

ACTS OF THE ELEVENTH CONGRESS

OF THE

UNITED STATES,

Passed at the third session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the third day of December, 1810, and ended on the third day of March, 1811.

JAMES MADISON, President; GEORGE CLINTON, Vice President of the United States, and President of the Senate; JOHN POPE, President of the Senate pro tempore, from the 26th of February, 1811; J. B. VARNUM, Speaker of the House of Representatives.

STATUTE III.

Dec. 17, 1810. CHAPTER I.—*An Act to authorize the transportation of certain documents free of postage.*

[Obsolete.]

The message of President and the documents accompanying the same to be transmitted free of postage.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the members of Congress, the secretary of the Senate and clerk of the House of Representatives, be, and they are hereby respectively authorized to transmit, free of postage, the message of the President of the United States of the fifth of December, one thousand eight hundred and ten, and the documents accompanying the same, printed by order of the Senate and by order of the House of Representatives, to any post-office within the United States and territories thereof, to which they may direct, any law to the contrary notwithstanding.

APPROVED, December 17, 1810.

STATUTE III.

Jan. 7, 1811. CHAP. II.—*An Act making an additional appropriation to supply a deficiency in the appropriation for the relief and protection of distressed American Seamen, during the year one thousand eight hundred and ten.*

[Obsolete.]

Appropriation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for supplying the deficiency in the appropriation for the relief and protection of distressed American seamen in foreign countries, during the year one thousand eight hundred and ten, the further sum of seventy-six thousand dollars, to be paid out of any monies in the treasury not otherwise appropriated, be and the same hereby is appropriated.

APPROVED, January 7, 1811.

STATUTE III.

Jan. 7, 1811. CHAP. III.—*An Act to continue in force for a further time the first section of the act, entitled "An act further to protect the commerce and seamen of the United States against the Barbary powers."*

[Expired.]

Act of March 26, 1804, ch. 46.
Act of Feb. 27, 1813, ch. 40.
Mediterranean fund continued

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the act passed on the twenty-fifth [twenty-sixth] day of March, one thousand eight hundred and four, entitled "An act further to protect the com-

merce and seamen of the United States against the Barbary powers," as is contained in the first section of the said act, and which was revived and continued in force for the time therein mentioned, by an act, entitled "An act to revive and continue in force for a further time the first section of the act, entitled An act further to protect the commerce and seamen of the United States against the Barbary powers," passed on the twelfth day of January, one thousand eight hundred and ten, be, and the same is hereby continued in force until the fourth day of March, one thousand eight hundred and twelve: *Provided however*, That the additional duty laid by the said section, shall be collected on all such goods, wares and merchandise liable to pay the same, as shall have been imported previous to that day.

APPROVED January 7, 1811.

till 4th March, 1812.

Act of March 26, 1804, ch. 46.

1810, ch. 5.

Act of Jan. 31, 1812, ch. 15.

The additional duty laid by the 3d section shall be collected on all goods imported previous to March 4, 1812.

STATUTE III.

CHAP. IV.—*An Act to fix the compensation of the additional assistant Postmaster-General.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the additional assistant Postmaster-General, authorized by the act "regulating the post-office establishment," shall receive an annual salary of sixteen hundred dollars, payable quarter-yearly at the treasury of the United States, to be computed from the time at which he may have entered upon the execution of the duties of his office.

APPROVED, January 17, 1811.

Jan. 17, 1811.

An additional assistant Postmaster-General to be appointed with a salary of sixteen hundred dollars.

1810, ch. 37.

STATUTE III.

CHAP. VII.—*An Act to authorize the Secretary at War to ascertain and settle by the appointment of Commissioners, the exterior line of the Public Land at West Point, with the adjoining proprietor.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary at War shall be, and he is hereby authorized to settle the exterior line of the public land at West Point, in the state of New York, now in dispute with Thomas North, the adjoining proprietor; and for that purpose to appoint three commissioners to ascertain the same, whose determination, or a majority of them, the same being first approved by the Congress of the United States, shall be final and conclusive in the premises. And any such commissioner shall be entitled to receive at, and after the rate of four dollars per diem, for the time necessarily employed in executing said commission or appointment.

SEC. 2. *And be it further enacted*, That it shall and may be lawful for the commissioners who may be appointed under this act, or either of them, to issue process, in nature of a writ of subpœna, for any witness that may be required on a hearing in the premises; and any person duly served with such process shall be bound to appear and testify under the like penalty, and be liable to be proceeded against in the like manner, as is provided by law, in relation to any witness whose attendance is required in any court of the United States, to give testimony in any matter depending therein.

APPROVED, January 22, 1811.

Jan. 22, 1811.

[Obsolete.]

Secretary of War authorized to settle exterior line of the public land at West Point.

Commissioners may be appointed for that purpose.

Their award to be approved by Congress.

Commissioners entitled to compulsory process.

STATUTE III.

CHAP. IX.—*An Act making appropriations for the support of the Military establishment of the United States, for the year one thousand eight hundred and eleven.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for defraying the expenses

Feb. 6, 1811.

[Obsolete.]

Specific ap-
propriations.

of the military establishment of the United States for the year one thousand eight hundred and eleven, for the Indian department, and for the expense of fortifications, magazines, arsenals and armories, the following sums be, and the same hereby are respectively appropriated, that is to say:

For the pay of the army of the United States, eight hundred and sixty-nine thousand nine hundred and sixty-eight dollars.

For forage, thirteen thousand seven hundred and fifty-six dollars.

For subsistence, six hundred and eighty-five thousand five hundred and thirty-two dollars and five cents.

For clothing, two hundred and ninety-three thousand eight hundred and four dollars.

For bounties and premiums, thirty thousand dollars.

For the medical and hospital department, fifty thousand dollars.

For camp equipage, fuel, tools and transportation, two hundred and seventy thousand dollars.

For ordnance, one hundred thousand dollars.

For fortifications, arsenals, magazines and armories, including two thousand dollars for such a number of additional military storekeepers as may be required, two hundred and seventy-six thousand forty-nine dollars and seventy-six cents.

For purchasing maps, plans, books and instruments, two thousand five hundred dollars.

For contingencies, fifty thousand dollars.

For the salary of clerks employed in the military agents' offices, and in the office of the inspector of the army, three thousand five hundred dollars.

For the Indian department, one hundred and forty-six thousand five hundred dollars.

SEC. 2. *And be it further enacted*, That the several sums specifically appropriated by this act, shall be paid out of any monies in the treasury not otherwise appropriated.

APPROVED, February 6, 1811.

STATUTE III.

Feb. 7, 1811.

[Obsolete.]

CHAP. XI.—*An Act making appropriations for the support of the Navy of the United States for the year one thousand eight hundred and eleven.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for defraying the expenses of the navy of the United States for the year one thousand eight hundred and eleven, the following sums be, and the same are hereby respectively appropriated, that is to say:

For the pay and subsistence of the officers, and pay of the seamen, seven hundred and seventy-four thousand three hundred and ninety dollars.

For provisions, three hundred and eighty-five thousand, three hundred and thirty dollars.

For medicines, instruments and hospital stores, thirty thousand dollars.

For repairs of vessels, two hundred and fifty thousand dollars.

For freight, store rent, and all other contingencies, one hundred thousand dollars.

For pay and subsistence of the marine corps, including provisions for those on shore and forage for the staff, one hundred and thirty-eight thousand two hundred and fifty-six dollars and ninety cents.

For clothing for the same, thirty-seven thousand nine hundred dollars and ninety cents.

For military stores for the same, one thousand three hundred and ninety-six dollars and twenty-five cents.

Specific ap-
propriations.

For medicines, medical services, hospital stores, and all other expenses on account of the sick belonging to the marine corps, three thousand dollars. Specific appropriations.

For quartermasters and barrack-masters' stores, officers' travelling expenses, armorers and carpenters' bills, fuel, premiums for enlisting men, musical instruments, bounty to music, and other contingent expenses of the marine corps, fifteen thousand dollars.

For the expenses of navy-yards, comprising docks and other improvements, pay of superintendents, storekeepers, clerks and labourers, seventy-five thousand dollars.

For ordnance and small arms, sixty thousand dollars.

SEC. 2. *And be it further enacted,* That the several sums, specifically appropriated by this act, shall be paid out of any monies in the treasury, not otherwise appropriated.

APPROVED, February 7, 1811.

STATUTE III.

CHAP. XII.—*An Act making compensation to John Eugene Leitensdorfer for services rendered the United States in the war with Tripoli.*

Feb. 13, 1811.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby directed to issue a land warrant to John Eugene Leitensdorfer for three hundred and twenty acres; which said warrant may, at the option of the holder or possessor, be located with any register or registers of the land-offices on any of the public lands of the United States, lying on the west side of the Mississippi, then and there offered for sale, or may be received at the rate of two dollars per acre in payment of any such public lands.

A land warrant to be granted to Leitensdorfer.

SEC. 2. *And be it further enacted,* That the proper accounting officers of the treasury be, and they are hereby directed to settle the account of John Eugene Leitensdorfer, and to allow him the pay of a captain, from the fifteenth day of December, one thousand eight hundred and four, to the fifteenth day of July, one thousand eight hundred and five, being the time he served as adjutant and inspector of the forces of the United States, in Egypt and on the coast of Africa.

His account to be settled by the officers of the treasury.

APPROVED, February 13, 1811.

STATUTE III.

CHAP. XIV.—*An Act providing for the final adjustment of claims to lands, and for the sale of the public lands in the territories of Orleans and Louisiana.*(a)

Feb. 15, 1811.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following allowances and compensations shall be made to the several officers appointed for the purpose of ascertaining the rights of persons claiming lands in the territories of Orleans and Louisiana; which allowances and compensations shall be in full for all their services, including those rendered since their salaries respectively ceased, that is to say: To each of the commissioners, and to each of the clerks of the boards, fifty cents for each claim, duly filed according to law, which remained undecided on the first day of July, one thousand eight hundred and nine, and on which a decision has been made subsequent to that day, or shall hereafter be made, whether such decision be in favour or against the claim: which allowance of fifty cents shall be paid at the treasury of the United States, from time to time, and on receipt of the transcripts of the decisions and of the reports of claims not finally confirmed, as the same may be trans-

[Repealed.]

Compensations to officers appointed to ascertain the rights of persons claiming lands in the territories of Orleans and Louisiana.

1811, ch. 46, sec. 14.

(a) See notes to the act of March 2, 1805, chap. 26, vol. ii. 324, for a reference to the acts which have been passed relative to lands and land titles in Louisiana.

Compensations of commissioners, &c. &c.

No allowance to the person appointed by the Secretary of the Treasury after the time the agent ceased to act.

Two principal deputy surveyors of the Orleans territory may alter the mode of surveying certain lands.

Proviso.

Land offices established at New Orleans, and Opelousas, for disposing of the public lands.

1803, ch. 27.

Powers vested in the President extended to him as to the eastern district.

Act of April 21, 1806, ch. 39.

mitted by the boards respectively to the Secretary of the Treasury according to law. To each of the said commissioners and clerks a further allowance of five hundred dollars, to be paid after the completion of the business of each of the boards respectively, to the officers then in office. And to each of the translators, at the rate of six hundred dollars a year, and not to exceed in the whole for each the term of eighteen months: *Provided always*, that the above mentioned allowance of fifty cents for each claim decided upon, shall not be made to any of the commissioners who may be absent at the time of such decision; the attendance of each to be certified by the clerk, or by a majority of the board: *And provided also*, that no allowance shall be made to any agent heretofore employed by the Secretary of the Treasury, for any period of time subsequent to the time when such agent ceased to act, or when the board ceased to receive evidence.

SEC. 2. *And be it further enacted*, That the two principal deputy surveyors of the territory of Orleans shall, and they are hereby authorized, in surveying and dividing such of the public lands in the said territory, which are or may be authorized to be surveyed and divided, as are adjacent to any river, lake, creek, bayou or water course, to vary the mode heretofore prescribed by law, so far as relates to the contents of the tracts, and ——— to the angles and boundary lines ——— and to lay out the same into tracts as far as practicable, of fifty-eight poles in front and four hundred and sixty-five poles in depth, of such shape, and bounded by such lines as the nature of the country will render practicable, and most convenient: *Provided however*, that such deviations from the ordinary mode of surveying shall be made with the approbation of, and in conformity with the general instructions which may be given to that effect by the surveyor of the public lands south of the state of Tennessee.

SEC. 3. *And be it further enacted*, That for the disposal of the lands of the United States, lying in the eastern land district of the territory of Orleans, a land-office shall be established at New Orleans; and that for the disposal of the lands of the United States, lying south of Red river, in the western land district of the territory of Orleans, a land-office shall be established at Opelousas; and that for the disposal of the lands of the United States, lying north of Red river, in the western land district of the territory of Orleans, a land-office shall be established, which shall be kept at such place as the President of the United States may direct. The register of the western land district of the territory of Orleans shall act as register of the land-office of Opelousas, and as one of the commissioners for ascertaining the rights of persons claiming lands in any part of the said western land district. And for the land-office, north of the Red river, a register, and for each of the said three offices, a receiver of public monies shall be appointed, who shall give security in the same manner, in the same sums, and whose compensations, emoluments, duties and authority, shall in every respect be the same, in relation to the lands which shall be disposed of at their offices, as are or may be provided by law, in relation to the registers and receivers of public monies in the several offices established for the disposal of the lands of the United States, in the territory of Mississippi.

SEC. 4. *And be it further enacted*, That the powers vested in the President of the United States by the eleventh section of the act, entitled "An act supplementary to an act, entitled An act for ascertaining and adjusting the titles and claims to land within the territory of Orleans, and the district of Louisiana," passed on the twenty-first day of April, one thousand eight hundred and six, in relation to the public lands lying in the western district of the territory of Orleans, and all the other provisions made by the same section, for the sale of said lands, and for obtaining patents for the same, shall be, and the same are hereby in

every respect, extended to the public lands, lying in the eastern district of the territory of Orleans.

SEC. 5. *And be it further enacted*, That every person who, either by virtue of a French or Spanish grant recognized by the laws of the United States, or under a claim confirmed by the commissioners appointed for the purpose of ascertaining the rights of persons claiming lands in the territory of Orleans, owns a tract of land bordering on any river, creek, bayou or water course, in the said territory, and not exceeding in depth forty arpens, French measure, shall be entitled to a preference in becoming the purchaser of any vacant tract of land adjacent to, and back of his own tract, not exceeding forty arpens, French measure, in depth, nor in quantity of land, that which is contained in his own tract, at the same price, and on the same terms and conditions, as are, or may be provided by law for the other public lands in the said territory. And the principal deputy surveyor of each district respectively, shall be and he is hereby authorized, under the superintendence of the surveyor of the public lands south of the state of Tennessee, to cause to be surveyed, the tracts claimed by virtue of this section; and in all cases where by reason of bends in the river, lake, creek, bayou or water course bordering on the tract, and of adjacent claims of a similar nature, each claimant cannot obtain a tract equal in quantity to the adjacent tract already owned by him to divide the vacant land applicable to that object between the several claimants, in such manner as to him will appear most equitable: *Provided however*, that the right of pre-emption, granted by this section, shall not extend so far in depth, as to include lands fit for cultivation, bordering on another river, creek, bayou or water course. And every person entitled to the benefit of this section shall, within three years after the date of this act, deliver to the register of the proper land-office, a notice in writing, stating the situation and extent of the tract of land he wishes to purchase, and shall also make the payment and payments for the same, at the time and times, which are, or may be prescribed by law, for the disposal of the other public lands in the said territory: the time of his delivering the notice aforesaid, being considered as the date of the purchase. And if any such person shall fail to deliver such notice within the said period of three years, or to make such payment or payments at the time above mentioned, his right of pre-emption shall cease and become void; and the land may thereafter be purchased by any other person in the same manner, and on the same terms, as are or may be provided by law for the sale of other public lands in the said territory.

SEC. 6. *And be it further enacted*, That the land-offices, established by virtue of the fourth section of this act, shall be opened on the first day of January, one thousand eight hundred and twelve, for the sale of all the public lands, with the exception of section "No. sixteen" of the salt springs, and land contiguous thereto, and of the tracts reserved for the support of seminaries of learning as herein after provided, which shall have been previously surveyed and the surveys thereof returned according to law to the registers of the land-offices respectively; and on the first day of February, one thousand eight hundred and twelve, for the sale of such of the public lands, which, from the nature of the country, cannot be surveyed in the ordinary way, and are embraced by the provisions of the third section of this act, as shall have, at least six weeks previous to the said first day of February, one thousand eight hundred and twelve, been advertised for sale by the surveyor of the public lands south of the state of Tennessee, with the approbation of the President of the United States. The public sales for the lands, subdivided into quarter sections in the ordinary way, shall be held for one calendar month, under the superintendence of the register and receiver of each land-office respectively, and of either of the surveyors of public

Terms on which persons owning contiguous lands may obtain those belonging to the public.

Limitation of grants.

Periods of opening the land offices, &c. &c.

lands south of Tennessee, or of his principal deputy surveyor in the district, who shall each receive six dollars for each day's attendance on the same; and no tract of land shall be sold at said public sales, for a less price than that which is or may be prescribed by law, for the sale of public lands in the Mississippi territory. And from and after the first first day of February, one thousand eight hundred and twelve, any tract which has been thus offered for sale at public sale, and remains unsold, as well as any tract of land embraced by the provisions of the third section of this act, the sale of which is authorized by this section, may be disposed of at private sale by the register of the land-office, for the same price which is or may be prescribed by law, for the sale of public lands in the Mississippi territory. All the lands, sold (by) virtue of this section, shall in every other respect be sold on the same terms of payment and conditions, in the same manner, and under the same regulations as are or may be prescribed by law, for the sale of public lands in the Mississippi territory: *Provided however*, that in case of an application being made at the same time, for the purchase at private sale of the same tract of land by two or more persons, one of whom did actually inhabit and cultivate such tract of land at the time of passing this act, and still continues to inhabit and cultivate the same at the time of such application; the preference shall be given to the person thus inhabiting and cultivating such tract of land: *And provided also*, that till after the final decision of Congress thereon, no tract of land shall be offered for sale, the claim to which has been in due time, and according to law, presented to the register of the land-office, and filed in his office, for the purpose of being investigated by the commissioners appointed for the purpose of ascertaining the rights of persons claiming lands in the territory of Orleans; or which shall have been located by or for Major General La Fayette, according to law.

Preference to inhabitants and cultivators.

Proviso.

1803, ch. 27.

Additional reservation in the western district.

SEC. 7. *And be it further enacted*, That in addition to the township already reserved for that purpose by law, in the western district of the territory of Orleans, and which shall be located south of Red river, another entire township shall be located by the Secretary of the Treasury north of Red river, for the use of a seminary of learning, and also an entire township in the territory of Louisiana, for the support of a seminary of learning within the said territory.

Lands in the territory of Louisiana to be surveyed, &c.

1800, ch. 55.

SEC. 8. *And be it further enacted*, That the surveyor-general shall cause such of the public lands in the territory of Louisiana as the President of the United States shall direct, to be surveyed and divided in the same manner, and under the same regulations and limitation as to expenses, as is provided by law in relation to the lands of the United States, northwest of the river Ohio, and above the mouth of Kentucky river.

A land-office to be opened, at such place as the President may designate for disposing of public lands in Louisiana, &c.

SEC. 9. *And be it further enacted*, That for the disposal of the lands of the United States, lying in the territory of Louisiana, a land-office shall be established, which shall be kept at such place as the President of the United States may direct; and a register and receiver of public monies shall be appointed for said office, who shall give security in the same manner, in the same sums, and whose compensations, emoluments, duties and authority, shall in every respect be the same, in relation to the lands which shall be disposed of at their office, as are or may be provided for by law, in relation to the register and receiver of public monies in the several offices established for the disposal of the lands of the United States, northwest of the river Ohio and above the mouth of Kentucky river.

1800, ch. 55.

Lands may be offered for sale, &c. &c.

