

ACTS OF THE TWELFTH CONGRESS

OF THE

UNITED STATES,

Passed at the second session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the second day of November, 1812, and ended on the third day of March, 1813.

JAMES MADISON, President of the United States; WILLIAM H. CRAWFORD, President of the Senate pro tempore; HENRY CLAY, Speaker of the House of Representatives.

STATUTE II.

CHAP. I.—*An act to authorize the transportation of certain documents free of postage.*

Nov. 12, 1812.

[Obsolete.]

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 fourth of November, one thousand eight hundred and twelve, 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.

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

APPROVED, November 12, 1812.

STATUTE II.

CHAP. II.—*An Act further to prolong the continuance of the Mint at Philadelphia.*

Dec. 2, 1812.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act, entitled "An act concerning the mint," approved March the third, one thousand eight hundred and one, is hereby revived and continued in force and operation, for the further term of five years, after the fourth day of March, one thousand eight hundred and thirteen.

The mint continued in Philadelphia until March 4, 1813. Act of March 3, 1801, ch. 21, revived.

APPROVED, December 2, 1812.

STATUTE II.

CHAP. III.—*An Act making an appropriation to defray expenses incurred, or to be incurred, under an act entitled "An act to authorize a detachment from the militia of the United States;" and the act, entitled "An act for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes, passed the twenty-eighth day of February, one thousand seven hundred and ninety-five."*

Dec. 12, 1812.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of one million of dollars be, and the same is hereby appropriated towards defraying any

Specific appropriation.

Act of April 10, 1812, ch. 55.

Act of Feb. 28, 1795, ch. 36.

expense incurred, or to be incurred, under an act, entitled "An act to authorize a detachment from the militia of the United States," passed the tenth day of April, one thousand eight hundred and twelve; and also, under an act, entitled "An act for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions, and to repeal the act now in force for those purposes," passed the twenty-eighth day of February, one thousand seven hundred and ninety-five, to be paid out of any monies in the treasury not otherwise appropriated.

APPROVED, December 12, 1812.

STATUTE II.

Dec. 12, 1812.

[Obsolete.]

Act of March 3, 1815, ch. 78.

CHAP. IV.—*An Act increasing the pay of the non-commissioned officers, musicians, privates, and others of the Army, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the thirty-first day of December, eighteen hundred and twelve, the monthly pay of the non-commissioned officers, musicians, privates, drivers, bombardiers, matrosses, sappers, miners, artificers, saddlers, farriers, and blacksmiths, who have enlisted or shall hereafter enlist in the service of the United States, shall, during the continuance of the war between the United States of America and their territories, and the United Kingdom of Great Britain and Ireland and the dependencies thereof, be as follows, to wit: To each sergeant major and quartermaster sergeant, twelve dollars; to each sergeant and principal musician, eleven dollars; to each corporal, ten dollars; to each musician, nine dollars; to each private, driver, bombardier, matross, sapper, and miner, eight dollars; to each artificer, saddler, farrier, and blacksmith, not attached to the quartermaster general's and ordnance department, thirteen dollars.

Monthly pay after Dec. 31, 1812.

Non-commissioned officers, soldiers, &c. &c. free from arrest for debt.

Recruits to have an option to serve till the end of the war, or for five years.

SEC. 2. *And be it further enacted,* That during the continuance of the war with Great Britain, no non-commissioned officer, musician, private, driver, bombardier, matross, sapper, miner, artificer, saddler, farrier, or blacksmith, enlisted in the service of the United States, during his continuance in service shall be arrested, or subject to arrest, or to be taken in execution for any debt contracted before or after enlistment.

SEC. 3. *And be it further enacted,* That every non-commissioned officer, musician, and private, who shall, after the promulgation of this act, be recruited in the regular army of the United States, may, at his option, to be made at the time of enlistment, engage to serve during the present war with Great Britain, instead of the term of five years; and shall, in case he makes such option, be entitled to the same bounty in money and land, and to all other allowances, and be subject to the same rules and regulations, as if he had enlisted for the term of five years.

APPROVED, December 12, 1812.

STATUTE II.

Dec. 18, 1812.

CHAP. V. *An Act concerning the District and Territorial Judges of the United States.*

District and territorial judges to reside within their districts and not to exercise the profession of counsel or attorney, or to be engaged in the practice of the law.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter it shall be incumbent upon the district and territorial judges of the United States, to reside within the districts and territories respectively for which they are appointed, and that it shall not be lawful for any judge appointed under the authority of the United States, to exercise the profession or employment of counsel or attorney, or to be engaged in the practice of the law. And any person offending against the injunction or prohibition of this act, shall be deemed guilty of a high misdemeanor.

APPROVED, December 18, 1812.

CHAP. VI.—*An Act to increase the Navy 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 President of the United States shall be, and he hereby is authorized, as soon as suitable materials can be procured therefor, to cause to be built, equipped and employed, four ships to rate not less than seventy-four guns, and six ships to rate forty-four guns each.

SEC. 2. *And be it further enacted,* That there shall be employed on board each of the said ships of seventy-four guns each, one captain, six lieutenants, one captain, one first lieutenant and one second lieutenant of marines, one surgeon, one chaplain, one purser and three surgeons' mates.

SEC. 3. *And be it further enacted,* That there shall be employed in each of the said ships, carrying seventy-four guns, the following warrant officers, who shall be appointed by the President of the United States: one master, one second master, three masters' mates, one boatswain, one gunner, one carpenter, one sail-maker, and twenty midshipmen; and the following petty officers, who shall be appointed by the captains of the ships respectively in which they are to be employed, viz. one armorer, six boatswains' mates, three gunners' mates, two carpenters' mates, one sail-maker's mate, one cooper, one steward, one master at arms, one cook, one coxswain, one boatswains' yeoman, one gunner's yeoman, one carpenter's yeoman, ten quarter gunners, eight quarter masters, and one clerk; and one schoolmaster, also to be appointed by the captain.

SEC. 4. *And be it further enacted,* That the crews of each of the said ships of seventy-four guns, shall consist of two hundred able seamen, three hundred ordinary seamen and boys, three sergeants, three corporals, one drummer, one fifer, and sixty marines.

SEC. 5. *And be it further enacted,* That the pay of the schoolmaster shall be twenty-five dollars per month and two rations per day.

SEC. 6. *And be it further enacted,* That the sum of two millions five hundred thousand dollars be, and the same is hereby appropriated, out of any monies in the treasury not otherwise appropriated, for the building and equipping of the aforesaid ships of war.

APPROVED, January 2, 1813.

STATUTE II.
Jan. 2, 1813.

[Obsolete.]
Act of March 3, 1813, ch. 54.
Act of Feb. 27, 1815, ch. 62.
Ships of war to be built.

Complement of officers on board the seventy-fours.

Warrant officers on board the seventy-fours.

Petty officers.

One schoolmaster.

Complements of men on board the seventy-four gun ships.

Pay of the schoolmaster.

Specific appropriation of 2,500,000 dollars.

STATUTE II.

Jan. 2, 1813.

[Obsolete.]

Secretary of the Treasury authorized to remit certain fines incurred upon the importation of goods from Great Britain.

Act of March 1, 1809, ch. 24.

Act of May 1, 1810, ch. 39.
1811, ch. 29.

CHAP. VII.—*An Act directing the Secretary of the Treasury to remit fines, forfeitures and penalties in certain cases.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases where goods, wares and merchandise, owned by a citizen or citizens of the United States, have been imported into the United States from the United Kingdom of Great Britain and Ireland, which goods, wares and merchandise were shipped on board vessels which departed therefrom between the twenty-third day of June last, and the fifteenth day of September last, and the person or persons interested in such goods, wares or merchandise, or concerned in the importation thereof, have thereby incurred any fine, penalty and forfeiture, under an 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," and an act, entitled "An act concerning the commercial intercourse between the United States and Great Britain, and France, and their dependencies, and for other purposes," and the act supplementary to the act last mentioned, on such person or persons petitioning for relief to any judge or court proper to hear the same, in pursuance

Act of March 3, 1797, ch. 13.

of the provisions of the act, entitled "An act to provide for mitigating or remitting the fines, forfeitures and penalties, in certain cases therein mentioned;" and on the facts being shown, on inquiry had by said judge or court, stated and transmitted, as by said act is required, to the Secretary of the Treasury; in all such cases wherein it shall be proved to his satisfaction that said goods, wares and merchandise, at the time of their shipment, were bona fide owned by a citizen or citizens of the United States, and shipped and did depart from some port or place in the United Kingdom of Great Britain and Ireland, owned as aforesaid, between the twenty-third day of June last and the fifteenth day of September last, the Secretary of the Treasury is hereby directed to remit all fines, penalties and forfeitures, that may have been incurred under the said acts, in consequence of such shipment, importation or importations, upon the costs and charges that have arisen or may arise being paid, and on payment of the duties which would have been payable by law on such goods, wares and merchandise, if legally imported; and also to direct the prosecution or prosecutions, if any shall have been instituted for the recovery thereof, to cease and be discontinued: *Provided nevertheless*, that no case in which the purchase of such goods, wares and merchandise was made, after war was known to exist between the United States and Great Britain, at the port or place where such purchase was made, shall be entitled to the benefits of this act.

Conditions.

Costs and charges and duties to be paid.

Proviso as to goods purchased after the war was known to exist.

APPROVED, January 2, 1813.

STATUTE II.

Jan. 5, 1813.

Act of Jan. 22, 1811, ch. 7.

Report of the commissioners adopted and approved of.

CHAP. VIII.—*An Act approving the Report of the Commissioners appointed by the Secretary at War, to ascertain and settle the exterior line of the public land at West Point, in the state of New York.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the report of the commissioners appointed by the Secretary at War to settle the exterior line of the public land at West Point, in the state of New York, with the adjoining proprietor, conformably to 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 and the same is hereby approved.

APPROVED, January 5, 1813.

STATUTE II.

Jan. 14, 1813.

[Obsolete.]

President may direct a mail to be carried from the head quarters of any army of the United States to the nearest post.

CHAP. IX.—*An Act authorizing the President of the United States to establish post routes, in certain cases.*

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, during the existence of the war in which the United States are engaged, or of any war in which they may be engaged, shall be, and is hereby authorized to direct the Postmaster-General to send a mail between the head quarters of any army of the United States, and such post-office as he may think proper; and the route or road on which the same shall be conveyed, shall, to all intents and purposes be an established post road, so long as the mail shall be sent on the same, conformably to the authority hereby given.

APPROVED, January 14, 1813.

STATUTE II.

Jan. 20, 1813.

[Obsolete.]

Officers of the navy and ma-

CHAP. X.—*An Act providing Navy Pensions in certain cases.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any officer of the navy or marines shall be killed or die, by reason of a wound received in the

line of his duty, leaving a widow, or if no widow, a child or children, under sixteen years of age, such widow, or if no widow, such child or children, shall be entitled to receive half the monthly pay to which the deceased was entitled at the time of his death, which allowance shall continue for and during the term of five years: but in case of the death or intermarriage of such widow, before the expiration of the said term of five years, the half pay for the remainder shall go to the child or children of the said deceased officer: *Provided*, that such half pay shall cease on the death of such child or children: and the money required for this purpose shall be paid out of the navy pension fund, under the direction of the commissioners of that fund.

APPROVED, January 20, 1813.

lines to be placed, in certain cases, on the navy pension list.

Act of March 4, 1814, ch. 20.

STATUTE II.

CHAP. XI.—*An Act making certain partial appropriations for the year one thousand eight hundred and thirteen.*

Jan. 20, 1813.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of one million of dollars be, and the same is hereby appropriated towards defraying the expenses of the military establishment of the United States, during the year one thousand eight hundred and thirteen; and that the sum of one million of dollars be, and the same is hereby appropriated towards defraying the expenses of the navy during the year one thousand eight hundred and thirteen.

[Obsolete.]
Specific appropriations.

SEC. 2. *And be it further enacted*, That the following sums be appropriated for the purposes herein recited, that is to say: Towards defraying the compensation granted by law to the members of the Senate and House of Representatives, their officers and attendants, during the year one thousand eight hundred and thirteen, fifty thousand dollars.

Towards defraying the contingent expenses of the House of Representatives, during the year one thousand eight hundred and thirteen, ten thousand dollars.

SEC. 3. *And be it further enacted*, That the several appropriations, herein before made, shall be paid and discharged out of any monies in the treasury, not otherwise appropriated.

APPROVED, January 20, 1813.

STATUTE II.

CHAP. XII.—*An Act supplementary to the act entitled "An act for the more perfect organization of the Army of the United States."*

Jan. 20, 1813.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorized, by and with the advice and consent of the Senate, to appoint one additional major to the first regiment of light dragoons, the regiment of light artillery, each regiment of infantry, and the rifle regiment, in the army of the United States, who shall receive the like pay, rations, forage, and other emoluments, as officers of the same grade and corps of the present military establishment.

[Obsolete.]
One additional major to be appointed for each regiment of the army of the United States.
Act of June 26, 1812, ch. 108.

SEC. 2. *And be it further enacted*, That there be appointed, in manner aforesaid, one third lieutenant to each troop or company, in the army of the United States, who, if of cavalry or light dragoons, shall receive the monthly pay of thirty dollars, and of other corps, twenty-three dollars, and be allowed the same forage, rations, and other emoluments, as second lieutenants of the same corps to which they belong.

