer, so offending, shall forfeit and pay upon every conviction of such offence, treble the yearly amount of the duty hereby charged upon the mill or mills wherein or whereby the said business shall be so carried on. And all duties and penalties imposed by this act, shall attach to, and remain as a lien upon each and every mill in respect to which such duty or penalty shall have accrued, until the same be fully satisfied and paid.

Duties and penalties to be a lien upon mills.

Drawback of six cents on exporting snuff to a certain amount.

SEC. 8. *And be it further enacted*, That upon all snuff, which, after the last day of March in the year one thousand seven hundred and ninety-five, shall be manufactured in the United States, and shall be exported therefrom, under the limitations and provisions herein after prescribed, the exporter or exporters thereof shall be entitled to a drawback of six cents per pound: *Provided*, That the quantity exported at any one time by the same person, shall amount to three hundred pounds.

Exporter to make entry,

SEC. 9. *And be it further enacted*, That in order to entitle the exporter or exporters of any snuff, to a drawback thereon, every such person shall, previous to the removal thereof, from the mill or warehouse, where the same may be, make out, in writing, an exact entry, in which shall be specified the outward packages, in which the same is intended to be exported, the name of the manufacturer, and the marks and numbers of each, the quantity of snuff in each package, and the number of bottles, canisters, bladders, or other packages containing the same, the name of the vessel and commander, in which such snuff is intended to be exported; and shall make oath or affirmation to the truth of such entry, that the snuff therein specified was manufactured in the United States, after the last day of March one thousand seven hundred and ninety-five, and the name or names of the person by whom, and the mill where it was manufactured, and that the same is truly and bona fide intended to be exported out of the United States, and that no part thereof is intended to be relanded therein. And upon such entry being so made and certified, it shall be the duty of the collector to whom such entry is tendered to cause the said packages to be examined, and to permit the same to be exported, under the inspection of an officer of the customs, in like manner as is provided for the exportation of other goods, wares, and merchandise entitled to drawback: *Provided*, That no drawback shall be allowed on any snuff, except the same shall be exported from any of the ports, at which ships or vessels from the Cape of Good Hope, or from any place beyond the same, are admitted to make entry.

and oath.

Duty of collector thereon.

From what ports such snuff may be exported.

Exporter to give bond.

Master of vessel to make oath.

Debenture to be granted.

SEC. 10. *And be it further enacted*, That every exporter of snuff entitled to drawback shall enter into bonds, with one or more sureties, in an amount equal to double the amount of the drawback, conditioned that the same shall not be relanded within the United States; and the master or commander of the ship or vessel in which such snuff is reported to be shipped, shall make oath or affirmation, that the packages specified in the outward entry, are actually laden on board his ship or vessel, and that the same, or any part thereof, shall not be relanded in the United States; and upon such oath or affirmation being made, and the other provisions of the act being complied with, the collector, with whom such entry is made, shall grant a debenture or debentures, for the amount of the drawback to which such snuff is entitled, payable in twelve months from the time of granting the same; and such debenture or debentures shall be discharged by the collector granting the same, at the expiration of the term, out of any public money in his hands.

SEC. 11. *Provided always, and be it further enacted,* That before the payment of any debenture, the person demanding such payment shall produce to the collector, the oath or affirmation of the master and mate of the vessel, (in which the snuff, for which such debenture was granted) declaring that the same was actually landed in some foreign port or place, and was not, or any part thereof, to the best of their knowledge and belief, reloaded or brought back to the United States; and the person demanding such payment shall likewise make oath or affirmation, in like manner, that the snuff, for which such debenture was granted, was not, according to his best knowledge and belief, reloaded in, or brought back to the United States: *Provided also,* That in cases of loss at sea, or other unavoidable accident, whereby the oath or affirmation of the captain or mate of the ship or vessel cannot be obtained, it shall be lawful for the Comptroller of the Treasury to admit such other proof as to him shall appear satisfactory, under the special circumstances of the case.

Before debenture is paid, certain oaths to be made.

Other proof to be admitted in certain cases.

SEC. 12. *And be it further enacted,* That if any snuff entered for exportation with intention to obtain a drawback thereon, shall be reloaded or attempted to be reloaded within the United States, it shall be subject to seizure and forfeiture, together with the ship or vessel from which it shall be unladen, and the vessel or boat in which it shall be put; and the master or commander of the ship or vessel from which the same is unladen, shall moreover forfeit and pay five hundred dollars: *Provided,* That every prosecution for any such offence, shall be commenced within twelve months from the time when the same was committed, and that the ship, vessel or boat from which any such snuff shall be unladen or landed, shall continue subject to such seizure and forfeiture for twelve months from the time the offence was committed, and no longer.

Penalty on re-landing.

Prosecution to be commenced in twelve months, &c.

SEC. 13. *And be it further enacted,* That it shall be the duty of the collectors granting debentures for snuff exported, to keep a separate account thereof, and to specify the mill or mills in which each parcel exported, was manufactured. And the Secretary of the Treasury shall cause an account to be laid before the legislature, annually, of the produce of the revenue arising from snuff, and of the amount of the drawbacks for which debentures have been granted in each year.

Collectors to keep account of debentures, &c.

Secretary of the Treasury to lay before the legislature, annually, an account of the revenue arising from snuff, &c.

SEC. 14. *And be it further enacted,* That all penalties and forfeitures which shall be incurred pursuant to this act, shall be divided and distributed, one half thereof to the use of the United States, and the other half thereof to the use of the person, who, if an officer of inspection, shall first discover, or if not an officer of inspection, shall first give information of the cause, matter or thing whereby any of the said penalties and forfeitures shall have been incurred.

How penalties and forfeitures are to be disposed of.

SEC. 15. *And be it further enacted,* That it shall be lawful for the President of the United States, who is hereby empowered to make such compensation to the officers of inspection employed in the collection of the duties aforesaid, and on refined sugar, and on the duties upon carriages for the conveyance of persons, and for incidental expenses, as he shall judge reasonable, not exceeding in the whole five per centum of the total amount of the said duties collected.

President to make compensation to officers of inspection, &c.

SEC. 16. *And be it further enacted,* That from and after the last day of March in the present year, the several clauses and provisions of the act, intituled "An act laying certain duties upon snuff and refined sugar," so far as the same shall relate to the laying and collecting of duties on snuff manufactured in the United States, shall be, and the same are hereby repealed; except as to the recovery and receipt of such duties on snuff as shall then have accrued, and the payment of drawbacks on snuff exported, and as to the recovery of any penalties and forfeitures, which shall have been incurred, before, and on the said day, but the revenue to arise from the duty on snuff manufactured within the United

Former act repealed to a certain extent. 1794, ch. 51.

Revenue on snuff to remain charged with former appropriations.

How long this act is to continue.

States shall remain charged with the same appropriations as if this act had not passed; and that this act shall continue in force, until the first day of March, one thousand eight hundred and one.

APPROVED, March 3, 1795.

STATUTE II.

March 3, 1795.

[Obsolete.]

Present military establishment continued.

1796, ch. 39.