SEC. 10. *And be it further enacted*, That the President of the United States be, and he is hereby authorized, whenever he shall think proper, to direct so much of the public lands lying in the territory of Louisiana, as shall have been surveyed in conformity with the ninth section of this

act, to be offered for sale. All such lands shall, with the exception of the section "number sixteen," which shall be reserved in each township for the support of schools within the same, with exception also of a tract reserved for the support of a seminary of learning, as provided for by the eighth section of this act, and with the exception also of the salt springs, and lead mines, and lands contiguous thereto, which, by the direction of the President of the United States, may be reserved for the future disposal of the said States, shall be offered for sale to the highest bidder, under the direction of the register of the land-office, and the receiver of public monies, and of the principal deputy surveyor, and on such day or days as shall, by public proclamation of the President of the United States, be designated for that purpose. The sales shall remain open for three weeks, and no longer. The lands shall be sold for a price not less than that which has been or may be fixed by law for the public lands, northwest of the river Ohio, and above the mouth of Kentucky river. And shall in every other respect be sold in tracts of the same size, on the same terms and conditions, as have been or may be by law provided for the lands sold in the state of Ohio. The superintendents of the said public sales shall each receive six dollars for each day's attendance on the said sales. All the lands which have been thus offered for sale, at public sale, remaining unsold at the closing of the public sales, may be disposed of at private sale by the register of the land-office, for the same price which is or may be prescribed by law for the sale of public lands in the state of Ohio: *Provided however*, that till after the decision of Congress thereon, no tract of land shall be offered for sale, the claim to which has been in due time and according to law presented to the recorder of land titles in the district of Louisiana, and filed in his office, for the purpose of being investigated by the commissioners appointed for ascertaining the rights of persons claiming lands in the territory of Louisiana. And patents shall be obtained for all lands sold in the territory of Louisiana, in the same manner and on the same terms as is or may be provided, by law, for land sold in the state of Ohio.

Sale of the public lands.

No land to be offered for sale the claim to which has been presented until after the decision of Congress.

SEC. 11. *And be it further enacted*, That the claim of the corporation of the city of New Orleans, to the common adjacent thereto, and within six hundred yards from the fortifications of the same, as confirmed by the act, entitled "An act respecting claims to lands in the territories of Orleans and Louisiana," shall be deemed valid, although the relinquishment of the said corporation to any claim beyond the said distance of six hundred yards, was not made till after the expiration of the period of six months prescribed by the act last mentioned.

Claim of the corporation of New Orleans to adjacent common to be valid,

1807, ch. 36.

SEC. 12. *And be it further enacted*, That all the navigable rivers and waters in the territories of Orleans and Louisiana, shall be, and for ever remain public highways.

Navigable rivers, &c. to remain public highways.

Specific appropriation.

SEC. 13. *And be it further enacted*, That a sum not exceeding forty thousand dollars be, and the same is hereby appropriated, for the purpose of carrying this act into effect, which sum shall be paid out of unappropriated monies in the treasury.

APPROVED, February 15, 1811.

STATUTE III.

Feb. 15, 1811.

CHAP. XV.—*An Act concerning the Bank of Alexandria.*(a)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the corporation heretofore created by the name and style of the President, Directors and

(a) Suits brought by the bank of Alexandria upon promissory notes, made negotiable at that bank, are entitled to trial at the return time of the writ. *Young v. The Bank of Alexandria*, 4 Cranch, 384; 2 Cond. Rep. 150.

The bank of Alexandria may, under the charter of the bank, maintain an action against the indorser

Company of the Bank of Alexandria, by an act of the legislature of the commonwealth of Virginia, passed in the year seventeen hundred and ninety-two, entitled "An act for establishing a bank in the town of Alexandria;" the capital stock of which said bank hath been increased to five hundred thousand dollars; and which said corporation was, by an act of the said commonwealth, passed in the year eighteen hundred and one, continued until the fourth day of March, eighteen hundred and eleven, be, and the said corporation shall, by the name and style aforesaid, be further continued from the fourth day of March next, until the fourth day of March, eighteen hundred and twenty-one, subject to the regulations prescribed by and made in the manner provided by this act.

Corporation
of Alexandria
bank continued.

Powers of the
corporation.

Limitation of
the amount of
real estate held
by the bank.

The bank not
to purchase any
goods, &c. un-
less sold on
judgments ob-
tained by the
bank, &c.

Capital stock.

Votes, how
apportioned.

SEC. 2. *And be it further enacted*, That the said corporation shall, by the name and style of the President, Directors and Company of the Bank of Alexandria, be capable in law to hold, have and purchase, receive, possess, enjoy and retain to them and their successors, lands, rents, tenements, hereditaments, goods, chattels and effects, of what kind, nature or quality soever; and the same to grant, demise, alien or dispose of; and, by the name aforesaid, may sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in any court of record, within the United States; and may do and execute every other matter and thing by the name aforesaid, that they are authorized to do by virtue of this act: *Provided always*, that the lands, tenements and hereditaments, which it shall be lawful for the President, Directors and Company to hold, shall be only such as shall be requisite for their immediate accommodation, in relation to the convenient transacting their business, and such as shall have been *bona fide* mortgaged to them by way of security, or conveyed to them in satisfaction for debts previously contracted in the course of their dealings: *Provided also*, that the president and directors shall not purchase any goods, chattels or effects, unless such as are sold by virtue of an execution, upon judgments obtained by them, except such articles as may be necessary for them in transacting the business of the bank; but it shall be lawful for them to receive and hold such securities, goods, chattels and effects, by way of deposit for advances made by them to any person or persons, and, on failure of payment, the same to sell and dispose of at public sale.

SEC. 3. *And be it further enacted*, That the capital stock of the said bank shall consist of five hundred thousand dollars, in shares of two hundred dollars each.

SEC. 4. *And be it further enacted*, That every stockholder shall be entitled to vote by himself, his agent or proxy, appointed under his hand and seal, at all elections, in virtue of this act; and shall have as many votes as he has shares, as far as ten shares, and not more than one vote for every five shares thereafter; and every stockholder may sell and transfer his stock in the bank, or any part thereof, at his pleasure, not being less than one complete share or shares; the transfer to be made in the bank books, in the presence, and with the approbation of the proprietor or his lawful attorney, and the purchaser then to be entitled to all the rights which the original proprietor enjoyed.

SEC. 5. *And be it further enacted*, That a meeting of the stockholders,

of a promissory note, made negotiable at that bank, without first suing the maker, or proving him insolvent, according to the law of Virginia; although the endorsement was for the accommodation of the maker: and notwithstanding that in Virginia the implied contract of the endorser of a promissory note, by the general understanding of the country, is that he will pay the debt, if by due diligence it cannot be obtained from the maker. *Ibid.*

If the case shows that the bank received the note under an understanding that it was subject to the rules which govern inland bills of exchange, then it would seem reasonable, in the case of notes actually negotiated with them, to imply, from the act of endorsement, an undertaking conformable to that usage. *Ibid.*

A subsequent board of directors of the bank, is to be considered as knowing all the circumstances communicated or known to the previous board. *The Mechanics' Bank of Alexandria v. Louisa and Maria Seton*, 1 Peters, 309.

at the town of Alexandria, shall be held annually, on the third Monday of January, in every year, during the continuance of this act; previous notice whereof shall be published in some newspaper, printed in Alexandria, Richmond, Winchester, or the city of Washington, for the space of four weeks successively; and the stockholders, assembled in consequence of such notice, shall choose by ballot, from among themselves, by a majority of votes of such as shall be present, or by proxy, nine directors, being citizens of the United States, for the term of one year thereafter; and on the same day annually, for and during the continuance of this act, a like election shall be made; and in case of refusal, death, resignation, disqualification or removal out of the district of Columbia, of any director, the remaining directors, at their next meeting thereafter, shall elect by ballot another person, qualified as aforesaid, in his place, for the residue of the year. The directors or any seven of them, shall, at their first meeting after every general election, elect by a majority of members present, by ballot, from among the stockholders, a president, who shall, whether a director or not, be thereupon entitled to all the powers and privileges of one; and if he was before a director, another director shall be elected as aforesaid, so as to keep up the number of directors, prescribed by this act, exclusive of the president; and in case of refusal, death, resignation or removal out of the district aforesaid, of the president, the directors shall meet as soon as conveniently can be thereafter, and elect another person for president, in manner before directed.

SEC. 6. *And be it further enacted*, That there be a meeting of the directors quarterly, for the purpose of regulating the affairs of the bank, any five of whom shall make a board; and that the board have power to adjourn from time to time; and the president, or any three of the directors, may call a special meeting at any other time they may think necessary.

SEC. 7. *And be it further enacted*, That the board of directors shall determine the manner of doing business, and the rules and forms to be pursued; appoint and pay the various officers which they may find necessary; and dispose of the money and credit of the bank, at a rate not exceeding six per centum per annum; and make half yearly dividends of the profits, or of such part thereof, as they may think prudent.

SEC. 8. *And be it further enacted*, That in the appointment of cashier of the said bank, a majority of the votes of seven directors shall be necessary to a choice.

SEC. 9. *And be it further enacted*, That the board shall, at every quarterly meeting, choose three directors, to inspect the business of the bank, for the ensuing three months; and the inspectors so chosen, or any two of them, shall, on the evening of every Saturday, examine into the state of the cash account, and all the notes received and issued; and see that those accounts are regularly balanced and transferred.

SEC. 10. *And be it further enacted*, That any director, officer or other person, holding any share or capital of the said stock, who shall commit any fraud or embezzlement, touching the money or property of the said bank, shall be liable to be prosecuted in the name of the United States, by indictment for the same, in any court of law, in the district wherein the offence shall be committed; and, upon conviction thereof, shall, besides the remedy that may be had by action, in the name of the President, Directors and Company of the Bank of Alexandria, for the fraud aforesaid, forfeit all his share and stock in the said bank to the company.

SEC. 11. *And be it further enacted*, That it shall not be lawful for the bank hereby incorporated to loan by discount or otherwise more than twice the amount of its capital stock actually paid in.

SEC. 12. *And be it further enacted*, That no stockholder or member

Elections,
when to be
held.

Proceedings
of the directors.

Quarterly and
other meetings
of the directors.

Powers of the
directors.

Number of
votes necessary
to the appoint-
ment of a
cashier.

A committee
of three direc-
tors to be ap-
pointed at quar-
terly meetings
to examine the
cash accounts.

Any director,
officer or other
person commit-
ting frauds in
the bank may be
prosecuted.

Amount au-
thorized to be
loaned

Stockholders only to be answerable for the amount of their stock.

Exception.

Directors absent when the resolution or act by which the debts of the bank was created, how to exonerate themselves.

No note for a smaller sum than five dollars to be issued.

Reports to be made to Secretary of the Treasury.

Directors, &c. &c. entitled to no emolument but by a vote of the stockholders.

Residents of the district of Columbia only eligible as president or director.

Treasurer or cashier to give bond, &c. &c.

Accidental omission to make an election, provided for.

Process served upon the President sufficient.

of the said company shall be answerable for any loss, deficiencies or failure of the capital stock of said bank, for any more or larger sum or sums of money whatsoever, than the amount of the stock, stocks or shares, which shall appear by the books of the said company to belong to him at the time or times when such loss or losses shall be sustained, except as is hereafter excepted, that is to say: if the total amount of debts, which the said company shall at any time owe, whether by bond, bill, note or other contract, shall exceed double the amount of capital stock of the said bank actually paid in, over and above the monies actually deposited in the bank for safe keeping, then in case of such excess, the directors under whose administration it shall happen, shall be liable for such excess, in their natural and private capacities; and an action or actions of debt may be brought against them, or any of them, their heirs, executors or administrators, in any court of record within the United States by any creditor or creditors of the said company, and may be prosecuted to judgment and execution, any condition, covenant or agreement to the contrary notwithstanding; but this shall not be construed to exempt the said body politic or the lands, tenements, goods and chattels of the same, from being liable for, and chargeable with the said excess. Such of the directors who may have been absent when the said excess was contracted or created, or who may have dissented from the resolution or act, whereby the same was so contracted or created, may respectively exonerate themselves from being so liable, by forthwith giving notice of the fact, and of his absence or dissent, to the mayor of the town of Alexandria, for the time being, and to the stockholders, at a general meeting which he or they shall have power to call for that purpose. And in case the directors, by whose act such excess shall be occasioned, shall not have property sufficient to pay the amount of such excess, then each and every stockholder shall be liable in their private capacities for the deficiency, in proportion to their respective shares in the said bank.

SEC. 13. *And be it further enacted*, That the president and directors shall not issue any note for a smaller sum than five dollars; and the president and directors shall, once in every year, lay before the Secretary of the Treasury an account, truly stating the situation of the bank, and its funds, if required.

SEC. 14. *And be it further enacted*, That no director shall be entitled to any emolument, unless the same shall have been allowed by a majority of the stockholders at a general meeting. The directors shall make such compensation to the president, for his extraordinary services and attendance at the bank as shall appear to them reasonable.

SEC. 15. *And be it further enacted*, That none but a stockholder, being a resident of the district of Columbia, shall be eligible as a president or director.

SEC. 16. *And be it further enacted*, That every cashier or treasurer, before he enters upon the duties of his office, shall give bond with two or more securities to the satisfaction of the directors, for his good behaviour in office.

SEC. 17. *And be it further enacted*, That in case it shall at any time happen, that an election of directors shall not be made on any day when, pursuant to this act, it ought to be made, it shall and may be lawful on any other day to hold and make an election of directors, in such manner as shall have been regulated by the laws and ordinances of the said president and directors.

SEC. 18. *And be it further enacted*, That process of law, served on the president for the time being, shall be deemed sufficient service, and shall avail in like manner, as if it had been served on all the directors, to the intent and purpose of making the said corporate company responsible.

SEC. 19. *And be it further enacted,* That whenever any note shall be given, containing express consent in writing, that it may be negotiable at the said bank, and the same shall be endorsed, if payment be refused or neglected to be made, at the time it shall have become due, the like proceedings are to be had out of court, and suit may be prosecuted against the drawer and endorser, jointly or separately, in like manner as if the same was a bill of exchange.

Notes made negotiable at bank to be considered as bills of exchange.

SEC. 20. *And be it further enacted,* That the said bank shall continue to transact its business of discount and deposit in the county of Alexandria, in the district of Columbia.

Bank to be continued in Alexandria.

APPROVED, February 15, 1811.

STATUTE III.

CHAP. XVI.—*An Act to incorporate the Bank of Washington.*(a)

Feb. 15, 1811.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the fourth day of March, which will be in the year of our Lord one thousand eight hundred and eleven, all those persons, their legal representatives or assigns, who, on the first Monday of September, in the year of our Lord one thousand eight hundred and nine, at the city of Washington, subscribed certain articles of association, and formed a company or limited partnership, under the name and style of "The President and Directors of the Bank of Washington," and who, on the said fourth day of March, in the year eighteen hundred and eleven, shall hold any share of the joint stock or funds, created in pursuance of the said articles of association, and their successors, being stockholders as aforesaid, shall be and they are hereby incorporated, and made a body corporate and politic, by the name and style of "The President and Directors of the Bank of Washington;" and by that name may sue and be sued, implead and be impleaded, answer and be answered, defend and be defended, in courts of record and any other place whatsoever; and by that name may have and hold, purchase, receive, possess, enjoy and retain lands, rents, tenements, hereditaments, goods, chattels and effects, of what nature, kind, or quality soever; and the same sell, grant, demise, alien and dispose of; and, by that name shall have succession, during the continuance of this act, and may make, have and use a common seal, and the same may break, alter and renew at pleasure; and shall have power to ordain, establish and put in execution, such by-laws, ordinances and regulations as shall seem necessary and convenient for the government of the said corporation, not being contrary to law, nor to the constitution thereof; and generally to do and execute all acts necessary or proper for the objects of the said incorporation, subject to the rules, regulations, restrictions, limitations and provisions herein described and declared.

Bank of Washington incorporated.

SEC. 2. *And be it further enacted,* That the capital stock of the said bank shall consist of five hundred thousand dollars, money of the United States, to be divided into shares of twenty dollars each; of which, ten dollars on each share will, according to the articles of association aforesaid, have been paid before the said fourth day of March, eighteen hundred and eleven; and it shall be optional with any stockholder thereafter to fill up his or her share or shares, by the payment, at any one time, of the residue of the money due thereon, who shall thereupon be entitled to receive dividends in future, in proportion to the whole amount paid upon such share or shares: *Provided,* that the dividend or dividends, on

Capital.

Shares, &c.
&c.

(a) The deposit of a bill in one bank, to be transmitted to another for collection, is a common usage of great public convenience; and the duty of a bank receiving such bill, is precisely the same, whoever may be the owner thereof: and if it was unwilling to undertake the collection without precise information on the subject, the duty ought to have been declined. *The Bank of Washington v. Triplet and Neale*, 1 Peters, 30.

such sums of money so paid, shall not commence until the first day of the month next ensuing such payment.

SEC. 3. *And be it further enacted,* That the said bank shall transact its business in the city of Washington.

Bank to be continued in Washington. Directors, &c. to be appointed.

SEC. 4. *And be it further enacted,* That the affairs of the said bank shall be conducted by twelve directors and a president, whose place, if chosen from among their number, shall be supplied by that body. Six of the directors, with the president, shall form a board or quorum for transacting all the business of the company. In case of his sickness or necessary absence, his place may be supplied by any director, whom he, by writing under his hand, may nominate for that purpose; or, in case of his not making such nomination, the board may appoint a president to act during his absence. The president and directors who may be in office, under the said articles of association, on the said fourth day of March, eighteen hundred and eleven, shall continue in office under and by virtue of this act of incorporation, until others shall be duly chosen in their stead. No person shall be a director or president who is not a citizen of the United States and a stockholder; and a director ceasing to be a stockholder shall cease to be a director. And no person, a director of another bank, shall be a director of this bank.

Votes.

Every stockholder, being a citizen of the United States, shall be entitled to vote at all elections to be holden by the stockholders, in pursuance of this act, and shall have as many votes, in proportion to the stock he may hold, as follows: for one share and not exceeding two shares, one vote each; for every two shares above two, and not exceeding ten, one vote; for every four shares above ten, and not exceeding thirty, one vote; and for every six shares above thirty, and not exceeding sixty, one vote; for every eight shares above sixty, and not exceeding one hundred, one vote; and for every ten shares above that number, one vote. But no person or persons, bodies corporate, or otherwise, shall be entitled to more than fifty votes. But no stockholder shall be permitted to vote, who has not held his stock two calendar months prior to the day of election. All stockholders, living in the city of Washington, shall vote in the choice of directors by ballot in person; but every stockholder, living out of said city, may vote in person or by a written ballot, by him or her subscribed with his or her name, and duly acknowledged before a judge of a court, a justice of the peace, or a notary public; a certificate whereof shall be made on said ballot by the judge, justice of the peace, or notary public, before whom such acknowledgment shall be made, and said ballot shall by him be sealed up, and addressed to the cashier of the bank; and being transmitted before the time of the election, shall be received and counted in the election. No person who is not a citizen of the United States shall be entitled to vote in any election of this corporation: *Provided nevertheless,* that this section may at any time hereafter be altered or amended by Congress, in such manner as they may see fit, so as to provide for an annual rotation of the directors.

No one to vote who is not a citizen of the United States.

This section may be altered by Congress.

Times of meeting, for choice of directors, &c. &c.

SEC. 5. *And be it further enacted,* That a general meeting of the stockholders of the said bank shall be holden on the first Monday of January, in the year eighteen hundred and twelve, and on the first Monday of January in every year thereafter, at such place as the president and directors shall appoint, by giving four weeks' notice in one or more of the newspapers of the city of Washington, for the purpose of electing directors for the ensuing year, who shall meet on the day succeeding their election, and shall immediately proceed to choose a president; and the president and directors for the time being shall continue in office until others shall be duly elected in their places, and be organized by the assembling of a quorum, and the choice of a president. At all elections the persons having the greatest number of votes shall be deemed to be chosen. All elections shall be held under the superintendence of

Regulations of elections.

the president of the bank for the time being and four stockholders, not being at the time directors, appointed by the board of directors, any three of whom shall be judges thereof. They shall immediately thereafter notify the persons elected to meet the ensuing day at the bank, and shall make a return of the persons elected at their first meeting. Should two or more persons have an equal number of votes, the other individuals elected directors shall determine by ballot from among said persons, who shall be the director or directors. All elections shall be opened at ten o'clock in the forenoon, and closed at three o'clock in the afternoon.