A third lieutenant to each company.

SEC. 3. *And be it further enacted*, That there be allowed to each troop or company, in the army of the United States, one additional sergeant, who shall receive the like pay, clothing, rations, and other emoluments, as sergeants of the present military establishment.

An additional sergeant to be also allowed.

An additional advance to be made to recruits.

Bounty of 160 acres.

Additional premium to recruiting officers.

Proviso.

Proviso.

Persons performing a tour of militia duty may be absolved from the balance of their term of service by enlisting in the army.

SEC. 4. *And be it further enacted*, That in order to complete the present military establishment to the full number authorized by law, with the greatest possible despatch, there shall be paid to each effective able bodied man, who shall be duly enlisted into the service of the United States, after the first day of February next, to serve for the term of five years, or during the war, an advance of twenty-four dollars, on account of his pay, in addition to the existing bounty, one half of such advance to be paid at the enlistment of the recruit, and the other half when he shall be mustered and have joined some military corps of the United States, for service; and a bounty of one hundred and sixty acres of land, as heretofore established by law.

SEC. 5. *And be it further enacted*, That the commissioned officers who shall be employed in the recruiting service, shall be entitled to receive for every effective able bodied man, who shall be duly enlisted after the first day of February next, by them, for the term of five years or during the war, and mustered, and between the ages of eighteen and forty-five years, the sum of four dollars: *Provided nevertheless*, that this regulation, so far as respects the age of the recruit, shall not extend to musicians, or to those soldiers who may re-enlist into the service: *And provided also*, that no person under the age of twenty-one years, shall be enlisted by any officer, or held in the service of the United States, without the consent, in writing, of his parent, guardian, or master, first had and obtained, if any he have; and if any officer shall enlist any person contrary to the true intent and meaning of this act, for every such offence he shall forfeit and pay the amount of the bounty and clothing which the person so recruited may have received from the public, to be deducted out of the pay and emoluments of such officer.

SEC. 6. *And be it further enacted*, That it shall be lawful for any person during the time he may be performing a tour of militia duty to enlist in the regular army of the United States, and the recruiting officers are hereby authorized to enlist any such person in the same manner, and under the same regulations, as if he were not performing such militia duty; and every person who shall enlist, while performing a tour of militia duty as aforesaid, shall be thereby exonerated from serving the remainder of said tour; and the state to which he may belong shall not be required to furnish any other person to serve in his stead.

APPROVED, January 20, 1813.

STATUTE II.

Jan. 27, 1813.

CHAP. XIII.—*An Act in addition to the act concerning letters of marque, prizes, and prize goods.*(a)

Prize made by private armed ships to be sold by marshals of the districts wherein they are condemned.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all prizes of vessels and property, captured by private armed ships, commissioned under the authority of the United States, which may be condemned in any district or circuit court of the United States, shall be sold at public auction, by the marshal of the district, in which the same shall be condemned, within sixty days after the condemnation thereof, sufficient notice of the time and place, and conditions of sale being first given, on such day or days, on such terms of credit, and in such lots or proportions as may be designated by the owner or owners, or agent of the owner or owners of the privateer which may have captured the same: *Provided*, that the term of such credit shall not exceed ninety days; and the said marshal is hereby directed, to take and receive, from the purchaser or purchasers of such prize vessel and property, the money therefor, or his, her, or their promissory notes with endorsers, to be approved by the owner or owners of the privateer, to the amount of the purchase, payable according to the terms thereof.

(a) See notes to act of June 26, 1812, chap. 107.

SEC. 2. *And be it further enacted*, That upon all duties, costs, and charges, being paid according to law, the said marshal shall, on demand, deliver and pay over to the owner or owners of the privateer, or to the agent of such owner or owners of the privateer, which may have captured such prize vessel and property, a just and equal proportion of the funds received on account of the sale thereof, and of the promissory notes directed to be taken as aforesaid, to which the said owner or owners may be entitled, according to the articles of agreement between the said owner or owners, and the officers and crew of the said privateer; and a just and equal proportion of the proceeds of the sale as aforesaid, shall, on demand, be also paid over, by the said marshal, to the officers and crew of the said privateer, or to their agent or agents. And if there be no written agreement, it shall be the duty of the marshal to pay over, in manner as aforesaid, one moiety of the proceeds of the sale of such prize vessel and property, to the owner or owners, agent or agents of the owner or owners of the privateer, which may have captured the same; and the other moiety of the said proceeds to the agent or agents of the officers and crew of the said privateer, to be distributed according to law, or to any agreement by them made: *Provided*, the said officers and crew, or their agent or agents, shall have first refunded, to the owner or owners, or to the agent of the owner or owners of the privateer aforesaid, the full amount of advances which shall have been made by the owner or owners of the privateer, to the officers and crew thereof.

Marshals to pay over the proceeds, &c. &c.

If no written agreement, how proceeds of prizes are to be paid over by the marshal.

Proviso.

SEC. 3. *And be it further enacted*, That for the selling prize property, and receiving and paying over the proceeds as aforesaid, the marshal shall be entitled to a commission of one per cent. and no more, first deducting all duties, costs, and charges, which may have accrued on said property: *Provided*, that on no case of condemnation and sale of any one prize vessel and cargo, shall the commissions of the marshal exceed two hundred and fifty dollars.

Commission to the marshals for this service.

Proviso.

SEC. 4. *And be it further enacted*, That it shall be the duty of the marshal, within fifteen days after any sale of prize property, to file in the office of the clerk of the district court, of the district wherein such sale may be made, a just and true account of the sales of such prize property, and of all duties and charges thereon, together with a statement thereto annexed of the promissory notes taken on account thereof, which account shall be verified by the oath of the said marshal; and if the said marshal shall wilfully neglect, or refuse to file such account, he shall forfeit and pay the sum of five hundred dollars, for each omission or refusal as aforesaid, to be recovered in an action of debt by any person interested in such sale, and suing for the said penalty, on account of the party or parties interested in the prize vessel or property sold as aforesaid, in any court having cognizance thereof.

Marshals to file accounts of sales, &c. &c. in the clerk's office.

Penalties for not doing so.

SEC. 5. *And be it further enacted*, That the owner or owners of any private armed vessel or vessels, or their agent or agents, may, at any time before a libel shall be filed against any captured vessel or her cargo, remove the same from any port into which such prize vessel or property may be first brought, to any other port in the United States, to be designated at the time of the removal as aforesaid, subject to the same restrictions and complying with the same regulations with respect to the payment of duties, which are provided by law, in relation to other vessels arriving in port with cargoes subject to the payment of duties: *Provided*, that before such removal, the said captured property shall not have been attached at the suit of any adverse claimant, or a claim against the same have been interposed in behalf of the United States.

Captured vessels before libels filed may be removed.

Proviso.

APPROVED, January 27, 1813.

STATUTE II.

Jan. 27, 1813.

[Obsolete.]

Goods imported into the United States from British ports beyond the Cape of Good Hope exempt from fine.

See act of April 14, 1814, ch. 56.

1797, ch. 13.

When to be released.

Proviso.

CHAP. XIV.—*An Act authorizing the admission, under certain circumstances, of vessels owned by citizens of the United States of America, with their cargoes, from British ports beyond the Cape of Good Hope.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases where goods, wares and merchandise, bona fide the property of a citizen or citizens of the United States, have been imported into the United States from British ports beyond the Cape of Good Hope, for the cargoes of which vessels' bonds have been required, at the port or place of shipment from, and have been given by the owners, agents, consignees, or supercargoes of such vessels, that the cargoes thereof shall be delivered or landed at some port or place in the United States; and the person or persons interested in such goods, wares or merchandise, or concerned in the importation thereof, have incurred thereby any fine, penalty and forfeiture, or have delivered the same into the possession or custody of the United States, on such person petitioning for relief to any judge or court proper to hear the same, in pursuance of the provisions of the act, entitled "An act to provide for mitigating and remitting the fines, forfeitures and penalties, in certain cases therein mentioned;" and on the facts being shown, on inquiry had by said judge or court, stated and transmitted as by said act is required, to the Secretary of the Treasury; in all such cases wherein it shall be proved, to his satisfaction, that said goods, wares and merchandise, at the time of their shipment, were bona fide owned by a citizen or citizens of the United States, and for the landing or delivery of which, at some port or place in the United States, bonds were required and given as aforesaid, the Secretary of the Treasury is hereby directed to remit all fines, penalties and forfeitures, which may have been incurred in consequence of such shipment, importation or importations, to deliver up possession of the said vessels, goods, wares and merchandise, to the owner or owners thereof, upon the costs and charges that have arisen or may arise being paid, and the duties payable on such goods, wares and merchandise, or which would have been payable if they had been legally imported, being paid or secured to be paid according to law, as if the same had been imported and entered at the time of the release thereof; and also to direct the prosecution or prosecutions, if any shall have been instituted for the recovery of such fines, penalties, and forfeitures, to cease and be discontinued: *Provided,* that nothing in this act contained shall extend or be construed to extend to a remission of or exemption from any fine, penalty or forfeiture which has been or may be incurred for a breach of any law or laws of the United States other than such as prohibit the admission into the United States of goods, wares and merchandise, imported as aforesaid.

APPROVED, January 27, 1813.

STATUTE II.

Jan. 29, 1813.

[Obsolete.]

Additional regiments to be raised.

Act of January 11, 1812, ch. 14.

Act of January 14, 1812, ch. 16.

Constituent parts of the regiments.

CHAP. XVI.—*An Act in addition to the act entitled "An act to raise an additional military force," and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the present military establishment of the United States, there be raised such number of regiments of infantry, not exceeding twenty, as in the opinion of the President may be necessary for the public service, to be enlisted for the term of one year, unless sooner discharged.

SEC. 2. *And be it further enacted,* That each of the said regiments shall consist of one colonel, one lieutenant colonel, two majors, one adjutant, one paymaster, one quartermaster, one surgeon, two surgeons' mates, one sergeant major, one quartermaster sergeant, two principal musicians, and ten companies.

SEC. 3. *And be it further enacted*, That each company shall consist of one captain, one first lieutenant, one second lieutenant, one third lieutenant, one ensign, five sergeants, six corporals, two musicians, and ninety privates.

Of companies.

SEC. 4. *And be it further enacted*, That it shall be lawful for the President of the United States in the recess of the Senate to appoint such of the officers authorized by this act, as may not be appointed during the present session; which appointments shall be submitted to the Senate at their next session for their advice and consent.

President may appoint the officers during the recess.

SEC. 5. *And be it further enacted*, That all the officers, non-commissioned officers, musicians, and privates, authorized by this act, shall receive the like pay, forage, rations, clothing, and other emoluments (the land and bounty excepted) as the officers of the same grade and corps, non-commissioned officers, musicians, and privates, of the present military establishment.

Pay, &c. &c. of the officers, &c. &c.

SEC. 6. *And be it further enacted*, That the officers, non-commissioned officers, musicians, and privates, of the regiments hereby authorized to be raised, shall be governed by the rules and articles of war, which have been established by the United States in Congress assembled, or by such rules and articles as may be hereafter by law established.

To be governed by the rules and articles of war.

SEC. 7. *And be it further enacted*, That the commissioned officers who shall be employed in recruiting the force authorized by this act, shall be entitled to receive, for every person enlisted by them into this service, for the term specified, and approved by the commanding officer of the regiment, and between the ages of eighteen and forty-five years, the sum of two dollars: *Provided nevertheless*, that this regulation, so far as respects the age of the recruit, shall not extend to musicians, or to those soldiers who may re-enlist into the service: *And provided also*, that no person under the age of twenty-one years, shall be enlisted by any officer, or held in the service of the United States, without the consent, in writing, of his parent, guardian, or master, first had and obtained, if any he have; and if any officer shall enlist any person contrary to the true intent and meaning of this act, for every such offence he shall forfeit and pay the amount of the bounty and clothing, which the persons so recruited may have received from the public, to be deducted out of the pay and emoluments of such officer.

Premium to the officers for enlisting men.

Proviso.

No person under twenty-one to be enlisted, without consent of parent, &c.

SEC. 8. *And be it further enacted*, That there shall be allowed and paid to each man recruited as aforesaid, a bounty of sixteen dollars; but the payment of eight dollars of the said bounty shall be deferred until he shall be mustered, and have joined some military corps of the United States.

Sixteen dollars bounty to each man.

SEC. 9. *And be it further enacted*, That the said regiments shall be paid in such manner, that the arrears shall at no time exceed two months; unless the circumstances of the case shall render it unavoidable.

Arrears never to exceed two months.

SEC. 10. *And be it further enacted*, That if any officer, non-commissioned officer, musician or private, shall be disabled by wounds or otherwise, while in the line of his duty in public service, he shall be placed on the list of invalids of the United States, at such rate of pension and under such regulations as are or may be directed by law: *Provided always*, that the compensation to be allowed for such wounds or disabilities, to a commissioned officer, shall not exceed for the highest rate of disability half the monthly pay of such officer, at the time of his being disabled or wounded; and that no officer shall receive more than the half pay of a lieutenant colonel; and that the rate of compensation to non-commissioned officers, musicians and privates shall not exceed five dollars per month: *And provided also*, that all inferior disabilities shall entitle the person so disabled to receive an allowance proportionate to the highest disability.

Disabled officers, musicians, and privates, to be placed on the list of invalids.

Proviso.

Proviso.