Corps of artillery and engineers to be completed.

The legion of the U. States to be completed.

1794, ch. 24.

Proviso.

Cavalry may be ordered to serve as dismounted dragoons: and troops may be discharged.

Allowance to officers in the recruiting service.

Bounty on enlistment.

Bounty on original enlistment.

Part of bounty to be debarred.

Clothing of the troops.

Rations.

CHAP. XLIV.—*An Act for continuing and regulating the military establishment of the United States, and for repealing sundry acts heretofore passed on that subject.*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the present military establishment of the United States, composed of a corps of artillery and engineers, to consist of nine hundred and ninety-two non-commissioned officers, privates and musicians, and of a legion to consist of four thousand eight hundred non-commissioned officers, privates and musicians, be, and the same is hereby continued.

SEC. 2. *And be it further enacted,* That the said corps of artillery and engineers be completed, conformably to the act of the eighth of May last, establishing the same, and prescribing the number and term of enlistments, and the method of organization.

SEC. 3. *And be it further enacted,* That the legion of the United States be also completed, to the number of four thousand eight hundred non-commissioned officers privates and musicians, by voluntary enlistments for the term of three years, and that the sub-legions composing the same, be organized in such manner, as the President of the United States shall direct. *Provided nevertheless,* That no such enlistment shall be made after three years from the passing of this act.

SEC. 4. *And be it further enacted,* That it shall be stipulated as a condition in the enlistments for the cavalry, that they shall serve as dismounted dragoons, when ordered so to do, and that in all cases of enlistments of the troops of every description, there be expressly reserved to the government, a right to discharge the whole or any part thereof, at such times, and in such proportions, as may be deemed expedient.

SEC. 5. *And be it further enacted,* That the commissioned officers, who shall be employed in the recruiting service, shall be entitled to receive, for every able-bodied recruit duly enlisted and mustered, of at least five feet six inches in height, and not under the age of eighteen, nor above the age of forty-six years, the sum of two dollars.

SEC. 6. *And be it further enacted,* That there shall be allowed and paid to each soldier now in the service of the United States, or discharged therefrom subsequent to the third day of March last, who shall re-enlist, a bounty of sixteen dollars; and to each person not now in the army of the United States, or discharged as above, who shall hereafter enlist, a bounty of fourteen dollars: but the payment of four dollars of the bounty of each and every man so enlisting, shall be deferred until he shall have joined the corps in which he is to serve.

SEC. 7. *And be it further enacted,* That every non-commissioned officer, private and musician of the artillery and infantry shall receive, annually, the following articles of uniform clothing, to wit: one hat or helmet, one coat, one vest, two pair of woollen and two pair of linen overalls, four pair of shoes, four shirts, two pair of socks, one blanket, one stock and clasp, and one pair of buckles. And that there be furnished to the cavalry and riflemen, such clothing as shall be the most suitable and best adapted to the nature of the service, having regard therein, as nearly as may be, to the value of the clothing allowed as above, to the infantry and artillery.

SEC. 8. *And be it further enacted,* That every non-commissioned officer, private and musician shall receive, daily, the following rations of provision, to wit: one pound of beef, or three quarters of a pound of

pork, one pound of bread or flour, half a gill of rum, brandy or whisky, and at the rate of one quart of salt, two quarts of vinegar, two pounds of soap, and one pound of candles, to every hundred rations; or the value thereof, at the contract price, where the same shall become due; and if, at such post, supplies are not furnished by contract, then such allowance, as shall be deemed equitable, having reference to former contracts, and the position of the place in question :

SEC. 9. *Provided always, and be it further enacted*, That to those in the military service of the United States, who are, or shall be employed on the western frontiers, there shall be allowed, during the time of their being so employed, two ounces of flour or bread, and two ounces of beef or pork, in addition to each of their rations, and half a pint of salt in addition to every hundred of their rations.

SEC. 10. *And be it further enacted*, That the monthly pay of the officers, non-commissioned officers, musicians and privates on the military establishment of the United States, be as follows; to wit: General Staff, a major general, one hundred and sixty-six dollars; a brigadier general, one hundred and four dollars; a quartermaster general, one hundred dollars; adjutant general, to do also the duty of inspector, seventy-five dollars; chaplain, fifty dollars; surgeon, seventy dollars; deputy quartermaster, fifty dollars; aid-de-camp, in addition to his pay in the line, twenty-four dollars; brigade major, to act also as deputy inspector, in addition to his pay in the line, twenty-four dollars; principal artificer, forty dollars; second artificer, twenty-six dollars; regimental lieutenant-colonel commandment, seventy-five dollars; major of artillery, and major of dragoons, fifty-five dollars; major of infantry, fifty dollars; paymaster, adjutant, and quartermaster, in addition to their pay in the line, ten dollars; captains, forty dollars; lieutenants, twenty-six dollars; ensigns and cornets, twenty dollars; surgeons, forty-five dollars; surgeon's mates, thirty dollars; sergeant majors, and quartermaster sergeants, eight dollars; senior musicians, seven dollars; sergeants, seven dollars; corporals, six dollars; musicians, five dollars; privates, four dollars; artificers allowed to the infantry, light dragoons and artillery, nine dollars; matrons and nurses in the hospital, eight dollars.

SEC. 11. *And be it further enacted*, That the commissioned officers aforesaid shall be entitled to receive, for their daily subsistence, the following number of rations of provisions, to wit: a major general, fifteen rations; a brigadier general, twelve rations; a lieutenant-colonel commandant, and quartermaster general, each, six rations; a major, four rations; brigade major, and aid-de-camp, four rations; a captain, three rations; a lieutenant, ensign, or cornet, two rations; a surgeon, as well hospital as regimental, three rations; a surgeon's mate, two rations; a deputy quartermaster, two rations; a principal, and second artificer, each, two rations; a chaplain, two rations; or money, in lieu thereof, at the option of the said officers, at the contract price, at the posts respectively, where the rations shall become due.

SEC. 12. *And be it further enacted*, That the officers herein after described shall, whenever forage shall not be furnished by the public, receive, at the rate of the following enumerated sums, per month, instead thereof, to wit: the major general, twenty dollars; the brigadier general, sixteen dollars; lieutenant colonel, twelve dollars; quartermaster general, adjutant general and surgeon general, each, twelve dollars; major, ten dollars; aid-de-camp, brigade major, and surgeon, each, ten dollars; captain of cavalry, eight dollars; chaplain and surgeon's mate, each, six dollars; deputy quartermaster, and subalterns of cavalry, each, six dollars; principal artificer, paymaster, adjutant, and regimental quartermaster, each, six dollars.

SEC. 13. *And be it further enacted*, That if any officer, non-commissioned officer, private or musician aforesaid, shall be wounded or

Rations.

Additional rations to those employed in the military service of U. States on the western frontiers.

Monthly pay of officers, non-commissioned officers, musicians, and privates, on the military establishment of U. States.

Rations of commissioned officers.

In lieu thereof money at the contract price.

Monthly allowance of certain officers instead of forage, when it is not furnished by the public.