SEC. 6. *And be it further enacted*, That the president and directors shall have full power to make, revise, alter and annul all such rules, orders, by-laws and regulations, for the government of the said corporation, and that of its officers, servants and affairs, as they shall, from time to time, think expedient; and to use, employ and dispose of the capital stock, funds and property of the said bank, for the interest and benefit of the stockholders, subject only to the restrictions herein contained; but the said bank shall not take, for discounting any bill or note, more than at the rate of six per cent. per annum, upon the amount due by such bill or note.

SEC. 7. *And be it further enacted*, That all promissory notes, bills of exchange, drafts, checks and receipts, for the payment of money, made on behalf of the said bank, signed by the president, and countersigned or attested by the cashier, shall be obligatory upon the said body corporate, and shall possess the like qualities as to negotiability, and the holders thereof shall have the like actions thereupon, as if such promissory notes, bills of exchange, drafts, checks or receipts, had been made by or on behalf of a natural person.

SEC. 8. *And be it further enacted*, That the books, papers, correspondence and funds of the bank, shall at all times be subject to the inspection of the directors. And the said president and directors shall once in every year cause to be laid before the Secretary of the Treasury of the United States an account truly stating the situation of the bank and its funds.

SEC. 9. *And be it further enacted*, That the said president and directors shall have power to appoint a cashier, and all other officers and servants, for executing the business of the said bank, and to establish the compensation to be made to the president and all other officers and servants of the said bank respectively. But no compensation shall be given to a director for his services, except by a vote of the stockholders in general meeting.

SEC. 10. *And be it further enacted*, That the president and directors shall have power to call a general meeting of the stockholders, for purposes concerning the interests of the bank, giving at least six weeks' notice in one or more of the newspapers of the city of Washington, specifying in such notice the object or objects of such meeting.

SEC. 11. *And be it further enacted*, That the shares of capital stock, at any time owned by any individual stockholder, shall be transferable only on the books of the bank, according to such rules as may, conformably to law, be established in that behalf by the president and directors; but all debts actually due and payable to the bank (days of grace for payment being past) by a stockholder requesting a transfer, must be satisfied before such transfer shall be made, unless the president and directors shall direct to the contrary.

SEC. 12. *And be it further enacted*, That the dividends of the profits of the company, or so much of said profits as shall be deemed expedient and proper, shall be declared half-yearly, in the first week in May and November, in each year; the amount of said dividend shall, from time to time, be determined by the president and directors, and shall in no case exceed the amount of the net profits actually acquired by the com-

Powers of the president and directors to make by-laws.

Promissory notes, &c. &c. signed by the president obligatory upon stockholders, &c. &c.

Books, &c. &c. subject to inspection of directors.

Reports to be made to the Secretary of the Treasury.

President and directors to appoint the officers, &c. &c.

General meetings of the stockholders.

Shares how transferable, &c. &c.

Dividends, &c. &c. when to be declared, &c.

pany, so that the capital stock of the said company shall never be impaired by dividends.

Limitation of Discounts.

SEC. 13. *And be it further enacted*, That the said bank shall not at any time discount or loan a greater sum than double the amount of the capital stock thereof, which shall be actually paid in.

SEC. 14. *And be it further enacted*, That if the said directors shall at any time wilfully and knowingly make or declare any dividend, which shall impair the said capital stock, all the directors present at the making or declaring of said dividend, and consenting thereto, shall be liable in their individual capacities to the company for the amount or proportion of said capital stock so divided by the said directors; and each director, who shall be present at the making or declaring such dividend, shall be deemed to have consented thereto, unless he shall immediately enter, in writing, his dissent on the minutes of the proceedings of the board, and give notice thereof to the Secretary of the Treasury of the United States.

Bank not to own vessels or to be concerned in trade.

SEC. 15. *And be it further enacted*, That the bank shall in no case be owners of any ships or vessels, or directly or indirectly be concerned in trade, or the importation or exportation, purchase or sale, of any goods, wares or merchandise whatever, except bills of exchange, bullion, stock of the United States, or of incorporated institutions, and such ships, vessels, goods, wares or merchandise, as shall be truly pledged to them by way of security for debts due, owing or growing due to the said bank, or purchased by it to secure such debts.

Bank not to hold real property but in certain cases.

SEC. 16. *And be it further enacted*, That the bank shall not purchase or hold any lands, tenements or other real estates, other than what may be necessary for the convenient transaction of its business, unless such lands, tenements and real estates shall have been bona fide mortgaged to the bank by way of security, or conveyed to it in satisfaction of debts previously contracted in the course of dealings, or purchased to secure debts contracted with or due to the bank; and in every instance in which the bank may become the owners or claimants of lands, tenements or real estates, the president and directors are empowered to sell or dispose of the same, in such manner as they may deem beneficial for the said bank.

Vacancies in the board of directors how to be filled.

SEC. 17. *And be it further enacted*, That if, any vacancy shall at any time happen among the directors by death, resignation or otherwise, the rest of the directors, for the time being, shall elect a director to fill the vacancy.

Meetings of stockholders.

SEC. 18. *And be it further enacted*, That any number of stockholders, who shall be proprietors of not less than two thousand shares, may, for any purpose relative to the institution, at any time apply to the president and directors to call a general meeting of the stockholders, and if by them refused, the said number of stockholders, proprietors of not less than the number of shares aforesaid, shall have power to call a general meeting of the stockholders, giving at least sixty days' notice in one or more of the public newspapers of the city of Washington, specifying in such notice the object or objects of such call.

Bank restricted as to its debts.

SEC. 19. *And be it further enacted*, That the total amount of the debts, which the said corporation shall at any time owe, whether by bond, bill, note or other contract, shall not exceed twice the amount of their capital stock actually paid over and above the monies then actually deposited in the bank for safe keeping. In case of excess, the directors, under whose administration it shall happen, shall be liable for the same, in their natural and private capacities; and an action of debt may in such case be brought against them, or any of them, their or any of their heirs, executors, or administrators in any court proper to try the same by any creditor or creditors of said corporation, and may be prosecuted to judgment and execution; any condition, covenant or agreement to the contrary notwithstanding. But this shall not be construed to exempt said

corporation, or the lands, tenements, goods or chattels of the same from being also liable for and chargeable with said excess. Such of said directors who may have been absent when said excess was contracted or created, or who may have dissented from the resolution or act whereby the same was so contracted or created, may respectively exonerate themselves from being so liable by forthwith giving notice of the fact, and of their absence or dissent, to the Secretary of the Treasury of the United States, and to the stockholders at a general meeting which they shall have power to call for that purpose; and the body corporate, hereby created, and the capital stock thereof, shall be liable for all the debts and engagements contracted, or which, before or on the said fourth day of March, in the year eighteen hundred and eleven, shall be contracted by the company or co-partnership heretofore created by the articles of association herein before mentioned, and which carried on the banking business under the name and style of "The President and Directors of the Bank of Washington;" and the creditors of the said co-partnership shall have the like remedy by action, against the said body corporate, as they had or have, or may or can have, against the said co-partnership.

Liability of directors.

SEC. 20. *And be it further enacted*, That in case it should at any time happen, that an election of directors should not be made on any day when, pursuant to this act, it ought to have been made, the said corporation shall not for that cause be deemed to be dissolved; but it shall be lawful on any other day to hold and make an election of directors, at a meeting to be called, in such manner as shall be prescribed by the laws and ordinances of the said corporation.

Elections.

SEC. 21. *And be it further enacted*, That this act shall, to all intents and purposes, be deemed and held a public act, and be and continue in force for the term of ten years, from and after the fourth day of March, which will be in the year of our Lord one thousand eight hundred and eleven, and no longer.

This to be deemed a public act.

APPROVED, February 15, 1811.

STATUTE III.

CHAP. XVII.—*An Act to incorporate the subscribers to the Farmers' Bank of Alexandria.*

Feb. 16, 1811.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the present subscribers to the Farmers' Bank of Alexandria, as well as those who shall hereafter become subscribers to the same, their successors and assigns, shall be, and they are hereby created a corporation and body politic by the name and style of the Farmers' Bank of Alexandria; and by that name and style shall be and are hereby made able and capable in law to have, purchase, receive, possess, enjoy and retain, to them and their successors, lands, rents, hereditaments, goods, chattels and effects, of what kind, nature or quality soever: and the same to sell, grant, demise, alien or dispose of; to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in courts of record or any other place whatsoever, subject nevertheless to the rules, regulations, restrictions, limitations and provisions herein after prescribed and declared.

Bank incorporated.

SEC. 2. *And be it further enacted*, That the capital stock of said corporation may consist of five hundred thousand dollars, divided into shares of fifty dollars each; and subscriptions, towards filling up the remaining part of said stock not already subscribed, may be opened by the president and directors of the bank, at such times and places, and under such regulations, as they shall direct; and it shall be lawful for any person, a citizen of the United States, to subscribe; and it shall be the duty of the president and directors to give notice in two newspapers, or more, published in the district of Columbia, of the times and places of opening

Capital to consist of 500,000 dollars.

such subscriptions, at least thirty days previous thereto; and each of said subscriptions shall be kept open one day at least, and such further time as said directors may order.

Not to hold
real property,
but for certain
purposes.

SEC. 3. *And be it further enacted*, That the lands, tenements and hereditaments, which it shall be lawful for the said corporation to hold, shall be only such, as shall be requisite for its immediate accommodation, in relation to the convenient transaction of its business, and such as shall have been conveyed to it, in satisfaction of debts previously contracted in the course of its dealings, or purchased at sales on judgments, which shall have been obtained for such debts; nor shall this corporation directly or indirectly deal in or trade in any thing, except bills of exchange, gold or silver bullion; or in the sale of goods, really and truly pledged for money lent, and not redeemed in due time; or of goods which shall be the produce of its land; or of goods sold by virtue of an execution, on a judgment obtained by them.

Directors, &c.
&c.

SEC. 4. *And be it further enacted*, That for the well ordering the affairs of the said corporation, there shall be thirteen directors, of whom there shall be an election on the first Monday in January, in each year, by the stockholders or proprietors of the capital stock of the said corporation, and by plurality of the votes actually given; and those who shall be duly chosen at any election shall be capable of serving as directors, by virtue of such choice, until the end or expiration of the Monday of January next ensuing the time of such election, and until others shall be chosen. But the first election of directors under this act shall not take place, until the first Monday in January, in the year one thousand eight hundred and twelve; and the said directors, at their first meeting after each election, shall choose one of their number as President. No person, a director of another bank, shall be a director of this bank: *Provided*, that in case it should at any time happen, that an election of directors should not be made upon any day, when pursuant to this act it ought to have been made, the corporation shall not for that cause be deemed to be dissolved; but it shall be lawful on any other day, within fifteen days thereafter, to hold and make an election of directors, in such manner as shall have been regulated by the laws and ordinances of said corporation.

Proviso.

Directors to
have no emolu-
ment.

Compensation
of the president.

SEC. 5. *And be it further enacted*, That no director shall be entitled to any emolument, unless the same shall have been allowed by the stockholders at a general meeting. The directors shall make such compensation to the president, for his extraordinary attendance at the bank, as to them shall appear reasonable.

Officers of the
bank.

SEC. 6. *And be it further enacted*, That the directors for the time being shall have power to appoint such officers and servants under them, as may be necessary for executing the business of the said corporation, and to allow them such compensation for their services respectively, as shall seem reasonable: and shall be capable of exercising such other powers and authorities for the well governing and ordering of the affairs of the said corporation as shall be described, fixed and determined by the laws, regulations and ordinances of the same.

Rules, &c.
&c.

SEC. 7. *And be it further enacted*, That the president and directors shall determine the manner of doing business, and the rules and forms to be pursued, and dispose of the money and credit of the bank in such manner as shall seem to them best calculated to promote the interest of the proprietors.

Votes.

SEC. 8. *And be it further enacted*, That stockholders shall vote, at all elections for directors, by ballot, in person, except those who shall reside out of the town of Alexandria, who may vote either in person, or by a written ballot, by him or her subscribed with his or her name, and duly acknowledged before a judge of a court, a justice of the peace or notary public; a certificate whereof shall be made on said ballot, by the

said judge, justice of the peace or notary public, before whom such acknowledgment shall be made, and said ballot shall be sealed up and directed to the cashier of the bank; and being transmitted to said cashier, before the time of the election, shall be received and counted in the choice of directors. No share or shares shall confer a right of suffrage, which shall not have been holden two calendar months previous to the day of election; and the number of votes to which each stockholder shall be entitled shall be in proportion to the number of shares he shall hold, as follows: For one share, and not exceeding two shares, one vote each; for every two shares above two, and not exceeding ten, one vote; for every four shares above ten, and not exceeding thirty, one vote; for every six shares above thirty, and not exceeding sixty, one vote; for every eight shares above sixty, and not exceeding one hundred, one vote; and for every ten shares above that number, one vote; but no person or persons, bodies corporate or otherwise, shall be entitled to more than fifty votes: *Provided*, that this section may at any time hereafter be altered or amended by Congress, in such manner as they may see fit, so as to provide for an annual rotation of directors.

SEC. 9. *And be it further enacted*, That one month previous to each election of directors, the cashier shall cause to be made out a correct list of all the stockholders, which shall be subject to the inspection of any stockholder.

SEC. 10. *And be it further enacted*, That no person shall be eligible to hold the office of president or director, who is not a citizen of the United States and a bona fide stockholder.

SEC. 11. *And be it further enacted*, That a majority of the whole number of directors, shall be necessary in the choice of a president and cashier; but three members, with the president, may constitute a board for transacting the ordinary business of the bank.

SEC. 12. *And be it further enacted*, That the president and directors shall, as soon as they may deem it expedient, declare a dividend of profits; and every half year thereafter, shall make and declare such dividends of profit, as they may deem proper; and no dividend shall be declared, except by a majority of all the directors.

SEC. 13. *And be it further enacted*, That the president and directors shall keep a book in which their proceedings at their meetings, as a board, shall be regularly recorded, and upon every question which may occur, the ayes and noes thereupon shall be noted, which record book shall at all times be open to the inspection of any stockholder, not being a director, officer or servant of any other bank, who shall, six months previous to his application, be the proprietor of stock, to the amount of three thousand dollars.

SEC. 14. *And be it further enacted*, That any number of stockholders, not less than twenty, owning together fifty thousand dollars of stock, shall be at liberty to call a meeting of the stockholders at any time, and may appoint three of their number as a committee to examine into the state and condition of the bank and the manner in which its affairs have been conducted: *Provided*, that no member of such committee shall be a director, president or other officer or servant of any other bank.

SEC. 15. *And be it further enacted*, That the president and cashier shall respectively give bond and security, and also take an oath, for the faithful discharge of their duties; the president in the sum of twenty thousand dollars, and the cashier in the sum of thirty thousand dollars; the other officers and servants shall also take an oath, and enter into bond and security in such sums as the president and directors may prescribe.

SEC. 16. *And be it further enacted*, That the said bank shall not at any time discount or loan a greater sum than double the amount of the capital stock thereof, which shall be actually paid in.

Stockholders only to be president or director.

A majority of the whole number of directors necessary to the choice of a cashier.

Dividends how and when to be declared.

A book to be kept in which the proceedings of the board are to be entered.

Meetings of stockholders, &c. &c.

President and cashier to give bond, &c. &c.

Limitation of loans or discounts.

Notes, &c. &c. to be signed by the president and cashier.

SEC. 17. *And be it further enacted*, That all bills, bonds, notes and every contract or engagement, on behalf of the corporation for the payment of money, shall be signed by the president, and countersigned by the cashier; and the funds of the corporation shall in no case be liable for any contract or engagement, unless the same shall be signed and countersigned as aforesaid; and the president and directors shall not issue any note for a smaller sum than five dollars.

Rate of discount or interest.

SEC. 18. *And be it further enacted*, That it shall not be lawful for the president and directors, to demand or receive a greater discount or interest than at the rate of one per cent. for sixty days, upon any loans or advances of money which they may make.

Transfer of shares.

SEC. 19. *And be it further enacted*, That the shares of the capital stock shall be transferable at any time, according to such rules as may be established by the president and directors; but no stock shall be transferred, the holder thereof being indebted to the bank, until such debt be satisfied, except the president and directors shall otherwise order it.

Stockholders members.

SEC. 20. *And be it further enacted*, That every stockholder, whether he be so by original subscription or by transfer, shall be considered as a member of this corporation, and, when he ceases to be a stockholder, he shall cease to be a member.

In the absence of the president, his place to be supplied by the board.

SEC. 21. *And be it further enacted*, That it shall be the duty of the president, or in his absence, such one of the directors as they shall appoint to supply his place for the time, to preside at the board of directors, to vote on all questions, to minute the proceedings of the board, to cause all the orders and resolutions of the board to be carried into effect, to sign all bonds, bills, notes or other engagements, which the board of directors may from time to time direct to be issued for the payment of money, and generally to superintend the affairs, and to watch over the interest of this corporation.

Vacancies, how to be filled.

SEC. 22. *And be it further enacted*, That if a vacancy shall at any time happen in the office of president, director, cashier, or any other officer or servant of the bank, by death, resignation, disqualification or otherwise, the same may be filled by a majority of the directors for the time being.

Accommodations limited.

SEC. 23. *And be it further enacted*, That no standing or unlimited accommodation shall be granted.

Stockholders to forfeit their dividends upon unpaid shares.

SEC. 24. *And be it further enacted*, That if any stockholder shall fail to pay up the several instalments upon his subscription, as the same may become due, his dividends upon such instalments as he may have paid shall cease as to him, and remain to the use and benefit of the other members of the corporation.

Capital stock not to be impaired in dividends.

SEC. 25. *And be it further enacted*, That if the president and directors shall at any time wilfully and knowingly make and declare any dividend which shall impair the capital stock, or shall wilfully and knowingly violate or infringe any of the foregoing articles of this corporation, all the directors present at the making or declaring such dividends, or violating or infracting such article or articles, and consenting thereto, shall be liable in their individual capacities to the corporation, for the amount or proportion of said capital stock so divided, and also for any injury or damage that may accrue to creditors, in consequence of any such violation or infraction as aforesaid; and each director who shall be present shall be deemed to have assented thereto, unless he shall cause his dissent to be entered upon record: *Provided*, that nothing herein contained shall be construed to exempt the corporation from any liability, to any person or persons, which otherwise the said corporation might incur.

Proviso.

Rules, &c. &c. may be altered.

SEC. 26. *And be it further enacted*, That the president and directors shall have power, a majority of their whole number concurring, to make, revise, alter or annul all such rules, orders or by-laws, for the govern-

ment of the corporation, and that of their officers, servants and affairs, as they may from time to time think expedient, not inconsistent with law.

SEC. 27. *And be it further enacted*, That any number of stockholders not less than twenty, who together shall be proprietors of two thousand shares, may for any purpose relative to this corporation, at any time apply to the president and directors to call a general meeting of the stockholders, and if by them refused, the said number of stockholders, proprietors of not less than that number of shares shall have power to call a general meeting of the stockholders, giving at least thirty days' notice in one newspaper printed within the town of Alexandria, and one printed within the city of Washington, specifying in such notice the object or objects of such call.

Meetings of the stockholders.

SEC. 28. *And be it further enacted*, That the Secretary of the Treasury of the United States shall be, (at least once in every year) furnished, from time to time, as he may require it, with statements of the amount of the capital stock of the said corporation, and of the debts due to the same, of the monies deposited therein, of the notes in circulation, and of the cash in hand, and shall have a right to inspect such general accounts in the books of the bank, as shall relate to the said statements: *Provided*, that this shall not be construed to imply a right of inspecting the account of any private individual or individuals with the bank.

Secretary of the Treasury to be furnished with a statement of the bank affairs.

Proviso.

SEC. 29. *And be it further enacted*, That this corporation shall continue until the first day of January, in the year one thousand eight hundred and twenty-one: But nevertheless, the proprietors of two thirds of the capital stock of the company may, by their concurrent votes at a general meeting, to be called for that purpose, dissolve the same at an earlier period: *Provided*, that notice of such meeting and its object shall be published in two or more newspapers, printed within the district of Columbia, for at least three months successively, previous to the time appointed for such meeting.

