

ACTS OF THE FIFTH CONGRESS

OF THE

UNITED STATES,

Passed at the first session, which was begun and held at the City of Philadelphia, in the state of Pennsylvania, on Monday, the fifteenth day of May, 1797, and ended on the eighth of July, 1797.

JOHN ADAMS, President; THOMAS JEFFERSON, Vice President of the United States, and President of the Senate; WILLIAM BRADFORD, President of the Senate pro tempore, from July 6th; JONATHAN DAYTON, Speaker of the House of Representatives.

STATUTE I.

June 14, 1797.

Repealed by Act of April 20, 1818, ch. 83, sec. 12.

Citizens fitting out ships, or concerned therein, how punished and fined.

1794, ch. 50.

CHAPTER I.—*An Act to prevent citizens of the United States from Privateering against nations in amity with, or against citizens of 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 if any citizen or citizens of the United States shall, without the limits of the same, fit out and arm, or attempt to fit out and arm, or procure to be fitted out and armed, or shall knowingly aid or be concerned in the furnishing, fitting out or arming any private ship or vessel of war, with intent that such ship or vessel shall be employed to cruise or commit hostilities, upon the subjects, citizens or property of any prince or state with whom the United States are at peace, or upon the citizens of the United States, or their property, or shall take the command of, or enter on board of any such ship or vessel for the intent aforesaid, or shall purchase an interest in any vessel so fitted out and armed, with a view to share in the profits thereof, such person or persons so offending shall, on conviction thereof, be adjudged guilty of a high misdemeanor, and shall be punished by a fine not exceeding ten thousand dollars, and imprisonment not exceeding ten years: And the trial for such offence, if committed without the limits of the United States, shall be in the district where the offender shall be apprehended or first brought.

Construction of this act.

SEC. 2. *And be it further enacted,* That nothing in the foregoing act shall be construed to prevent the prosecution or punishment of treason, or any piracy defined by a treaty or other law of the United States.

APPROVED, June 14, 1797.

STATUTE I.

June 14, 1797.

[Expired.]

Exportation of cannon, &c. unlawful until March 3, 1798.

CHAP. II.—*An Act prohibiting, for a limited time, the Exportation of Arms and Ammunition, and for encouraging the Importation thereof.*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall not be lawful to export from the United States any cannon, muskets, pistols, bayonets, swords, cutlasses, musket-balls, lead, bombs, grenadoes, gunpowder, sulphur or saltpetre, but the exportation of all the aforesaid articles is hereby prohibited, until the end of the next session of Congress, and no longer.

Vessels.

SEC. 2. *And be it further enacted,* That any of the aforesaid articles, excepting such of them as may constitute a part of the equipment of

any vessel, which during the continuance of this prohibition shall be found on board of any vessel in any river, port, bay or harbour within the territory of the United States, put on board with an intent to be exported from the United States, shall be forfeited, and in case the value thereof shall amount to one hundred dollars, the vessel on board of which the same shall be seized, together with her tackle, apparel and furniture, shall also be forfeited. *Provided nevertheless*, that nothing in this act shall be construed to prohibit the removal or transportation of any of the articles aforesaid from one port to another port within the United States, in any vessel having a license as a coasting vessel, the master, agent or owner of which shall have given bond, with one or more sufficient sureties, to the collector of the district from which such vessel is about to depart, in a sum double the value of such vessel and of such of the said articles as may be laden on board her, that the said articles shall be re-landed and delivered in some port of the United States. Or to prevent the exportation of any of the above articles on public account, under the direction of the President of the United States.

Vessels exporting the same to be forfeited.

Prohibition not to extend to removal of such articles from one part of the United States to another.

SEC. 3. *And be it further enacted*, That if any of the articles aforesaid shall, contrary to the prohibitions of this act, be exported from the United States, the vessel in which the same shall have been exported, together with her tackle, apparel and furniture, shall be forfeited, and the captain or master of such vessel, knowingly offending in the premises, shall be liable to indictment, and upon conviction shall forfeit and pay a sum not exceeding one thousand dollars; which shall be distributed in like manner as is herein after provided as to other forfeitures incurred under this act.

Master of vessel shall be liable to indictment for violating this act.

SEC. 4. *And be it further enacted*, That it shall be the duty of the custom-house officers, and of all persons employed in the collection of the revenue, to attend to the execution of this law, and all forfeitures and penalties incurred under it and not otherwise directed to be prosecuted and recovered, shall be sued for, prosecuted, adjudged and distributed in like manner as is provided in the act, entitled "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 and vessels."

Duty of custom house officers herein.

Ante, p. 145.

SEC. 5. *And be it further enacted*, That all brass cannon, muskets and firelocks with bayonets suited to the same, pistols, swords, cutlasses, musket-ball, lead, and gunpowder, which shall be imported into the United States from any foreign country, within the term of one year, and all sulphur and saltpetre which shall be so imported within the term of two years from and after the passing of this act, shall be free of duty; any thing in any former law to the contrary notwithstanding.

Such articles may be imported free of duty.

APPROVED, June 14, 1797.

STATUTE I.

CHAP. III.—*An Act to provide for the further Defence of the Ports and Harbors of the United States.*

June 23, 1797.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That for fortifying certain ports and harbors of the United States, there be appropriated a sum not exceeding one hundred and fifteen thousand dollars.

Appropriation of \$115,000 for fortifying ports;

Post, p. 554.

SEC. 2. *And be it further enacted*, That the said appropriation shall be paid and discharged out of the surplus of the revenue and income, beyond the appropriations heretofore charged thereon.

SEC. 3. *And be it further enacted*, That the President of the United States be, and he is hereby empowered to authorize any of the states which were found indebted to the United States in a settlement of the

out of which funds payable debtor states may expend under direction of the President, the sums due from them, provided they cede the lands.

accounts between them and the respective states, to expend under his direction the sums respectively due from them in fortifying their ports and harbors; and the sums which may be so expended shall be passed to the credit of the said states, on account of the balances found and reported by the commissioners for settling the accounts between the United States and the individual states, to be due from the said states to the United States. *Provided*, the said states shall and do cede to the United States the lands or places on which such fortifications shall be so erected, in cases where the lands are the property of such states.