Allowance to persons wounded or disabled in the line of their duty.

disabled, while in the line of his duty, in public service, he shall be placed on the list of the invalids of the United States, at such rate of pay, and under such regulations, as shall be directed by the President of the United States for the time being: *Provided always*, That the rate of compensation to be allowed for such wounds or disabilities to a commissioned officer, shall never exceed, for the highest disability, half the monthly pay of such officer, at the time of his being so disabled or wounded; and that the rate of compensation to non-commissioned officers, privates and musicians, shall never exceed five dollars per month: *And provided also*, That all inferior disabilities shall entitle the person so disabled, to receive an allowance proportionate to the highest disability.

Officers, non-commissioned officers, privates and musicians, subject to articles of war.

SEC. 14. *And be it further enacted*, That the officers, non-commissioned officers, privates and musicians aforesaid shall be governed by the rules and articles of war, which have been established by the United States in Congress assembled, as far as the same may be applicable to the constitution of the United States, or by such rules and articles as may hereafter by law be established.

Oath to be taken and subscribed by them.

SEC. 15. *And be it further enacted*, That every officer, non-commissioned officer, private and musician aforesaid, shall take and subscribe the following oath or affirmation, to wit: "I, A. B, do solemnly swear or affirm (as the case may be) to bear true allegiance to the United States of America, and to serve them honestly and faithfully, against all their enemies or opposers whomsoever, and to observe and obey the orders of the President of the United States and the orders of the officers appointed over me, according to the rules and articles of war."

President to arm the troops.

SEC. 16. *And be it further enacted*, That it shall be lawful for the President of the United States, to arm the troops aforesaid, whether riflemen, artillerists, dragoons or infantry, as he shall think proper; and that it be also lawful for him to forbear to raise, or to discharge, after they shall be raised, any part thereof, in case events shall, in his judgment, render his so doing consistent with public safety, and general convenience and economy.

To forbear to raise, or to discharge them.

SEC. 17. *And be it further enacted*, That every person, who shall procure, or entice a soldier in the service of the United States, to desert, or who shall conceal such soldier, knowing him to have deserted, or who shall purchase from such soldier, his arms, or his uniform clothing, or any part thereof, and every captain or commanding officer of any ship or vessel, who shall enter on board such ship or vessel, as one of his crew, knowing him to have deserted, or otherwise carry away such soldier, or shall refuse to deliver him up to the orders of his commanding officer, shall, upon legal conviction, be fined, at the discretion of the court, in any sum not exceeding three hundred dollars, or be imprisoned, for any term not exceeding one year.

Penalty on enticing a soldier to desert, or purchasing his arms or clothing, or concealing deserter &c.

SEC. 18. *And be it further enacted*, That the several acts, intituled "An act for regulating the military establishment of the United States;" "An act for raising and adding another regiment, to the military establishment of the United States, and for making further provision for the protection of the frontiers;" "An act for making farther and more effectual provision for the protection of the frontiers of the United States," be, and the same are hereby repealed; and also so much of any act, or acts of the present session, as comes within the purview of this act: *Provided always*, That nothing in this section contained shall be so construed, as to vacate the commissions, which have been issued, or any appointments or enlistments, which have been made, in pursuance of the acts herein repealed.

1790, ch. 10.
Former acts repealed.
March 3, 1791,
June 7, 1794.
1792, ch. 9.

Existing commissions, appointments and enlistments not to be vacated thereby.

APPROVED, March 3, 1795.

CHAP. XLV.—*An Act making further provision for the support of Public Credit, and for the redemption of the Public Debt.*

STATUTE II.

March 3, 1795.

[Obsolete.]
Commissioners of the sinking fund may borrow, &c.

Provision for the payment of the interest on such borrowing.

Loan to be opened to the full amount of the foreign debt.

How credits shall be given to subscribers.

Certificates.

Ante, p. 138.

Principal, &c. where to be paid.

Certain duties, which shall be set free, appropriated.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall be lawful for the commissioners of the sinking fund, and they are hereby empowered, with the approbation of the President of the United States, to borrow, or cause to be borrowed, from time to time, such sums, in anticipation of the revenues appropriated, not exceeding, in one year, one million of dollars, to be reimbursed within a year from the time of each loan, as may be necessary for the payment of the interest which shall annually accrue on the public debt; and for the payment of the interest on any such temporary loan, which shall not exceed six per centum per annum, so much of the proceeds of the duties on goods, wares and merchandise imported, on the tonnage of ships or vessels, and upon spirits distilled within the United States, and stills, as may be necessary shall be and are hereby appropriated.

SEC. 2. *And be it further enacted,* That a loan be opened at the treasury, to the full amount of the present foreign debt, to continue open until the last day of December, in the year one thousand seven hundred and ninety-six, and that the sums, which may be subscribed to the said loan, shall be payable and receivable, by way of exchange, in equal sums of the principal of the said foreign debt; and that any sum, so subscribed and paid, shall bear an interest equal to the rate of interest which is now payable on the principal of such part of the foreign debt, as shall be paid or exchanged therefor, together with an addition of one half per centum per annum; the said interest to commence on the first day of January next succeeding the time of each subscription, and to be paid quarter yearly, at the same periods at which interest is now payable and paid upon the domestic funded debt: *Provided,* That the principal of the said loan may be reimbursed at any time, at the pleasure of the United States.

SEC. 3. *And be it further enacted,* That credits to the respective subscribers, for the sums by them respectively subscribed to the said loan, shall be entered and given on the books of the treasury in like manner as for the present domestic funded debt; and that certificates therefor, of a tenor conformable with the provisions of this act, signed by the Register of the Treasury, shall issue to the several subscribers, and that the said credits, or stock standing in the names of the said subscribers, respectively, shall be transferable, in like manner, and by the like ways and means, as are provided by the seventh section of the act aforesaid, intituled "An act making provision for the debt of the United States," touching the credits or stock therein mentioned; and that the interest to be paid upon the stock which shall be constituted by virtue of the said loan, shall be paid at the offices or places, where the credits for the same shall, from time to time, stand or be, subject to the like conditions and restrictions, as are prescribed in and by the eighth section of the act last aforesaid.

SEC. 4. *And be it further enacted,* That the interest and principal of all loans, authorized by this act, shall be made payable at the treasury of the United States only, so far as relates to the payment of the principal and interest of the domestic debt.

SEC. 5. *And be it further enacted,* That so much of the duties on goods, wares and merchandise imported, on the tonnage of ships or vessels, and upon spirits distilled within the United States, and stills, heretofore appropriated for the interest of the foreign debt, as may be liberated or set free, by subscriptions to the said loan, together with such further sums of the proceeds of the said duties, as may be necessary, shall be, and they are hereby pledged and appropriated, for the payment of the

interest which shall be payable upon the sums subscribed to the said loan, and shall continue so pledged and appropriated, until the principal of the said loan shall be fully reimbursed and redeemed: *Provided always*, That nothing herein contained shall be construed to alter, change, or in any manner affect, the provisions heretofore made concerning the said foreign debt, according to contract, either during the pendency of the said loan, or after the closing thereof; but every thing shall proceed, touching the said debt, and every part thereof, in the same manner as if this act had never been passed, except as to such holders thereof, as may subscribe to the said loan, and from the time of the commencement thereof in each case, that is, when interest on any sum subscribed shall begin to accrue.