SEC. 30. *And be it further enacted*, That on the dissolution of this corporation, whenever the same shall be determined on as aforesaid, effectual measures shall be immediately taken by the president and directors, then in office, for closing all the concerns of the corporation and for dividing the capital and profits which may remain, among the stockholders in proportion to their respective interests.

On the dissolution of the corporation, the capital, &c. &c. to be divided.

SEC. 31. *And be it further enacted*, That this act shall not take effect until the fourth day of March, which will be in the year of our Lord one thousand eight hundred and eleven, and shall to all intents and purposes be deemed and held a public act.

Commencement of this act.

APPROVED, February 16, 1811.

STATUTE III.

CHAP. XVIII.—*An Act to incorporate the Bank of Potomac.*

Feb. 16, 1811.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the fourth day of March, which will be in the year of our Lord one thousand eight hundred and eleven, all those who have or hereafter may become stockholders in the Bank of Potomac, their successors and assigns, shall be and they are hereby created and made a body politic, by the name and style of "The President, Directors and Company of the Bank of Potomac," and so shall continue until the fourth day of March, in the year of our Lord one thousand eight hundred and twenty-one, and no longer; and by that name shall have succession; and shall be and are hereby made able and capable in law to have, purchase and receive, possess, enjoy and retain to them and their successors, lands, rents, tenements, hereditaments, goods, chattels and effects of what kind, nature or quality soever,

Bank incorporated.

The lands, &c. to be held by the bank, shall be such only, as their business may require.

and the same to sell, grant, demise, alien or dispose of; and by the name aforesaid may sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in any court of law or equity. And by the name aforesaid may do and execute every other matter and thing, that they are authorized to do by virtue of this act: *Provided always*, that the lands, tenements and hereditaments, which it shall be lawful for the said president and directors to hold, shall be only such as shall be requisite for their immediate accommodation, in relation to the convenient transacting their business, and such as shall have been *bona fide* mortgaged to them by way of security, or conveyed to them in satisfaction of debts previously contracted in the course of their dealings: *Provided also*, that the said president and directors shall not purchase any goods, chattels or effects, unless such as are sold by virtue of an execution upon a judgment obtained by them, except such articles as may be necessary for them in transacting the business of the bank; but it shall be lawful for them to receive and hold such securities, goods, chattels and effects, by way of deposit for advances made by them to any person or persons, and, on failure of payment, the same to sell and dispose of at public sale.

Proviso.

Capital.

SEC. 2. *And be it further enacted*, That the capital of the said bank shall consist, as it now does, of the sum of five hundred thousand dollars, divided into shares of one hundred dollars each.

Elections. Votes, &c.

SEC. 3. *And be it further enacted*, That every stockholder, being a citizen of the United States, shall be entitled to vote at all elections to be holden by the stockholders in pursuance of this act, and shall have as many votes in proportion to the stock he may hold, as follows: For one share and not exceeding two shares, one vote each; for every two shares above two and not exceeding ten, one vote; for every four shares above ten and not exceeding thirty, one vote; for every six shares above thirty and not exceeding sixty, one vote; for every eight shares above sixty, and not exceeding one hundred, one vote; and for every ten shares above that number, one vote. But no person or persons, bodies corporate or otherwise, shall be entitled to more than fifty votes. No share or shares shall confer a right of suffrage, which shall not have been holden two calendar months previous to the day of election. And in the choice of directors, every stockholder shall vote in person, (except those who shall reside out of the town of Alexandria,) who may vote either in person or by a written ballot by him or her subscribed, with his or her name, and duly acknowledged before a judge of a court, a justice of the peace, or a notary public; a certificate whereof shall be made on said ballot by the said judge, justice of the peace or notary public, before whom such acknowledgment shall be made; and said ballot shall be by him sealed up, and addressed to the cashier of the bank, and being transmitted to said cashier before the time of the election of directors, said ballot shall be received and counted in the choice of directors. And every stockholder may sell and transfer his stock in the said bank, or any part thereof, at his pleasure, not being less than one complete share or shares, the transfer being made in the bank books, in the presence and with the approbation of the proprietor or his lawful attorney.

Regulations in relation to elections, &c. &c.

SEC. 4. *And be it further enacted*, That an election shall be held in the town of Alexandria on the first Monday of November in each year, of which notice shall be given in one or more newspapers, printed in the town of Alexandria, four weeks at least, before said day of election. And the stockholders shall choose, by ballot, from among the stockholders, by a majority of votes, twelve directors, for the term of one year thereafter; and on resignation, disqualification or removal of any director, out of the county of Alexandria, in the district of Columbia, or out of the county of Fairfax, in the state of Virginia, the other directors, at their next meeting thereafter, shall elect by ballot another person, qualified

as aforesaid, in his place, for the residue of the year. The directors shall, at the first meeting after every general election, elect by a majority of their whole number, by ballot from among their own number, a president, who shall be thereupon entitled to all the powers and privileges of one; and if he was before a director, another director shall be elected as aforesaid, so as to keep the number of directors, prescribed by this act, exclusive of the president, entire; and in case of the death, resignation or removal of the president, out of the county of Alexandria, or county of Fairfax aforesaid, or his refusal to accept his office, the directors shall meet as soon as conveniently can be thereafter, and elect another person for president, in the manner before directed; but the president and directors at present elected by the stockholders, shall continue to act, until their successors are chosen: *Provided*, that in case it should at any time happen, that an election of directors should not be made upon any day, when, pursuant to this act, it ought to have been made, the corporation shall not for that cause be deemed to be dissolved, but it shall be lawful on any other day, within fifteen days thereafter, to hold and make an election of directors, in such manner, as shall have been regulated by the laws and ordinances of said corporation. *And provided nevertheless*, that this section may at any time hereafter be altered or amended by Congress, in such manner as they may see fit, so as to provide for an annual rotation of the directors.

Proviso.

This section may be amended by Congress.

Meetings of the directors.

SEC. 5. *And be it further enacted*, That there shall be a meeting of the directors quarterly, for the purpose of examining the affairs of the bank, any four of whom shall make a board; and the board shall have power to adjourn, from time to time; and the president, or any three of the directors may call a special meeting at any other time that they may think proper.

Powers of the board of directors.

SEC. 6. *And be it further enacted*, That the board of directors, by a majority of votes, shall make by-laws, determine the manner of doing business, and the rules and forms to be pursued; and dispose of the money and credit of the bank, for the interest and benefit of the stockholders; and are hereby authorized to receive for discounts, made at the said bank, at the rate, and not exceeding six per cent. per annum, and make, at the expiration of each half year, a dividend of the profit, or such part thereof, as they may think prudent.

A majority of the directors required, for choosing officers.

SEC. 7. *And be it further enacted*, That in appointing a cashier of the said bank, and all other officers, a majority of the whole directors shall be necessary to a choice.

Frauds, &c. how to be punished.

SEC. 8. *And be it further enacted*, That any director, officer, or other person, holding any share or capital of the said bank stock, who shall commit any fraud or embezzlement, touching the money or property of said bank, shall be liable to be prosecuted, in the name of the United States, by indictment for the same; and upon conviction thereof, shall, besides the remedy that may be had by action, in the name of the President and Directors of the Bank of Potomac, for the fraud aforesaid, forfeit to the company all his share and stock in the said bank.

Limitation of discounts.

SEC. 9. *And be it further enacted*, That the said bank shall not at any time discount or loan a greater sum than double the amount of the capital stock, which shall be actually paid in.

Extent of the liability of stockholders.

SEC. 10. *And be it further enacted*, That no stockholder or member of said company, shall be answerable for any losses, deficiencies or failure of the capital stock of the said bank, for any more or larger sum or sums of money whatsoever, than the amount of the stock, stocks or shares, which shall appear by the books of said company to belong to him at the time or times when such loss or losses shall be sustained, except as is hereafter excepted, that is to say: If the total amount of the debts which said company shall at any time owe, whether by bond, note, bill or other contract, shall exceed twice the amount of the capital stock of

the said bank, over and above the monies actually deposited in the bank for safe keeping, then, in case of such excess, the directors, under whose administration it shall happen, shall be liable for such excess in their natural and private capacities: and an action or actions of debt may be brought against them or any of their heirs, executors or administrators, in any court of record within the district of Columbia, by any creditor or creditors, of said company, and may be prosecuted to judgment and execution, any condition or covenant, or agreement, to the contrary notwithstanding; but this shall not be construed to exempt the said body politic, or lands, tenements, goods or chattels of the same, from being also liable for, and chargeable with said excess: *Provided*, that such of the said directors, who may have been absent when said excess was contracted, or created, or who may have dissented from the resolution or act, whereby the same was so contracted or created, may respectively exonerate themselves from being so liable, by forthwith giving notice of the fact, and of their absence or dissent, to the mayor of the town of Alexandria, for the time being, and to the stockholders, at a general meeting which he or they shall have power to call for that purpose. And in case the directors, by whose act such excess shall be occasioned, shall not have property to pay the amount of such excess, then each and every stockholder, shall be liable in their private capacities for the deficiencies, in proportion to their respective shares in the said bank.

Directors who are absent, not to be liable, if they give notice to the stockholders.

Notes for a smaller sum than five dollars not to be issued.

Affairs of the bank to be annually laid before Secretary of Treasury.

Directors not entitled to any emolument, but by a decision of the board.

None but citizens of the U. States and inhabitants of Alexandria or Fairfax counties eligible.

General meetings may be called by the stockholders.

SEC. 11. *And be it further enacted*, That the said president and directors shall not issue any note for a smaller sum than five dollars; and the said president and directors shall, once in every year, cause to be laid before the Secretary of the Treasury of the United States an account, truly stating the situation of the bank and its funds.

SEC. 12. *And be it further enacted*, That no director shall be entitled to any emolument, unless the same shall have been allowed by a majority of the stockholders, at a general meeting, but the directors shall make such compensation to the president for his extraordinary services and attendance at the bank, as shall appear to them reasonable.

SEC. 13. *And be it further enacted*, That none but a stockholder, being a citizen of the United States, and a resident of the county of Alexandria, or county of Fairfax aforesaid, shall be eligible as a president or director.

SEC. 14. *And be it further enacted*, That a number of stockholders, not less than twenty, who together shall be proprietors of one thousand shares or upwards, shall have power at any time to call a general meeting of the stockholders, for purposes relative to the institution, giving at least six weeks' notice in one or more newspapers, printed in the town of Alexandria, and specifying in such notice the object or objects of such meeting.

SEC. 15. *And be it further enacted*, That this act shall, to all intents and purposes, be deemed and held a public act.

APPROVED, February 16, 1811.

STATUTE III.

Feb. 18, 1811.

Bank incorporated.

CHAP. XIX.—*An Act to incorporate the Union Bank of Georgetown.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the fourth day of March, which will be in the year of our Lord, one thousand eight hundred and eleven, all those persons, their legal representatives or assigns, who, on the first Monday of November, in the year of our Lord one thousand eight hundred and nine, in Georgetown, district of Columbia, subscribed certain articles of association, and formed a company or limited partnership, under the name and style of the "President and Directors of the Union Bank of Georgetown," and who, on the said fourth day of March, in the year eighteen hundred and eleven, shall hold

any share of the joint stock or funds created in pursuance of the said articles of association, and their successors, being stockholders as aforesaid, shall be and they are hereby incorporated, and made a body corporate and politic, by the name and style of the "President and Directors of the Union Bank of Georgetown," and by that name may sue and be sued, implead and be impleaded, answer and be answered, defend and be defended, in courts of record and any other place whatsoever; and by that name may have and hold, purchase, receive, possess, enjoy and retain lands, rents, tenements, hereditaments, goods, chattels and effects, of what nature, kind or quality soever, and the same sell, grant, demise, alien and dispose of. And by that name, shall have during the continuance of this act succession; and may make, have and use a common seal, and the same may break, alter and renew at pleasure; and shall have power to ordain, establish and put in execution, such by-laws, ordinances and regulations as shall seem necessary and convenient for the government of said corporation, not being contrary to law nor to the constitution thereof: and generally to do and execute all acts necessary or proper for the objects of said incorporation, subject to the rules, regulations, restrictions, limitations and provisions herein described and declared.

SEC. 2. *And be it further enacted*, That the capital stock of the said bank shall consist of five hundred thousand dollars, money of the United States, to be divided into shares of fifty dollars each; of which fifteen dollars on each share has been paid, according to the articles of association aforesaid; and it shall be optional with any stockholder hereafter to pay up the further sum of thirty-five dollars: *Provided*, that not more than fifty thousand dollars be paid in any one year, unless the president and directors, by a rule or order, should authorize or permit a greater sum to be paid; the dividend or dividends on such sums of money so paid, shall not commence until the first day of the month next ensuing such payment.

Capital of the bank.

SEC. 3. *And be it further enacted*, That the said bank shall transact its business in Georgetown.

Bank to be kept in Georgetown.

SEC. 4. *And be it further enacted*, That the affairs of the said bank shall be conducted by twelve directors and a president, whose place, if chosen from among their number, shall be supplied by that body. Six of the directors, with the president, shall form a board or quorum for transacting all the business of the company, but the ordinary discounts may be done by the president and three directors. In case of his sickness or necessary absence, his place may be supplied by any director, whom he, by writing under his hand, may nominate for that purpose, or in case of his not making such nomination, the board may appoint a president to act during his absence. The president and directors who may be in office under the said articles of association on the said fourth day of March, eighteen hundred and eleven, shall continue in office under and by virtue of this act of incorporation, until others shall be duly chosen in their stead. No person shall be a director or president, who is not a citizen of the United States, and a stockholder; and a director ceasing to be a stockholder, shall cease to be a director; and no person, a director of another bank, shall be a director of this bank. Every stockholder being a citizen of the United States, shall be entitled to vote at all elections to be holden by the stockholders in pursuance of this act, and shall have as many votes, in proportion to the stock he may hold, as follows: for every share as far as twenty, one vote for each share, and one vote for every two shares thereafter as far as forty; and for every five shares above forty, one vote; but no person or persons, bodies corporate or otherwise, shall be entitled to more than one hundred and fifty votes; no stockholder shall be permitted to vote, who has not held his stock two calendar months, prior to the day of election. All stockholders living in Georgetown, shall vote in the choice of directors by ballot in

Affairs of the bank to be conducted by twelve directors and a president, &c.

person: but every stockholder living out of said town may vote in person or by a written ballot by him or her subscribed with his or her name, and duly acknowledged before a judge of a court, a justice of the peace, or a notary public; a certificate whereof shall be made on said ballot by the judge, justice of the peace, or notary public, before whom such acknowledgment shall be made; and said ballot shall by him be sealed up, and addressed to the cashier of the bank, and being transmitted before the time of the election, shall be received and counted in the election. No person who is not a citizen of the United States shall be entitled to vote in any election of this corporation: *Provided nevertheless*, that this section may at any time hereafter be altered or amended by Congress, in such a manner as they may see fit, so as to provide for an annual rotation of the directors.

No person not a citizen of the U. States to vote.
Proviso.

General meetings for choosing directors, &c. &c.

SEC. 5. *And be it further enacted*, That a general meeting of the stockholders of the said bank shall be holden on the first Monday of April, in the year eighteen hundred and eleven, and on the first Monday of April, in every year thereafter, at such place as the president and directors shall appoint, by giving four weeks' notice in two or more of the newspapers of the district, for the purpose of electing directors for the ensuing year, who shall meet on the day succeeding their election, and shall immediately proceed to choose a president; and the president and directors for the time being, shall continue in office until others shall be duly elected in their places, and be organized by the assembling of a quorum, and the choice of a president. At all elections the persons having the greatest number of votes shall be deemed to be chosen. All elections shall be held under the superintendence of the president of the bank, for the time being, and four stockholders not being at the time directors, appointed by the board of directors, any three of whom shall be judges thereof. They shall immediately thereafter notify the persons elected to meet the ensuing day at the bank, and shall make a return of the persons elected, at their first meeting. Should two or more persons have an equal number of votes, the other individuals elected directors, shall determine by ballot from among said persons, who shall be the director or directors. All elections shall be opened at ten o'clock in the forenoon, and closed at three in the afternoon.

Powers of the directors.

SEC. 6. *And be it further enacted*, That the president and directors shall have full power to make, revise, alter and annul all such rules, orders, by-laws and regulations, for the government of said corporation, and that of its officers, servants and affairs, as they shall from time to time think expedient; and to use, employ and dispose of the capital stock, funds and property of said bank, for the interest and benefit of the stockholders, subject only to the restrictions herein contained; but the said bank shall not take for discounting any bill or note, more than at the rate of six per cent. per annum, upon the amount due by such bill or note.

Promissory notes, &c. &c. to be signed by the president, &c. &c.

SEC. 7. *And be it further enacted*, That all promissory notes, bills of exchange, drafts, checks and receipts, for the payment of money made on behalf of the said bank, signed by the president and countersigned and attested by the cashier, shall be obligatory upon the said body corporate, and shall possess the like qualities as to negotiability, and the holders thereof shall have the like actions thereupon, as if such promissory notes, bills of exchange, drafts, checks or receipts had been made by or on behalf of a natural person.

Books, &c. &c. subject to inspection of directors.

Annual statement to be made to Secretary of Treasury.

SEC. 8. *And be it further enacted*, That the books, papers, correspondence and funds of the bank shall at all times be subject to the inspection of the directors. And the said president and directors shall once in every year cause to be laid before the Secretary of the Treasury of the United States an account, truly stating the situation of the bank and its funds.

SEC. 9. *And be it further enacted,* That the said president and directors shall have power to appoint a cashier, and all other officers and servants, for executing the business of said bank, and to establish the compensation to be made to the president and all other officers and servants of the said bank, respectively; but no compensation shall be given to a director for his services, except by a vote of the stockholders in general meeting.

Officers, &c.
&c. how ap-
pointed.

SEC. 10. *And be it further enacted,* That the president and directors shall have power to call a general meeting of the stockholders, for purposes concerning the interests of the bank, giving at least six weeks' notice, in one or more of the newspapers of the district, specifying in such notice the object or objects of such meeting.

General meet-
ings of the
stockholders.

SEC. 11. *And be it further enacted,* That the shares of the capital stock, at any time owned by any individual stockholder, shall be transferable only on the books of the bank according to such rules, as may, conformably to law, be established in that behalf, by the president and directors; but all debts actually due and payable to the bank (days of grace for payment being passed) by a stockholder, requesting a transfer, must be satisfied, before such transfer shall be made, unless the president and directors shall direct to the contrary.

Transfer of
shares.

SEC. 12. *And be it further enacted,* That the dividends of the profits of the company, or so much of said profits as shall be deemed expedient and proper, shall be declared half yearly, in the first week in April and October, in each year; the amount of said dividend shall from time to time be determined by the president and directors, and shall in no case exceed the amount of the net profits actually acquired by the company, so that the capital stock of the said company shall never be impaired by dividends.

Dividends to
be declared
semi-annually.

SEC. 13. *And be it further enacted,* That if the said directors shall at any time, wilfully and knowingly make or declare any dividend which shall impair the said capital stock, all the directors present at the making or declaring of said dividend, and consenting thereto, shall be liable in their individual capacities to the company, for the amount or proportion of said capital stock so divided by the said directors; and each director who shall be present at the making or declaring of such dividend, shall be deemed to have consented thereto, unless he shall immediately enter in writing, his dissent on the minutes of the proceedings of the board, and give notice thereof to the Secretary of the Treasury of the United States.

Capital not to
be impaired
thereby.

Directors who
are present at
the making of
dividends liable.

SEC. 14. *And be it further enacted,* That the bank shall, in no case, be owners of any ships or vessels, or directly or indirectly, be concerned in trade, or the importation or exportation, purchase or sale of any goods, wares or merchandise whatever, except bills of exchange, bullion, stock of the United States, or of incorporated institutions, and such ships, vessels, goods, wares or merchandise, as shall be truly pledged to them by way of security for debts due, owing or growing due to the said bank, or purchased by it to secure such debts.

Bank not to
be engaged in
ships, &c.