SEC. 11. *And be it further enacted*, That if any commissioned officer

Widows or children of commissioned officers dying from wounds received in actual service, entitled to half the monthly pay for five years.

Proviso.

Non-commissioned officers, musicians, or privates, deserting the service, to make good the time of enlistment, &c.

Oath to be taken by officers, musicians, and privates.

Form of the oath.

Extra expenses incurred by commissioned officers to be allowed, &c.

Officers and soldiers discharged from service to be allowed travelling expenses.

A chaplain to be appointed to each brigade, &c.

No field or staff officer entitled to receive pay or emolument till called into actual service.

Certain acts relating to volunteer military corps repealed.

Act of Feb. 6, 1812, ch. 21.

Act of July 6, 1812, ch. 138.

Proviso.

shall, while in the service of the United States, die, by reason of any wound received in actual service of the United States, and leave a widow, or if no widow, a child or children, under sixteen years of age, such widow, or if no widow, such child or children, shall be entitled to and receive half the monthly pay to which the deceased was entitled at the time of his death, for and during the term of five years: but in case of the death or intermarriage of such widow, before the expiration of the said term of five years, the half pay for the remainder of the time shall go to the child or children of such deceased officer: *Provided always*, that such half pay shall cease on the decease of such child or children.

SEC. 12. *And be it further enacted*, That if any non-commissioned officer, musician or private, shall desert the service of the United States, he shall, in addition to the penalties mentioned in the rules and articles of war, be liable to serve for and during such a period as shall, with the time he may have served previous to his desertion, amount to the full term of his enlistment; and such soldier shall and may be tried by a court martial, and punished, although the term of his enlistment may have elapsed previous to his being apprehended or tried.

SEC. 13. *And be it further enacted*, That every officer, non-commissioned officer, musician and private, shall take and subscribe the following oath or affirmation, to wit: "I, A. B. do solemnly swear or affirm (as the case may be) that I will bear true faith and allegiance to the United States of America; and that I will serve them honestly and faithfully against their enemies or opposers whomsoever; and that I will observe and obey the orders of the President of the United States, and the orders of the officers appointed over me, according to the rules and articles of war."

SEC. 14. *And be it further enacted*, That where any commissioned officer shall be obliged to incur any extra expense, in travelling and sitting on general courts martial, he shall be allowed a reasonable compensation for such extra expense actually incurred, not exceeding one dollar and twenty-five cents per day to officers who are not entitled to forage, and not exceeding one dollar per day to such as shall be entitled to forage.

SEC. 15. *And be it further enacted*, That whenever any officer or soldier shall be discharged from the service, except by way of punishment for an offence, he shall be allowed his pay and rations, or an equivalent in money, for such term of time as shall be sufficient for him to travel from the place of discharge to the place of his residence, computing at the rate of twenty miles to a day.

SEC. 16. *And be it further enacted*, That there shall be appointed to each brigade one chaplain, who shall be entitled to the same pay and emoluments as a major in the infantry.

SEC. 17. *And be it further enacted*, That no field or staff officer, who may be appointed by virtue of this act, shall be entitled to receive any pay or emoluments until he shall be called into actual service, nor for any longer time than he shall continue therein.

SEC. 18. *And be it further [enacted]*, That the act, entitled "An act authorizing the President of the United States to accept and organize certain volunteer military corps," and the act, entitled "An act supplementary to the act, entitled, An act authorizing the President of the United States, to accept and organize certain volunteer military corps," be, and the same are hereby repealed, from and after the first day of February next: *Provided*, that nothing herein contained shall be so construed as to deprive the officers and men who may have entered the service as volunteers, under the said acts, of any rights, immunities, or privileges therein secured, or the United [States] of the services of such volunteers, agreeably to the provisions of said acts.

APPROVED, January 29, 1813.

CHAP. XVIII.—*An Act supplementary to an act entitled "An act to provide for calling forth the militia to execute the laws, suppress insurrections, and repel invasions," and to repeal the act now in force for those purposes, and to increase the pay of volunteer and militia corps.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in every case in which a court martial shall have adjudged and determined a fine against any officer, non-commissioned officer, musician, or private, of the militia, for any of the causes specified in the act to which this act is a supplement, or in the fourth section of an act, entitled "An act to authorize a detachment from the militia of the United States;" all such fines so assessed, shall be certified to the comptroller of the treasury of the United States, in the same manner as the act to which this act is a supplement directed the same to be certified to the supervisor of the revenue.

SEC. 2. *And be it further enacted,* That the marshals shall pay all fines which have been levied and collected by them or their respective deputies, under the authority of the acts herein referred to, into the treasury of the United States, within two months after they shall have received the same, deducting five per centum for their own trouble; and in case of failure, it shall be the duty of the comptroller of the treasury to give notice to the district attorney of the United States, who shall proceed against the said marshal in the district court by attachment for the recovery of the same.

SEC. 3. *And be it further enacted,* That the non-commissioned officers, musicians, and privates of volunteer and militia corps, who, subsequent to the thirty-first day of December, one thousand eight hundred and twelve, shall have been or may hereafter be called out, while in the service of the United States, shall, during the continuance of the present war between the United Kingdom of Great Britain and Ireland, and the dependencies thereof, and the United States of America, and their territories, be entitled to and receive the same monthly pay, rations, and forage, and furnished with the same camp equipage as are or may be provided by law for the non-commissioned officers, musicians, and privates of the army of the United States.

APPROVED, February 2, 1813.

CHAP. XX.—*An Act giving the right of pre-emption in the purchase of lands to certain settlers in the Illinois territory.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person, or legal representative of every person, who has actually inhabited and cultivated a tract of land lying in either of the districts established for the sale of public lands, in the Illinois territory, which tract is not rightfully claimed by any other person, and who shall not have removed from said territory; every such person and his legal representatives shall be entitled to a preference in becoming the purchaser from the United States of such tract of land at private sale, at the same price and on the same terms and conditions in every respect, as are or may be provided by law for the sale of other lands sold at private sale in said territory, at the time of making such purchase: *Provided,* that no more than one quarter section of land shall be sold to any one individual, in virtue of this act; and the same shall be bounded by the sectional and divisional lines run, or to be run, under the direction of the surveyor general for the division of the public lands: *Provided also,* that no lands reserved from sale by former acts, or lands which have been directed to be sold in town lots, and out lots, shall be sold under this act.

STATUTE II.

Feb. 2, 1813.

Act of Feb. 28, 1795, ch. 36.

Fines imposed by courts martial to be certified to the comptroller of the treasury.

Act of April 18, 1806, ch. 32.

Act of April 10, 1812, ch. 55.

Marshals to pay fines within two months after collection into the treasury, deducting five per cent.

Non-commissioned officers, musicians, and privates of volunteer and militia corps entitled to the same monthly pay, rations, and forage, &c. as those of the army of the United States.

STATUTE II.

Feb. 5, 1813.

Act of April 29, 1816, ch. 162.

Inhabitants and cultivators of land lying in districts established for the sale thereof, entitled to preference in purchasing.

No more than one quarter section to be sold to any individual.

No lands to be sold which were reserved by former acts.

Persons claiming a preference in purchasing to deliver notice in writing to the register of the land-office, &c.

If a person is entitled to a preference he may enter the same.

Proviso.

How the preference may be forfeited.

SEC. 2. *And be it further enacted*, That every person claiming a preference in becoming the purchaser of a tract of land, in virtue of this act, shall make known his claim, by delivering a notice in writing, to the register of the land-office, for the district in which the land may lie, wherein he shall particularly designate the quarter section he claims; which notice the register shall file in his office, on receiving twenty-five cents from the person delivering the same. And in every case where it shall appear to the satisfaction of the register and receiver of public monies of the land-office, that any person, who has delivered his notice of claim, is entitled, according to the provisions of this act, to a preference in becoming the purchaser of a quarter section of land, such person so entitled shall have a right to enter the same, with the register of the land-office, on producing his receipt from the receiver of public monies for at least one twentieth part of the purchase money, as in case of other public lands sold at private sale: *Provided*, that all lands to be sold under this act shall be entered with the register, at least two weeks before the time of the commencement of the public sales, in the district wherein the land lies: and every person having a right of preference in becoming the purchaser of a tract of land, who shall fail so to make his entry with the register, within the time prescribed, his right shall be forfeited, and the land by him claimed shall be offered at public sale, with the other public lands in the district to which it belongs.

APPROVED, February 5, 1813.

STATUTE II.

Feb. 8, 1813.

CHAP. XXI.—*An Act authorizing a Loan for a sum not exceeding sixteen millions of dollars.*

President authorized to borrow, on the credit of the United States, a sum not exceeding sixteen millions of dollars.

Reimbursable in twelve years from the first of January, 1814.

Sale of the certificates of stock a good execution of power to borrow.

President to cause to be laid before Congress an account of all the monies obtained by sale of certificates, &c.

Secretary of the Treasury, with the approbation of the President, to employ agents to obtain subscriptions to the loan.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorized to borrow, on the credit of the United States, a sum not exceeding sixteen millions of dollars, to be applied, in addition to the monies now in the treasury, or which may be received from other sources, to defray any of the expenses which have been, or, during the present session of Congress, may be authorized by law, and for which appropriations have been, or, during the present session of Congress, may be made by law: *Provided*, that no engagement nor contract shall be entered into, which shall preclude the United States from reimbursing any sum or sums thus borrowed, at any time after the expiration of twelve years, from the first day of January next: *And it is hereby further declared*, That it shall be deemed a good execution of the said power to borrow, for the President of the United States to cause to be sold the whole or any part of the certificates of stock issued for the sums to be borrowed by virtue of this act.

SEC. 2. *And be it further enacted*, That the President of the United States do cause to be laid before Congress, on the first Monday in February, eighteen hundred and fourteen, or as soon thereafter as Congress may be in session, an account of all the monies obtained by the sale of the certificates of stock, by virtue of the power given him by the preceding section, together with a statement of the rate at which the same may have been sold.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby authorized to employ, with the approbation of the President of the United States, an agent or agents, for the purpose of obtaining subscriptions to the loan authorized by this act, or of selling any part of the stock created by virtue thereof. A commission not exceeding one quarter of one per cent. on the amount thus sold, or for which subscriptions shall have been thus obtained, may, by the Secretary of the Treasury, be allowed to such agent or agents; and a sum

not exceeding forty thousand dollars, to be paid out of any monies in the treasury not otherwise appropriated, is hereby appropriated for paying the amount of such commission or commissions, as may be thus allowed, and also for defraying the expenses of printing and issuing the subscription certificates and certificates of stock and other expenses incident to the receiving of subscriptions, and completing the loan authorized by this act.

SEC. 4. *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, after satisfying the sums necessary for the payment of the interest, and such part of the principal of said debt, as the United States are now pledged annually to pay or reimburse, 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, 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.

SEC. 5. *And be it further enacted*, That it shall be lawful for any of the banks in the district of Columbia, to lend any part of the sum authorized to be borrowed by virtue of this act, any thing in any of their charters of incorporation to the contrary notwithstanding.

APPROVED, February 8, 1813.

Commission to agents.
Forty thousand dollars appropriated to pay commissions and defray other expenses.

Surplus funds of the annual appropriation of eight millions of dollars for the payment of the public debt, pledged for the redemption of the present loan.

Commissioners of the sinking fund to act accordingly.

The faith of the U. States pledged to establish sufficient revenues to make up deficiencies.

Banks in the District of Columbia authorized to lend money under this act.

STATUTE II.

Feb. 13, 1813.

CHAP. XXII.—*An Act regulating pensions to persons on board private armed ships.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the two per centum reserved in the hands of the collectors and consuls by the act of June, eighteen hundred and twelve, entitled "An act concerning letters of marque, prizes, and prize goods," shall be paid to the treasury, under the like regulations provided for other public money, and shall constitute a fund for the purposes provided for by the seventeenth section of the before mentioned act.

SEC. 2. *And be it further enacted*, That the Secretary of the Navy be authorized and required to place on the pension list, under the like regulations and restrictions, as are used in relation to the navy of the United States, any officer, seaman or marine, who, on board of any private armed ship or vessel bearing a commission of letter of marque, shall have been wounded or otherwise disabled in any engagement with the enemy; allowing to the captain a sum not exceeding twenty dollars per month; to lieutenants and sailing master a sum not exceeding twelve dollars each per month; to marine officer, boatswain, gunner, carpenter, master's mate and prize masters, a sum not exceeding ten dollars each per month; to all other officers a sum not exceeding eight dollars each per month, for the highest rate of disability, and so in proportion; and to a seaman, or acting as a marine, the sum of six dollars per month, for

1812, ch. 107.
1813, ch. 53.
Act of March 4, 1814, ch. 20.
Act of March 3, 1817, ch. 60.
Act of April 16, 1818, ch. 60.
Act of Jan. 22, 1824, ch. 15.
Act of June 30, 1834, ch. 134.
Act of March 3, 1837, ch. 40.
The two per cent. reserved in the hands of the collectors and consuls, to be paid into the treasury, to constitute a fund, &c.

Secretary of the Navy to place certain persons on the pension list.

the highest rate of disability, and so in proportion; which several pensions shall be paid, by direction of the Secretary of the Navy, out of the fund above provided, and from no other.

Commanding officers to enter the names, &c. of wounded persons in a journal.