Proviso.

Certain duties to continue to be collected.

Ante, p. 390.

SEC. 6. *And be it further enacted*, That the several and respective duties laid and contained in and by the act, intituled "An act laying additional duties on goods, wares and merchandise imported into the United States," passed the seventh day of June, one thousand seven hundred and ninety-four, shall, together with the other duties heretofore charged with the payment of interest on the public debt, continue to be levied, collected and paid, until the whole of the capital or principal of the present debt of the United States, and future loans which may be made, pursuant to law, for the exchange, reimbursement or redemption thereof, or of any part thereof, shall be reimbursed or redeemed, and shall be, and hereby are, pledged and appropriated for the payment of interest upon the said debt and loans, until the same shall be so reimbursed or redeemed.

Substitution of certain duties.

1790, ch. 47.

SEC. 7. *And be it further enacted*, That the reservation made by the fourth section of the aforesaid act, intituled "An act making provision for the reduction of the public debt," be annulled, and in lieu thereof, that so much of the duties on goods, wares and merchandise imported, on the tonnage of ships or vessels, and upon spirits distilled within the United States, and stills, as may be necessary, be, and hereby are substituted, pledged and appropriated for satisfying the purpose of the said reservation.

Appropriations made to certain fund.

1792, ch. 38.

March 2, 1791, ch. 11.

SEC. 8. *And be it further enacted*, That the following appropriations, in addition to those heretofore made, be made to the fund constituted by the seventh section of the act, intituled "An act supplementary to the act making provision for the debt of the United States," passed the eighth day of May, one thousand seven hundred and ninety-two, to be hereafter denominated "The Sinking Fund," to wit: First, So much of the proceeds of the duties on goods, wares and merchandise imported; on the tonnage of ships or vessels, and on spirits distilled within the United States and stills, as, together with the monies which now constitute the said fund, and shall accrue to it, by virtue of the provisions herein before made, and by the interest upon each instalment, or part of principal, which shall be reimbursed, will be sufficient, yearly and every year, commencing the first day of January next, to reimburse and pay so much as may rightfully be reimbursed and paid, of the principal of that part of the debt or stock, which, on the said first day of January next, shall bear an interest of six per centum per annum, redeemable by payments on account both of principal and interest, not exceeding, in one year, eight per centum, excluding that which shall stand to the credit of the commissioners of the sinking fund, and that which shall stand to the credit of certain states, in consequence of the balances reported in their favour, by the commissioners for settling accounts between the United States and individual states: Secondly,—The dividends, which shall be, from time to time, declared on so much of the stock of the Bank of the United States, as belongs to the United States (deducting thereout such sums, as will be requisite to pay interest on any part remaining unpaid of the loan of two millions of dollars, had of

the Bank of the United States, pursuant to the eleventh section of the act, by which the said bank is incorporated): Thirdly,—So much of the duties on goods, wares and merchandise imported, on the tonnage of ships or vessels, and on spirits distilled within the United States and stills, as, with the said dividends, after such deduction, will be sufficient, yearly and every year, to pay the remaining instalments of the principal of the said loan, as they shall become due, and as, together with any monies, which, by virtue of provisions in former acts, and herein before made, shall, on the first day of January, in the year one thousand eight hundred and two, belong to the said sinking fund, not otherwise specially appropriated; and with the interest on each instalment, or part of principal, which shall, from time to time, be reimbursed, or paid, of that part of the debt or stock, which, on the first day of January, in the year one thousand eight hundred and one, shall begin to bear an interest of six per centum per annum, will be sufficient, yearly and every year, commencing on the first day of January, in the year one thousand eight hundred and two, to reimburse and pay so much, as may rightfully be reimbursed and paid, of the said principal of the said debt or stock, which shall so begin to bear an interest of six per centum per annum, on the said first day of January, in the year one thousand eight hundred and one, excluding that, which shall stand to the credit of the commissioners of the sinking fund, and that, which shall stand to the credit of certain States as aforesaid: Fourthly,—The net proceeds of the sales of lands belonging, or which shall hereafter belong to the United States, in the western territory thereof: Fifthly,—All monies, which shall be received into the treasury, on account of debts due to the United States, by reason of any matter prior to their present constitution: And lastly,—All surpluses of the revenues of the United States, which shall remain, at the end of any calendar year, beyond the amount of the appropriations charged upon the said revenues, and which, during the session of Congress next thereafter, shall not be otherwise specially appropriated or reserved by law.

SEC. 9. *And be it further enacted*, That as well the monies which shall accrue to the said sinking fund, by virtue of the provisions of this act, as those which shall have accrued to the same, by virtue of the provisions of any former act or acts, shall be under the direction and management of the commissioners of the sinking fund, or the officers designated in and by the second section of the act, intituled "An act making provision for the reduction of the public debt," passed the twelfth day of August, one thousand seven hundred and ninety, and their successors in office; and shall be, and continue appropriated to the said fund, until the whole of the present debt of the United States, foreign and domestic, funded and unfunded, including future loans, which may be made for reimbursing or redeeming any instalments or parts of principal of the said debt, shall be reimbursed and redeemed; and shall be, and are hereby declared to be vested in the said commissioners, in trust, to be applied, according to the provisions of the aforesaid act of the eighth day of May, in the year one thousand seven hundred and ninety-two, and of this act, to the reimbursement and redemption of the said debt, including the loans aforesaid, until the same shall be fully reimbursed and redeemed. And the faith of the United States is hereby pledged, that the monies or funds aforesaid, shall inviolably remain, and be appropriated and vested, as aforesaid, to be applied to the said reimbursement and redemption, in manner aforesaid, until the same shall be fully and completely effected.

SEC. 10. *And be it further enacted*, That all reimbursements of the capital, or principal of the public debt, foreign and domestic, shall be made under the superintendence of the commissioners of the sinking fund, who are hereby empowered and required, if necessary, with the

Appropriations made to certain fund.

Monies accruing to the sinking fund, to be under the direction and management of the commissioners.

1790, ch. 47.

How long to be appropriated.

Reimbursement of the capital of debt to be under the superintendence of

the commis-
sioners, who
may borrow.

What shall be
a good execu-
tion of the pow-
er to borrow.

Appropriation
for the payment
of interest.

1802, ch. 32.