APPROVED, June 23, 1797.

STATUTE I.

June 24, 1797.

CHAP. IV.—*An Act authorizing a detachment from the Militia of the United States.*

[Expired.]
80,000 militia to be held in readiness.

Proportion of each state.

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 be, and is hereby authorized to require of the executives of the several states, to take effectual measures, at such time as he shall deem necessary, to organize, arm and equip, according to law, and hold in readiness to march at a moment's warning, the following proportions, respectively, of eighty thousand effective militia, officers included, to wit: From the state of Tennessee, eight hundred and six: from the state of Georgia, one thousand three hundred and thirty-four: from the state of South Carolina, three thousand five hundred and thirty-five: from the state of North Carolina, seven thousand two hundred and sixty-eight: from the state of Kentucky, one thousand five hundred and forty-two: from the state of Virginia, eleven thousand one hundred and fifty: from the state of Maryland, five thousand two hundred and sixty-two: from the state of Delaware, one thousand one hundred and sixty-eight: from the state of Pennsylvania, ten thousand six hundred and ninety-six: from the state of New Jersey, four thousand two hundred and eighty-six: from the state of New York, seven thousand nine hundred and twenty-three: from the state of Vermont, two thousand one hundred and fifty: from the state of Connecticut, five thousand eight hundred and sixty: from the state of Rhode Island, one thousand six hundred and twenty-six: from the state of Massachusetts, eleven thousand eight hundred and thirty-six: from the state of New Hampshire, three thousand five hundred and fifty-eight.

The President may authorize the state executives to receive independent corps.

SEC. 2. *And be it further enacted*, That the President may, if he judges expedient, authorize the executives of the several states, to accept any independent corps of cavalry, artillery or infantry, as part of the detachments aforesaid, provided they shall voluntarily engage as corps in the service.

Limitation of service,

SEC. 3. *And be it further enacted*, That the said militia shall not be compelled to serve a longer time, in any one tour, than three months, after their arrival at the place of rendezvous: and that, during the time of their service, the commissioned officers shall be entitled to the same pay and rations that are allowed by law, to officers of the same rank on the military establishment of the United States; and the non-commissioned officers, musicians, and privates, shall receive the pay and allowance for clothing, established by an 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."

pay and subsistence; allowance for clothing.

Ante, p. 408.

This act to be in force one year.

SEC. 4. *And be it further enacted*, That this act shall continue and be in force, for the space of one year from the passing thereof, and from thence to the end of the next session of Congress, and no longer.

APPROVED, June 21, 1797.

CHAP. V.—*An Act in addition to an act, entitled “An act concerning the registering and recording of Ships and Vessels.”*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no ship or vessel which has been, or shall be registered, pursuant to any law of the United States, and which hereafter shall be seized, or captured and condemned, under the authority of any foreign power, or that shall by sale become the property of a foreigner or foreigners, shall, after the passing of this act, be entitled to, or capable of receiving, a new register, notwithstanding such ship or vessel should afterwards become American property; but that all such ships and vessels shall be taken and considered, to all intents and purposes, as foreign vessels: *Provided,* that nothing in this act contained, shall extend to, or be construed to affect the person or persons owning any ship or vessel, at the time of the seizure, or capture of the same, or shall prevent such owner, in case he regain a property in such ship or vessel, so condemned, by purchase or otherwise, from claiming and receiving a new register for the same, as he might or could have done, if this act had not been passed.

APPROVED, June 27, 1797.

STATUTE I.
June 27, 1797.

[Expired.]

Act of Dec. 31, 1792, ch. 1.
Vessels of U. States captured and condemned under any foreign power, or sold to a foreigner, shall not receive a new register.

Proviso.

CHAP. VI.—*An Act directing the appointment of Agents, in relation to the sixth article of the Treaty of Amity, Commerce and Navigation, between the United States and Great Britain.*

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 be, and hereby is authorized, by and with the advice and consent of the Senate, to appoint a proper person to act in behalf of the United States, under the direction of the Attorney General, in relation to such claims as may be made against the United States, before the commissioners appointed to carry into effect the sixth article of the treaty of amity, commerce and navigation, between the United States of America and his Britannic Majesty. And it shall be the duty of the Attorney General, to counsel such agent, and to attend before the said commissioners, whenever any questions of law, or fact, to be determined by them, shall render his assistance necessary.

SEC. 2. *And be it further enacted,* That the Attorney General be and is hereby authorized to employ such agents, in different parts of the United States, as the business before the said commissioners, in his opinion, shall make necessary, to be paid according to their services, at such rate as the President of the United States shall direct.

SEC. 3. *And be it further enacted,* That during the continuance of the service to be performed under this act, the Attorney General shall be entitled to an additional compensation of six hundred dollars per annum; and the person hereby directed to be appointed, to a compensation at the rate of two thousand dollars per annum.

SEC. 4. *And be it further enacted,* That for enabling the President of the United States, to defray the expenses to be incurred under, and by this act, a sum not exceeding ten thousand dollars, be, and hereby is appropriated, to be paid out of any monies not otherwise appropriated.

APPROVED, June 30, 1797.

STATUTE I.
June 30, 1797.

[Obsolete.]

Agent to be appointed to act on part United States, under direction of Attorney General, before the commissioners under sixth article of treaty with Great Britain.

Duty of Attorney General herein;

authorized to employ agents in different parts of the U. States.

Additional compensation.

Appropriation.

CHAP. VII.—*An Act providing a Naval Armament.*

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 be and he is hereby empowered, should he

STATUTE I.
July 1, 1797.

[Expired.]

Act of March 27, 1794, ch. 12.

President may man and employ the frigates; their commissioned officers.

deem it expedient, to cause the frigates United States, Constitution and Constellation, to be manned and employed.

SEC. 2. *And be it further enacted*, That there shall be employed on board each of the ships of forty-four guns, one captain, four lieutenants, two lieutenants of marines, one chaplain, one surgeon, and two surgeon's mates; and in the ship of thirty-six guns, one captain, three lieutenants, one lieutenant of marines, one surgeon, and one surgeon's mate.

Warrant officers.