SEC. 3. *And be it further enacted*, That the commanding officer of every vessel having a commission, or letters of marque and reprisal, shall enter in his journal the name and rank of any officer, and the name of any seaman, who, during his cruise, shall have been wounded or disabled as aforesaid, describing the manner and extent, as far as practicable, of such wound or disability.

Collectors to transmit a transcript of such journals to the Secretary of the Navy, &c.

SEC. 4. *And be it further enacted*, That every collector shall transmit quarterly to the Secretary of the Navy, a transcript of such journals as may have been reported to him, so far as it gives a list of the officers and crew, and the description of wounds and disabilities, the better to enable the secretary to decide on claims for pensions.

APPROVED, February 13, 1813.

STATUTE II.

Feb. 13, 1813.

CHAP. XXIII.—*An Act confirming certain claims to lands in the district of Vincennes.*

Act of April 21, 1806, ch. 40.
Act of March 3, 1807, ch. 47.
Act of Feb. 19, 1814, ch. 14.
Act of April 16, 1816, ch. 52.
Certain decisions of the register and receiver of public monies confirmed.
1810, ch. 35.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the decisions of the register and receiver of public monies for the district of Vincennes, made in favour of persons claiming donation lands in said district, as entered in a list of claims which in the opinion of the said register and receiver ought to be confirmed in pursuance of the act, entitled "An act providing for the sale of certain lands in the Indiana territory, and for other purposes," passed on the thirtieth day of April, one thousand eight hundred and ten, which list is a part of their report to the Secretary of the Treasury, bearing date of the twenty-seventh day of May, one thousand eight hundred and twelve, be, and the same are hereby confirmed.

Claims of certain persons confirmed.

SEC. 2. *And be it further enacted*, That the following persons whose claims, according to the aforesaid report, are not embraced by the provisions of the above recited act, but which nevertheless in the opinion of the register and receiver ought to be confirmed, shall be, and their claims are hereby confirmed respectively, to the following quantities of land, that is to say: the heirs of Francis Peltier, the heirs of Bernice Lefevre, and the heirs of Jean Btt. Valecour, respectively, four hundred acres; Rene Campeau, Francois Cardinal, the heirs of Joseph Pancake, the heirs of Jacob Howell, the heirs of Alexander Wilson, the heirs of Daniel Sullivan, and the heirs of Jacob Tevebaugh, respectively, one hundred acres.

Locations to be entered accordingly.

SEC. 3. *And be it further enacted*, That the several persons whose claims are confirmed by this act, are hereby authorized to enter their locations with the register of the land-office at Vincennes, on any part of the tract set apart for that purpose in said district, by virtue of the act, entitled "An act respecting claims to lands in the Indiana territory and state of Ohio," and in conformity to the provisions of that act: *Provided*, that such locations shall be made prior to the first day of October next; and the right of any person who shall neglect to locate prior to that day shall become void and for ever be barred.

1806, ch. 40.
1814, ch. 18.

Persons entitled to land to receive certificates authorizing the granting of patents.

SEC. 4. *And be it further enacted*, That every person, or the legal representative of every person, whose claim to a tract of land is confirmed by this act, shall, whenever his claim shall have been located and surveyed, be entitled to receive from the register of the land-office at Vincennes a certificate, stating that the claimant is entitled to receive a patent for such tract of land by virtue of this act; for which certificate the register shall receive one dollar; and which certificate shall entitle

the party to a patent for the said tract of land, which shall issue in like manner as is provided by law for the other lands of the United States.

APPROVED, February 13, 1813.

CHAP. XXIV.—*An Act making provision for an additional number of general officers.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby authorized by and with the advice and consent of the Senate, to appoint six major generals, in addition to those already authorized by law; each of whom shall be allowed two aids-de-camp to be taken from the officers of the line, and six brigadier generals, who shall be allowed a brigade major, and one aid-de-camp, each to be taken also from the officers of the line.

SEC. 2. *And be it further enacted,* That the officers authorized by this act shall receive the same pay, forage, rations, and other emoluments, as the officers of the same grade of the present military establishment.

APPROVED, February 24, 1813.

STATUTE II.

Feb. 24, 1813.

[Obsolete.]

Act of March 3, 1815, ch. 78. Six major generals to be appointed.

Two aids-de-camp allowed to each.

Six brigadier generals to be also appointed.

Aids, &c. &c. Their pay, &c. &c.

STATUTE II.

Feb. 25, 1813.

[Obsolete.]

Act of May 3, 1822, ch. 47.

Treasury notes for five millions of dollars to be prepared and issued.

Additional sum of five millions of dollars to be borrowed upon treasury notes.

Proviso.

1813, ch. 21.

Terms and places of reimbursement.

By whom the notes are to be signed.

Their compensation.

CHAP. XXVII.—*An Act authorizing the issuing of Treasury notes for the service of the year one thousand eight hundred and thirteen.*(a)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorized to cause treasury notes for such sum or sums as he may think expedient, but not exceeding in the whole the sum of five millions of dollars, to be prepared, signed, and issued, in the manner herein after provided.

SEC. 2. *And be it further enacted,* That the President of the United States be, and he is hereby authorized, in addition to the amount authorized by the next preceding section of this act, to cause treasury notes, for such sum or sums as he may think expedient, but not exceeding in the whole the further sum of five millions of dollars, to be prepared, signed, and issued in the manner herein after provided: *Provided,* that the amount of money borrowed or obtained, by virtue of the notes which may be issued by virtue of this section, shall be deemed and held to be in part of the sum of sixteen millions of dollars, authorized to be borrowed by virtue of the act to that effect, passed during the present session of Congress.

SEC. 3. *And be it further enacted,* That the said treasury notes shall be reimbursed by the United States, at such places respectively as may be expressed on the face of the said notes, one year respectively after the day on which the same shall have been issued; from which day of issue they shall bear interest, at the rate of five and two-fifths per centum a year, payable to the owner and owners of such notes, at the treasury, or by the proper commissioner of loans, or by the officer designated for that purpose, at the places and times respectively designated on the face of said notes, for the payment of principal.

SEC. 4. *And be it further enacted,* That the said treasury notes shall be respectively signed, in behalf of the United States, by persons to be appointed for that purpose by the President of the United States, two of which persons shall sign each note, and shall each receive, as a compensation for that service, at the rate of one dollar and twenty-five cents for every hundred notes thus signed by them respectively; and the said

(a) See notes to act of June 30, 1812, chap. 111.

notes shall likewise be countersigned by the commissioner of loans for that state where the notes may respectively be made payable, or by the register of the treasury, if made payable in the district of Columbia, or by a person to be appointed for that purpose by the President of the United States, if made payable in a state for which there is no commissioner of loans; which person or persons thus appointed shall also receive, as a compensation for that service, at the rate of one dollar and twenty-five cents for every hundred notes thus signed by him or them respectively.

Secretary of the Treasury may pay the notes for supplies, &c. &c.

SEC. 5. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby authorized, with the approbation of the President of the United States, to cause to be issued such portion of the said treasury notes as the President may think expedient, in payment of supplies, or debts due by the United States, to such public creditors or other persons as may choose to receive such notes in payment, as aforesaid, at par: and the Secretary of the Treasury is further authorized, with the approbation of the President of the United States, to borrow from time to time, not under par, such sums as the President may think expedient on the credit of such notes; or to sell, not under par, such portion of the said notes as the President may think expedient. And it shall be a good execution of this provision to pay such notes to such bank or banks as will receive the same at par, and give credit to the treasurer of the United States for the amount thereof, on the day on which the said notes shall thus be issued, and paid to such bank or banks respectively.

Sums may be borrowed on the credit of the notes.

Secretary of the Treasury may employ agents for selling the stock.

SEC. 6. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby authorized, with the approbation of the President of the United States, to employ an agent or agents for the purpose of selling any portion of the notes which may be issued by virtue of this act: a commission not exceeding one quarter of one per cent. on the amount thus sold, may, by the Secretary of the Treasury, be allowed to such agent or agents; and a sum not exceeding twenty-five thousand dollars, to be paid out of any monies in the treasury, not otherwise appropriated, is hereby appropriated, for paying such commission or commissions as may be thus allowed.

At what commission.

How transferable.

SEC. 7. *And be it further enacted*, That the said treasury notes shall be transferable by delivery and assignment, endorsed thereon by the person to whose order the same shall, on the face thereof, have been made payable.

Treasury notes receivable for all public dues.

SEC. 8. *And be it further enacted*, That the said treasury notes, wherever made payable, shall be every where received in payment of all duties and taxes laid by the authority of the United States, and of all public lands sold by the said authority: on every such payment credit shall be given for the amount of both the principal and the interest, which, on the day of such payment, may appear due on the note or notes thus given in payment: and the said interest shall on such payments be computed at the rate of one cent and one half of a cent per day, on every hundred dollars of principal, and each month shall be computed as containing thirty days.

Interest to be computed upon treasury notes received in payment for public dues and charged to and credited in the accounts of the officers so paying.

SEC. 9. *And be it further enacted*, That any person making payment to the United States, in the said treasury notes, into the hands of any collector, receiver of public monies, or other public officer or agent, shall, on books kept according to such forms as shall be prescribed by the Secretary of the Treasury, give duplicate certificates of the number and respective amount of principal and interest of each and every treasury note thus paid by such person; and every collector, receiver of public monies, or other public officer or agent, who shall thus receive any of the said treasury notes in payment, shall, on payment of the same into the treasury, or into one of the banks where the public monies are

or may be deposited, receive credit both for the principal and for the interest computed as aforesaid, which, on the day of such last mentioned payment, shall appear due on the note or notes thus paid in; and he shall be charged for the interest accrued on such note or notes from the day on which the same shall have been received by him in payment as aforesaid, to the day on which the same shall be paid by him as aforesaid: *Provided always*, that no such charge or deduction shall be made with respect to any bank into which payments as aforesaid may be made to the United States, either by individuals or by collectors, receivers, or other public officers or agents, and which shall receive the same as specie, and give credit to the treasurer of the United States for the amount thereof, including the interest accrued and due on such notes on the day on which the same shall have been thus paid into such bank, on account of the United States.

No charge of interest to be made against any bank which shall receive the notes as agent, &c.

SEC. 10. *And be it further enacted*, That the commissioners of the sinking fund be, and they are hereby authorized and directed to cause to be reimbursed and paid the principal and interest of the treasury notes which may be issued by virtue of this act, at the several time and times when the same, according to the provisions of this act, should be thus reimbursed and paid; and the said commissioners are further authorized to make purchases of the said notes, in the same manner as of other evidences of the public debt, and at a price not exceeding par, for the amount of the principal and interest due at the time of purchase of such notes. 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, after satisfying the sums necessary for the payment of the interest and such part of the principal of the said debt, as the United States are now pledged annually to pay and reimburse, including therein the interest and principal which may become payable upon any loan or loans which may be contracted by virtue of any law passed during the present session of Congress, is hereby pledged and appropriated for the payment of the interest, and for the reimbursement or purchase of the principal of the said notes; and so much of any monies in the treasury not otherwise appropriated, as may be necessary for that purpose, is hereby appropriated for making up any deficiency in the funds thus pledged and appropriated, for paying the principal and interest as aforesaid; and the Secretary of the Treasury is hereby authorized and directed for that purpose to cause to be paid to the commissioners of the sinking fund such sum or sums of money, and at such time and times as will enable the said commissioners faithfully and punctually to pay the principal and interest of the said notes.

Commissioners of the sinking fund may cause the reimbursement to be made, and purchases of the treasury notes to be effected.

SEC. 11. *And be it further enacted*, That a sum of forty thousand dollars, to be paid out of any monies in the treasury not otherwise appropriated, be, and the same is hereby appropriated, for defraying the expense of preparing, printing, engraving, signing, and otherwise incident to the issuing of the treasury notes authorized by this act.

Specific appropriation.

SEC. 12. *And be it further enacted*, That if any person shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or willingly aid or assist in falsely making, forging, or counterfeiting any note in imitation of, or purporting to be, a treasury note aforesaid; or shall falsely alter, or cause, or procure to be falsely altered, or willingly aid or assist in falsely altering any treasury note issued as aforesaid; or shall pass, utter, or publish, or attempt to pass, utter, or publish as true, any false, forged, or counterfeited note, purporting to be a treasury note as aforesaid, knowing the same to be falsely made, forged, or counterfeited; or shall pass, utter, or publish, or attempt to pass, utter, or publish as true, any falsely altered treasury note issued as aforesaid, knowing the same to be falsely altered, every

Penalties for counterfeiting or forging treasury notes, &c.

such person shall be deemed and adjudged guilty of felony, and being thereof convicted, by due course of law, shall be sentenced to be imprisoned and kept to hard labour for a period not less than three years, nor more than ten years, and be fined in a sum not exceeding five thousand dollars.

APPROVED, February 25, 1813.

STATUTE II.

Feb. 25, 1813.

CHAP. XXX.—*An Act to impose a duty on the importation of Iron wire.*

[Repealed.]
Act of March 3, 1815, ch. 76.
Act of Feb. 5, 1816, ch. 10.
Duties upon iron wire.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That iron wire, which, from and after the passage of this act, shall be imported into the United States and the territories thereof, shall be subject to the same duty as is paid on the importation of iron, steel, or brass locks, hinges, hoes, anvils, and vices.

Additional duty imposed on wire imported in vessels of the United States.

SEC. 2. *And be it further enacted,* That an addition of ten per centum shall be made on the rate of duty hereby directed to be collected on the importation of iron wire as aforesaid, in ships or vessels not of the United States.