What sums
the commis-
sioners shall pay
annually.

approbation of the President of the United States, as any instalments or parts of the said capital or principal become due, to borrow, on the credit of the United States, the sums requisite for the payment of the said instalments or parts of principal: *Provided*, That any loan which may be made by the said commissioners, shall be liable to reimbursement at the pleasure of the United States; and that the rate of interest thereupon, shall not exceed six per centum per annum; and for greater caution, it is hereby declared, that it shall be deemed a good execution of the said power to borrow, for the said commissioners, with the approbation of the President, to cause to be constituted certificates of stock, signed by the Register of the Treasury for the sums to be respectively borrowed, bearing an interest of six per centum per annum, and redeemable at the pleasure of the United States; and to cause the said certificates of stock to be sold in the market of the United States, or elsewhere; *Provided*, That no such stock be sold under par. And for the payment of interest on any sum or sums which may be so borrowed, either by direct loans, or by the sale of certificates of stock, the interest on the sum or sums which shall be reimbursed by the proceeds thereof (except that upon the funded stock, bearing and to bear an interest of six per centum, redeemable by payments, not exceeding in one year, eight per centum on account both of principal and interest), and so much of the duties on goods, wares and merchandise imported, on the tonnage of ships or vessels, and upon spirits distilled within the United States, and upon stills, as may be necessary, shall be, and hereby are pledged and appropriated.

SEC. 11. *And be it further enacted*, That it shall be the duty of the commissioners of the sinking fund, to cause to be applied and paid, out of the said fund, yearly and every year, at the treasury of the United States, the several and respective sums following, to wit: First, such sum and sums as, according to the right for that purpose reserved, may rightfully be paid for, and towards the reimbursement or redemption of such debt or stock of the United States, as, on the first day of January next, shall bear an interest of six per centum per annum, redeemable by payments, not exceeding in one year, eight per centum, on account both of principal and interest, excluding that standing to the credit of the commissioners of the sinking fund, and that standing to the credit of certain states, as aforesaid, commencing the said reimbursement or redemption, on the said first day of January next: Secondly, such sum and sums as, according to the conditions of the aforesaid loan, had of the Bank of the United States, shall be henceforth payable towards the reimbursement thereof, as the same shall respectively accrue: Thirdly, such sum and sums as, according to the right for that purpose reserved, may rightfully be paid for and towards the reimbursement or redemption of such debt or stock of the United States as, on the first day of January, in the year one thousand eight hundred and one, shall begin to bear an interest of six per centum per annum, redeemable by payments, not exceeding in one year, eight per centum, on account both of principal and interest, excluding that standing to the credit of the commissioners of the sinking fund, and that standing to the credit of certain states, as aforesaid, commencing the said reimbursement or redemption, on the first day of January, in the year one thousand eight hundred and two; and also to cause to be applied all such surplus of the said fund, as may at any time exist, after satisfying the purposes aforesaid, towards the further and final redemption of the present debt of the United States, foreign and domestic, funded and unfunded, including loans for the reimbursement thereof, by payment or purchase, until the said debt shall be completely reimbursed or redeemed.

SEC. 12. *Provided always, and be it further enacted*, That nothing in this act shall be construed to vest in the commissioners of the sink-

ing fund, a right to pay, in the purchase or discharge of the unfunded domestic debt of the United States, a higher rate than the market price or value of the funded debt of the United States: *And provided also*, That if, after all the debts and loans aforesaid, now due, and that shall arise under this act, excepting the said debt or stock, bearing an interest of three per cent. shall be fully paid and discharged, any part of the principal of the said debt or stock bearing an interest of three per cent. as aforesaid, shall be unredeemed, the government shall have liberty, if they think proper, to make other and different appropriations of the said funds.

SEC. 13. *And be it further enacted*, That all priorities heretofore established in the appropriations by law, for the interest on the debt of the United States, as between the different parts of the said debt, shall, after the year one thousand seven hundred and ninety-six, cease with regard to all creditors of the United States, who do not, before the expiration of the said period, signify, in writing, to the Comptroller of the Treasury, their dissent therefrom; and that thenceforth, with the exception only of the debts of such creditors who shall so signify their dissent, the funds or revenues charged with the said appropriations, shall, together, constitute a common or consolidated fund, chargeable indiscriminately, and without priority, with the payment of the said interest.

SEC. 14. *And be it further enacted*, That all certificates, commonly called loan office certificates, final settlements, and indents of interest, which, at the time of passing this act, shall be outstanding, shall, on or before the first day of January, in the year one thousand seven hundred and ninety-seven, be presented at the office of the Auditor of the Treasury of the United States, for the purpose of being exchanged for other certificates of equivalent value and tenor, or at the option of the holders thereof, respectively, to be registered at the said office, and returned; in which case, it shall be the duty of the said Auditor to cause some durable mark or marks to be set on each certificate, which shall ascertain and fix its identity, and whether genuine, or counterfeit or forged; and every of the said certificates, which shall not be presented at the said office, within the said time, shall be forever after barred or precluded from settlement or allowance.

SEC. 15. *And be it further enacted*, That if any transfer of stock standing to the credit of a state, shall be made pursuant to the act, intitled "An act authorizing the transfer of the stock standing to the credit of certain states," passed the second day of January, in this present year, after the last day of December next, the same shall be upon condition, that it shall be lawful to reimburse, at a subsequent period of reimbursement, so much of the principal of the stock so transferred, as will make the reimbursement thereof, equal in proportion and degree, to that of the same stock transferred previous to the said day.

SEC. 16. *And be it further enacted*, That in regard to any sum which shall have remained unexpended upon any appropriation other than for the payment of interest on the funded debt; for the payment of interest upon, and reimbursement, according to contract, of any loan or loans made on account of the United States; for the purposes of the sinking fund; or for a purpose, in respect to which, a longer duration is specially assigned by law, for more than two years after the expiration of the calendar year in which the act of appropriation shall have been passed, such appropriation shall be deemed to have ceased and been determined; and the sum so unexpended shall be carried to an account on the books of the treasury, to be denominated "THE SURPLUS FUND." But no appropriation shall be deemed to have so ceased and been determined, until after the year one thousand seven hundred and ninety-five, unless it shall appear to the Secretary of the Treasury, that the object thereof hath been fully satisfied, in which case, it shall be lawful for him

Commissioners not to pay more for the unfunded domestic debt, than the market price of the funded.

Government may make different appropriations of the funds in a certain event.

Priorities in appropriations for the payment of interest to cease, as to certain creditors.

Certificates to be presented at the treasury;

Post, 562.

or be barred.

Condition annexed to the transfer of stock standing to the credit of a state.

Ante, p. 409.

Sum of money appropriated, but remaining unexpended, for a certain time, to be carried to the "surplus fund."

to cause to be carried the unexpended residue thereof, to the said account of "the surplus fund."

Duty of the treasurer with regard to the execution of this act.

Commissioners of the sinking fund in the execution of this act to be regulated by analogous provisions of other acts.

They shall lay before Congress accounts of stock or sales of stock or loans made.

Loans under this act may be made of the Bank of United States.

The limitations of certain acts extended.

Ante, p. 373.

Ante, p. 376.

Ante, p. 384.

Ante, p. 397.

SEC. 17. *And be it further enacted*, That the department of the treasury, according to the respective duties of the several officers thereof, shall establish such forms and rules of proceeding, for and touching the execution of this act, as shall be conformable with the provisions thereof.