SEC. 3. *And be it further enacted*, That there shall be employed in each of the said ships, the following warrant officers, who shall be appointed by the President of the United States, to wit: one sailing master, one purser, one boatswain, one gunner, one sail-maker, one carpenter, and eight midshipmen; and the following petty officers, who shall be appointed by the captains of the ships respectively, in which they are to be employed, viz: two master's mates, one captain's clerk, two boatswain's mates, one cockswain, one sail-maker's mate, two gunner's mates, one yeoman of the gun-room, nine quarter gunners, (and for the two larger ships two additional quarter gunners) two carpenter's mates, one armourer, one steward, one cooper, one master at arms, and one cook.

Crews.

SEC. 4. *And be it further enacted*, That the crews of each of the ships of forty-four guns, shall consist of one hundred and fifty seamen, one hundred and three midshipmen and ordinary seamen, three sergeants, three corporals, one drum, one fife, and fifty marines: and that the crew of the ship of thirty-six guns shall consist of one hundred and thirty able seamen and midshipmen, ninety ordinary seamen, two sergeants, two corporals, one drum, one fife, and forty marines, over and above the officers herein before mentioned.

Pay and subsistence.

SEC. 5. *And be it further enacted*, That the pay and subsistence of the respective commissioned and warrant officers, be as follows: A captain, seventy-five dollars per month, and six rations per day; a lieutenant, forty dollars per month, and three rations per day; a lieutenant of marines, thirty dollars per month, and two rations per day; a chaplain, forty dollars per month, and two rations per day; a sailing master, forty dollars per month, and two rations per day; a surgeon, fifty dollars per month, and two rations per day; a surgeon's mate, thirty dollars per month, and two rations per day; a purser, forty dollars per month, and two rations per day; a boatswain, twenty dollars per month, and two rations per day; a gunner, twenty dollars per month, and two rations per day; a sail-maker, twenty dollars per month, and two rations per day; a carpenter, twenty dollars per month, and two rations per day.

President to fix the pay to petty officers, &c.

SEC. 6. *And be it further enacted*, That the pay to be allowed to the petty officers, midshipmen, seamen, ordinary seamen and marines, shall be fixed by the President of the United States: *Provided*, that the whole sum to be given for the whole pay aforesaid shall not exceed fifteen thousand dollars per month, and that each of the said persons shall be entitled to one ration per day.

Ration.

SEC. 7. *And be it further enacted*, That the ration shall consist of as follows: Sunday, one pound of bread, one pound and a half of beef, and half a pint of rice; Monday, one pound of bread, one pound of pork, half a pint of peas or beans, and four ounces of cheese; Tuesday, one pound of bread, one pound and a half of beef, and one pound of potatoes, or turnips and pudding; Wednesday, one pound of bread, two ounces of butter, or in lieu thereof six ounces of molasses, four ounces of cheese, and half a pint of rice; Thursday, one pound of bread, one pound of pork, and half a pint of peas or beans; Friday, one pound of bread, one pound of salt fish, two ounces of butter, or one gill of oil, and one pound of potatoes; Saturday, one pound of bread, one pound of pork, half a pint of peas or beans, and four ounces of cheese; and there shall also be allowed one half pint of distilled spirits per day, or in lieu thereof one quart of beer per day, to each ration.

SEC. 8. *And be it further enacted*, That the officers, non-commissioned officers, seamen, and marines, belonging to the navy of the United States, shall be governed by the rules for the regulations of the navy heretofore established by the resolution of Congress of the twenty-eighth of November, one thousand seven hundred and seventy-five, as far as the same may be applicable to the constitution and laws of the United States, or by such rules and articles as may hereafter be established.

By what rules to be governed.

SEC. 9. *And be it further enacted*, That the appointment of the officers to the frigates may be made by the President alone in the recess of the Senate; and their commissions, if so appointed, shall continue in force till the advice and consent of the Senate can be had thereupon at their next meeting which may happen thereafter.

The President may make the appointments alone, in recess of the Senate.

SEC. 10. *And be it further enacted*, That the seamen and marines shall not be engaged to serve on board the frigates, for a period exceeding one year; but the President may discharge the same sooner if in his judgment their services may be dispensed with.

SEC. 11. *And be it further enacted*, That if any officer, non-commissioned officer, marine or seaman belonging to the navy of the United States, shall be wounded or 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: *Provided always*, that the rate of compensation to be allowed for such wounds or disabilities to a commissioned or warrant 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, marines and seamen, 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.

Term of service.

Provision in case of wounds.

Limitation of the compensation in case of wounds.

SEC. 12. *And be it further enacted*, That the President of the United States be, and he is hereby authorized, if circumstances should hereafter arise, which in his opinion may render it expedient, to increase the strength of the several revenue cutters, so that the number of men employed do not exceed thirty marines and seamen to each cutter; and cause the said revenue cutters to be employed to defend the sea coast, and to repel any hostility to their vessels and commerce, within their jurisdiction, having due regard to the duty of the said cutters, in the protection of the revenue.

President may increase the strength of the cutters.

SEC. 13. *And be it further enacted*, That the compensations established by the first section of the act passed on the sixth day of May, one thousand seven hundred and ninety-six, entitled "An act making further provision relative to the revenue cutters," be, and the same is hereby continued and confirmed, on the terms and conditions of the said act, to the mariners and marines, who are or may be employed as aforesaid.

Act making compensation to their officers and men, continued.

1796, ch. 22.

SEC. 14. *And be it further enacted*, That this act shall continue in force for the term of one year, and from thence to the end of the then next session of Congress and no longer.

Limitation of this act.

APPROVED, July 1, 1797.

STATUTE I.

CHAP. VIII.—*An Act to ascertain the time for the next meeting of Congress, and to repeal the act heretofore passed for that purpose.*

July 1, 1797.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That after the end of the present session, the next meeting of Congress shall be on the second Monday of November in the present year.

Congress to meet second Monday in Nov. 1797.

SEC. 2. *And be it further enacted*, That the act intituled "An act

Ante, p. 507.

to alter the time for the next meeting of Congress," passed on the third day of March last, be, and the same is hereby repealed.

APPROVED, July 1, 1797.

STATUTE I.

July 5, 1797.

CHAP. IX.—*An Act for reviving and continuing suits and process in the Circuit Court for the district of North Carolina.*

[Obsolete.]