How collected, &c. &c.

SEC. 3. *And be it further enacted,* That the duty laid by this act shall be levied and collected in the same manner, and under the same regulations and allowances as to drawbacks, mode of security, and time of payment, as the duties now in force on the articles herein before enumerated.

APPROVED, February 25, 1813.

STATUTE II.

Feb. 25, 1813.

CHAP. XXXI.—*An Act to raise ten additional companies of Rangers.*

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorized, to raise ten additional companies of rangers, on the same provisions, conditions, and restrictions as those authorized to be raised by "An act authorizing the President of the United States to raise certain companies of rangers for the protection of the frontier of the United States," which said companies shall be in lieu of one of the regiments authorized to be raised by the act in addition to the act, entitled "An act to raise an additional military force, and for other purposes," passed the twenty-ninth day of January, one thousand eight hundred and thirteen.

APPROVED, February 25, 1813.

STATUTE II.

Feb. 27, 1813.

CHAP. XXXII.—*An Act to alter the time for the next meeting of Congress.*

Congress to meet on the fourth Monday in May, 1813.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That after the adjournment of the present session, the next meeting of Congress shall be on the fourth Monday of May next.

APPROVED, February 27, 1813.

STATUTE II.

Feb. 27, 1813.

CHAP. XXXIII.—*An Act directing the Secretary of the Treasury to remit certain fines, penalties, and forfeitures, therein mentioned.*

[Obsolete.]
Remission of certain fines, &c. &c. authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases where goods, wares, and merchandise have been imported or introduced into the United States (the same not having been clandestinely imported or introduced) from the dependencies of the United Kingdom of Great Britain and Ireland, since the declaration of war by the United States

against the said kingdom, or which were shipped from the said kingdom prior to the second day of February, one thousand eight hundred and eleven, whereby the person or persons interested in such goods, wares, or merchandise, or concerned in the importation or introduction thereof, into the United States, hath or have incurred any fine, penalty, or forfeiture, under an 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;" and an act, entitled "An act concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes;" and the act supplementary to the act last mentioned; on such person or persons petitioning for relief to any judge or court, proper to hear the same, in pursuance of the provisions of the act, entitled "An act to provide for mitigating or remitting the forfeitures, penalties, and disabilities, accruing in certain cases therein mentioned;" and on the facts being shown, on inquiry had by the said judge or court, stated and transmitted, as by the said act is required, to the Secretary of the Treasury; in all such cases wherein it shall be proved to his satisfaction, that the said goods, wares, and merchandise, at the time of their importation or introduction into the United States were *bona fide* American property, that they were not clandestinely imported or introduced, and that they were imported or introduced since the declaration of war aforesaid, the Secretary of the Treasury is hereby directed to remit all fines, penalties, and forfeitures that may have been incurred under the said acts, in consequence of such importation or introduction into the United States, upon the costs and charges that have arisen, or may arise, being paid, and on payment of the duties that would have been payable by law, on such goods, wares, and merchandise, if legally imported, and also, to direct the prosecution or prosecutions, if any shall have been instituted for the recovery of the said fines, penalties, and forfeitures, to cease and be discontinued.

Act of March 1, 1809, ch. 24. 1810, ch. 39.

Act of March 2, 1811, ch. 29.

Act of March 3, 1797, ch. 13.

Duties to be paid, and also all costs, &c.

SEC. 2. *And be it further enacted*, That the duties payable on the goods, wares, and merchandise embraced by the provisions of the act, entitled "An act authorizing the admission, under certain circumstances, of vessels owned by citizens of the United States of America, with their cargoes, from British ports beyond the Cape of Good Hope," shall not, in any case, be paid, or secured to be paid, in such manner as to postpone the payment of such duties beyond the time and times at which the said duties should have become payable, if the goods, wares, and merchandise had been imported and entered at the time of passing this act, any thing in the act above mentioned to the contrary notwithstanding.

Time of paying duties upon goods imported from beyond the Cape of Good Hope not altered.

Act of Jan. 27, 1813, ch. 14.

APPROVED, February 27, 1813.

STATUTE II.

CHAP. XXXIV.—*An Act in addition to an act regulating the Post-office establishment.*

Feb. 27, 1813.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General be, and he is hereby authorized to contract for carrying mails of the United States in any steamboat or boats, which are or may be established to ply between one post town and another post town: *Provided*, that such contract shall not be made for a longer period than four years: *And provided also*, that the pay for such service, shall not be at a greater rate, taking into consideration distance, expedition, and frequency, than is paid for carrying the mail by stages on the post road, or roads, adjacent to the course of such steamboats, and that such contract shall secure the regular transportation of the mail throughout each year.

Act of Feb. 27, 1815, ch. 65, sec. 3, 4.

Act of March 3, 1819, ch. 106.

Steamboats may carry the mail.

Terms. Proviso.

APPROVED, February 27, 1813.

STATUTE II.

Feb. 27, 1813.

Attorneys and marshals to be appointed in the territories.

CHAP. XXXV.—*An Act authorizing the appointment of additional officers in the respective territories of the United States.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be appointed in the respective territories of the United States, a person learned in the law, to act as attorney of the United States, who shall, besides the usual fees of office, receive an annual salary of two hundred and fifty dollars, payable quarter yearly, at the treasury of the United States; and there shall also be appointed, in each of said territories, a marshal, who shall receive the same fees and compensation as is allowed by law to the marshal of the district of Kentucky.

APPROVED, February 27, 1813.

STATUTE II.

Feb. 27, 1813.

Post roads.

CHAP. XXXVI.—*An Act to establish certain post roads in the State of Louisiana.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following post roads be established; from Natchez, in the Mississippi territory, by Concordia to Catahoula, and from thence, by Rapids to Nachitoches; from St. Francisville, by St. Helena and St. Tammany to Madisonville.

APPROVED, February 27, 1813.

STATUTE II.

Feb. 27, 1813.

CHAP. XXXVII.—*An Act to encourage Vaccination.*

Repealed by Act of May 4, 1822, ch. 50.

Agent to be appointed for preserving the genuine vaccine matter.

It may be sent through the medium of the post-office.

Oath or affirmation to be taken by agent.

He must write to the postmasters and send a copy of this act.

Packets not exceeding half an ounce and relating to vaccination, to go free of postage to and from the agent.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorized to appoint an agent to preserve the genuine vaccine matter, and to furnish the same to any citizen of the United States, whenever it may be applied for, through the medium of the post-office; and such agent shall, previous to his entering upon the execution of the duties assigned to him by this act, and before he shall be entitled to the privilege of franking any letter or package as herein allowed, take and subscribe the following oath or affirmation, before some magistrate, and cause a certificate thereof to be filed in the general post-office: "I, A. B. do swear (or affirm, as the case may be) that I will faithfully use my best exertions to preserve the genuine vaccine matter, and to furnish the same to the citizens of the United States; and also, that I will abstain from every thing prohibited in relation to the establishment of the post-office of the United States." And it shall be the duty of the said agent to transmit to the several postmasters in the United States a copy of this act: and he shall also forward to them a public notice, directing how and where all application shall be made to him for vaccine matter.

SEC. 2. *And be it further enacted,* That all letters or packages not exceeding half an ounce in weight, containing vaccine matter, or relating to the subject of vaccination, and that alone, shall be carried by the United States' mail free of any postage, either to or from the agent who may be appointed to carry the provisions of this act into effect: *Provided always,* that the said agent before he delivers any letter for transmission by the mail, shall in his own proper handwriting, on the outside thereof, endorse the word "*Vaccination,*" and thereto subscribe his name, and shall previously furnish the postmaster of the office where he shall deposit the same with a specimen of his signature; and if said agent shall frank any letter or package, in which shall be contained any thing relative to any subject other than vaccination, he shall, on conviction of every such offence, forfeit and pay a fine of fifty dollars, to be recovered in the same manner as other fines or violations of law establishing the post-office:

Provided also, that the discharge of any agent, and the appointment of another in his stead, be at the discretion of the President of the United States.

APPROVED, February 27, 1813.

Removal from office to be at the discretion of the President.

STATUTE II.

CHAP. XXXVIII.—*An Act giving further time for registering claims to lands in the eastern and western districts of the territory of Orleans, now state of Louisiana.*(a)

Feb. 27, 1813.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person or persons claiming lands in the eastern or western district of the territory of Orleans, now state of Louisiana, who are actual settlers on the land which they claim, and whose claims have not been heretofore filed with the register of the land-office for the district wherein the lands lie, shall be allowed until the first day of January next, to deliver notices in writing, and the written evidences of their claims, in the said districts respectively, to the register of the land-office at New Orleans and Opelousas; and the notices and evidences so delivered within the time limited by this act, shall be recorded in the same manner, and on payment of the same fees, as if the same had been delivered before the first day of July, one thousand eight hundred and eight; but the rights of such persons as shall neglect so doing within the time limited by this act, shall, so far as they are derived from, or founded on, any act of Congress, ever after be barred and become void, and the evidences of their claims never after admitted as evidence in any court of the United States against any grant derived from the United States.

Actual settlers allowed a further time for filing their claims to the register of the land-office at New Orleans and Opelousas.

SEC. 2. *And be it further enacted*, That every person or persons who had filed his or their notice of claim to lands lying within either of the said districts with the proper register of the land-office, according to former laws, but have not exhibited any testimony or written evidence in support of the same, and whose claim has not been confirmed by the commissioners appointed to ascertain and settle claims to lands in the said districts, shall be allowed until the first day of January next, to deliver the written evidence or other testimony in support of his or their claim, the notice of which had been filed as aforesaid, to the register of the land-office at New Orleans, for lands lying in the eastern district, and the register of the land-office at Opelousas, for lands lying in the western district; and every written evidence of claim, the notice whereof had been filed as aforesaid, for lands lying in the said districts, delivered, within the time limited by this section, to the said registers, shall by them respectively be recorded in the same manner as was directed, and on receiving the same fees allowed by former acts for recording evidence of claim to lands in the same districts; and the right of any such persons neglecting to deliver the evidence of their claims as above mentioned, shall become barred and void in so far as the same is derived from the United States, and the evidence thereof be incapable of being admitted in any court whatsoever against any grant derived from the United States.

Claims forfeited that are not thus entered.

Claims barred, if not entered.

SEC. 3. *And be it further enacted*, That the register and receiver of public monies of the said respective land-offices at New Orleans and Opelousas, shall have the same powers and perform the same duties in every respect in relation to the claims that may be filed according to the first section of this act, and the claims, notice of which had been given under former acts, and the evidence in support thereof shall have been delivered, according to the second section of this act, as the board of commissioners, for ascertaining and adjusting claims to lands in the same districts, would have had or should have performed, if such notice

Same powers given to the register and receiver of public monies at the land-offices of New Orleans and Opelousas as if the claims had been filed before first July, one thousand

(a) See notes to act of March 2, 1805, chap. 26, page 324.

eight hundred and eight.

Register, &c. &c. to report to the commissioner of the general land office, &c. &c.

had been filed, and such evidence delivered before the first day of July, one thousand eight hundred and eight, except, that their decisions shall be subject to the revision of Congress.

SEC. 4. *And be it further enacted*, That it shall be the duty of the register and receiver of each of the said land-offices respectively, to make to the commissioner of the general land-office, a report of all the claims filed with the register as aforesaid, with the substance of the evidence in support thereof, and of the claims formally filed, in support of which evidence shall have been received, with the substance of such evidence, and also their opinion and such remarks respecting the claims as they may think proper to make; which report, together with a list of the claims, which in the opinion of the register and receiver ought to be confirmed, shall be laid by the commissioner of the general land-office before Congress, at their next session, for their determination thereon.

Register and receiver may appoint a clerk.

SEC. 5. *And be it further enacted*, That the register and receiver for each of the aforesaid land-offices shall have power to appoint a clerk, whose duties shall be the same, in relation to the aforesaid claims, as were required of the clerk to the board of commissioners for the same districts; and the said registers, receivers, and clerks, shall each be allowed fifty cents for each claim on which a decision shall be made, in their respective districts, whether such decision be in favour or against the claims; which allowance of fifty cents shall be in full compensation for their services under this act. And a further sum of fifty cents shall be allowed on each claim decided as aforesaid, to defray the expense of making translations from the French and Spanish languages.

Compensation.

APPROVED, February 27, 1813.

STATUTE II.

Feb. 27, 1813.

CHAP. XXXIX.—*An Act to authorize and empower the president and managers of the Washington Turnpike Company of the State of Maryland, when organized, to extend and make their turnpike road to or from Georgetown in the District of Columbia, through the said district to the line thereof.*

Law of the state of Maryland declared to be in force.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the law of the state of Maryland, entitled "An act to incorporate a company to make a turnpike road from the line of the district of Columbia where it crosses the post road leading from Georgetown to Fredericktown, through Montgomery and Frederick counties to Fredericktown," passed in the year one thousand eight hundred and five, and the supplement thereto, be, and they are hereby declared to be in full force, within the district of Columbia.

Turnpike road in what route to be made.

SEC. 2. *And be it further enacted*, That the president and managers of said company when organized according to law, shall be, and they are hereby authorized and empowered to make said turnpike road from Georgetown in the district of Columbia, through Tennallytown to the line of said district, in the same manner and upon the same terms and conditions, as by law they are authorized to make the said turnpike, within the limits of the state of Maryland.