SEC. 18. *And be it further enacted*, That all the restrictions and regulations heretofore established by law for regulating the execution of the duties enjoined upon the commissioners of the sinking fund, shall apply to, and be in as full force for the execution of the analogous duties enjoined by this act, as if they were herein particularly repeated and re-enacted: And a particular account of all sales of stock, or of loans by them made, shall be laid before Congress, within fourteen days after their meeting next after the making of any such loan or sale of stock. (a)

SEC. 19. *And be it further enacted*, That in every case in which power is given by this act to make a loan, it shall be lawful for such loan to be made of the Bank of the United States, although the same may exceed the sum of fifty thousand dollars.

SEC. 20. *And be it further enacted*, That so much of the act laying duties upon carriages for the conveyance of persons; and of the act laying duties on licenses for selling wines and foreign distilled spirituous liquors by retail; and of the act laying certain duties upon snuff and refined sugar, and of the act laying duties upon property sold at auction, as limits the duration of the said several acts, be, and the same is hereby repealed; and that all the said several acts be, and the same are hereby continued in force until the first day of March, one thousand eight hundred and one.

APPROVED, March 3, 1795.

STATUTE II.

March 3, 1795.

CHAP. XLVI.—*An Act making further appropriations for the Military and Naval establishments, and for the support of Government.*

[Obsolete.]

Additional appropriations for the military establishment.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That including the appropriation of five hundred thousand dollars, made for the military establishment for the year one thousand seven hundred and ninety-five, by an act of the present session, there be appropriated for the said military establishment, a sum not exceeding one million four hundred and sixty-nine thousand four hundred and thirty-nine dollars, and twenty-nine cents; that is to say:—For the pay of the legion of the United States, three hundred and four thousand five hundred and forty-eight dollars: For the pay of the corps of artillery, fifty-six thousand eight hundred and sixty-eight dollars: For subsistence of the legion and artillery, three hundred and sixty-one thousand seven hundred and nineteen dollars and thirty cents: For forage and cavalry, thirty-three thousand seven hundred and twenty dollars: For clothing, one hundred and twenty thousand four hundred and forty dollars: For equipments for the cavalry, seven thousand three hundred and fourteen dollars: For horses for the cavalry, twenty-four thousand dollars: For bounty, five thousand dollars: For the hospital department, twenty thousand dollars: For the ordnance department, eleven thousand three hundred and sixty-five dollars and ninety-nine cents: For the Indian department, eighty thousand dollars: For the quartermaster's department, one hundred and fifty thousand dollars: For contingencies of the war department, thirty thousand dollars: For the defensive protection of the frontiers, one hundred and thirty thousand dollars: For the completion of the fortifications, fifty thousand dollars: For additional pay and bounty to the legion and artillery, pursuant to an act of the present session, seventy-seven thousand four hundred and sixty-four dollars.

(a) Act of April 29, 1802, chap. 32, sec. 8.

SEC. 2. *And be it further enacted*, That for defraying the expense of six months pay and subsistence of a detachment of militia under the command of major general Morgan, pursuant to an act of the present session, there be appropriated the sum of one hundred thousand six hundred and eighty-two dollars; that is to say: For the general staff, four thousand one hundred and thirty-four dollars: For major Brooke's battalion, nineteen thousand eight hundred and forty-eight dollars: For major Lynn's battalion, twenty-one thousand three hundred dollars: For cavalry, twenty-three thousand four hundred dollars: For subsistence, twenty-four thousand dollars: For forage for officers and cavalry, eight thousand dollars.

Detachment of militia under General Morgan.

SEC. 3. *And be it further enacted*, That the surplus which may remain unexpended of the sum of six hundred and eighty-eight thousand, eight hundred and eighty-eight dollars and eighty-two cents, which was appropriated for the use of the naval department, in the year one thousand seven hundred and ninety-four, by an act passed the ninth day of June last, shall be, and the same is hereby appropriated to the use of the said naval department, for the year one thousand seven hundred and ninety-five.

Surplus of appropriation to the naval department.

1794, ch. 63.

SEC. 4. *And be it further enacted*, That there be appropriated the several sums following, to wit: For the payment of military pensions, for the year one thousand seven hundred and ninety-five, eighty-five thousand three hundred and fifty-seven dollars and four cents; and a sum not exceeding ten thousand dollars for the contingent purposes of government, subject to the disposition of the President of the United States.

Military pensions, and contingent purposes of government.

SEC. 5. *And be it further enacted*, That the several appropriations herein before made, shall be paid and discharged out of the funds following, to wit: First the surplus of the sum of six hundred thousand dollars, reserved by the act "making provision for the debt of the United States," and which will accrue during the year one thousand seven hundred and ninety-five: Secondly, the surplus of revenue and income beyond the appropriations heretofore charged thereupon, to the end of the year one thousand seven hundred and ninety-five: And thirdly, the surplus which shall remain unexpended of the monies appropriated to the use of the war department for the year one thousand seven hundred and ninety-four.

Out of what funds these appropriations are payable.

1790, ch. 34.

SEC. 6. *And be it further enacted*, That the President of the United States be empowered to borrow, on behalf of the United States, of the Bank of the United States, which is hereby authorized to lend the same, or of any other body or bodies politic, person or persons, any sum or sums not exceeding in the whole, the sums herein appropriated, and to be applied to the purposes aforesaid, and to be reimbursed as well interest as principal out of the funds aforesaid.

President may borrow to the amount of these appropriations.

APPROVED, March 3, 1795.

STATUTE II.

CHAP. XLVII.—*An Act supplementary to the act intituled "An act establishing a Mint, and regulating the Coins of the United States." (a)*

March 3, 1795.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, and it is hereby enacted and declared*, That for the better conducting of the business of the mint of the United States there shall be an additional officer appointed therein by the name of the melter and refiner, whose duty shall be to take charge of all copper, and silver or gold bullion delivered out by the treasurer of the mint after it has been assayed, agreeably to the rules and customs of the mint already directed and established, or

Act of April 2, 1792, ch. 16. Additional officer of the mint by the name of the melter and refiner.

His duty.

(a) See note to act of April 2, 1792, chap. 16.

which may hereafter be directed and established by the accounting officers of the treasury, and to reduce the same into bars or ingots fit for the rolling mills, and then to deliver them to the coiner or treasurer, as the director shall judge expedient; and to do and perform all other duties belonging to the office of a melter and refiner or which shall be ordered by the director of the mint.

To take oath and give security.

SEC. 2. *And be it further enacted*, That the melter and refiner of the said mint shall, before he enters upon the execution of his said office, take an oath or affirmation before some judge of the United States, faithfully and diligently to perform the duties thereof. And also shall become bound to the United States of America, with one or more sureties to the satisfaction of the Secretary of the Treasury, in the sum of six thousand dollars, with condition for the faithful and diligent performance of the several duties of his office.

His compensation.

SEC. 3. *And be it further enacted*, That there shall be allowed and paid, to the said melter and refiner of the mint as a compensation for his services, the yearly salary of fifteen hundred dollars.

Obsolete.

President may make temporary appointment.

SEC. 4. *And be it further enacted*, That the director of the mint be, and hereby is authorized, with the approbation of the President of the United States, to employ such person as he may judge suitable to discharge the duties of the melter and refiner, until a melter and refiner shall be appointed by the President, by and with the advice of the Senate.