SEC. 15. *And be it further enacted,* That the bank shall not purchase or hold any lands, tenements or other real estates, other than what may be necessary for the convenient transaction of its business, unless such lands, tenements and real estates, shall have been bona fide mortgaged to the bank by way of security or conveyed to it in satisfaction of debts previously contracted in the course of dealings, or purchased to secure debts contracted with or due to the bank; and in every instance in which the bank may become the owners or claimants of lands, tenements or real estates, the president and directors are empowered to sell or dispose of the same, in such a manner as they may deem beneficial for the said bank.

Nor in the pur-
chase of lands,
&c. &c.

SEC. 16. *And be it further enacted,* That if any vacancy shall at any

Vacancies,
how to be filled.

time happen among the directors by death, resignation or otherwise, the rest of the directors for the time being, shall elect a director to fill the vacancy.

Extra general
meetings may
be called.

SEC. 17. *And be it further enacted,* That if any number of stockholders not less than twenty, who shall be proprietors of not less than four thousand shares, may for any purpose relative to the institution, at any time apply to the president and directors, to call a general meeting of the stockholders, and if by them refused, the said number of stockholders, proprietors of not less than the number of shares aforesaid, shall have power to call a general meeting of the stockholders, giving at least sixty days' notice in two or more of the public newspapers in the district, specifying in such notice the object or objects of such call.

Limitation of
discounts.

SEC. 18. *And be it further enacted,* That the said bank shall not at any time discount or loan a greater sum than double the amount of the capital stock, which shall be actually paid in.

Not to dis-
count beyond
twice the
amount of its
capital.

SEC. 19. *And be it further enacted,* That the total amount of the debts which the said corporation shall at any time owe, whether by bond, bill, note or other contract, shall not exceed twice the amount of their capital stock actually paid, over and above the monies then actually deposited in the bank for safe keeping. In case of excess, the directors, under whose administration it shall happen, shall be liable for the same in their natural and private capacities; and an action of debt, may in such case be brought against them or any of them, their or any of their heirs, executors or administrators, in any court proper to try the same, by any creditor or creditors of said corporation, and may be prosecuted to judgment and execution, any condition, covenant or agreement to the contrary notwithstanding. But this shall not be construed to exempt said corporation, or the lands, tenements, goods or chattels of the same from being also liable for, and chargeable with said excess. Such of said directors who may have been absent when said excess was contracted or created, or who may have dissented from the resolution or act whereby the same was so contracted or created, may respectively exonerate themselves from being so liable, by forthwith giving notice of the fact, and of their absence or dissent, to the Secretary of the Treasury of the United States, and to the stockholders at a general meeting, which they shall have power to call for that purpose; and the body corporate hereby created, and the capital stock thereof, shall be liable for all the debts and engagements contracted, or which before or on the said fourth day of March, in the year eighteen hundred and eleven, shall be contracted by the company, or co-partnership heretofore created by the articles of association herein before mentioned, and which carried on the banking business under the name and style of "The President and Directors of the Union Bank of Georgetown;" and the creditors of the said co-partnership, shall have the like remedy by action, against the said body corporate, as they had or have, or may or can have against the said co-partnership.

Omissions to
make elections
provided for.

SEC. 20. *And be it further enacted,* That in case it should at any time happen, that an election of directors should not be made, on any day when, pursuant to this act, it ought to have been made, the said corporation shall not for that cause be deemed to be dissolved; but it shall be lawful on any other day to hold and make an election of directors, at a meeting to be called in such manner as shall be prescribed by the laws and ordinances of the said corporation.

This to be
considered as a
public act.

SEC. 21. *And be it further enacted,* That this act shall to all intents and purposes, be deemed and held a public act, and be and continue in force for the term of ten years, from and after the fourth day of March, which will be in the year of our Lord, one thousand eight hundred and eleven, and no longer.

APPROVED, February 18, 1811.

STATUTE III.
Feb. 18, 1811.

CHAP. XX.—*An Act making a further distribution of such laws of the United States, as respect the Public Lands.*

Act of April 27, 1810, ch. 33.
Distribution of the land laws.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the copies of the laws prepared and printed under the authority of "An act providing for printing and distributing of such laws of the United States as respect the public lands," passed the twenty-seventh day of April, one thousand eight hundred and ten, not otherwise disposed of, shall be distributed in the manner following, that is to say: The President and Vice President of the United States, the members of the Senate and House of Representatives, the secretaries of the state, treasury, war and navy departments, the attorney-general, the comptroller and register of the treasury, the judges of the supreme and district courts of the United States, the governors and judges of the territories, the surveyor-general of the United States, and the surveyor of the lands of the United States south of Tennessee, shall each receive one copy; the clerks in each of the departments of state, treasury and war, employed on land business, five copies; the secretary of the Senate, to be placed on his table for the use of the Senate, five copies; the clerk of the House of Representatives, to be placed on his table, for the use of the House of Representatives, ten copies; two hundred and fifty copies shall be placed in the library, and remain there under the same regulations as the other laws of the United States; one hundred copies shall be deposited in the treasury department for the use of the land boards, and offices which may hereafter be established; and the remainder shall be placed in the library, and each member of Congress hereafter elected, shall, so long as any remain, exclusive of the two hundred and fifty copies before mentioned, be entitled to one copy at the commencement of that session of Congress next succeeding his election.

How to be distributed.

APPROVED, February 18, 1811.

STATUTE III.
Feb. 20, 1811.

CHAP. XXI.—*An Act to enable the people of the Territory of Orleans to form a constitution and state government, and for the admission of such state into the Union, on an equal footing with the original states, and for other purposes.*(a)

The inhabitants of Louisiana within directed limits to be authorized to form a constitution and state.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the inhabitants of all that part of the territory or country ceded under the name of Louisiana, by the treaty made at Paris on the thirtieth day of April, one thousand eight hundred and three, between the United States and France, contained within the following limits, that is to say: beginning at the mouth of the river Sabine, thence by a line to be drawn along the middle of the said river, including all islands to the thirty-second degree of latitude; thence due north, to the northernmost part of the thirty-third degree of north latitude; thence along the said parallel of latitude to the river Mississippi; thence down the said river to the river Iberville; and from thence along the middle of the said river and lakes Maurepas and Ponchartrain, to the gulf of Mexico; thence bounded by the said gulf to the place of beginning: including all islands within three leagues of the coast, be, and they are hereby authorized to form for themselves a constitution and state government, and to assume such name as they may deem proper, under the provisions and upon the conditions herein after mentioned.

Act of April 14, 1812, ch. 57.

SEC. 2. *And be it further enacted,* That all free white male citizens of the United States, who shall have arrived at the age of twenty-one years, and resided within the said territory, at least one year previous to the day of election, and shall have paid a territorial, county, district or

Elective franchise, how regulated.

(a) An act to enlarge the limits of the state of Louisiana, April 14, 1812, chap. 57.

parish tax: and all persons having in other respects the legal qualifications to vote for representatives in the general assembly of the said territory, be, and they are hereby authorized to choose representatives to form a convention, who shall be apportioned amongst the several counties, districts and parishes, within the said territory of Orleans, in such manner as the legislature of the said territory shall by law direct. The number of representatives shall not exceed sixty; and the elections for the representatives aforesaid shall take place on the third Monday in September next, and shall be conducted in the same manner as is now provided by the laws of the said territory for electing members for the House of Representatives.

Convention to meet at New Orleans.

SEC. 3. *And be it further enacted*, That the members of the convention, when duly elected, be, and they are hereby authorized to meet at the city of New Orleans, on the first Monday of November next, which convention, when met, shall first determine, by a majority of the whole number elected, whether it be expedient or not, at that time, to form a constitution and state government, for the people within the said territory, and if it be determined to be expedient, then the convention shall in like manner declare, in behalf of the people of the said territory, that it adopts the constitution of the United States; whereupon the said convention shall be, and hereby is authorized to form a constitution and state government, for the people of the said territory: *Provided*, the constitution to be formed, in virtue of the authority herein given, shall be republican, and consistent with the constitution of the United States; that it shall contain the fundamental principles of civil and religious liberty; that it shall secure to the citizen the trial by jury in all criminal cases, and the privilege of the writ of *habeas corpus*, conformably to the provisions of the constitution of the United States; and that after the admission of the said territory of Orleans as a state into the Union, the laws which such state may pass shall be promulgated, and its records of every description shall be preserved, and its judicial and legislative written proceedings conducted, in the language in which the laws and the judicial and legislative written proceedings of the United States are now published and conducted: *And provided also*, that the said convention shall provide by an ordinance, irrevocable without the consent of the United States, that the people inhabiting the said territory do agree and declare, that they for ever disclaim all right or title to the waste or unappropriated lands, lying within the said territory; and that the same shall be and remain at the sole and entire disposition of the United States; and, moreover, that each and every tract of land, sold by Congress, shall be and remain exempt from any tax, laid by the order or under the authority of the state, whether for state, county, township, parish or any other purpose whatever, for the term of five years from and after the respective days of the sales thereof; and that the lands, belonging to citizens of the United States, residing without the said state, shall never be taxed higher than the lands belonging to persons residing therein; and that no taxes shall be imposed on lands the property of the United States; and that the river Mississippi and the navigable rivers and waters leading into the same or into the gulf of Mexico, shall be common highways and for ever free, as well to the inhabitants of the said state as to other citizens of the United States, without any tax, duty, impost or toll therefor, imposed by the said state.

The constitution to be republican and consistent with the constitution of the United States.

All right to waste and unappropriated lands to be disclaimed by an irrevocable ordinance.

Lands sold by Congress to be exempt from state taxes for five years.

Convention to send to Congress the act assenting to the adoption of the constitution of the United States.

SEC. 4. *And be it further enacted*, That in case the convention shall declare its assent, in behalf of the people of the said territory, to the adoption of the constitution of the United States, and shall form a constitution and state government for the people of the said territory of Orleans, the said convention, as soon thereafter as may be, is hereby required to cause to be transmitted to Congress the instrument, by which its assent to the constitution of the United States is thus given and

declared, and also a true and attested copy of such constitution or frame of state government, as shall be formed and provided by said convention, and if the same shall not be disapproved by Congress, at their next session after the receipt thereof, the said state shall be admitted into the Union, upon the same footing with the original states.

1812, ch. 50.

State to be admitted into the Union.
Reservation for roads, &c.

SEC. 5. *And be it further enacted*, That five per centum of the net proceeds of the sales of the lands of the United States, after the first day of January, shall be applied to laying out and constructing public roads and levees in the said state, as the legislature thereof may direct.

APPROVED, February 20, 1811.

STATUTE III.

CHAP. XXII.—*An Act making appropriations for the support of Government for the year one thousand eight hundred and eleven.*

Feb. 20, 1811.

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 in the present year, including the contingent expenses of the several departments and offices; for the compensation of the several loan officers and their clerks, and for books and stationery for the same; for the payment of annuities and grants; for the support of the mint establishment; for the expense of intercourse with foreign nations; for the support of lighthouses, beacons, buoys and public piers; for defraying the expenses of surveying the public lands; and for satisfying certain miscellaneous claims, the following sums be, and the same are hereby respectively appropriated, that is to say:

Specific appropriations.

For compensation granted by law to the members of the Senate and House of Representatives, their officers and attendants, estimated for a session of four months and a half continuance, two hundred and one thousand four hundred and twenty-five dollars.

For the expense of firewood, stationery, printing and all other contingent expenses of the two houses of Congress, thirty-four thousand dollars.

For all contingent expenses of the library of Congress, and for the librarian's allowance for the year one thousand eight hundred and eleven, eight hundred dollars.

For repairing the roof and fitting up a room in the west side of the north wing of the capitol for the library of Congress, six hundred dollars.

For compensation to the President and Vice President of the United States, thirty thousand dollars.

For compensation to the Secretary of State, clerks and persons employed in that department, including the sum of one thousand four hundred and seventy-eight dollars in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six, fourteen thousand and thirty-eight dollars.

1806, ch. 41.

For the incidental and contingent expenses of the said department, one thousand three hundred and fifty dollars.

For printing and distributing the laws of the third session of the eleventh Congress, and printing the laws in newspapers, five thousand five hundred dollars.

For compensation to the Secretary of the Treasury, clerks and persons employed in his office, including the sum of one thousand seven hundred and fifty dollars, for clerk hire, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six, sixteen thousand seven hundred dollars.

1806, ch. 41.

For expense of translating foreign languages, allowance to the person employed in transmitting passports and sea letters, and for stationery and printing in the office of the Secretary of the Treasury, one thousand dollars.

Specific ap-
propriations.

1806, ch. 41.

For compensation to the comptroller of the treasury, clerks and persons employed in his office, including the sum of one thousand six hundred and thirty-nine dollars, for compensation to his clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six, fourteen thousand six hundred and sixteen dollars.

For expense of stationery, printing and incidental and contingent expenses of the comptroller's office, five hundred dollars.

For compensation to the auditor of the treasury, clerks and persons employed in his office, twelve thousand two hundred and twenty-one dollars.

For expense of stationery, printing and incidental and contingent expenses of the auditor's office, five hundred dollars.

For compensation to the treasurer, clerks and persons employed in his office, six thousand two hundred and twenty-seven dollars and forty-five cents.

For expense of stationery, printing and incidental and contingent expenses in the treasurer's office, three hundred dollars.

For compensation to the register of the treasury, clerks and persons employed in his office, sixteen thousand fifty-two dollars and two cents.

For compensation to the messenger of the register's office, for stamping and arranging ship's registers, ninety dollars.

For expense of stationery, printing and all other incidental and contingent expenses in the register's office, including books for the public stocks, and for the arrangement of the marine records, two thousand eight hundred dollars.

For fuel and other contingent and incidental expenses of the treasury department, four thousand dollars.

For the purchase of books, maps and charts for the use of the treasury department, four hundred dollars.

For compensation to a superintendent, employed to secure the buildings and records of the treasury department, during the year one thousand eight hundred and eleven, including the expense of two watchmen, the repairs of two fire engines, buckets, lanterns and other incidental and contingent expenses, one thousand one hundred dollars.

For defraying the expense of stating and printing the public accounts for the year one thousand eight hundred and eleven, one thousand two hundred dollars.

For compensation to the secretary of the commissioners of the sinking fund, two hundred and fifty dollars.

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

For expense of fuel, stationery, printing and other contingent expenses of the office of the Secretary of War, one thousand dollars.

For compensation to the accountant of the war department, clerks and persons employed in his office, ten thousand nine hundred and ten dollars.

For contingent expenses in the office of the accountant of the war department, one thousand dollars.

For compensation to the clerks employed in the paymaster's office, three thousand four hundred dollars.

For contingent expenses in the said office, two hundred dollars.

1806, ch. 41. For compensation to the purveyor of public supplies, clerks and persons employed in his office, and for expense of stationery, store rent and fuel for said office, including the sum of five hundred dollars for compensation to clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six, five thousand one hundred dollars.

Specific ap-
propriations.

For compensation of additional clerks in the office of the superintendent of Indian trade, eight hundred dollars.

For compensation to the Secretary of the Navy, clerks and persons employed in his office, nine thousand eight hundred and ten dollars.

For expense of stationery, fuel, printing and other contingent expenses in the said office, two thousand dollars.

For compensation to the accountant of the navy, clerks and persons employed in his office, ten thousand four hundred and ten dollars.

For contingent expenses in the office of the accountant of the navy, one thousand dollars.

For compensation to the Postmaster-General, assistant Postmaster-General, clerks and persons employed in the Postmaster-General's office, including the sum of two thousand seven hundred and forty-five dollars for compensation to clerks in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six, and the sum of eight hundred and fifty-seven dollars for deficiencies in the appropriation of the year one thousand eight hundred and ten, nineteen thousand seven hundred and fifty-seven dollars and seventy-eight cents.

1806, ch. 41.

For the expense of fuel, house rent for the messenger, candles, stationery, chests, &c. incident to the Postmaster-General's office, two thousand five hundred dollars.

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

For compensation to the clerks of the commissioners of loans, and for allowances to certain loan officers, in lieu of clerk hire, and to defray the authorized expense of the several loan offices, fifteen thousand dollars.

For compensation to the surveyor-general, and his clerks, three thousand two hundred dollars.

For compensation to the surveyor of the lands south of Tennessee, clerks employed in his office, and for stationery and other contingencies, three thousand seven hundred dollars.

For compensation to the officers of the mint, viz :

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 melter and refiner, one thousand five hundred dollars.

The engraver, one thousand two hundred dollars.

One clerk at seven hundred dollars; and

Two clerks at five hundred dollars each.

For wages to the persons employed in melting, coining, carpenters, millwrights, and smiths' work, including the sum of one thousand dollars allowed to an assistant coiner and die forger, who also oversees the execution of the iron work, and of six hundred dollars allowed to an assistant engraver, eight thousand dollars.

For repairs of furnaces, cost of rollers and screws, timber, bar iron, lead, steel, potash, and for all other contingencies of the mint, two thousand seven hundred and seventy-five dollars.

For an allowance for wastage in the gold and silver coinage, including a deficiency in the appropriation for the year one thousand eight hundred and ten, arising from the increase of the coinage for that and several antecedent years, six thousand eight hundred dollars.

For compensation to the governor, judges and secretary of the territory of Orleans, thirteen thousand dollars.

For expense of stationery, and other contingent expenses of said territory, including the sum of one thousand dollars for a deficiency in the appropriation for the year one thousand eight hundred and ten, two thousand eight hundred and fifty dollars.

Specific ap-
propriations.

For compensation to the governor, judges and secretary of the Mississippi territory, including the sum of one thousand one hundred and thirteen dollars and thirty-three cents, for a deficiency in the appropriation for the year one thousand eight hundred and ten, ten thousand one hundred and thirteen dollars and thirty-three cents.

For expense of stationery, office rent and other contingent expenses of said territory, three hundred and fifty dollars.

For compensation to the governor, judges and secretary of the Indiana territory, six thousand six hundred dollars.

For expense of stationery, office rent and other contingent expenses of said territory, three hundred and fifty dollars.

For compensation to the governor, judges and secretary of the Michigan territory, six thousand six hundred dollars.

For expense of stationery, office rent and other contingent expenses of said territory, three hundred and fifty dollars.

For compensation to the governor, judges and secretary of the Louisiana territory, six thousand six hundred dollars.

For expense of stationery, office rent and other contingent expenses of said territory, three hundred and fifty dollars.

For compensation to the governor, judges and secretary of the Illinois territory, six thousand six hundred dollars.

For expense of stationery, office rent and other contingent expenses of said territory, three hundred and fifty dollars.

For the discharge of such demands against the United States, on account of the civil department, not otherwise provided for, as shall have been admitted in due course of settlement at the treasury, two thousand dollars.

1806, ch. 41.

For additional compensation to the clerks in the several departments of state, treasury, war and navy, and of the general post-office, not exceeding for each department respectively, fifteen per centum in addition to the sums allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes," thirteen thousand two hundred and sixty-nine dollars and thirty-two cents.

For compensation granted by law to the chief justice, the associate judges and district judges of the United States, including the chief justice and two associate judges for the district of Columbia; to the attorney-general, and to the district judge of the territory of Orleans, fifty-nine thousand four hundred dollars.

For the like compensation granted to the several district attorneys of the United States, three thousand four hundred dollars.

For compensation granted to the several marshals for the districts of Maine, New Hampshire, Vermont, New Jersey, North Carolina, Kentucky, Ohio, East and West Tennessee and Orleans, two thousand two hundred dollars.

For defraying the expenses of the supreme, circuit and district courts of the United States, including the district of Columbia, and of jurors and witnesses, in aid of the funds arising from fines, forfeitures and penalties, and for defraying the expenses of prosecutions for offences against the United States, and for the safe keeping of prisoners, forty thousand dollars.

For the payment of sundry pensions granted by the late and present government, nine hundred and sixty dollars.

For the payment of the annual allowance to the invalid pensioners of the United States, from the fifth of March one thousand eight hundred and eleven, to the fourth of March one thousand eight hundred and twelve, ninety-eight thousand dollars.

For the maintenance and support of lighthouses, beacons, buoys and public piers, stakeages of channels bars and shoals, and certain contin-

gent expenses, sixty-eight thousand nine hundred and sixty-five dollars and thirty-nine cents.