Turnpike gate where to be erected in District of Columbia.

SEC. 3. *And be it further enacted*, That when and so soon as the said turnpike road shall be completed from Georgetown in the district of Columbia to Montgomery Courthouse, in the state of Maryland, it shall and may be lawful for the said president and managers of said company, to erect a toll gate on this side of, and near to Tennallytown, and there to demand and receive such tolls, and on such terms and conditions as by the law of the state of Maryland they are authorized to demand and receive, at any toll gate erected on said road within the limits of the state of Maryland.

APPROVED, February 27, 1813.

CHAP. XL.—*An Act to continue in force, for a limited 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."*

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 day of March, one thousand eight hundred and four, entitled "An act further to protect the commerce and seamen of the United States against the Barbary powers," as is contained in the first section of the said act, and which was continued in force for the time therein mentioned, by an act, entitled "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," passed on the thirty-first day of January, one thousand eight hundred and twelve, be, and the same is hereby continued in force until the first day of April, one thousand eight hundred and fourteen, and thence to the end of the next ensuing session of Congress: *Provided however,* that the additional duty laid by said section shall be collected on all such goods, wares, and merchandise, liable to pay the same, as shall have been imported previous to the end of that session of Congress.

APPROVED, February 27, 1813.

STATUTE II.
Feb. 27, 1813.

[Obsolete.]

March 26, 1804,
ch. 46.

First section
of the act con-
tinued in force.

1812, ch. 18.

Proviso.

STATUTE II.

CHAP. XLII.—*An Act for the regulation of seamen on board the public and private vessels of the United States.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the termination of the war in which the United States are now engaged with Great Britain, it shall not be lawful to employ on board any of the public or private vessels of the United States any person or persons except citizens of the United States, or persons of colour, natives of the United States.

SEC. 2. *And be it further enacted,* That from and after the time when this act shall take effect, it shall not be lawful to employ as aforesaid, any naturalized citizen of the United States, unless such citizen shall produce to the commander of the public vessel, if to be employed on board such vessel, or to a collector of the customs, a certified copy of the act by which he shall have been naturalized, setting forth such naturalization and the time thereof.

SEC. 3. *And be it further enacted,* That in all cases of private vessels of the United States sailing from a port in the United States to a foreign port, the list of the crew, made as heretofore directed by law, shall be examined by the collector for the district from which the vessel shall clear out, and, if approved of by him, shall be certified accordingly. And no person shall be admitted or employed as aforesaid, on board of any vessel aforesaid, unless his name shall have been entered in the list of the crew, approved and certified by the collector for the district from which the vessel shall clear out as aforesaid. And the said collector, before he delivers the list of the crew, approved and certified as aforesaid, to the captain, master, or proper officer of the vessel to which the same belongs, shall cause the same to be recorded in a book by him for that purpose to be provided, and the said record shall be open for the inspection of all persons, and a certified copy thereof shall be admitted in evidence in any court in which any question may arise, under any of the provisions of this act.

SEC. 4. *And be it further enacted,* That the President of the United States be, and he hereby is authorized from time to time to make such

March 3, 1813.

After the war
citizens of the
United States
only to be em-
ployed in the
public or pri-
vate vessels of
the United
States.

Naturalized
citizens when
they may be
employed.

Lists of the
crews to be fur-
nished and cer-
tified previously
to the sailing of
vessels on fo-
reign voyages.

Supplemental
directions may

be given by the President with respect to the seamen employed in the United States.

Proviso.

Seamen or seafaring persons not citizens of the U. States only admitted as passengers in American vessels upon certain conditions.

Interference of consuls and commercial agents admissible in certain cases.

Penalty for admitting persons not qualified according to this act into the service of the United States.

Commanders or owners of private armed vessels subjected to penalties for admitting persons contrary to this act.

Recovery of penalties.

Foreign seamen may be employed in American vessels in foreign ports. Conditions.

Provisions of this act not to be extended to the citizens or subjects of nations which have

further regulations, and to give such directions to the several commanders of public vessels, and to the several collectors, as may be proper and necessary respecting the proofs of citizenship, to be exhibited to the commanders or collectors aforesaid: *Provided*, that nothing contained in such regulations or directions shall be repugnant to any of the provisions of this act.

SEC. 5. *And be it further enacted*, That from and after the time when this act shall take effect, no seaman or other seafaring man, not being a citizen of the United States, shall be admitted or received as a passenger on board of any public or private vessel of the United States, in a foreign port, without permission in writing from the proper officers of the country of which such seaman or seafaring man may be subject or citizen.

SEC. 6. *And be it further enacted*, That from and after the time when this act shall take effect, the consuls or commercial agents of any nation at peace with the United States shall be admitted (under such regulations as may be prescribed by the President of the United States) to state their objections to the proper commander or collector as aforesaid, against the employment of any seaman or sea-faring man on board of any public or private vessel of the United States, on account of his being a native subject or citizen of such nation, and not embraced within the description of persons who may be lawfully employed, according to the provisions of this act; and the said consuls or commercial agents shall also be admitted under the said regulations, to be present at the time when the proofs of citizenship of the persons against whom such objections may have been made, shall be investigated by such commander or collector.

SEC. 7. *And be it further enacted*, That if any commander of a public vessel of the United States, shall knowingly employ or permit to be employed, or shall admit or receive, or permit to be admitted or received, on board his vessel, any person whose employment or admission is prohibited by the provisions of this act, he shall on conviction thereof forfeit and pay the sum of one thousand dollars for each person thus unlawfully employed or admitted on board such vessel.

SEC. 8. *And be it further enacted*, That if any person shall, contrary to the prohibitions of this act, be employed, or be received on board of any private vessel, the master or commander, and the owner or owners of such vessel, knowing thereof, shall respectively forfeit and pay five hundred dollars for each person thus unlawfully employed or received in any one voyage; which sum or sums shall be recovered, although such seaman or person shall have been admitted and entered in the certified list of the crew aforesaid, by the collector for the district to which the vessel may belong: and all penalties and forfeitures arising under or incurred by virtue of this act, may be sued for, prosecuted, and recovered, with costs of suit by action of debt, and shall accrue and be one moiety thereof to the use of the person who shall sue for the same, and the other moiety thereof to the use of the United States.

SEC. 9. *And be it further enacted*, That nothing in this act contained shall be construed to prohibit any commander or master of a public or private vessel of the United States, whilst in a foreign port or place, from receiving any American seamen in conformity to law, or supplying any deficiency of seamen on board such vessel, by employing American seamen, or subjects of such foreign country, the employment of whom shall not be prohibited by the laws thereof.

SEC. 10. *And be it further enacted*, That the provisions of this act shall have no effect or operation with respect to the employment as seamen of the subjects or citizens of any foreign nation which shall not, by treaty or special convention with the government of the United States, have prohibited on board of her public and private vessels the employ-

ment of native citizens of the United States, who have not become a citizen or subject of such nation.

SEC. 11. *And be it further enacted*, That nothing in this act contained shall be so construed as to prevent any arrangement between the United States and any foreign nation, which may take place under any treaty or convention, made and ratified in the manner prescribed by the constitution of the United States.

SEC. 12. *And be it further enacted*, That no person who shall arrive in the United States, from and after the time when this act shall take effect, shall be admitted to become a citizen of the United States, who shall not for the continued term of five years next preceding his admission as aforesaid have resided within the United States, without being at any time during the said five years, out of the territory of the United States.

SEC. 13. *And be it further enacted*, That if any person shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged or counterfeited, any certificate or evidence of citizenship referred to in this act; or shall pass, utter, or use as true, any false, forged or counterfeited certificate of citizenship, or shall make sale or dispose of any certificate of citizenship to any person other than the person for whom it was originally issued, and to whom it may of right belong, every such person shall be deemed and adjudged guilty of felony; and on being thereof convicted by due course of law, shall be sentenced to be imprisoned and kept to hard labour for a period not less than three, or more than five years, or be fined in a sum not less than five hundred dollars, nor more than one thousand dollars, at the discretion of the court taking cognizance thereof.

SEC. 14. *And be it further enacted*, That no suit shall be brought for any forfeiture or penalty incurred under the provisions of this act, unless the suit be commenced within three years from the time of the forfeiture.

APPROVED, March 3, 1813.

CHAP. XLIII.—*An Act giving further time to purchasers of public lands to complete their payments.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person who, prior to the first day of April, one thousand eight hundred and nine, had purchased any tract or tracts of land of the United States, not exceeding in the whole six hundred and forty acres, unless the tract purchased be a fractional section or sections of fractional sections classed with an entire section, at any of the land-offices established for the disposal of the public lands, and whose lands have not already been actually sold, or reverted to the United States, for non-payment of part of the purchase money, shall be allowed the further term of three years, from and after the expiration of the period already given by law, for completing the payment of the said purchase money, which further term of three years shall be allowed only on condition, First, That all arrears of interest on the purchase money shall have been paid on or before the time shall have expired, according to former laws for completing the payment of the purchase money: *Provided*, that in all cases in which the time for completing the payment of the purchase money may have expired or shall expire before the first day of June next, the interest may be paid on or before that day. Second, That the residue of the sum due on account of the principal of such purchase, shall be paid with interest thereon, in three equal annual payments, viz: One third of the said residue, with interest which may then be due thereon, within

not adopted its principles.

Not to be a bar to any treaty.

Residence of five years in the United States necessary to qualify a person to become a citizen.

Penalty for forging certificates of citizenship or protections.

Suits for forfeitures must be commenced within three years.

STATUTE II.

March 3, 1813.

Act of Feb. 19, 1814, ch. 14. Further time allowed for purchasers prior to April, 1809.

Act of April 23, 1812, ch. 64.

Conditions.

one year; another third of said residue with interest, within two years, and the remaining third of said residue with interest within three years after the expiration of the time for completing the payment on account of such purchase, according to former laws; and in case of failure, in paying either the arrears or interest, or any of three instalments of principal with the accruing interest, at the time and times above mentioned, the tract of land shall be forthwith advertised and offered for sale, in the manner and on the terms directed by law, in case of lands not paid for within the limited term, and shall revert in like manner, if the sum due with interest be not at such sale bidden and paid: *Provided*, that the benefit of this act shall not extend to any person or persons on account of any purchase of any tract or tracts of land made at any of the land-offices northwest of the river Ohio, prior to the first day of April, one thousand eight hundred and eight.

APPROVED, March 3, 1813.

Proviso.
Limitation of
the act.

STATUTE II.

March 3, 1813.

CHAP. XLIV.—*An Act allowing further time for delivering the evidence in support of claims to land in the territory of Missouri, and for regulating the donation grants therein.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person or per-

(a) Lands in Missouri.—An act making further provision for settling the claims to land in the territory of Missouri, June 13, 1812, chap. 93.

An act allowing further time for delivering the evidence in support of the claims to land in the territory of Missouri, and for regulating the donation of grants therein, March 3, 1813, chap. 44.

An act giving further time for registering claims to lands in the late district of Arkansas, in the territory of Missouri, and for other purposes, August 2, 1813, chap. 59.

An act for the final adjustment of land titles in the state of Louisiana, and territory of Missouri, April 12, 1814, chap. 52.

An act for the confirmation of certain claims to land in the western district of the state of Louisiana, and in the territory of Michigan, April 29, 1816, chap. 159.

An act explanatory of an act entitled, "An act for the final adjustment of land titles in the state of Louisiana, and territory of Missouri, March 3, 1819, chap. 85.

An act to perfect certain locations and sales of public lands in Missouri, April 26, 1822, chap. 40.

An act enabling the claimants to lands within the limits of the state of Missouri, and the territory of Arkansas, to institute proceedings to try the validity of their claims, May 26, 1824, chap. 173.

An act supplementary to the act passed on the thirteenth day of June, one thousand eight hundred and twelve, entitled, "An act making further provision for settling claims to land in the territory of Missouri," May 26, 1824, chap. 184.

An act to continue in force for a limited time, and to amend an act entitled, "An act to enable claimants to lands within the limits of the state of Missouri, and territory of Arkansas, to institute proceedings to try the validity of their claims," May 24, 1828, chap. 90.

An act further supplemental to the act entitled, "An act making further provision for settling the claims to land in the territory of Missouri, passed the thirteenth of June, eighteen hundred and twelve," January 27, 1831, chap. 12.

An act for the relief of certain holders of certificates issued in lieu of lands injured by earthquakes in Missouri, March 2, 1831, chap. 92.

An act for the final adjustment of private land claims in Missouri, July 9, 1832, chap. 180.

An act supplemental to the act entitled, "An act for the final adjustment of land claims in Missouri," March 2, 1833, chap. 84.

An act confirming the claims to land in the state of Missouri, and for other purposes, July 4, 1836, chap. 358.

An act authorizing the issuing of a patent to the heirs and legal representatives of Francis Rivard, deceased, and for other purposes, August 29, 1842, chap. 229, sec. 2.

Land titles in Missouri:—

The state of Missouri was formerly part of the territory, first of France, next of Spain, then of France, who ceded it to the United States by the treaty of 1803, in full propriety, sovereignty and dominion, as she had acquired and held it; by which this government put itself in place of the former sovereigns, and became invested with all their rights, subject to their concomitant obligations to the inhabitants. Both were regulated by the law of nations, according to which the rights of property are protected, even in the case of a conquered country, and held sacred and inviolable when it is ceded by treaty, with or without any stipulation to such effect; and the laws, whether in writing, or evidenced by the usage and customs of the conquered or ceded country, continue in force, until altered by the new sovereign. *Strother v. Lucas*, 12 Peters, 410.