1800, ch. 34.

Treasurer of the mint to retain part of bullion deposited, &c.

SEC. 5. *And be it further enacted*, That the treasurer of the mint shall, and he is hereby directed, to retain two cents per ounce from every deposit of silver bullion below the standard of the United States, which hereafter shall be made for the purpose of refining and coining; and four cents per ounce from every deposit of gold bullion made as aforesaid, below the standard of the United States, unless the same shall be so far below the standard as to require the operation of the test, in which case, the treasurer shall retain six cents per ounce, which sum so retained shall be accounted for by the said treasurer with the treasury of the United States as a compensation for melting and refining the same.

Treasurer of the mint shall not be obliged to receive certain deposits of bullion.

SEC. 6. *And be it further enacted*, That the treasurer of the mint shall not be obliged to receive from any person, for the purpose of refining and coining, any deposit of silver bullion, below the standard of the United States, in a smaller quantity than two hundred ounces; nor a like deposit of gold bullion below the said standard, in a smaller quantity than twenty ounces.

Officers of the mint may give a preference to bullion of the standard of the U. S.

SEC. 7. *And be it further enacted*, That from and after the passing of this act, it shall and may be lawful for the officers of the mint to give a preference to silver or gold bullion, deposited for coinage, which shall be of the standard of the United States, so far as respects the coining of the same, although bullion below the standard, and not yet refined, may have been deposited for coinage, previous thereto, any law to the contrary notwithstanding: *Provided*, That nothing herein shall justify the officers of the mint, or any one of them, in unnecessarily delaying the refining any silver or gold bullion below the standard, that may be deposited, as aforesaid.

1792, ch. 16, sec. 15.

President may reduce the weight of copper coin.

SEC. 8. *And be it further enacted*, That the President of the United States be, and he is hereby authorized, whenever he shall think it for the benefit of the United States, to reduce the weight of the copper coin of the United States: *Provided*, such reduction shall not, in the whole, exceed two pennyweights in each cent, and in the like proportion in a half cent; of which he shall give notice by proclamation, and communicate the same to the then next session of Congress.

SEC. 9. *And be it further enacted*, That it shall be the duty of the treasurer of the United States, from time to time, as often as he shall receive copper cents and half cents from the treasurer of the mint, to

send them to the bank or branch banks of the United States, in each of the states where such bank is established; and where there is no bank established, then to the collector of the principal town in such state (in the proportion of the number of inhabitants of such state) to be by such bank or collector, paid out to the citizens of the state for cash, in sums not less than ten dollars value; and that the same be done at the risk and expense of the United States, under such regulations as shall be prescribed by the department of the treasury.

APPROVED, March 3, 1795.

Mode of distribution of cents and half cents.

STATUTE II.

March 3, 1795.

CHAP. XLVIII.—*An Act for the more effectual recovery of Debts due from individuals to the United States.*

SECTION 1. *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 issue a notification to any person who has received monies for which he is accountable to the United States, or to the executor or administrator of such person, if he be deceased, requiring him to render to the auditor of the treasury, at such time as he shall think reasonable, according to the circumstances of the case, within twelve months from the date of such notification, all his accounts and vouchers, for the expenditure of the said monies, and in default thereof, suits shall, at the discretion of the comptroller of the treasury, be commenced for the same, without further notice: And the party sued, as aforesaid, shall be subject to the costs and charges of such suits, whether the ultimate decision shall be in his favour or against him.

Comptroller may issue notification to debtors, &c.

SEC. 2. *And be it further enacted,* That the marshals of the respective districts be, and are hereby authorized and directed to serve the said notifications on the parties therein named, by leaving copies thereof at their respective dwellings, or usual places of abode, at least four months before the time fixed in such notification, for rendering their accounts, as aforesaid, and that the return of the said notifications to the comptroller's office, with the marshal's certificate thereon, that such service has been made, be deemed legal evidence in the district or circuit courts, of the proceedings, and for the recovery of costs and charges. And that in cases, where accounts shall be rendered to the auditor of the treasury, within the time limited in the notifications aforesaid, he shall immediately proceed to liquidate the credits to be passed for the said accounts, and report the same to the comptroller, with a particular list of any claims which shall have been disallowed by him. And that the comptroller of the treasury immediately proceed to the examination of the credits allowed by the auditor, and if the same be approved by him, that he cause credit therefor to be passed on the public books. And the comptroller shall also appoint a day, for hearing the claimant on the claims so disallowed by the auditor, as aforesaid.

Marshals of the districts to serve such notification.

Auditor to liquidate account and transmit it to the Comptroller, &c.

1809, ch. 28, sec. 2.

SEC. 3. *And be it further enacted,* That a list of all such credits aforesaid, as shall have been claimed, and not admitted by the comptroller, be made out and transmitted to the marshal of the district, where the claimant resides; and that a copy thereof be served on the claimant, or left at his dwelling or last usual place of abode, with notice of the time assigned by the comptroller, for the final hearing, as aforesaid, at least four months before such hearing; of which proceedings, the marshal is hereby directed to transmit an official return to the comptroller. And in case of an omission or neglect, on the part of the claimant, to assign, in writing, or otherwise, his reasons to the comptroller, within the time limited, as aforesaid, why the suspended credits should be admitted, all future claims therefor shall be, and are hereby forever barred. But in case the claimant shall, within the time aforesaid, assign in

How suspended credits are to be finally determined on.

writing, or otherwise, his reasons why the suspended credits should be admitted, the comptroller shall immediately consider the same, and decide thereon, according to the principles of equity, and the usages of the treasury department.

Decision of Comptroller conclusive on all concerned.

SEC. 4. *And be it further enacted*, That in all cases, where the final decision of the comptroller shall be against the claimant, such determination shall be final and conclusive to all concerned.

APPROVED, March 3, 1795.

STATUTE II.

March 3, 1795.

CHAP. XLIX.—*An Act to authorize a grant of lands to the French inhabitants of Gallipolis, and for other purposes therein mentioned.*

President to cause a certain tract of land to be surveyed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States shall be and he is hereby authorized and empowered to cause to be surveyed, in the territory northwest of the Ohio, a tract of land situate on the northerly bank of the river Ohio, beginning one mile and a half on a straight line above the mouth of Little Sandy, thence down the said river Ohio along the courses thereof eight miles when reduced to a straight line, thence at right angles from each extremity of the said line so as to include the quantity of twenty-four thousand acres of land to be disposed as herein after directed.

1798, ch. 59.

To cause the French inhabitants of Gallipolis to be enumerated.

SEC. 2. *And be it further enacted*, That the President be authorized to cause to be ascertained the number of French inhabitants and actual settlers of the town or settlement of Gallipolis, being males above eighteen years of age or widows who are or shall be within the said town or settlement of Gallipolis on the first day of November next.

Letters patent to be issued to John G. Gervais for a tract of said land on condition.