WHEREAS, a sufficient quorum of judges did not attend to hold the circuit court, for the district of North Carolina, for the purpose of doing business in June term, one thousand seven hundred and ninety-seven; in consequence whereof, certain provisions are now become necessary and expedient, to prevent a failure of justice in the said court:

SECTION 1. *Be it therefore enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall and may be lawful, for the district judge of the state of North Carolina, to direct the clerk of the said court, to issue such process for the purpose of causing persons to be summoned to serve as jurymen at the said court, at the term to commence the thirtieth day of November next, as has been before issued by the clerk of the said court for the like purpose, returnable to June term, one thousand seven hundred and ninety-seven; that the persons ordered by the said process to be summoned for the said purpose, shall be ordered to be summoned in the same proportion, and from the same counties, as those persons who were ordered to be summoned for the like purpose, by process returnable at June term, one thousand seven hundred and ninety-seven: *Provided,* that if it shall appear expedient to the said district judge, that a different time of notice shall be prescribed, than that hitherto prescribed, he may cause such other time of notice to be directed to be given, as to him shall appear most conducive to justice, and convenient to the persons to be summoned. And the marshal is hereby directed to execute the said process, so to be issued; and the persons who shall be legally summoned to attend as jurymen, in consequence thereof, are hereby required to attend the said court, under the like penalties for disobedience, as if the said process had been ordered to be issued by the said court, in the ordinary method of proceeding: And the marshal and the persons who shall attend as jurymen, in virtue of the said process, so to be issued, shall be entitled to the like allowances for their services, respectively.

Proviso.

Marshal to execute process.

How suits and proceedings shall be proceeded on.

SEC. 2. *And be it further enacted,* That all suits and proceedings, of what nature or kind soever, which have been commenced in the said court, and not finished, shall be proceeded on at the ensuing term, in the same manner, and to the same effect, as if the said circuit court had been regularly held for the purpose of business in June term, one thousand seven hundred and ninety-seven, and continuances had been regularly entered, of all suits and proceedings in the said term, in which they were depending, in the usual manner of proceeding, as the case might be.

All writs, &c. deemed of same validity as if June term had been regularly held.

SEC. 3. *And be it further enacted,* That all writs and other process sued out of the clerk's office of the said circuit court, according to the accustomed method, bearing test in November term, one thousand seven hundred and ninety-six, or June term, one thousand seven hundred and ninety-seven, shall be held and deemed of the same validity and effect as if the term of June, one thousand seven hundred and ninety-seven, had been regularly held by a judge or judges competent to do business, and continuances in respect to writs or other process returnable to the last mentioned term, had been regularly entered.

APPROVED, July 5, 1797

CHAP. X.—*An Act to continue in force to the end of the next session, certain acts, and parts of acts, of limited duration.*

STATUTE I.
July 5, 1797.

[Obsolete.]
Certain laws declared in force till the end of next session.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all laws of the United States, and parts of laws now in force, and which, by the terms of their limitation, will expire with the end of this session of Congress, shall be, and hereby are continued in force, until the end of the next session.

APPROVED, July 5, 1797.

STATUTE I.

CHAP. XI.—*An Act laying Duties on stamped Vellum, Parchment and Paper.* (a)

July 6, 1797.

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 thirty-first day of December next, there shall be levied, collected and paid throughout the United States, the several stamp duties following, to wit: For every skin or piece of vellum, or parchment, or sheet or piece of paper upon which shall be written or printed any or either of the instruments or writings following, to wit: any certificate of naturalization, five dollars: any license to practice or certificate of the admission, enrolment or registry of any counsellor, solicitor, attorney, advocate or proctor in any court of the United States, the sum of ten dollars; any grant or letters patent under the seal or authority of the United States, except for lands granted for military services, four dollars; any exemplification or certified copy of any such grant or letters patent, two dollars; any charter-party, bottomry, or respondentia bond, one dollar; any receipt or other discharge for or on account of any legacy left by any will or other testamentary instrument, or for any share or part of a personal estate divided by force of any statute of distributions, the amount whereof shall be above the value of fifty dollars, and shall not exceed the value of one hundred dollars, twenty-five cents; where the amount thereof shall exceed the value of one hundred dollars and shall not exceed five hundred dollars, fifty cents; and for every further sum of five hundred dollars, the additional sum of one dollar; any policy of insurance or instrument in nature thereof, whereby any ships, vessels or goods going from one district to another in the United States, or from the United States to any foreign port or place, shall be insured, to wit, if going from one district to another in the United States, twenty-five cents; if going from the United States to any foreign port or place, when the sum for which insurance is made shall not exceed five hundred dollars, twenty-five cents; and when the sum insured shall exceed five hundred dollars, one dollar; any exemplification, of what nature soever, that shall pass the seal of any court, other than such as it may be the duty of the clerk of such court to furnish for the use of the United States or some particular state, fifty cents; any bonds, bills, single or penal, foreign or inland bill of exchange, promissory note, or other note for the security of money, according to the following scale, viz. on all bonds,

[Repealed.]
Rate of duties on stamped vellum, &c. on 1st Jan. 1798.
1797, ch. 11.

Certain certificates.

Exemplification of letters patent.
Receipts.

Policy of insurance.

Rate of duties on bonds and notes.

(a) The acts imposing and relating to duties on stamps, have been: An act laying duties on stamped vellum, parchment, and paper, July 6, 1797, chap. 11; an act to postpone for a limited time, the commencement of the duties imposed by the act entitled, "an act laying duties on stamped vellum, parchment, and paper," December 15, 1797, chap. 1; an act to amend the act entitled, "an act laying duties on stamped vellum, parchment, and paper," March 19, 1798, chap. 20; an act to alter the duties imposed upon foreign bills of exchange, and bills of lading by "an act laying duties on stamped vellum, parchment, and paper," February 28, 1799, chap. 17; an act to establish a general stamp office, April 23, 1800, chap. 31; an act to amend an act "to establish a general stamp office," March 3, 1801, chap. 19; an act laying duties on notes of banks, bankers, and certain companies; on notes, bonds, and obligations discounted by banks, bankers, and certain companies; and on bills of exchange of certain descriptions, August 2, 1813, chap. 52; an act continuing in force certain acts laying duties on bank notes, refined sugars, and for other purposes, February 1, 1816, chap. 9; an act respecting stamps, March 3, 1823, chap. 54.