Specific appropriations.

For erecting lighthouses at the mouth of the Mississippi, and at or near the Pitch of Cape Lookout, in North Carolina, being the amount of an additional appropriation carried to the surplus fund, twenty thousand dollars.

For building a lighthouse on the south point of Cumberland Island, in Georgia, being the amount of a former appropriation carried to the surplus fund, four thousand dollars.

For erecting a lighthouse on the south point of Sapelo Island in Georgia, and for placing certain buoys and beacons on Dobay bar and Beach point, being the balance of former appropriations carried to the surplus fund, six thousand seven hundred and eighty-nine dollars and six cents.

For erecting a lighthouse on Point Judith, being the balance of a former appropriation carried to the surplus fund, one hundred and sixty-eight dollars and sixty-seven cents.

For erecting two lights on Lake Erie, viz: on or near Bird Island, and on or near Presque Isle, in addition to the appropriation heretofore made for that purpose, four thousand dollars.

For defraying the expense of surveying the public lands within the several territories of the United States, one hundred thousand dollars.

For paying for the printing of new ship's registers, including the cost of paper, the balance of a former appropriation of one thousand one hundred and forty dollars for this object having been heretofore carried to the surplus fund, one thousand five hundred dollars.

For discharging the expense of the third enumeration of the inhabitants of the United States, and that of taking an account of their manufactures, one hundred and fifty thousand dollars.

For expenses of intercourse with foreign nations, forty-seven thousand dollars.

For expenses of intercourse with the Barbary powers, fifty thousand dollars.

For the contingent expenses of government, the balance of former appropriations for that object having been carried to the surplus fund, twenty thousand dollars.

For the relief and protection of distressed American seamen, five thousand dollars.

For expenses of prosecuting claims and appeals in the courts of Great Britain in relation to captures of American vessels, and defending causes elsewhere, four thousand dollars.

For compensation allowed George W. Erving as agent in receiving and paying awards of the board of commissioners, under the seventh article of the British treaty, estimated at two and a half per cent. on the amount of such awards as were actually received by him, twenty-two thousand three hundred and ninety-two dollars and sixty-seven cents.

For payment of the claim of Patrick Donnon, late surveyor of the county of Hardy, in Virginia, being his compensation under the act of Congress, passed May thirteenth, one thousand eight hundred, "to enlarge the powers of the surveyors of the revenue," for valuing, recording and adding to the tax lists sundry tracts of land and dwelling houses omitted by the assessors, there not being a sufficient balance due for direct tax from Virginia for satisfying this claim, seven hundred and twenty-eight dollars and eighty-five cents.

For payment of expenditures made by James Simmons, late collector of Charleston, from January first, one thousand seven hundred and ninety-nine, to December thirty-first, one thousand eight hundred and five, for the navy department, as admitted on settlement of his account

Specific ap-
propriations.

at the treasury, nine thousand three hundred and seventy-nine dollars and three cents.

For the discharge of such miscellaneous claims against the United States not otherwise provided for, as shall have been admitted in due course of settlement at the treasury, four thousand dollars.

1811, ch. 6. For the payment of a balance due the estate of the late Major-general Anthony Wayne, in conformity with the act passed at the present session, entitled "An act for the relief of the heirs of the late Major-general Wayne," five thousand eight hundred and seventy dollars and thirty-four cents.

1790, ch. 34.

SEC. 2. *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 an act making provision for the debt of the United States, and out of any monies in the treasury not otherwise appropriated.

APPROVED, February 20, 1811.

STATUTE III.

Feb. 22, 1811.

CHAP. XXIII.—*An Act to enable the Georgetown Potomac Bridge Company to levy money for the object of its incorporation.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the directors of the Georgetown Potomac Bridge Company be, and they are hereby empowered to call a general meeting of the stockholders of said company, to be held at Georgetown, in the district of Columbia, by causing public notice to be given of the time and place of such meeting, in the National Intelligencer, and in one of the newspapers printed in each of the cities of New York, Philadelphia and Baltimore, in four successive weeks, the last time at least thirty days before the day of holding the said general meeting. And if at such general meeting, the stockholders present, by themselves or legal representatives, shall determine to rebuild the bridge at or near the little falls of the river Potomac, (for the purpose of erecting which originally was the object of their incorporation,) the holders of two thirds of the stock represented at that meeting concurring, then it shall and may be lawful for the directors of said company, or any two of them, and they are hereby empowered to assess upon and collect from the stockholders of the said company, such sum and sums of money, as shall be necessary to pay its debts already incurred, and to rebuild, make and keep in repair the said bridge, together with the road leading thereto from Georgetown: *Provided*, That the whole amount of such assessments shall not exceed twenty-five dollars on each share in the stock of said company. And of any such assessment and assessments, the said directors shall give public notice to the said stockholders, by advertising the same in the newspapers aforesaid; and the sum and sums which shall be so assessed, the said stockholders are hereby required to pay to the said directors, within sixty days after such notice; and on failure thereof, for the space of thirty days after the expiration of the said sixty days, the said directors, or any two of them, are hereby authorized to sell the share or shares of any and every delinquent stockholder; every such sale to be made at public auction in Georgetown aforesaid, on the day specified in said advertisement: *Provided*, That no more shares shall be sold than shall be deemed necessary to levy the sum and sums of money which shall be assessed as aforesaid; and that the surplus, if any arising on any such sales, shall by the directors aforesaid, be deposited in the Bank of Columbia, for the use of the owner or owners of the share or shares so sold. And the said directors, or any two of them, shall transfer on the books of the said company, to the purchaser or purchasers, the share or shares so sold,

Bridge to be
rebuilt if agreed
to by the stock-
holders.

Assessments
on the stock-
holders.

and if demanded give a certificate or certificates thereof, under their hands and seals, which shall secure to such purchaser or purchasers, a valid title to the same.

APPROVED, February 22, 1811.

STATUTE III.

CHAP. XXIV.—*An Act providing for the sale of a tract of land lying in the state of Tennessee, and a tract in the Indiana territory.*

Feb. 25, 1811.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the commissioners appointed by an act of the legislature of the state of Tennessee, passed on the fourteenth day of November, one thousand eight hundred and nine, to fix on a site for the town of Pulaski, in the county of Giles, and state aforesaid, and their successors in office, be, and they are hereby authorized, on producing a receipt from the receiver of public monies, for at least one twentieth part of the purchase money, to enter with the register of the land-office, established for the lands ceded to the United States by the Cherokee and Chickasaw Indians, in the Mississippi territory, a tract of land lying in a regular square, and containing six hundred and forty acres, which has or may be fixed on as a site for the town of Pulaski, as aforesaid, at the same price and on the same terms and conditions of payment as are provided with respect to the other public lands sold at private sale at the said office; and on completing the payment of the purchase money, a patent shall be granted therefor to the said commissioners and their successors in office, in trust, for the use of the said county of Giles, for the purpose aforesaid.

Site of the town of Pulaski to be entered with register of land-office and sold.

Conditions, &c. &c.

SEC. 2. *And be it further enacted,* That the commissioners appointed by an act of the legislature of the Indiana territory, to fix on a proper site for the permanent seat of government for the said territory, be, and they are hereby authorized, and their successors in office, so soon as the surveys under the authority of the United States shall have been made of the lands which they shall select, and on producing a receipt from the receiver of public monies, for at least one twentieth part of the purchase money, to enter with the register of the land-office for the district in which the land lies, any four quarter sections of land adjoining to each other, which have not been reserved by any former act of Congress, and which the said commissioners may select and fix on as a site for the permanent seat of government for the said territory, and payment shall be made therefor at the same price, and on the same terms and conditions, as are provided in respect to the other public lands sold at private sale in the same district; and on completing the payment of the purchase money, a patent shall be granted therefor, to the said commissioners and their successors in office, in trust for the use of said territory, for the purpose aforesaid.

Conditions upon which the land for the permanent seat of Indiana government may be obtained.

APPROVED, February 25, 1811.

STATUTE III.

CHAP. XXV.—*An Act providing for the removal of the land-office established at Nashville, in the state of Tennessee, and Canton in the state of Ohio; and to authorize the register and receiver of public monies to superintend the public sales of land in the district east of Pearl river.*

Feb. 25, 1811.

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 to remove the land-office established for the sale of the public lands ceded to the United States by the Cherokee and Chickasaw Indians in the Mississippi territory, from Nashville, to such place within the district for which it was established as he may judge most proper; and to remove the land-office

Act of Feb. 4, 1815, ch. 33.

President authorized to remove certain land-offices from Nashville and from Canton.

from Canton in the state of Ohio, to some suitable place within the district for which it was established.

By whom public sales of public lands in the district east of Pearl river are to be conducted.

SEC. 2. *And be it further enacted,* That the public sales of the public lands, in the district east of Pearl river, in the Mississippi territory, and also in the district of Kaskaskia, in the Illinois territory, be conducted under the superintendence alone of the register and receiver of public monies for the said districts, who are hereby authorized and empowered to superintend the same, in their respective districts; any law to the contrary notwithstanding; and they shall receive the compensation provided by law for the superintendence of public sales in the districts aforesaid.

Tracts of land not paid for to be again offered for sale at the courts of the county.

SEC. 3. *And be it further enacted,* That if any tract of the public lands, which has been sold or may hereafter be sold, in any state or territory, wherein a land-office is or may be established, and on which complete payment has not or may not have been made, within the time prescribed by law for completing the same, and the tract having been advertised for sale agreeably to law, it shall be lawful to offer the same for sale at public vendue, at the time and place of the sitting of the court, for the county in which the land-office is kept for the district to which the tract belongs, whether the court shall be denominated a court of quarter sessions, or by whatever other designation it may be known.

APPROVED, February 25, 1811.

STATUTE III.

Feb. 26, 1811.

CHAP. XXVI.—*An Act establishing Navy Hospitals.*

Secretaries of Navy, Treasury and War made a board of commissioners.

Act of 1799, ch. 36.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the money hereafter collected by virtue of the act, entitled "An act in addition to An act for the relief of sick and disabled seamen," shall be paid to the Secretary of the Navy, the Secretary of the Treasury and the Secretary of War, for the time being, who are hereby appointed a board of commissioners, by the name and style of Commissioners of Navy Hospitals, which, together with the sum of fifty thousand dollars hereby appropriated out of the unexpended balance of the marine hospital fund, to be paid to the commissioners aforesaid, shall constitute a fund for navy hospitals.

Fines to be paid to them.

SEC. 2. *And be it further enacted,* That all fines imposed on navy officers, seamen and marines, shall be paid to the commissioners of navy hospitals.

Commissioners to procure sites, at suitable places, for navy hospitals.

SEC. 3. *And be it further enacted,* That the commissioners of navy hospitals be and they are hereby authorized and required to procure at a suitable place or places proper sites for navy hospitals, and if the necessary buildings are not procured with the site, to cause such to be erected, having due regard to economy, and giving preference to such plans as with most convenience and least cost will admit of subsequent additions, as the funds will permit and circumstances require; and the commissioners are required at one of the establishments, to provide a permanent asylum for disabled and decrepid navy officers, seamen and marines.

Secretary of Navy to prepare necessary rules for the government of the hospitals.

SEC. 4. *And be it further enacted,* That the Secretary of the Navy be authorized and required to prepare the necessary rules and regulations for the government of the institution, and report the same to the next session of Congress.

Allowance from the wages and pensions of invalids to be paid to commissioners.

SEC. 5. *And be it further enacted,* That when any navy officer, seaman or marine, shall be admitted into a navy hospital, that the institution shall be allowed one ration per day during his continuance therein, to be deducted from the account of the United States with such officer, seaman or marine; and in like manner, when any officer, seaman or

marine, entitled to a pension, shall be admitted into a navy hospital, such pension during his continuance therein shall be paid to the commissioners of the navy hospitals, and deducted from the account of such pensioner.

APPROVED, February 26, 1811.

CHAP. XXVIII.—*An Act in addition to the act entitled "An act supplementary to the act concerning Consuls and Vice Consuls," and for the further protection of American seamen.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases where distressed mariners and seamen of the United States have been transported from foreign ports where there was no consul, vice consul, commercial agent, or vice commercial agent of the United States, to ports of the United States; and in all cases where they shall hereafter be so transported, there shall be allowed to the master or owner of each vessel, in which they shall or may have been transported, such reasonable compensation, in addition to the allowance now fixed by law, as shall be deemed equitable by the comptroller of the treasury.

APPROVED, February 28, 1811.

CHAP. XXIX.—*An Act supplementary to the act, entitled "An act concerning the commercial intercourse between the United States and Great Britain and France and their dependencies, and for other purposes." (a)*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no vessel owned wholly by a citizen or citizens of the United States, which shall have departed from a British port prior to the second day of February, one thousand eight hundred and eleven, and no merchandise, owned wholly by a citizen or citizens of the United States, imported in such vessel, shall be liable to seizure or forfeiture, on account of any infraction or presumed infraction of the provisions of the act to which this act is a supplement.

SEC. 2. *And be it further enacted,* That in case Great Britain shall so revoke or modify her edicts, as that they shall cease to violate the neutral commerce of the United States, the President of the United States shall declare the fact by proclamation; and such proclamation shall be admitted as evidence, and no other evidence shall be admitted of such revocation or modification in any suit or prosecution which may be instituted under the fourth section of the act to which this act is a supplement. And the restrictions imposed or which may be imposed by virtue of the said act, shall, from the date of such proclamation, cease and be discontinued.

SEC. 3. *And be it further enacted,* That until the proclamation aforesaid shall have been issued, the several provisions of the third, fourth, fifth, sixth, seventh, eighth, ninth, tenth and eighteenth sections of the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France and their dependencies, and for other purposes," shall have full force and be immediately carried into effect against Great Britain, her colonies and dependencies: *Provided however,* that any vessel or merchandise which may in pursuance thereof be seized, prior to the fact being ascertained, whether Great Britain shall, on or before the second day of February, one thousand eight hundred and eleven, have revoked or modified her edicts in the manner above mentioned, shall nevertheless be restored on application of the parties, on

STATUTE III.

Feb. 28, 1811.

Act of April
14, 1792, ch. 24.
Act of Feb.
28, 1803, ch. 9.
Act of March
3, 1817, ch. 40.

STATUTE III.

March 2, 1811.

[Repealed.]

Act of April
14, 1814, ch. 56.
Vessels leav-
ing England be-
fore 2d Februa-
ry, not liable to
seizure owned
wholly by citi-
zens of the U.
States.

1810, ch. 39.

Great Britain
revoking its de-
crees, &c. &c.
the fact to be
declared by pro-
clamation, &c.

Certain sec-
tions of a former
law to be in
force.

Act of March
1, 1809, ch. 24.

(a) Act of March 1, 1809, chap. 24; act of May 30, 1809, chap. 1; act of June 28, 1809, chap. 9; act of May 1, 1810, chap. 39.

their giving bond with approved sureties to the United States, in a sum equal to the value thereof, to abide the decision of the proper court of the United States thereon; and any such bond shall be considered as satisfied if Great Britain shall, on or before the second day of February, one thousand eight hundred and eleven, have revoked or modified her edicts in the manner above mentioned: *Provided also*, that nothing herein contained shall be construed to affect any ships or vessels or the cargoes of ships or vessels wholly owned by a citizen or citizens of the United States, which had cleared out for the Cape of Good Hope, or for any port beyond the same, prior to the tenth day of November, one thousand eight hundred and ten.

APPROVED, March 2, 1811.

STATUTE III.

March 2, 1811.

CHAP. XXX.—*An Act for establishing trading houses with the Indian tribes.*(a)

Trading-houses to be established.

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 President of the United States to establish trading houses at such posts and places on the frontiers, or in the Indian country, on either or both sides of the Mississippi river, as he shall judge most convenient, for the purpose of carrying on a liberal trade with the several Indian nations, within the United States, or their territories.

Superintendent of Indian trade to be appointed—his duties, &c. &c.

SEC. 2. *And be it further enacted*, That the President of the United States shall be authorized to appoint a superintendent of Indian trade, whose duty it shall be to purchase and take charge of all goods intended for trade with the Indian nations aforesaid, and to transmit the same to such places as he shall be directed by the President; and he shall take an oath or affirmation faithfully to execute the trust committed to him, and that he will not directly or indirectly be concerned or interested in any trade, commerce or barter restricted by this law, and except on the public account; and he shall also give bond, in the penal sum of twenty thousand dollars, with sufficient security, to be approved of by the Secretary of the Treasury of the United States, truly and honestly to account for all money, goods and other property whatever, which shall come into his hands, or for which in good faith he ought so to account, and to perform all the duties required of him by this act; and he shall render to the Secretary of the Treasury a quarter yearly account of all his receipts and expenditures of cash, purchases and transmittals of goods for

(a) Obsolete acts relating to trading houses with the Indians :—

- An act for establishing trading houses with the Indian tribes, April 18, 1796, chap. 13.
- An act to revive and continue in force "An act for establishing trading houses with the Indian tribes," April 30, 1802, chap. 39.
- An act for continuing in force a law entitled, "An act for establishing trading houses with the Indian tribes," February 28, 1803, chap. 14.
- An act for establishing trading houses with the Indian tribes, April 21, 1806, chap. 48.
- An act supplemental to an act entitled, "An act for establishing trading houses with the Indian tribes," March 3, 1809, chap. 34.
- An act establishing trading houses with the Indian tribes, March 2, 1811, chap. 30.
- An act to continue in force for a limited time, the act entitled, "An act for establishing trading houses with the Indian tribes," March 3, 1815, chap. 98.
- An act to continue in force an act entitled, "An act for establishing trading houses with the Indian tribes," March 3, 1817, chap. 43.
- An act directing the manner of appointing Indian agents, and continuing the "act for establishing trading houses with the Indian tribes," April 16, 1818, chap. 61.
- An act to continue in force for a further time the act entitled, "An act for establishing trading houses with the Indian tribes," March 3, 1819, chap. 78.
- An act to continue in force for a further time the act entitled, "An act for establishing trading houses with the Indian tribes," March 4, 1820, chap. 18.
- An act to continue in force for a further time the act entitled, "An act to establish trading houses with the Indian tribes," March 3, 1821, chap. 44.
- The trading houses with the Indian tribes, were abolished by an act to abolish the United States trading establishments with the Indian tribes, May 6, 1822, chap. 54.

the Indian trade, to be settled and adjusted by the accounting officer of the treasury, as other public accounts.

SEC. 3. *And be it further enacted*, That the superintendent of Indian trade shall receive an annual salary of two thousand dollars, payable quarter yearly, at the treasury of the United States.

Salary of the superintendent.

SEC. 4. *And be it further enacted*, That the President of the United States shall be authorized to appoint an agent, (and when he shall deem it proper an assistant agent,) for each trading-house establishment, established under the provisions of this act; and every such agent and assistant agent shall give bond, with sufficient security, in such sum as the President shall direct, truly and honestly to account for all the money, goods and other property whatever, which shall come into his hands, and for which he ought so to account; and to perform all the duties required of him by this act; and shall take an oath or affirmation faithfully to execute the trust committed to him; and that he will not directly or indirectly be concerned or interested in any trade, commerce or barter but on the public account.

Agents, &c. to be appointed.

SEC. 5. *And be it further enacted*, That it shall be the duty of each of the said agents to receive, from the superintendent of Indian trade, and dispose of in trade with the Indian nations aforesaid, such goods as may be transmitted to him by the superintendent, to be received and disposed of as aforesaid, according to the rules and orders which the President of the United States shall prescribe; and he shall render an account, quarter yearly, to the superintendent of Indian trade, of all money, goods and other property whatsoever, which shall be transmitted to him, or which shall come into his hands, or for which in good faith he ought to account; and he shall transmit duplicates of his accounts to the Secretary of the Treasury of the United States.

Duties of the agents, &c. &c.