SEC. 3. *And be it further enacted*, That the President of the United States shall be and he is hereby authorized and empowered to issue letters patent in the name and under the seal of the United States, thereby granting to John Gabriel Gervais, and his heirs, four thousand acres of land, part of the said twenty-four thousand acres to be located on the northwest bank of the river Ohio opposite to the mouth of the Little Sandy, with condition in the said letters patent that if the said John Gabriel Gervais or his heirs shall not personally within three years from the date of the same patent settle on the same tract of land, and there continue settled for three years next thereafter, the same letters patent shall be void and determine, and the title thereof revert in the United States as if this law had not passed.

Remainder to be distributed among the actual settlers of Gallipolis.

SEC. 4. *And be it further enacted*, That the President of the United States shall be and he is hereby authorized and empowered to cause to be surveyed, laid off and divided, the remaining twenty thousand acres of land, residue of the twenty-four thousand acres, into as many lots or parts as the actual settlers of Gallipolis shall on the ascertainment aforesaid amount to, and the same to be designated, marked and numbered on a plat thereof to be returned to the secretary of the said territory, together with a certificate of the courses of the said lots, the said lots or parts of the aforesaid tract, to be assigned to the settlers aforesaid by lot.

Patents to issue,

And the President of the United States is hereby authorized and empowered to issue letters patent as aforesaid to the said actual settlers and their heirs for the said twenty thousand acres, to be held by them in severalty in lots to be designated and described by their numbers on the plat aforesaid, with condition in the same letters patent that if one or more of the said grantees his or her heirs or assigns shall not within five years from the date of the same letters make or cause and procure to be made an actual settlement on the lot or lots assigned to him, her or them, and the same continue for five years thereafter, that then the said letters patent so far as concerns the said lot or lots not settled and continued to be

on condition.

settled as aforesaid shall cease and determine and the title thereof shall revert in the United States in the same manner as if this law had not passed.

SEC. 5. *And be it further enacted*, That nothing in this act shall be taken or considered in any manner to impair or affect the claims of the said settlers against any person or persons for or by reason of any contracts heretofore made by them, but that the same contracts shall be and remain in the same state as if this law had not passed.

APPROVED, March 3, 1795.

Settlers' claims against contractors not to be impaired.

STATUTE II.

CHAP. L.—*An Act for the more general promulgation of the laws of the United States.*(a)

March 3, 1795

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, for the more general promulgation of the laws of the United States, the Secretary for the department of State shall, after the end of the next session of Congress, cause to be printed and collated at the public expense, a complete edition of the laws of the United States, comprising the constitution of the United States, the public acts then in force, and the treaties, together with an index to the same.

[Obsolete.] Secretary of State to cause an edition of the laws, &c. to be printed.

1799, ch. 30.

SEC. 2. *And be it further enacted*, That four thousand five hundred copies of the said edition shall be divided by the said secretary, among the respective states, and the territories northwest and south of the river Ohio, according to the rule for apportioning representatives; and that the proportion of each state or territory shall be transmitted by the said secretary to the governor or supreme executive magistrate thereof, to be deposited in such fixed and convenient place in each county, or other subordinate civil division of such state or territory, as the executive or legislature thereof shall deem most conducive to the general information of the people: and that five hundred copies of the said edition be reserved for the future disposition of Congress.

A certain number of copies to be distributed among the states.

1814, ch. 69.

Some to be reserved.

SEC. 3. *And be it further enacted*, That the acts passed at each succeeding session of Congress, including future treaties, shall be printed and distributed, in like manner and proportion.

APPROVED, March 3, 1795.

STATUTE II.

CHAP. LI.—*An Act making provision for the purposes of Trade with the Indians.*

March 3, 1795.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a sum, not exceeding fifty thousand dollars, be appropriated to the purchase of goods for supplying the Indians within the limits of the United States, for the year one thousand seven hundred and ninety-five; and that the sale of such goods be made under the direction of the President of the United States.

[Obsolete.] Goods to be purchased for supplying the Indians.

APPROVED, March 3, 1795.

STATUTE II.

CHAP. LII.—*An Act to regulate the Compensation of Clerks.*

March 3, 1795.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury, the Secretary of the department of State and the Secretary of the department of War, be authorized to vary, for the present year, the compensations heretofore established for clerks in their respective departments, in such manner as the services to be performed

[Obsolete.] Compensations of clerks in the departments may be varied for the present year.

(a) See an Act for the more general promulgation of the laws of the United States, March 2, 1799, ch. 30.

Increase of compensation to one of the clerks of the director of the mint.

1796, ch. 40.

Clerk hire of the commissioners of loans, &c.

shall in their judgment require; so however that no principal clerk shall receive more than at the rate of one thousand dollars per annum, and that the aggregate of the compensations for clerks in either of the said departments shall not for the said year exceed the aggregate of the compensations allowed for clerks in the same department for the year one thousand seven hundred and ninety-four; and that an additional compensation not exceeding the rate of two hundred dollars per annum be allowed for one clerk employed by the director of the mint during the present year.

SEC. 2. *And be it further enacted,* That there be allowed for the year one thousand seven hundred and ninety-five, to the commissioners of loans in the states of Massachusetts and New York respectively not exceeding five clerks at the rate of five hundred dollars each; to the commissioner of loans in the state of Connecticut not exceeding two clerks at the rate of four hundred dollars each; and to the commissioner of loans in the states of Pennsylvania, Virginia and South Carolina respectively not exceeding two clerks at the rate of five hundred dollars each. The aggregate of the compensations for clerks employed by either of the said commissioners to be apportioned among them at his discretion. That there be allowed for the year aforesaid in lieu of clerk hire to the commissioner of loans in the state of New Hampshire three hundred and fifty dollars; to the commissioner of loans in the state of Rhode Island four hundred dollars; to the commissioner of loans in the state of New Jersey three hundred dollars; and to the commissioner of loans in the state of Maryland two hundred and fifty dollars.

APPROVED, March 3, 1795.

STATUTE II.

March 3, 1795.

[Obsolete.]

President may in certain cases permit the exportation of arms, &c.

CHAP. LIII.—*An Act authorizing the exportation of Arms, Cannon and Military Stores in certain cases.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in cases connected with the security of the commercial interest of the United States, and for public purposes only, the President of the United States be, and hereby is authorized to permit the exportation of arms, cannon and military stores, the law prohibiting the exportation of the same to the contrary notwithstanding.

APPROVED, March 3, 1795.

I. *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States be and hereby is requested to give directions to the Attorney General to collect, digest and report to the next Congress, the charters, treaties and other documents relative to, and explanatory of, the title to the land situate in the South Western parts of the United States and claimed by certain companies under a law of the State of Georgia passed the seventh day of January last, namely, a tract of land claimed by James Gunn, Matthew McAllister, and George Walker, and their associates; also a tract of land claimed by Nicholas Long, Thomas Glascock, Ambrose Gordon, and Thomas Cumming, and their associates; also a tract of land claimed by John B. Scott, John C. Nightingale, and Wade Hampton, and their associates; and also a tract of land claimed by Zachariah Cox, and Mathias Maher, and their associates.

Passed by both Houses March 3, 1795