- bills, single or penal, foreign or inland bill of exchange, promissory note, or other note, above twenty dollars and not exceeding one hundred dollars, ten cents; above one hundred and not exceeding five hundred dollars, twenty-five cents; above five hundred and not exceeding one thousand dollars, fifty cents; above one thousand dollars, seventy-five cents: *Provided*, that if any bonds or notes shall be payable at or within sixty days, such bonds or notes shall be subject to only two fifth parts of the duty aforesaid; and provided, that notes issued by any of the banks now established, or which hereafter may be established, within the United States, shall be subject to a duty according to the following scale, viz. on all notes not exceeding fifty dollars, at the rate of three fifths of a cent for every dollar; above fifty dollars and not exceeding one hundred dollars, fifty cents; above one hundred dollars, and not exceeding five hundred dollars, one dollar; above five hundred dollars, two dollars; any protest, or other notarial act, twenty-five cents; any letter of attorney, except for invalid pensions, or to obtain or sell warrants for land granted by the United States as bounty for military services performed in the late war, twenty-five cents; any certificate or debenture for drawback of customs or duties for less than five hundred dollars, one dollar; any certificate or debenture for five hundred dollars, and not exceeding two thousand dollars, two dollars; and on every certificate or debenture for more than two thousand dollars, three dollars; any note or bill of lading for any goods or merchandise to be exported, if from one district to another district of the United States, not being in the same state, ten cents; if to be exported to any foreign port or place, twenty-five cents; any inventory or catalogue of any furniture, goods or effects, made in any case required by law (except in cases of goods and chattels distrained for rent or taxes, and goods taken in virtue of any legal process by any officer) fifty cents; any certificate of a share in any insurance company, or any certificate of a share in the Bank of the United States, or of any state, or other bank, above twenty dollars, and not exceeding one hundred dollars, ten cents; above one hundred dollars, twenty-five cents; and for any certificate for every such share under twenty dollars, at the rate of ten cents for one hundred dollars; and the same for any less sum of the amount of the shares expressed in such certificate: *Provided*, that nothing in this act contained, shall extend to charge with a duty, any legacy left by any will or other testamentary instrument or any share or part of a personal estate, to be divided by force of any statute of distributions which shall be left to, or divided amongst the wife, children, or grandchildren of the person deceased intestate, or making such will or testamentary instrument, or any recognizance, bill, bond, or other obligation or contract, which shall be made to, or with the United States, or any state, or for their use respectively.
- Proviso.**
- Protest.**
- Rate of duty on certificates or debentures.**
- Any inventory.**
- Proviso.**
- Secretary of Treasury may agree with the banks for one per cent. on annual dividends, in lieu of stamp duty.**
- Deeds, &c. on ship, construed to be policies of assurance.**
- SEC. 2.** *And be it further enacted*, That in respect to any stamp, on any of the notes of the banks now established, or which hereafter may be established within the United States, it shall be lawful for the Secretary of the Treasury, to agree to an annual composition for the amount of such stamp duty, with any of the said banks, of one per centum on the amount of the annual dividend made by such banks, to their stockholders respectively.
- SEC. 3.** *And be it further enacted*, That all deeds and writings whatsoever, for the payment of any sum of money, upon the contingency of the loss of any ship, or goods, laden or to be laden on board of any ship, or of damage thereto, shall be construed and adjudged to be policies of assurance, within this act chargeable with the several rates of duty herein before mentioned.
- SEC. 4.** *And be it further enacted*, That when any vessel, or any goods or merchandise, laden or to be laden on board of any vessel, shall be insured, a policy, duly stamped, shall be issued, or made out, within the

space of three days at furthest; and the insurer or insurers neglecting to make out such policy or policies, within the time aforesaid, shall forfeit the sum of twenty dollars, for every such neglect or offence; and all promissory notes, or other security made for assurance or insurances of ships, goods or merchandises at sea, or going to sea, in lieu of a policy, are hereby declared void.

Penalty on neglecting to make out policy of insurance.

SEC. 5. *And be it further enacted*, That every deed, instrument, note, memorandum, letters or other writing between the captain or master, or owner of any ship or vessel, and any merchant, trader or other person, in respect to the hire or freight of such ship or vessel, for conveyance of any money, goods, wares, merchandise or effects, laden or to be laden on board of such ship or vessel, shall be deemed and adjudged to be a charter party.

SEC. 6. *And be it further enacted*, That every receipt for any sum of money, paid in whole or in part, of any legacy or share of personal estate, distributed as aforesaid, in the cases in which a duty is hereby charged, shall express therein the true sum which shall have been so paid; in default of which, as well the person or persons by whom the same shall have been paid, as the person or persons by whom the same shall have been received, shall severally forfeit and pay the sum of twenty dollars: And every receipt in full, shall be deemed, for the purpose of charging the duties hereby laid, to be for the entire sum of such legacy or share of personal estate, unless it shall be made to appear that all such part thereof, as may not be expressed in such receipt in full, was, previous thereto, paid, and upon a receipt or receipts, duly marked or stamped, according to the directions of this act.

Receipts for legacies, &c. to express the full sum paid.

SEC. 7. *And be it further enacted*, That every counsellor, solicitor, attorney, proctor or advocate, who hath been or shall be admitted, enrolled or registered, in any court of the United States, before he shall at any time after the said thirty-first day of December next, prosecute, carry on, or defend any action, suit or proceeding in any court of the United States, shall take out a certificate of such admission, enrolment or registry from the clerk or prothonotary of the court granting such admission; which certificate shall be written on a piece of vellum, parchment or paper, stamped according to the directions of this act, and such clerk or prothonotary shall make entry of such admission, enrolment or registry, in a book to be by him kept for that purpose, to which any person may, at reasonable times have access, without fee or reward: for which certificate and entry, there shall be paid to such clerk or prothonotary, by the supervisor of the revenue for the district wherein such court shall be held, the sum of twenty-five cents.

Counsellors, &c. shall take out a stamped certificate of admission.