SEC. 6. *And be it further enacted*, That the superintendent of Indian trade, the agents, or their clerks, or other persons employed by them shall not be directly or indirectly concerned or interested in carrying on trade or commerce in any of the goods or articles bought for, or supplied to, or received from the Indians, or shall be owner in whole or in part of any sea vessel, or shall take or apply to his or their use any gain or emolument for negotiating or transacting any business in the Indian department, other than what shall be allowed by law; and that the said agents, assistant agents, or any persons employed by them, shall not be directly or indirectly concerned or interested in carrying on the business of trade or commerce, on their own or any other than the public account, or take or apply to his or their use any emolument or gain for negotiating any such business, during their appointment, agency or employment respectively, other than provided by this act, or excepting for and on account of the United States; and if any such persons shall offend against any of the prohibitions aforesaid, he shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, forfeit to the United States a sum not exceeding one thousand dollars, and shall be removed from such office agency or employment, and forever thereafter be incapable of holding any office under the United States: *Provided*, that if any person, other than a public prosecutor, shall give information of any such offence upon which a prosecution and conviction shall be had, one half of the aforesaid penalty, when recovered, shall be for the use of the person giving such information: *And provided also*, that if such misdemeanor be committed by the superintendent of Indian trade, or by any agent or assistant agent, it shall be deemed a breach of the condition of his bond, and the penalty thereof may be recovered in any court having competent jurisdiction of the same.

Superintendents of Indian trade not allowed to carry on trade, &c. &c.

Proviso.

SEC. 7. *And be it further enacted*, That the prices of goods supplied to and to be paid for by the Indians shall be regulated in such manner,

Regulations with respect to

prices of goods supplied to the Indians.

Penalties, &c.

No suit to be commenced but in the state or territory in which the cause of action arose or in which the defendant may reside.

Goods for annuities to be sent by superintendent, &c.

Specific appropriations for salaries of superintendent, &c. &c.

Pay of the agents, &c. &c.

Appropriation for Indian trade.

1806, ch. 48.

1809, ch. 34.

that the capital stock furnished by the United States shall not be diminished.

SEC. 8. *And be it further enacted*, That if any agent or agents, their clerks or other person employed by them, shall purchase or receive from any Indian, in the way of trade or barter, any gun, or other article, commonly used in hunting, any instrument of husbandry or cooking utensil, of the kind usually obtained by Indians, in their intercourse with white people, or any article of clothing, excepting skins or furs, he or they shall respectively forfeit the sum of one hundred dollars for each offence, to be recovered by action of debt in the name and to the use of the United States, in any court having jurisdiction in like cases: *Provided*, That no suit shall be commenced, except in the state or territory within which the cause of action shall have arisen, or in which the defendant may reside; and it shall be the duty of the superintendent of Indian trade, or of the superintendents of Indian affairs, and their deputies respectively, to whom information of every such offence shall be given, to collect the requisite evidence, if attainable, to prosecute the offender without delay.

SEC. 9. *And be it further enacted*, That the goods requisite for annuities to the Indian nations, within the United States and the territories thereof, and for treaties with them, and for presents to be made them at the seat of government, or elsewhere, shall henceforward be purchased and transmitted to the proper posts and places, by the superintendent of Indian trade, upon orders from the department of war, and the accounts therefor shall be rendered to the war department.

SEC. 10. *And be it further enacted*, That during the continuance of this act the annual sum of two thousand dollars for the payment of the salary of the superintendent of Indian trade, and the annual sum of two thousand five hundred dollars, for the payment of the clerks in his office (including the sum of eight hundred dollars, allowed for an additional clerk, by the act passed on the twenty-sixth day of February, one thousand eight hundred and ten,) are hereby appropriated, to be paid out of any money in the treasury of the United States, not otherwise appropriated.

SEC. 11. *And be it further enacted*, That during the continuance of this act, the President of the United States be, and he is hereby authorized to draw annually from the treasury of the United States a sum not exceeding fourteen thousand seven hundred and fifty dollars, to be applied under his direction, to the payment of the agents, assistant agents and clerks, at the trading houses; which agents shall be allowed to draw out of the public supplies two rations each, and each clerk one ration per day, which rations or such payments as may be made in lieu thereof, by the order of the President, shall be charged to the trading fund; and the President shall cause an annual report to be made to Congress of how much of the sum so authorized has been drawn, and in what manner the same has been applied.

SEC. 12. *And be it further enacted*, That the sum of two hundred and sixty thousand dollars, appropriated by the tenth section of the act, entitled "An act for establishing trading houses with the Indian tribes," approved twenty-first April, one thousand eight hundred and four, and the sum of forty thousand dollars, appropriated by the act, entitled "An act supplemental to the act, entitled An act for establishing trading houses with the Indian tribes," approved third March, one thousand eight hundred and nine, shall be, and remain a fund for the purpose of carrying on trade and intercourse with the Indian nations, in the manner provided by this act, exclusive of the salary of the superintendent of Indian trade and of the allowances to agents, assistant agents and clerks.

SEC. 13. *And be it further enacted*, That it shall be the duty of said

superintendent of Indian trade, under the direction of the President of the United States, and upon such terms and conditions as he shall prescribe, to cause the furs and peltry, and other articles, acquired in trade with the Indian nations, to be sold at public auction, in different parts of the United States, or otherwise disposed of, as may be deemed most advantageous to the United States.

Superintendent to dispose of the furs and peltry.

SEC. 14. *And be it further enacted*, That if the President should deem it expedient to establish, under the authority of this act, trading houses, in addition to the number now in operation, for the purposes of carrying on a trade with the Indian tribes, within the United States, or their territories, the expenses for each trading house so established shall not exceed the following sums of money, in addition to the appropriations already made by this act, viz: For the principal agent, an annual sum, not exceeding one thousand dollars; for an assistant agent, if necessary, an annual sum not exceeding five hundred dollars; to be drawn by the President out of any monies in the treasury not otherwise appropriated.

Additional trading houses.

How the expenses are to be defrayed.

SEC. 15. *And be it further enacted*, That from and after the first day of April next, an act, entitled "An act for establishing trading houses with the Indian tribes," approved on the twenty-first of April, one thousand eight hundred and six, and an act, entitled "An act supplemental to the act, entitled An act for establishing trading houses with the Indian tribes," approved on the fourth day of March, one thousand eight hundred and nine, shall be, and the same are hereby repealed: *Provided*, that nothing herein contained, shall be construed to exonerate any person who shall not have performed the duty, or who shall have violated any of the prohibitions contained in the said acts, from suits or prosecutions, but as to all bonds, contracts, debts, demands, rights, penalties, punishments, which have been made, have arisen, or have incurred, or which shall be made, arise or be incurred, previous to the first day of April next, the said acts shall have the same force and effect, as though this act had not been passed: *Provided likewise*, that the superintendent of Indian trade, the agents, assistant agents and other persons employed under the aforesaid acts, shall continue to hold their several offices, appointments and trusts, until otherwise removed, any thing herein contained that might be construed to the contrary notwithstanding; and also the bonds, which they or either of them have given or may give, for the faithful execution of their several duties and offices, shall continue to have the same force and effect, to all intents and purposes, as though this act had not been passed.

Repealing clause.

1806, ch. 48.
1809, ch. 34.

No one who shall not have performed the duty, or who shall have violated the prohibitions in the acts to be exonerated from suits.

SEC. 16. *And be it further enacted*, That this act shall be in force from and after the first day of April next, for the term of three years, and from thence to the end of the session of Congress next thereafter and no longer.

Commencement and termination of this act.

APPROVED, March 2, 1811.

STATUTE III.

CHAP. XXXI.—*An Act to establish the Districts of Mumphreymagog, of Oswegatchie, and of the White Mountains.*

March 2, 1811.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of April next, all that part of the state of Vermont, lying east of lake Mumphreymagog, and including also all such shores and waters of the said lake, as lie within the said state, shall constitute a district, to be called the district of Mumphreymagog; of which Derby shall be the sole port of entry; and a collector for the said district shall be appointed to reside at the said port of entry.

Mumphreymagog district established.

SEC. 2. *And be it further enacted*, That from and after the first day

Oswegatchie district established.

of April next, all the shores and waters of the river St. Lawrence, which lie in the state of New York, east of the western boundary of the county of St. Lawrence, and west of the western boundary of the collection district of Champlain, shall constitute a district to be called the district of Oswegatchie, of which Ogdenburgh shall be the sole port of entry, and a collector for the said district shall be appointed to reside at Ogdenburgh. And the President of the United States is authorized to establish another place in the said district to be a port of delivery only; and a surveyor shall be appointed to reside at such port of delivery.

White mountains district established.

SEC. 3. *And be it further enacted,* That all that part of the state of New Hampshire which lies adjacent to the northern boundary of the United States, and north of forty-four degrees thirty minutes north latitude, shall from and after the first day of April next, constitute a district to be called the district of "White Mountains;" the President of the United States is authorized to establish a place in the said district to be the port of entry; and a collector shall be appointed to reside at the said place.

Port of entry for district of Vermont may be altered.

SEC. 4. *And be it further enacted,* That the President of the United States be, and he is hereby authorized to alter the place which had heretofore been designated to be the port of entry for the district of Vermont, and to establish another place to be such port of entry.

Compensations of the collectors.

SEC. 5. *And be it further enacted,* That from and after the first day of April next, the collectors of the districts established by this act, and the collectors of the districts of Vermont, Champlain and Sackett's Harbour and Oswego, shall each receive, in addition to the fees and commissions allowed by law, an annual salary of five hundred dollars a year; and the annual salary heretofore allowed to the collectors of the three last mentioned districts shall, from and after the said first day of April, be discontinued; and the surveyor to be appointed for the district of Oswegatchie shall receive, in addition to the fees allowed by law, a salary of one hundred and fifty dollars a year.

1799, ch. 22.

APPROVED, March 2, 1811.

STATUTE III.

March 2, 1811.

CHAP. XXXII.—*An Act authorizing a loan of money, for a sum not exceeding five millions of dollars.*

[Obsolete.]

President authorized to borrow five millions of dollars.

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 five millions of dollars, at a rate of interest, payable quarter yearly, not exceeding six per centum per annum, and reimbursable at the pleasure of the United States, or at such periods as may be stipulated by contract, not exceeding six years from the first day of January next; to be applied in addition to the monies now in the treasury, or which may be received therein from other sources during the present year, to defray any of the public expenses which are or may be authorized by law. The stock thereby created shall be transferable in the same manner as is provided by law for the transfer of the funded debt: *And it is further hereby declared,* that it shall be deemed a good execution of the said power to borrow, for the Secretary of the Treasury, with the approbation of the President of the United States, to cause to be constituted certificates of stock, signed by the register of the treasury, or by a commissioner of loans for the sum to be borrowed, or for any part thereof, bearing an interest of six per cent. per annum, transferable and reimbursable as aforesaid; and to cause the said certificates of stock to be sold at auction, after having given thirty days' public notice of the time and place of such sale: *Provided,* that no such stock be sold under par.

Proviso.

SEC. 2. *And be it further enacted,* That so much of the funds constituting the annual appropriation of eight millions of dollars, for the payment of the principal and interest of the public debt of the United States, as may be wanted for that purpose, is hereby pledged and appropriated for the payment of the interest, and for the reimbursement of the principal of the stock, which may be created by virtue of this act. It shall accordingly 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, such sum and sums as may be annually wanted to discharge the interest accruing on the said stock, and to reimburse the principal as the same shall become due, and may be discharged in conformity with the terms of the loan; and they are further authorized to apply, from time to time, such sum or sums out of the said fund, as they may think proper, towards redeeming by purchase, and at a price not above par, the principal of the said stock or any part thereof. And the faith of the United States is hereby pledged to establish sufficient revenues for making up any deficiency that may hereafter take place in the funds hereby appropriated for paying the said interest and principal sums, or any of them in manner aforesaid.

Funds pledged for paying interest, &c.

APPROVED, March 2, 1811.

STATUTE III.

March 2, 1811.

CHAP. XXXIII.—*An Act to annex a part of the state of New Jersey to the collection district of New York; to remove the office of Collector of Niagara to Lewistown; to make Cape St. Vincent, in the district of Sacket's Harbor, a port of delivery; and out of the districts of Miami and Mississippi to make two new districts, to be called the Districts of Sandusky and Teche; and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that part of the state of New Jersey, which lies north and east of Elizabethtown and Staten Island, be, and the same is hereby annexed to the district of New York; that an assistant collector, to be appointed and commissioned by the President of the United States, shall reside at the town of Jersey, who shall have power to enter and clear vessels in like manner as the collector of New York is authorized by law to do; but such assistant collector shall nevertheless act in conformity to such instructions and regulations as he shall from time to time receive from the collector of New York; and that the said assistant collector shall receive for his annual salary one thousand dollars, in full for all services to be by him performed, and in lieu of commissions and fees.

Part of the state of New Jersey added to the district of New York.

1799, ch. 22, sec. 5.

SEC. 2. *And be it further enacted,* That all that part of the Miami district, lying east of the western cape of Sandusky bay, shall be a district, to be called the district of Sandusky; and the President is hereby authorized to designate such place in the district of Sandusky, as he shall judge expedient, to be the port of entry of the said district; and a collector for the said district shall be appointed to reside at the port of entry.

District of Sandusky.

1805, ch. 34.

SEC. 3. *And be it further enacted,* That Cape Vincent in the district of Sacket's Harbor shall, from and after the thirty-first day of May next, be a port of delivery only; and a surveyor shall be appointed to reside at the said port.

Cape Vincent made a port of delivery only.

SEC. 4. *And be it further enacted,* That the collector's office shall, after the thirty-first day of May next, be removed from Fort Niagara to Lewistown, which last mentioned place shall in future be the residence of the collector; and also that the office of the collector of the customs, for the district of Buffaloe creek, shall be kept at such place or places in the town of Buffaloe as the President of the United States shall designate.

Transfer of the collector's office from Niagara to Lewistown, &c. &c.

1799, ch. 22, sec. 2.

Vessels from or beyond the Cape of Good Hope may enter at Plymouth.

Bangor made a port of delivery.

District of Teche established.

Surveyor to be appointed, to reside at the mouth of Rappahannock.

Compensations of the collectors and surveyors.

1799, ch. 22.

STATUTE III.

March 2, 1811.

[Obsolete.]

1810, ch. 17.

SEC. 5. *And be it further enacted*, That ships or vessels, arriving from and after the first day of May next from the Cape of Good Hope, or from any place beyond the same, shall be admitted to make entry at Plymouth and Nantucket ports of entry in the state of Massachusetts.

SEC. 6. *And be it further enacted*, That from and after the first day of May next, Bangor, in the district of Penobscot, in the state of Massachusetts, be, and the same is hereby made a port of delivery, to be annexed to the district of Penobscot; and that a surveyor be appointed to reside at the said port of delivery.

SEC. 7. *And be it further enacted*, That all that part of the collection district of Mississippi, which includes the waters of the river Teche, and all the shores, bays and rivers, west of the Atchafalaya, be, and the same is hereby established as a new district, to be called the district of Teche; that Nova Iberia be the port of entry for the same; and that a collector be appointed to reside at the port of entry.

SEC. 8. *And be it further enacted*, That a surveyor be appointed to reside at or near the mouth of the Rappahannock river, at such place as the President of the United States shall designate.

SEC. 9. *And be it further enacted*, That the several collectors and surveyors, who may be appointed by virtue of this act, and whose salaries are not fixed by a preceding section, shall, in addition to the fees and commissions authorized by law, receive respectively the same annual salary which by law is allowed to the collectors and surveyors of the districts bordering on Lake Erie.

APPROVED, March 2, 1811.

CHAP. XXXIV.—*An Act to extend the time for completing the third census, or enumeration of the inhabitants of the United States.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the assistants in the several states and territories, for which returns have not been completed, have, until the first Monday of June next, to make their returns to the marshals and secretaries; and that the marshals and secretaries have, until the first Monday of July next, to make and file their returns in the office of the Secretary of State, any law to the contrary notwithstanding.

APPROVED, March 2, 1811.

STATUTE III.

March 2, 1811.

[Expired.]

1813, ch. 53.

CHAP. XXXVI.—*An Act declaring the consent of Congress to an act of the state of Georgia, passed the twelfth of December, one thousand eight hundred and four, "establishing the fees of the harbor master and health officer of the ports of Savannah and St. Mary's."*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress be, and hereby is granted and declared to the operation of an act of the legislature of Georgia, passed the twelfth of December, one thousand eight hundred and four, establishing the fees of the harbor master and health officer of the ports of Savannah and St. Mary's.

SEC. 2. *And be it further enacted*, That this act shall be in force for one year, and no longer.

APPROVED, March 2, 1811.

STATUTE III.

March 2, 1811.

CHAP. XXXVII.—*An Act to erect a lighthouse on Boon island in the state of Massachusetts, to place buoys off Cape Fear river, and to erect a beacon at New Inlet, in the state of North Carolina, and to place buoys at the entrance of the harbor of Edgartown, and to erect a column of stone on Cape Elizabeth, and to complete the beacons and buoys at the entrance of Beverly harbor, in the state of Massachusetts.*

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 authorized, on being satisfied that Boon island in the district of Maine, in the state of Massachusetts, is a fit and eligible site for a lighthouse, and that one ought to be erected thereon, to cause a lighthouse to be built on the said island: *Provided,* that the legislature of Massachusetts shall vest the property of the said island in the United States, and cede the jurisdiction of the same.

Secretary of the Treasury may establish a lighthouse on Boon island.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby directed to cause buoys to be placed at or near the main bar, and New Inlet bar off Cape Fear; and also, to cause to be erected a beacon on a point of land, near New Inlet, in the state of North Carolina.

Buoys to be placed off Cape Fear.

SEC. 3. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby directed to cause such buoys as he shall deem necessary, to be placed at the entrance of the harbor of Edgartown, in the state of Massachusetts.

Buoys to be placed at Edgartown harbor.

SEC. 4. *And be it further enacted,* That it shall be the duty of the Secretary of the Treasury to cause to be erected a column of stone, as a beacon, on Cape Elizabeth, in the state of Massachusetts, of such form and dimensions as he shall deem necessary.

Beacon to be placed on Cape Elizabeth.

SEC. 5. *And be it further enacted,* That the following sums of money be, and the same are hereby appropriated for the purposes herein mentioned, to wit: For the erection of a lighthouse on Boon island, three thousand dollars; for placing buoys on the places mentioned off Cape Fear river, two thousand dollars; for placing buoys at the entrance of the harbor of Edgartown, two thousand dollars; for erecting a beacon, one thousand eight hundred dollars; and for erecting a column on Cape Elizabeth, one thousand eight hundred dollars; and for completing the beacons and buoys ordered to be placed near the entrance of Beverly harbor, in the state of Massachusetts, the further sum of three hundred and fifty dollars.

Specific appropriations.

APPROVED, March 2, 1811.

STATUTE III.

March 3, 1811.

CHAP. XXXVIII.—*An Act to extend the right of suffrage in the Indiana territory, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each and every free white male person, who shall have attained the age of twenty-one years, and who shall have paid a county or territorial tax, and who shall have resided one year in said territory, previous to any general election, and be at the time of any such election a resident of said territory, shall be entitled to vote for members of the legislative council and house of representatives of the territorial legislature, and for a delegate to the Congress of the United States for said territory.

Act of Feb. 27, 1809, ch. 19.
Act of Dec. 15, 1809, ch. 2.
Qualifications of voters.

1814, ch. 19.

SEC. 2. *And be it further enacted,* That the citizens of the Indiana territory, entitled to vote for representatives to the general assembly thereof, may on the third Monday of April next, and on the third Monday of April biennially thereafter (unless the general assembly of said territory shall appoint a different day) elect one delegate for said terri-

Biennial elections.

tory to the Congress of the United States, who shall possess the same powers heretofore granted by law to the same.

Penalty of one thousand dollars for neglect or refusal of sheriffs.

1809, ch. 19.

Persons holding places of profit, excluded from council, &c.

Sheriff to cause elections to be held under penalty of one thousand dollars.

SEC. 3. *And be it further enacted,* That each and every sheriff, that now is, or hereafter may be appointed in said territory, who shall either neglect or refuse to perform the duties required by an act, entitled "An act extending the right of suffrage in the Indiana territory, and for other purposes," passed in February, one thousand eight hundred and nine, shall be liable to a penalty of one thousand dollars, recoverable by action of debt, in any court of record, within the said territory, one half for the use of the informer, and the other for the use of the territory.