No principle can be better established by the authority of the supreme court, than "that the acts of an officer, to whom a public duty is assigned by his king, within the sphere of that duty, are prima facie taken to be within his power." The principles on which it rests, are believed to be too deeply founded in law and reason, ever to be successfully assailed. He who would convert a grant executed by the lawful authority, with all the solemnities required by law, takes on himself the burthen of showing that the officer has transcended the powers conferred upon him; or that the transaction is tainted with fraud. *Ibid.*

sons who had filed a notice of claim to any tract of land lying within the district of Louisiana (now territory of Missouri) with the recorder of land titles, according to law, and have not exhibited any testimony or written evidence in support of the same, and whose claim has not already

Further time allowed to claimants within the district of Missouri.

Where the act of an officer to pass the title to land according to the Spanish law, is done contrary to the written order of the king, is produced at the trial, without any explanation, it shall be presumed that the power has not been exceeded: that the act was done on the motive set out therein; and according to some order known to the king and his officers, though not to his subjects: and courts ought to require very full proof, that he had transcended his powers, before they so determine it. *Ibid.*

In favour of long possession and ancient appropriation, every thing which was done shall be presumed to have been rightfully done; and though it does not appear to have been done, the law will presume that whatever was necessary has been done. *Ibid.*

The stipulations of the treaty ceding Louisiana to the United States, affording that protection or security to claims under the French or Spanish government to which the act of Congress refers, are in the first, second and third articles. They extended to all property until Louisiana became a member of the Union; into which the inhabitants were to be incorporated as soon as possible, "and admitted to all the rights, advantages and immunities of citizens of the United States." The perfect inviolability and security of property is among these rights. *Delassus v. The United States*, 9 Peters, 117.

The right of property is protected and secured by the treaty, and no principle is better settled in this country, than that an inchoate title to lands is property. This right would have been sacred, independent of the treaty. The sovereign who acquires an inhabited country, acquires full dominion over it; but this dominion is never supposed to divest the vested rights of individuals to property. The language of the treaty ceding Louisiana, excludes any idea of interfering with private property. *Ibid.*

On the 18th of April, 1802, the lieutenant-governor of Upper Louisiana granted sixteen hundred arpents of land near certain rivers named in the grant, with directions to survey the same in a vacant place of the royal domain; but no survey was made before the cession of Louisiana to the United States. By the Court—As the grant contained no description of the land granted, and was not located within the time prescribed by the act of Congress of the 10th of March, 1804, it comes directly within the point decided by the supreme court in the case of John Smith, T., and cannot be confirmed. *Wherry v. The United States*, 10 Peters, 333.

In repeated decisions, the supreme court have affirmed the authority of local governors, under the crown of Spain, to grant land in Louisiana, before the same was ceded by Spain to France: and the court have also affirmed the validity of descriptive grants, though not surveyed before the 11th of March, 1804, in Missouri, and the 24th of January, 1818, in Florida. *Mackey v. The United States*, 10 Peters, 340.

A grant or concession made by an officer who is by law authorized to make it, carries with it prima facie evidence that it is within his powers. No excess of them, or departure from them, is to be presumed. He violates his duty by such excess, and is responsible for it. He who alleges that an officer entrusted with an important duty has violated his instructions, must show it. *Delassus v. The United States*, 9 Peters, 117.

The instructions of governor O'Reilly, relative to granting lands in Louisiana, were considered by the court, in 8 Peters, 455. These regulations were intended for the general government of subordinate officers, and not to control and limit the power of the person from whose will they emanated. The Baron De Carondelet must be supposed to have had all the powers which had been vested in Don O'Reilly; and a concession ordered by him is as valid as a similar concession directed by governor O'Reilly would have been. *Ibid.*

A concession of land was made by the lieutenant-governor of Upper Louisiana, at the time when the power of granting lands was vested in the governors of provinces. This power was, in 1799, after the concession, transferred to the intendant-general; and after this transfer, in January, 1800, the order of survey of the land was made by the lieutenant-governor. The validity of the order of survey depends on the authority of the lieutenant-governor to make it. The lieutenant-governor was also a sub-delegate, and as such was empowered to make inchoate grants. The grant was confirmed. *Chouteau's heirs v. The United States*, 9 Peters, 137.

The transfer of the power to make concessions of lands belonging to the royal domain of Spain, from the governor-general to the intendant-general, did not affect the power of the sub-delegate, who made this concession. The order in this case is the foundation of title, and is, according to the act of Congress on the subject of confirming titles to lands in Missouri, &c., and the general understanding and usage of Louisiana and Missouri, capable of being perfected into a complete title. It is property, capable of being alienated, of being subjected to debts: and is, as such, to be held as sacred and inviolate as other property. *Ibid.*

A concession of one league square of land, in Upper Louisiana, was made by Don Zenon Trudeau, the lieutenant-governor of that province, to Auguste Chouteau, and a decree made by him directing the surveyor-general of the province to put him in possession of the land, and to survey the same, in order to enable Chouteau to solicit a complete title thereto from the governor-general, who by the said decree was informed that the circumstances of Chouteau were such as entitled him to a grant of the land. The land was surveyed, and the grantee put in full possession of it on the 20th of December, 1803. He retained possession of it until his death. The objection to the validity of the concession was, that the petitioner had not as many tame cattle as the eighth regulation of governor O'Reilly, governor-general of Louisiana, required. That regulation required that the applicant for a grant of a league square of land should make it appear that he is possessed of one hundred head of tame cattle, some horses and sheep, and two slaves to look after them, a proportion which shall always be observed for the grants, &c. By the Court—In the spirit of the decisions which have been heretofore made by the supreme court, and of the acts of confirmation passed by Congress, the fact that the applicant possessed the requisite amount of property to entitle him to the land he solicited, was submitted to the officer who decided on the application; and he is not bound to prove it to the court, which passes on the validity of the grant. These incomplete titles were transferable, and the assignee might not possess the means of proving the exact number of cattle in possession of the petitioner when the concession was made. The grant was confirmed. *Ibid.* 147.

Written evidence to be given.

been confirmed, shall be allowed until the first of January next, to deliver to the recorder of land titles for said territory the written evidence, or produce other testimony, in support of his or their claim, notice whereof had been filed as aforesaid; and the written evidence delivered to the said recorder within the time limited by this section, in support of claims filed as aforesaid, shall be by him recorded in the same manner, and on receiving the same fees allowed by former acts for recording written evidence of claims to lands in the said district, and the rights of any such person neglecting to deliver the evidence of their claims within the time above mentioned shall become barred and void, in so far as the same was derived from the United States, and the evidence thereof be incapable of being admitted in any court whatsoever.

Duties and powers of recorder.

SEC. 2. *And be it further enacted*, That the recorder of land titles for the said territory shall have the same powers, and perform the same duties in every respect, in relation to the claims, whereof notice had been filed as aforesaid, and the written evidence in support thereof shall have been delivered, or other testimony produced within the time limited by this act, as the board of commissioners for ascertaining the rights of persons claiming lands in said district would have had or should have performed if the evidence of such claims had been delivered before the first day of July, one thousand eight hundred and eight, except that his decision shall be subject to the revision of Congress.

Duties of recorder to report to the commissioners.

SEC. 3. *And be it further enacted*, That it shall be the duty of the said recorder to make to the commissioner of the general land-office a report of all the claims which had been filed, and in support of which evidence shall be received as aforesaid, with the substance of such evidence, together with his opinion, and such remarks as he may think proper, which report, together with a list of the claims which in the opinion of the said recorder ought to be confirmed, shall be laid before Congress at their next session for their determination thereon.

Claimants when to receive their grants in full.

SEC. 4. *And be it further enacted*, That every person whose claim to a donation of a tract of land in said district has been confirmed by the board of commissioners appointed for ascertaining the rights of persons claiming lands in said district, and is embraced in their report transmitted to the Secretary of the Treasury, or which has been confirmed by the recorder of land titles, under the third section of the act, entitled "An act making further provision for settling the claims to land in the territory of Missouri," approved on the thirteenth of June, one thousand eight hundred and twelve, shall be entitled to a grant for six hundred and forty acres, notwithstanding a less quantity shall have been allowed to him by the decision of the said commissioners, or recorder of land titles: *Provided*, that in no case shall the grant be for more land than was claimed by the party in his notice of claim, nor for more land than is contained within the acknowledged and ascertained boundaries of the tract claimed.

Act of June 13, 1812, ch. 99, sec. 3.

Limitations of grants.

Survey to be made.

SEC. 5. *And be it further enacted*, That the principal deputy surveyor for the said territory shall survey or cause to be surveyed, under the direction of the surveyor general, a tract of six hundred and forty acres of land, to each claimant of a donation tract, whose claim has been confirmed as aforesaid, except as provided by the last preceding section, where the quantity claimed by the party was less than six hundred and forty acres, and where the ascertained boundaries of the tract claimed does not include six hundred and forty acres, in which cases the survey

If the court can trust the information received on this subject, neither the governor nor the intendant-general has ever refused to perfect an incomplete title granted by a deputy governor or a sub-delegate. *Ibid.*

The regulation made by Don O'Reilly, as to the quantity of land to be granted to an individual, is not that no individual shall receive grants for more than one league square, but that no grant shall exceed a league square. The words of the regulation do not forbid different grants to the same person; and, so far as the court are informed, it has never been so construed. *Ibid.*

shall contain only the land claimed, and the tracts thus to be surveyed shall consist of unappropriated lands, and shall in every case contain the improved lands, by virtue of the settlement on and cultivation of which the claimant's right to a donation has been confirmed, and in all cases where, by reason of adjacent prior claims, or the contiguity of the improvements of the persons entitled to donation grants, each claimant cannot obtain a tract of six hundred and forty acres, the vacant lands applicable to the object shall be divided between the claimants in such manner as shall appear to the principal deputy surveyor most equitable; and whenever plats of the surveys shall have been returned by the principal deputy surveyor to the office of the recorder of land titles, it shall be the duty of the recorder to issue for each tract, according to the survey returned to him, a certificate in favour of the party to each person entitled thereto, which shall be transmitted to the commissioner of the general land-office; and if it shall appear to the satisfaction of the said commissioner that such certificate was fairly obtained, according to the true intent and meaning of this act, then in that case patents shall be granted in like manner as is provided by law for other lands of the United States.

Grants and patents when to be issued.

SEC. 6. *And be it further enacted*, That the said recorder of land titles, in addition to his salary as fixed by law, shall be allowed fifty cents on each claim which had been filed, and in support of which evidence shall have been received, according to the first section of this act, and on which he shall make a decision, whether such decision be in favour of, or against the claim, and a further allowance of five hundred dollars, which shall be paid after he shall have made his report to the commissioner of the general land-office, which allowance of fifty cents for each claim decided on, and five hundred dollars on the completion of the business, shall be in full compensation for his services, including clerk hire, respecting the claims to be decided on according to this act.

Salary of the recorder augmented.

Fees and allowance of five hundred dollars on the completion of the business.

APPROVED, March 3, 1813.

STATUTE II.

CHAP. XLV.—*An act to alter the times of holding the District Court in the respective districts of New York and Massachusetts.*

March 3, 1813.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That instead of the first Tuesdays of April and October, the district court for the district of New York, directed by law to be holden at Utica, shall be holden on the second Tuesday of May, and the fourth Tuesday of September, yearly.

Act of April 9, 1814, ch. 49.

Act of March 3, 1815, ch. 94.

SEC. 2. *And be it further enacted*, That all actions, suits, process, and proceedings, commenced or to be commenced, or now pending in said district court, and liable to be discontinued, or suffer prejudice from the foregoing alterations, may be returned to, and shall be continued to the district court, to be holden in pursuance of this act, in such manner as that the same shall suffer no discontinuance or prejudice by virtue of this act.

Terms of the courts changed to second Tuesday in May and fourth Tuesday of September, at Utica.

Process returnable accordingly.

SEC. 3. *And be it further enacted*, That the respective terms of the district court of Massachusetts district, which are now required by law to be holden at Salem, within said district, shall hereafter be holden at Boston, within said district, at the respective times now prescribed by law, and that all writs and processes, of whatsoever nature or kind, that have been or may be issued, and made returnable to the said court at Salem, shall be returnable and returned to the said court at Boston, any thing in any former law to the contrary notwithstanding.

Boston substituted for Salem, for the sessions of the court.

Writs and process returnable to the court at Salem, to be returned to the court at Boston.

APPROVED, March 3, 1813.

STATUTE II.

March 3, 1813.

CHAP. XLVII.—*An Act to encourage the destruction of the armed vessels of war of the enemy.*

[Obsolete.]

During the war any person may burn, sink, or destroy any vessel of war, except vessels under cartels.

Compensation therefor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, during the present war with Great Britain, it shall be lawful for any person or persons to burn, sink, or destroy, any British armed vessel of war, except vessels coming as cartels or flags of truce; and for that purpose to use torpedoes, submarine instruments, or any other destructive machine whatever: and a bounty of one half the value of the armed vessel so burnt, sunk, or destroyed, and also one half the value of her guns, cargo, tackle, and apparel, shall be paid out of the treasury of the United States to such person or persons who shall effect the same, otherwise than by the armed or commissioned vessels of the United States.