SEC. 8. *And be it further enacted*, That the receiving a certificate as aforesaid in any one of the courts of the United States, for any one of the said offices, shall be a sufficient admission in all the courts of the same, for that or any other of the said offices, so far as relates to the payment of the duties imposed by this act; any thing herein contained to the contrary notwithstanding.

Duty to be paid upon one certificate only.

SEC. 9. *And be it further enacted*, That the several duties aforesaid, shall be levied, collected, received, and accounted for, by and under the immediate direction and management of the supervisors and inspectors of the revenue, and other officers of inspection, subject to the superintendance, control and direction of the treasury department, according to the respective authorities and duties of the officers thereof.

How these duties are to be collected and accounted for.

SEC. 10. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, to cause to be provided so many marks and stamps differing from each other, as shall correspond with the several rates of duty aforesaid; that is to say, one mark or stamp for each distinct rate of duty; with which marks and stamps respectively shall be marked or stamped all vellum, parchment or paper, upon which shall be

Secretary of the Treasury to provide marks and stamps.

written, or printed, all or any of the several instruments, writings, matters and things herein before enumerated and charged, according to the nature and description of each of the said instruments, writings, matters and things as are herein before specified and described. Which said several marks and stamps shall be notified by a public notification, or advertisement, to be issued by the Secretary of the Treasury, and inserted in at least one newspaper printed in each state, and in the territory north west of the Ohio, and for not less than three months before the said thirty-first day of December next, to the end that all persons may have due notice thereof; and which said marks and stamps, or any of them, shall or may be altered or renewed from time to time, as the said Secretary of the Treasury shall think fit, so as like public notification thereof be made, for a term not less than three months, before such new stamps or marks shall begin to be used.

Supervisors to stamp vellum &c. upon demand made.

SEC. 11. *And be it further enacted,* That the supervisors of the revenue are hereby empowered and required, forthwith upon demand to them or any of them, made by any person or persons, to stamp or mark any quantities or parcels of vellum, parchment or paper (he or they paying to the supervisors of the revenue respectively, the respective duties hereby directed to be paid for the same) to stamp and mark the same accordingly, without any other fee or reward; which stamp or mark shall be a sufficient discharge for the several and respective duties hereby granted upon the said vellum, parchment or paper, which shall be so stamped or marked.

Penalty on stamping before the duties are paid or secured.

SEC. 12. *And be it further enacted,* That if any supervisor of the revenue shall fix any such mark or stamp to any vellum, parchment, or paper, upon such request or demand as aforesaid, before the several and respective duties thereupon charged by this act, shall be duly answered and paid, or secured to be paid, he shall for every such offence, forfeit his office together with the sum of five hundred dollars.

Penalty on writing or printing upon vellum &c. unstamped or improperly stamped.

SEC. 13. *And be it further enacted,* That if any person or persons, shall write or print, or cause to be written or printed upon any unstamped vellum, parchment or paper, (with intent fraudulently to evade the duties imposed by this act) any of the matters and things for which the said vellum, parchment or paper is hereby charged to pay any duty, or shall write or print, or cause to be written or printed any matter or thing, upon any vellum, parchment or paper, that shall be marked or stamped for any lower duty than the duty by this act payable, such person so offending, shall for every such offence, forfeit the sum of one hundred dollars; and in case any clerk, officer, or person, who in respect of any public office or employment, is or shall be authorized or instructed to make, write, or print any deeds, instruments or writings, by this act charged to pay a duty, as aforesaid, shall be guilty of any fraud, or practice to defraud or deprive the United States of any duty by this act payable, by making, writing or printing any such deed, instrument, or writing, or causing the same to be made, written, or printed upon vellum, parchment or paper, not marked or stamped according to this act (or upon vellum, parchment or paper, marked or stamped with any mark or stamp which he shall know to be counterfeited) or by writing or printing any such deed, instrument or other writing upon vellum, parchment or paper, that shall be marked or stamped for a lower duty as aforesaid, every such clerk, officer or person so guilty, and being thereof lawfully convicted, shall, instead of the penalty aforesaid, forfeit and pay the sum of five hundred dollars; and, if an officer of the United States, shall, in addition thereto, forfeit his office and be disabled to hold or enjoy the same for the future; and if any deed, instrument, or writing whatsoever, by this act charged with the payment of a duty, as aforesaid, shall, contrary to the true intent and meaning thereof, be written or printed, by any person or persons whomsoever, upon vellum, parchment,

or paper, not marked or stamped, according to this act, or upon vellum parchment or paper, marked or stamped, for a lower duty than ought to be paid upon the same, then, and in every such case, there shall be paid to the United States, for their use, over and above the duty herein before charged thereupon, for stamping every such deed, instrument or writing, the sum of ten dollars; and no such deed, instrument or writing shall be pleaded or given in evidence in any court, or admitted in any court to be available in law or equity, until it shall be stamped as aforesaid. And the supervisors, respectively, are hereby enjoined and required, upon payment or tender of the said duty and sum of ten dollars unto any of them, to mark or stamp the said vellum, parchment or paper, with the mark or stamp that shall be proper for such deed, instrument or writing, respectively; and if any person or persons whatsoever, shall counterfeit or forge any stamp or mark, to resemble any stamp or mark which shall be provided or made in pursuance of this act, or shall counterfeit or resemble the impression of the same upon any vellum, parchment or paper, thereby to defraud the United States of any [of] the duties hereby granted, or shall utter, vend or sell any vellum, parchment or paper, with such counterfeit mark or impression thereupon, knowing such mark or impression to be counterfeited; or shall privately or fraudulently use any stamp or mark, directed or allowed to be used by this act, in relation to the duties hereby laid, with intent to defraud the United States of any of the said duties, then every such person so offending, being thereof convicted in due form of law, shall be judged guilty of a misdemeanor, and be subject to be fined in any sum not exceeding one thousand dollars, and to be imprisoned for any term not exceeding seven years.

Penalty on counterfeiting.

On fraudulently using genuine stamps.

SEC. 14. *And be it further enacted*, That from and after the thirty-first day of December, no bank now established, or which shall be hereafter established, which shall not have compounded for the duty hereby required, shall issue any bank bill, or promissory note, unless upon paper duly stamped, and whereon the respective duties shall have been paid; and if the officer of any such bank, or any person or persons employed therein, shall thereafter issue any bill or note, not duly stamped as aforesaid, he or they shall forfeit and pay a fine equal to the value of the bill or note so issued.