SEC. 4. *And be it further enacted,* That any person holding, or who may hereafter hold, any office of profit from the governor of the Indiana territory (justices of the peace and militia officers excepted) shall be ineligible to, and disqualified to act as a member of the legislative council or house of representatives for said territory.

SEC. 5. *And be it further enacted,* That each and every sheriff, in each and every county, that now is or hereafter may be established in said territory, shall cause to be held the election prescribed by this act, according to the time and manner prescribed by the laws of said territory and this act, under the penalty of one thousand dollars, to be recovered in the manner and for the use pointed out by the third section of this act.

APPROVED, March 3, 1811.

STATUTE III.

March 3, 1811.

CHAP. XL.—*An Act to increase the salaries of the Judges of the Circuit Court for the District of Columbia.*

\$200 per annum additional salary allowed to chief justice of the circuit court for the district of Columbia, and \$400 additional to each of the assistant judges.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the compensation heretofore allowed by law to the judges of the circuit court for the district of Columbia, the sum of two hundred dollars per annum be paid to the chief justice of the said court, and the sum of four hundred dollars per annum be paid to each of the assistant judges, payable quarter yearly; the first quarterly payment to be made on the first day of April next.

APPROVED, March 3, 1811.

STATUTE III.

March 3, 1811.

CHAP. XLI.—*An Act making appropriations for carrying into effect a treaty between the United States and the Great and Little Osage nations of Indians, concluded at Fort Clarke, on the tenth day of November, one thousand eight hundred and eight, and for other purposes.*

\$5,000 appropriated for carrying into effect a treaty between the U. States and the Great and Little Osage nations; with a permanent annual appropriation of \$1000 for the Great and \$500 for the Little Osage nation.

\$680 appropriated to pay the sum allowed J. E. Leitensdorfer by the act of Feb. 13, 1811, ch. 12.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of carrying into effect a treaty between the United States and the Great and Little Osage nations of Indians, concluded and signed at Fort Clarke on the Missouri, on the tenth day of November, one thousand eight hundred and eight, the sum of five thousand dollars be, and the same is hereby appropriated; and the further annual sum of one thousand dollars to the Great Osage nation, and of five hundred dollars to the Little Osage nation, to be paid annually to the said nations; which annuities shall be permanent.

SEC. 2. *And be it further enacted,* That the sum of six hundred and eighty dollars be, and the same is hereby appropriated, for paying John Eugene Leitensdorfer the sum allowed him by the act passed on the thirteenth day of February, one thousand eight hundred and eleven.

SEC. 3. *And be it further enacted,* That the several sums appropriated by this act, shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1811.

CHAP. XLIII.—*An Act making further appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States.*

STATUTE III.
March 3, 1811.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of completing the fortifications commenced for the security of the ports, towns and harbors of the United States, and the territories thereof, there be, and hereby is appropriated the sum of one hundred and thirty-one thousand and forty-six dollars and thirty cents, to be paid out of any monies in the treasury not otherwise appropriated.

Appropriation.
[Obsolete.]

APPROVED, March 3, 1811.

CHAP. XLIV.—*An Act for allowing a reasonable compensation to the persons who have taken an account of the several manufacturing establishments and manufactures within the United States.*

STATUTE III.
March 3, 1811.

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 hereby is authorized to allow such reasonable compensation as he shall deem adequate, for the services of each of those persons who took, under his direction, in pursuance of an act, entitled "An act further to alter and amend An act providing for the third census or enumeration of the inhabitants of the United States," an account of the several manufacturing establishments and manufactures within their several districts: *Provided however,* that nothing herein contained shall authorize the Secretary of the Treasury to expend out of the fund already appropriated for taking the enumeration of the inhabitants of the United States, a sum exceeding thirty thousand dollars.

Compensation to persons taking an account of manufacturing establishments.

[Obsolete.]
1810, ch. 38.

APPROVED, March 3, 1811.

CHAP. XLV.—*An Act in addition to the act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio.*(a)

STATUTE III.
March 3, 1811.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the unexpended balance of the sum heretofore appropriated for laying out and making a road from Cumberland in the state of Maryland, to the state of Ohio, the sum of fifty thousand dollars be, and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, and to be expended under the direction of the President of the United States, in making said road between Cumberland in the state of Maryland, and Brownsville in the state of Pennsylvania, commencing at Cumberland; which sum of fifty thousand dollars shall be replaced out of the fund reserved for laying out and making roads to the state of Ohio, by virtue of the seventh section of an act passed on the thirtieth day of April, one thousand eight hundred and two, entitled "An act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and state government, and for the admission of such state into the Union, on an equal footing with the original states, and for other purposes."

[Obsolete.]
Additional appropriation.

1806, ch. 19.
1815, ch. 43.

SEC. 2. *And be it further enacted,* That the President of the United States be, and he is hereby authorized and empowered to permit such deviations from the courses run and established by the commissioners under the authority of "An act to regulate the laying out and making a road from Cumberland in the state of Maryland, to the state of Ohio,"

President may permit deviations from courses heretofore run.

(a) See act of March 29, 1806, chap. 19, and notes.

as in his opinion shall be deemed expedient: *Provided*, that no deviation shall be made from the principal points established on said road between Cumberland and Brownsville.

APPROVED, March 3, 1811.

STATUTE III.

March 3, 1811.

Act of Feb. 15, 1811, ch. 14.

Act of April 25, 1812, ch. 67.

Act of May 11, 1820, ch. 86.

Allowances and compensations.

CHAP. XLVI.—*An Act providing for the final adjustment of claims to lands, and for the sale of the public lands in the territories of Orleans and Louisiana, and to repeal the act passed for the same purpose, and approved February sixteenth, one thousand eight hundred and eleven.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following allowances and compensations shall be made to the several officers appointed for the purpose of ascertaining the rights of persons claiming lands in the territories of Orleans and Louisiana; which allowances and compensations shall be in full for all their services, including those rendered since their salaries respectively ceased; that is to say: To each of the commissioners, and to each of the clerks of the boards, fifty cents for each claim, duly filed according to law, which remained undecided on the first day of July, one thousand eight hundred and nine, and on which a decision has been made subsequent to that day, or shall hereafter be made, whether such decision be in favour of, or against the claim: which allowance of fifty cents shall be paid at the treasury of the United States, from time to time, and on receipt of the transcripts of the decisions and of the reports of claims not finally confirmed, as the same may be transmitted by the boards respectively to the Secretary of the Treasury according to law. To each of the said commissioners and clerks a further allowance of five hundred dollars, to be paid after the completion of the business of each of the boards respectively to the officers then in office. And to each of the translators, at the rate of six hundred dollars a year, and not to exceed in the whole for each the term of eighteen months: *Provided always*, that the above mentioned allowance of fifty cents for each claim decided upon, shall not be made to any of the commissioners who may be absent at the time of such decision; the attendance of each to be certified by the clerk, or by a majority of the board: *And provided also*, that no allowance shall be made to any agent heretofore employed by the Secretary of the Treasury for any period of time, subsequent to the time when such agent ceased to act, or when the board ceased to receive evidence.

Duties of the deputy surveyors and mode of survey.

SEC. 2. *And be it further enacted*, That the two principal deputy surveyors of the territory of Orleans shall, and they are hereby authorized, in surveying and dividing such of the public lands in the said territory, which are or may be authorized to be surveyed and divided, as are adjacent to any river, lake, creek, bayou, or water course, to vary the mode heretofore prescribed by law, so far as relates to the contents of the tracts, and *to the angles and boundary lines*, and to lay out the same into tracts as far as practicable, of fifty-eight poles in front and four hundred and sixty-five poles in depth, of such shape, and bounded by such lines as the nature of the country will render practicable, and most convenient: *Provided however*, that such deviations from the ordinary mode of surveying shall be made with the approbation of, and in conformity with the general instructions which may be given to that effect, by the surveyor of the public lands south of the state of Tennessee.

Land-offices to be established at New Orleans and Opelousas, &c.

SEC. 3. *And be it further enacted*, That for the disposal of the lands of the United States, lying in the eastern land district of the territory of Orleans, a land-office shall be established at New Orleans; and that for the disposal of the lands of the United States, lying south of Red river, in the western land district of the territory of Orleans, a land-office shall be

established at Opelousas; and that for the disposal of the lands of the United States, lying north of Red river, in the western land district of the territory of Orleans, a land-office shall be established, which shall be kept at such place as the President of the United States may direct. The register of the western land district of the territory of Orleans shall act as register of the land-office of Opelousas, and as one of the commissioners for ascertaining the rights of persons claiming lands in any part of the said western land district. And for the land-office north of the Red river, a register, and for each of the said three offices a receiver of public monies shall be appointed, who shall give security in the same manner, in the same sums, and whose compensations, emoluments, duties and authority, shall in every respect be the same, in relation to the lands which shall be disposed of at their offices, as are or may be provided by law, in relation to the registers and receivers of public monies in the several offices established for the disposal of the lands of the United States, in the territory of Mississippi.

SEC. 4. *And be it further enacted,* That the powers vested in the President of the United States by the eleventh section of the act, entitled "An act supplementary to an act, entitled An act for ascertaining and adjusting the titles and claims to land within the territory of Orleans, and the district of Louisiana," passed on the twenty-first day of April, one thousand eight hundred and six, in relation to the public lands, lying in the western district of the territory of Orleans, and all the other provisions made by the same section, for the sale of said lands, and for obtaining patents for the same, shall be, and the same are hereby, in every respect, extended to the public lands, lying in the eastern district of the territory of Orleans.

SEC. 5. *And be it further enacted,* That every person who, either by virtue of a French or Spanish grant recognized by the laws of the United States, or under a claim confirmed by the commissioners appointed for the purpose of ascertaining the rights of persons claiming lands in the territory of Orleans, owns a tract of land bordering on any river, creek, bayou, or water course, in the said territory, and not exceeding in depth forty arpens, French measure, shall be entitled to a preference in becoming the purchaser of any vacant tract of land adjacent to, and back of his own tract, not exceeding forty arpens, French measure, in depth, nor in quantity of land that which is contained in his own tract, at the same price, and on the same terms and conditions, as are, or may be, provided by law for the other public lands in the said territory. And the principal deputy surveyor of each district respectively shall be and he is hereby authorized, under the superintendence of the surveyor of the public lands south of the state of Tennessee, to cause to be surveyed the tracts claimed by virtue of this section; and in all cases where by reason of bends in the river, lake, creek, bayou, or water course, bordering on the tract, and of adjacent claims of a similar nature, each claimant cannot obtain a tract equal in quantity to the adjacent tract already owned by him, to divide the vacant land applicable to that object between the several claimants, in such manner as to him may appear most equitable: *Provided however,* that the right of pre-emption granted by this section shall not extend so far in depth, as to include lands fit for cultivation, bordering on another river, creek, bayou or water course. And every person entitled to the benefit of this section shall, within three years after the date of this act, deliver to the register of the proper land-office, a notice in writing, stating the situation and extent of the tract of land he wishes to purchase, and shall also make the payment and payments for the same, at the time and times, which are, or may be, prescribed by law for the disposal of the other public lands in the said territory; the time of his delivering the notice aforesaid being considered as the date of the purchase. And if any such person shall fail to

Certain powers with respect to public lands in eastern district of Orleans territory extended to the President.

Act of April 21, 1806, ch. 43.

Persons entitled to a preference.

Proviso as to the extent of the pre-emption.

deliver such notice within the said period of three years, or to make such payment or payments at the time above mentioned, his right of pre-emption shall cease and become void; and the land may thereafter be purchased by any other person in the same manner, and on the same terms, as are or may be provided by law for the sale of other public lands in the said territory.

When land of-
fices established
by this act to be
opened.

SEC. 6. *And be it further enacted*, That the land-offices established by virtue of the third section of this act, shall be opened on the first day of January, one thousand eight hundred and twelve, for the sale of all the public lands, with the exception of section No. sixteen, of the salt springs, and land contiguous thereto, and of the tracts reserved for the support of seminaries of learning as herein after provided, which shall have been previously surveyed, and the surveys thereof returned according to law to the registers of the land-offices respectively; and on the first day of February, one thousand eight hundred and twelve, for the sale of such of the public lands, which from the nature of the country cannot be surveyed in the ordinary way, and are embraced by the provisions of the second section of this act, as shall have, at least six weeks previous to the said first day of February, one thousand eight hundred and twelve, been advertised for sale by the surveyor of the public lands south of the state of Tennessee, with the approbation of the President of the United States. The public sales for the land subdivided into quarter sections in the ordinary way, shall be held for one calendar month, under the superintendence of the register and receiver of each land-office respectively, and of either the surveyor of public lands south of Tennessee, or of his principal deputy surveyor in the district, who shall each receive six dollars for each day's attendance on the same; and no tract of land shall be sold at said public sales for a less price, than that which is or may be prescribed by law, for the sale of public lands in the Mississippi territory. And from and after the first day of February, one thousand eight hundred and twelve, any tract which has been thus offered for sale at public sale, and remains unsold, as well as any tract of land embraced by the provisions of the second section of this act, the sale of which is authorized by this section, may be disposed of at private sale by the register of the land-office, for the same price which is or may be prescribed by law, for the sale of public lands in the Mississippi territory. All the lands sold by virtue of this section, shall in every other respect be sold on the same terms of payment, and conditions, in the same manner, and under the same regulations as are, or may be, prescribed by law, for the sale of public lands in the Mississippi territory: *Provided however*, than in case of an application being made at the same time, for the purchase at private sale of the same tract of land by two or more persons, one of whom did actually inhabit and cultivate such tract of land at the time of passing this act, and still continues to inhabit and cultivate the same at the time of such application, the preference shall be given to the person thus inhabiting and cultivating such tract of land. *And provided also*, that till after the final decision of Congress thereon, no tract of land shall be offered for sale, the claim to which has been in due time, and according to law, presented to the register of the land-office, and filed in his office, for the purpose of being investigated by the commissioners appointed for the purpose of ascertaining the rights of persons claiming lands in the territory of Orleans; or which shall have been located by or for Major-general La Fayette, according to law.

1811, ch. 14.

1803, ch. 27.

Proviso.

Proviso.

An additional
township to be
located in Or-
leans territory
for seminary of
learning.

SEC. 7. *And be it further enacted*, That in addition to the township already reserved for that purpose by law in the western district of the territory of Orleans, and which shall be located south of Red river, another entire township shall be located by the Secretary of the Treasury north of Red river, for the use of a seminary of learning, and also

an entire township in the territory of Louisiana, for the support of a seminary of learning within the said territory.

SEC. 8. *And be it further enacted*, That the surveyor-general shall cause such of the public lands in the territory of Louisiana, as the President of the United States shall direct, to be surveyed and divided in the same manner and under the same regulations and limitation as to expenses, as is provided by law in relation to the lands of the United States, northwest of the river Ohio and above the mouth of Kentucky river.

SEC. 9. *And be it further enacted*, That for the disposal of the lands of the United States lying in the territory of Louisiana, a land-office shall be established, which shall be kept at such place as the President of the United States may direct; and a register and receiver of public monies shall be appointed for said office, who shall give security in the same manner, in the same sums, and whose compensations, emoluments, duties and authority, shall in every respect be the same, in relation to the lands which shall be disposed of at their office, as are or may be provided for by law in relation to the register and receiver of public monies in the several offices established for the disposal of the lands of the United States, northwest of the river Ohio, and above the mouth of Kentucky river.

SEC. 10. *And be it further enacted*, That the President of the United States be, and he is hereby authorized, whenever he shall think proper, to direct so much of the public lands lying in the territory of Louisiana, as shall have been surveyed in conformity with the eighth section of this act, to be offered for sale. All such lands shall, with the exception of the section "number sixteen," which shall be reserved in each township for the support of schools within the same, with the exception also of a tract reserved for the support of a seminary of learning, as provided for by the seventh section of this act, and with the exception also of the salt springs and lead mines, and lands contiguous thereto; which, by the direction of the President of the United States, may be reserved for the future disposal of the said states, shall be offered for sale to the highest bidder, under the direction of the register of the land-office and the receiver of public monies and of the principal deputy surveyor, and on such day or days as shall, by public proclamation of the President of the United States, be designated for that purpose. The sales shall remain open for three weeks and no longer. The lands shall be sold for a price not less than that which has been or may be fixed by law for the public lands, northwest of the river Ohio, and above the mouth of Kentucky river. And shall in every other respect be sold in tracts of the same size, on the same terms and conditions, as have been or may be by law provided for the lands sold in the state of Ohio. The superintendents of the said public sales shall each receive six dollars for each day's attendance on the said sales. All the lands which have been thus offered for sale, at public sale, remaining unsold at the closing of the public sales, may be disposed of at private sale by the register of the land-office, for the same price which is or may be prescribed by law for the sale of public lands in the state of Ohio: *Provided however*, that till after the decision of Congress thereon, no tract of land shall be offered for sale, the claim to which has been in due time and according to law presented to the recorder of land titles in the district of Louisiana and filed in his office, for the purpose of being investigated by the commissioners appointed for ascertaining the rights of persons claiming lands in the territory of Louisiana. And patents shall be obtained for all lands sold in the territory of Louisiana, in the same manner and on the same terms as is or may be provided by law for land sold in the state of Ohio.

SEC. 11. *And be it further enacted*, That the claim of the corporation of the city of New Orleans, to the common adjacent thereto, and within six hundred yards from the fortifications of the same, as confirmed by

Surveyor-general to cause certain portions of public lands in territory of Louisiana to be surveyed and divided.

Office to be established for disposing of public land in territory of Louisiana.

1800, ch. 55.

Lands in territory of Louisiana to be offered for sale.

1800, ch. 55.

Proviso.

Patents how obtained.

Claim of corporation of Orleans to be deemed valid.

1807, ch. 36. the act, entitled "An act respecting claims to lands in the territories of Orleans and Louisiana," shall be deemed valid, although the relinquishment of the said corporation to any claim beyond the said distance of six hundred yards was not made till after the expiration of the period of six months prescribed by the act last mentioned.

Navigable rivers to be public highways. SEC. 12. *And be it further enacted*, That all the navigable rivers and waters in the territories of Orleans and Louisiana shall be and for ever remain public highways.

Appropriation. SEC. 13. *And be it further enacted*, That a sum not exceeding forty thousand dollars be, and the same is hereby appropriated, for the purpose of carrying this act into effect, which sum shall be paid out of unappropriated monies in the treasury.

Repeal of the act of Feb. 15, 1811, ch. 14. SEC. 14. *And be it further enacted*, That the act, entitled "An act providing for the final adjustment of claims to lands, and for the sale of the public lands in the territories of Orleans and Louisiana," approved February the sixteenth, (a) eighteen hundred and eleven, be, and the same is hereby repealed.

APPROVED, March 3, 1811.

March 3, 1811.

CHAP. XLVII. — *An Act concerning an act to enable the President of the United States, under certain contingencies, to take possession of the country lying east of the river Perdido, and south of the state of Georgia and the Mississippi territory, and for other purposes, and the declaration accompanying the same. (a)*

This act, and the act referred to, not to be published until the end of the next session of Congress, unless, &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That this act, and the act passed during the present session of Congress, entitled "An act to enable the President of the United States, under certain contingencies, to take possession of the country lying east of the river Perdido, and south of the state of Georgia and the Mississippi territory, and for other purposes," and the declaration accompanying the same, be not printed or published, until the end of the next session of Congress, unless directed by the President of the United States, any law or usage to the contrary notwithstanding.

APPROVED, March 3, 1811.

Jan. 15, 1811.

RESOLUTION relative to the occupation of the Floridas by the United States of America.

Taking into view the peculiar situation of Spain, and of her American provinces; and considering the influence which the destiny of the territory adjoining the southern border of the United States may have upon their security, tranquillity, and commerce: Therefore,

The United States cannot, without inquietude, see the Floridas pass into the hands of a foreign power, &c.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the United States, under the peculiar circumstances of the existing crisis, cannot, without serious inquietude, see any part of the said territory pass into the hands of any foreign power; and that a due regard to their own safety compels them to provide, under certain contingencies, for the temporary occupation of the said territory; they, at the same time, declare that the said territory shall, in their hands, remain subject to future negotiation.

APPROVED, January 15, 1811.

(a) The act here referred to will be found in Vol. III. p. 471.