Penalty on banks issuing bills or notes unstamped.

SEC. 15. *And be it further enacted*, That every person who shall be employed for the marking or stamping of vellum, parchment or paper, as aforesaid, before his acting in the marking or stamping of the said vellum, parchment or paper, shall take the following oath or affirmation: "*I [insert here the name of the person] do solemnly swear, [or affirm, as the case may be] that I will, according to the best of my knowledge and skill, faithfully, honestly and carefully execute the trust reposed in me, and will truly mark or stamp all vellum, parchment or paper which I shall be required or directed to mark or stamp, and will render a true and exact account thereof to the proper officer or officers, and will faithfully account for all monies which I shall receive therefor.*"

Oath to be taken by persons employed in stamping.

SEC. 16. *And be it further enacted*, That the said supervisors of the revenue, officers and other persons to be employed by them, shall, from time to time, for the better execution of their several duties and trusts, observe and execute such directions as they respectively shall, from time to time, receive from the department of the treasury; which department shall take care that the several parts of the United States shall, from time to time, be sufficiently furnished with vellum, parchment and paper, stamped or marked as aforesaid, so that the citizens thereof may have it in their election to buy the same of the officers or persons to be employed in and about the execution of this act, at the usual or most common rates above the said duty, or to bring their own vellum, parchment or paper, to be marked or stamped as aforesaid.

Duty of the supervisors &c. to obey the directions of the Treasury Department.

Duty of the Treasury Department.

What is to be done with stamped vellum &c. in case of the change of marks or stamps.

SEC. 17. *And be it further enacted,* That as often as any alteration or renewal shall be made of, or in the marks or stamps before in use, or any of them, it shall be lawful for all persons who shall, at that time, have in their custody or possession, any vellum, parchment or paper, marked with any mark or stamp, which shall be so altered or renewed, and upon which any of the matters or things hereby charged shall not have been written or printed, at any time within the space of sixty days, after the intention of renewing or altering shall be notified as aforesaid, to bring or send such vellum, parchment or paper, unto some office of inspection; and the officer of inspection, to whom they shall be brought or sent, is hereby required to deliver, or cause to be delivered, unto the several persons who shall so bring and deliver any quantity of vellum, parchment or paper, the like quantity of vellum, parchment or paper, and as good in quality, stamped with such new stamp or mark, without demanding or taking, directly or indirectly, for the same, any money or other consideration whatsoever. And in case any person shall neglect or refuse, within the time aforesaid, to bring, or cause to be brought and delivered unto some officer of inspection, any such vellum, parchment or paper, the same is hereby declared to be of no other effect or use, than if it had never been marked or stamped; and all matters and things which shall, after that time, be written or printed thereon, shall be of no other effect, than if they had been written or printed on vellum, parchment or paper not marked or stamped: And all persons who shall write or print any of the matters or things hereby charged, on such vellum, parchment or paper, after the said time, shall forfeit and suffer as herein before is enacted for persons writing or printing on vellum, parchment or paper not marked or stamped.

Officers collecting the duties to keep accounts and remit monies.

SEC. 18. *And be it further enacted,* That all and every the officer and officers who shall be concerned in the levying, collecting and receiving the duties arising by this act, shall keep a separate and distinct account thereof, and shall pay or remit the same, as speedily as may be, after it shall be received, according to the orders of the department of the treasury.

Salaries and incidental charges.

SEC. 19. *And be it further enacted,* That it shall be lawful for the President of the United States, to cause such sum and sums of money to be expended and paid, from time to time, for salaries, compensations, and other incidental charges as shall be necessary in and for the receiving, collecting, levying or managing of the said duties, so as that the whole amount thereof, shall not exceed five per centum of the gross total product of the said duties.

Penalties how to be sued and appropriated.

SEC. 20. *And be it further enacted,* That all fines, penalties and forfeitures, which shall be incurred by virtue of this act, shall be sued for and recovered in the name of the United States, or of the supervisor of the revenue, within whose district any such fine, penalty or forfeiture shall have been incurred, by bill or information, in any circuit or district court of the United States, or in any court of either of the said states; one half thereof to the use of the persons who, if an officer of inspection, shall first discover; if other than an officer of inspection, shall first inform of the cause whereby any such fine, penalty or forfeiture shall have been incurred (except in the cases in which a different disposition thereof may have been herein before made) and the other half to the use of the United States.

Limitation.

SEC. 21. *And be it further enacted,* That this act shall continue and be in force for, and during the term of five years, and from thence to the end of the next session of Congress, and no longer.

APPROVED, July 6, 1797.

CHAP. XII.—*An Act in addition to the law of the United States, concerning Consuls and Vice Consuls.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in case it be found necessary, for the interest of the United States that a Consul be appointed to reside at Algiers; the President be authorized to allow him an annual salary not exceeding four thousand dollars.

APPROVED, July 6, 1797.

STATUTE I.

July 6, 1797.

Act of April 14, 1792.
Consul at Algiers.

CHAP. XIII.—*An Act for allowing full mileage to the members of the Senate and House of Representatives of the United States.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That at the present extraordinary meeting and session of Congress, the respective members of the Senate and of the House of Representatives shall be entitled to receive a full allowance of mileage, any law to the contrary notwithstanding.

APPROVED, July 6, 1797.

STATUTE I.

July 6, 1797.

[Obsolete.]

Ante, p. 448.

CHAP. XIV.—*An Act to revive and continue in force, for a limited time, an act, intituled "An act authorizing the transfer of stock standing to the credit of certain States."*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the several provisions of the act, intituled "An act authorizing the transfer of the stock standing to the credit of certain states," passed the second day of January one thousand seven hundred and ninety-five, be and they are hereby revived and continued in force until the fourth day of March, one thousand seven hundred and ninety-nine, and no longer.

APPROVED, July 6, 1797.

STATUTE I.

July 6, 1797.

[Obsolete.]

1795, ch. 10.

CHAP. XV.—*An Act laying an additional Duty on Salt imported into the United States, and for other purposes.*

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 thirtieth day of September next, there shall be levied, collected and paid upon all salt imported into the United States, in ships or vessels of the United States, in addition to the duty of twelve cents now payable by law, eight cents per bushel, and on all salt which, after the said thirtieth day of September, shall be imported into the United States, in ships or vessels not of the United States, the like additional duty of eight cents, and ten per centum thereon.

SEC. 2. And be it further enacted, That all drawbacks and allowances now authorized by law, in relation to the existing duty on salt imported into the United States, shall apply to the additional duty laid by this act, and that in addition thereto, there shall be allowed and paid upon provisions salted within the United States, except upon dried fish, upon the exportation thereof to any foreign port or place as follows, viz: on pickled fish at the rate of twelve cents per barrel, and on other provisions at the rate of ten cents per barrel; and from and after the first day of January next there shall be an addition of thirty-three and a third per centum to the allowances now respectively granted to ships or vessels employed in the bank or other cod fisheries, and in the terms provided

STATUTE I.

July 8, 1797.

[Repealed.]

Eight cents additional duty on salt imported in vessels of the U. States.

Eight cents and ten per cent. thereon, laid upon other vessels.

Drawbacks and allowances to apply to the additional duty.

Additional drawbacks and allowances.

by an act entitled "An act concerning certain fisheries of the United States and for the regulation and government of the fishermen employed therein," and during the continuance of the said act.

Mode of executing this act. Ante, p. 145.

SEC. 3. *And be it further enacted*, That the act entitled "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," shall extend to and be in full force for the collection of the additional duty laid by this act, and generally for the execution thereof, as fully and effectually, as if every regulation, restriction, penalty, provision, clause, matter and thing therein contained had been herein inserted and re-enacted.

Limitation. Repealed March 3, 1807.

SEC. 4. *And be it further enacted*, That this act shall continue in force for two years, and from thence unto the end of the next session of Congress, and no longer.

APPROVED, July 8, 1797.

STATUTE I.

July 8, 1797.

CHAP. XVI.—*An Act authorizing a Loan of Money.*

[Obsolete.]
New loan of \$800,000.

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 be, and he is hereby empowered to borrow on the credit of the United States, a sum not exceeding eight hundred thousand dollars, at an interest not exceeding six per centum per annum, reimburseable at the pleasure of the United States, or at such period as may be stipulated by contract not exceeding five years from the time of obtaining the loan, to be applied to such public purposes as are or may be authorized by law, and to be repaid out of the revenues accruing to the end of the present year and such further revenues as have been, or may be provided during the present session of Congress; and it shall be lawful for the Bank of the United States to lend the said sum.

How to be paid.

In case of deficiency faith of the United States pledged to make provision for it.

SEC. 2. *And be it further enacted*, That in case the existing revenues of the United States, together with such further revenues as have been, or may be provided, during the present session, shall be insufficient to discharge and reimburse the said loan, the faith of the United States is hereby pledged to make such further provision therefor, as may be necessary.

APPROVED, July 8, 1797.

STATUTE I.

July 10, 1797.

CHAP. XVII.—*An Act making additional appropriations for the support of Government, for the year one thousand seven hundred and ninety-seven.*

[Obsolete.]

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That for the expenditure of the civil list; for the support of lighthouses; for the expenses of foreign intercourse; for certain expenses in relation to the military and naval establishments; and to satisfy certain miscellaneous demands the following sums be respectively appropriated; that is to say,

Specific appropriations.

For the compensations granted by law to the members of the Senate and House of Representatives, their officers and attendants estimated for a session of two months, seventy-seven thousand three hundred and eighty-nine dollars and sixty-six cents.

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

For printing the laws of the present session, one thousand and fifty dollars.

For making good the allowance to clerks employed in the Department

of State, agreeably to law, two hundred and sixty-nine dollars and seventy cents.

Specific ap-
propriations.

For the salary of an additional clerk in the Department of State, to perform the duties of an accountant, and when not so employed to do the ordinary services of a clerk, eight hundred dollars.

For defraying the expenses of foreign intercourse for the year one thousand seven hundred and ninety-seven beyond the appropriations heretofore authorized by law, sixty thousand five hundred dollars.

For defraying any advances incidental to the intercourse of the United States, with the Mediterranean powers, to be applied under the direction of the President of the United States, and according to his discretion, a sum not exceeding forty-five thousand dollars.

For the salaries of two extra clerks in the office of the accountant of the War Department, eight hundred dollars.

For completing and equipping the frigates United States, Constitution and Constellation, two hundred thousand dollars.

For the pay and subsistence of the officers and crews of the said frigates, one hundred thousand dollars.

For the extra expenses authorized by law, during the present session in relation to the revenue cutters, ten thousand dollars.

For the repairs and fabrication of arms and cannon carriages, thirty-nine thousand dollars.

For completing the six months pay and subsistence of the officers discharged under the act of the third of March, one thousand seven hundred and ninety-seven, two thousand five hundred and eighty dollars.

Ante, p. 507.

For the Hospital Department, five thousand dollars.

For making good a deficiency arising from the balance of monies of various appropriations being carried to the credit of the "Surplus Fund," in pursuance of the sixteenth section of the act passed the third of March, one thousand seven hundred and ninety-five, viz: for erecting a light-house on the head land of Cape Hatteras and a lighted beacon on Shell Castle Island, in the harbour of Ocracock, in the state of North Carolina, forty-four thousand dollars.

Ante, p. 433.

For enabling a remittance to the commissioners of the Dutch loans at Amsterdam, in payment for a quantity of saltpetre, seventeen thousand and thirty-one dollars and eighty-nine cents.

For repaying the Bank of the United States a sum advanced upon certain treasury bills drawn upon collectors of the revenue of the United States, in North Carolina, five thousand, one hundred and fifty dollars.

For the payment of the commissioner of loans for the state of Rhode Island, on account of two clerks who were employed in the year one thousand seven hundred and ninety-six, fifty-four dollars.

Sec. 2. *And be it further enacted,* That the several appropriations herein before made shall be paid and discharged out of the surplus of revenue and income beyond the appropriations heretofore charged thereon to the end of the present year.

How to be
paid.

APPROVED, July 10, 1797.