APPROVED, March 3, 1813.

STATUTE II.

March 3, 1813.

CHAP. XLVIII.—*An Act the better to provide for the supplies of the Army of the United States, and for the accountability of persons entrusted with the same.*

Third section of act of April 2, 1794, ch. 14, repealed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third section of the act, entitled "An act to provide for the erecting and repairing of arsenals and magazines, and for other purposes," passed on the second day of April, one thousand seven hundred and ninety-four, be, and the same is hereby repealed, from and after the thirty-first day of March, one thousand eight hundred and thirteen.

Superintendent general to be appointed to reside at the seat of government.

Salary three thousand dollars.

His duties.

Exempted from postage by act of 1813, ch. 9.

SEC. 2. *And be it further enacted,* That there shall be a superintendent general of military supplies, who shall reside at the seat of government, and receive an annual salary of three thousand dollars; and whose duty it shall be, under the direction of the Secretary for the War department, to keep proper accounts of all the military stores and supplies of every description, purchased or distributed for the use of the army of the United States, and of the volunteers and militia in their service; to prescribe the forms of all the returns and accounts of such stores and supplies purchased, on hand, distributed, used, or sold, to be rendered by the commissary of ordnance and officers in his department, by the commissary general of purchases and his deputies, by the several officers in the quartermaster general's department, by the regimental quartermasters, by the hospital surgeons and other officers belonging to the hospital and medical department, and by all other officers, agents, or persons who shall have received, distributed, or been entrusted with such stores and supplies as aforesaid; to call to account all such persons; to audit and settle all such accounts, and, in case of delinquency, to transmit the account, and to state the value of the articles unaccounted for by such delinquency, to the accounting officers of the treasury for final settlement and recovery of such value; to transmit all such orders; and generally to perform all such other duties respecting the general superintendence of the purchase, transportation, safe keeping, and accountability of military supplies and stores as aforesaid, as may be prescribed by the Secretary for the War department.

Commissary general of purchases, &c. &c. to make reports to him, &c. &c.

SEC. 3. *And be it further enacted,* That the commissary general of purchases and his deputies, the several officers in the quartermaster's department, the regimental quartermasters, the commissary of ordnance, his assistant and deputies, the principal hospital surgeons and officers belonging to the hospital and medical departments, and all other officers, agents, or persons who shall have received, or may be entrusted with any stores or supplies of any description whatever for the use of the army of the United States, and of the volunteers or militia in their service,

shall render quarterly accounts of the disposition and state of all such stores and supplies to the superintendent aforesaid, and shall also make such other returns respecting the same, and at such other times as the Secretary for the War department may prescribe: *Provided however*, that the accounts and returns thus rendered shall relate to the articles of supply only, which may have been received and disposed of, [or] as may remain on hand, and shall not embrace the specie accounts for monies disbursed by such officers, agents, or other persons; which specie accounts shall be rendered as heretofore to the accountant for the war department.

Proviso that the accounts and returns shall relate to articles of supply only.

SEC. 4. *And be it further enacted*, That the officers, agents, [or] other persons who may receive monies in advance from the war department, shall render quarterly accounts to the accountant of the said department, of their specie receipts and disbursements, and shall moreover make such other monthly summary statements thereof to the secretary for the said department, as he may prescribe. And the quarterly accounts of supplies, or of monies, rendered as aforesaid, shall be respectively settled by the superintendent general of military supplies, and by the accountant of the war department, according to their respective authorities, within three months after the time when such accounts shall have respectively been rendered to them.

Accounts for supplies to be returned and settled quarterly.

SEC. 5. *And be it further enacted*, That the Secretary for the War department shall be, and he is hereby authorized and directed to define and prescribe the species as well as the amount of supplies to be respectively purchased by the commissary general's and quartermaster general's departments, and the respective duties and powers of the said departments respecting such purchases; and also to adopt and prescribe general regulations for the transportation of the articles of supply from the places of purchase to the several armies, garrisons, posts, and recruiting places, for the safe keeping of such articles, and for the distribution of an adequate and timely supply of the same to the regimental quartermasters, and to such other officers as may by virtue of such regulations be entrusted with the same. And the secretary aforesaid is also authorized to fix and make reasonable allowances for the store rent, storage, and salary of store keepers necessary for the safe keeping of all military stores and supplies.

Species and amount of supplies to be prescribed by the Secretary of War, &c. &c.

SEC. 6. *And be it further enacted*, That the superintendent general of military supplies shall be appointed by the President, with the advice and consent of the Senate; but the President is hereby authorized to make the appointment during the recess of the Senate, which appointment shall be submitted to the Senate at their next meeting for their advice and consent.

Allowances for store rent, &c.

Superintendent, how appointed.

SEC. 7. *And be it further enacted*, That the superintendent general of military supplies shall be authorized to employ a sufficient number of clerks: *Provided*, that their annual compensation shall not exceed in the whole seven thousand dollars; and the sum of eight thousand dollars is hereby appropriated for paying the said compensation and that of the superintendent aforesaid, during the year one thousand eight hundred and thirteen, to be paid out of any monies in the treasury, not otherwise appropriated.

Clerks to be employed by him. Proviso.

SEC. 8. *And be it further enacted*, That the President of the United States be, and he is hereby empowered, as he may deem it expedient, either to appoint for the time being a special commissary or commissaries for the purpose of supplying by purchase or contract, and of issuing, or to authorize any officer or officers in the quartermaster general's department, to supply and issue as aforesaid the whole or any part of the subsistence of the army, in all cases where, either from the want of contractors, or from any deficiency on their part, or from any other contingency, such measure may be proper and necessary in order

President may appoint a special commissary for supplying and issuing provisions, &c. &c.

Compensation. to insure the subsistence of the army or of any part thereof; and such special commissaries shall each, whilst employed, be entitled to the pay and emoluments of a deputy quartermaster general.

Assistant commissaries to be appointed.

SEC. 9. *And be it further enacted*, That the President of the United States be, and he is hereby authorized to appoint not exceeding six assistant commissaries, to be attached to such army, or to reside at such places respectively as the Secretary for the War department may direct, for the purpose of receiving from the commissary general of purchases, or from his deputies, and of distributing to the regimental quartermasters, and to such officers as may by the secretary aforesaid be designated, the clothing and other supplies purchased by the commissary general aforesaid, or his deputies, and destined for the use of the troops belonging to the army, or in the vicinity of the place to which such assistant commissaries may respectively be attached. And said assistant commissaries shall, whilst employed, be entitled to the pay and emoluments of a deputy quartermaster general.

Compensation.

APPROVED, March 3, 1813.

STATUTE II.

March 3, 1813.

[Obsolete.]

Act of Dec. 31, 1792, ch. 1, sec. 9.

New certificates of registry to be provided.

Old certificates of registry to be exchanged for new certificates.

Specific appropriation.

CHAP. L.—*An Act to authorize the Secretary of the Treasury to provide new certificates of registry.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the Secretary of the Treasury to cause to be provided blank certificates of registry, and such other papers as may be necessary, executed in such manner, and with such marks as he may direct; and from and after the thirty-first day of December, one thousand eight hundred and fourteen, no certificate of registry shall be issued, except such as shall have been provided and marked as aforesaid; and the ships or vessels of the United States, which shall have been duly registered as such, shall be entitled to new certificates of registry (gratis) in exchange for their old certificates of registry. And it shall be the duty of the respective collectors, on departure of any such ship or vessel, after the said thirty-first day of December, one thousand eight hundred and fourteen, from any district to which such ship or vessel shall belong, to issue a new certificate accordingly, and to retain and deface the former certificate.

SEC. 2. *And be it further enacted*, That a sum not exceeding ten thousand dollars be, and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated, to carry this act into effect.

APPROVED, March 3, 1813.

STATUTE II.

March 3, 1813.

[Obsolete.]

Reward to the officers and crew of the Constitution for the destruction of the Java, and Wasp.

CHAP. LI.—*An Act rewarding the officers and crew of the frigate Constitution, and the officers and crew of the Wasp.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorized to have distributed, as prize money, to Captain Isaac Hull, of the frigate Constitution, his officers and crew, the sum of fifty thousand dollars, for the capture and destruction of the British frigate Guerriere; and the like sum, in like manner, to Captain William Bainbridge, his officers and crew, for the capture and destruction of the British frigate Java; and the sum of twenty-five thousand dollars, in like manner, to Captain Jacob Jones, of the sloop of war Wasp, his officers and crew, for the capture of the British sloop of war Frolic; and that the sum of one hundred and twenty-five thousand dollars, out of any money in the treasury not otherwise appropriated, be, and the same is hereby appropriated for the purposes aforesaid.

APPROVED, March 3, 1813.

CHAP. LII.—*An Act for the better organization of the general staff of the Army of the United States.*

STATUTE II.
March 3, 1813.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the adjutant general's, inspector general's, and quartermaster general's departments shall consist of the following officers, that is to say: an adjutant and inspector general, with the rank, pay, and emoluments of a brigadier general, and not exceeding eight adjutants general, sixteen assistant adjutants general, eight topographical engineers, eight assistant topographical engineers, eight inspectors general, sixteen assistant inspectors general, eight quartermasters general, eight deputy quartermasters general, and thirty-two assistant deputy quartermasters general.

[Obsolete.]
Act of March 3, 1815, ch. 78.
Act of April 24, 1816, ch. 69.
Act of April 16, 1818, ch. 56.
Of what officers composed.
Their rank and pay.

SEC. 2. *And be it further enacted,* That the President of the United States be, and is hereby authorized, if he shall deem it expedient, to assign one of the brigadiers general to the principal army of the United States who shall, in such case, act as adjutant and inspector general, and as chief of the staff of such army: and the quartermaster general attached to the principal army shall, as heretofore, have the brevet rank and the pay and emoluments of a brigadier general.

Brigadier general may be assigned to principal army to act as adjutant, &c. &c.

SEC. 3. *And be it further enacted,* That all the other adjutants general shall have the brevet rank and the pay and emoluments of a colonel of cavalry; all the other inspectors general and quartermasters general shall have the brevet rank and the pay and emoluments of a colonel of infantry; the assistant adjutants general, assistant inspectors general, deputy quartermasters general, and topographical engineers shall have the brevet rank and the pay and emoluments of a major of cavalry; and the assistant topographical engineers, and assistant deputy quartermasters general shall have the brevet rank and the pay and emoluments of a captain of infantry.

Rank, pay, and emoluments of officers of the staff.

SEC. 4. *And be it further enacted,* That the assistant adjutants general, the assistant inspectors general, and the assistant topographical engineers shall be taken from the line. The adjutants general, inspectors general, quartermasters general, deputy quartermasters general, topographical engineers and assistant deputy quartermasters general may be taken from the line or not, as the President may deem expedient. And officers taken from the line and transferred to the staff, shall receive only the pay and emoluments attached to the rank in the staff; but their transfer shall be without prejudice to their rank and promotion in the line according to their said rank and seniority; which promotion shall take place according to usage in the same manner as if they had not been thus transferred.

Assistant adjutant general, &c. &c. to be taken from the line.

SEC. 5. *And be it further enacted,* That it shall be the duty of the Secretary of the War department, and he is hereby authorized, to prepare general regulations, better defining and prescribing the respective duties and powers of the several officers in the adjutant general, inspector general, quartermaster general, and commissary of ordnance departments, of the topographical engineers, of the aids of generals, and generally of the general and regimental staff; which regulations, when approved by the President of the United States, shall be respected and obeyed, until altered or revoked by the same authority. And the said general regulations, thus prepared and approved, shall be laid before Congress at their next session.

General regulations to be prepared by the Secretary of War, for regulating the staff.

SEC. 6. *And be it further enacted,* That the number of assistant deputy commissaries of ordnance shall not exceed sixteen, and that they shall respectively be entitled to the brevet rank and to the pay and emoluments of a first lieutenant of infantry.

To be laid before Congress.

Number of assistant deputy commissaries of ordnance not to exceed sixteen.

SEC. 7. *And be it further enacted,* That for the better superintendence and management of the hospital and medical establishment of the

Physician or surgeon general to be appointed.

army of the United States, there shall be a physician and surgeon general, with an annual salary of two thousand five hundred dollars, and an apothecary general, with an annual salary of eighteen hundred dollars; whose respective duties and powers shall be prescribed by the President of the United States.

Forage, wa-
gon, and bar-
rack masters to
be appointed as
heretofore.

SEC. 8. *And be it further enacted*, That the forage, wagon, and barrack masters shall be appointed as heretofore: but each quartermaster general, attached to any separate army, command, or district, shall be authorized, with the approbation and under the direction of the Secretary of the War department, to appoint as many such officers and to employ as many artificers, mechanics, and labourers, as the public service may require.

Assistant de-
puty quar-
termasters gene-
ral, how ap-
pointed, &c. &c.

SEC. 9. *And be it further enacted*, That the assistant deputy quartermasters general may be appointed, and officers taken from the line and transferred to the staff, may be thus transferred by the President of the United States alone. But all other new appointments authorized by this act shall be made by the President of the United States, with the advice and consent of the Senate: *Provided*, that during the recess of the Senate such appointments may be made by the President alone, in which case the same shall be laid before the Senate at their next session for their advice and consent.

Repealing
clause.

SEC. 10. *And be it further enacted*, That every act, and every part of any act of Congress now in force, within the purview and meaning of this act, be, and the same are hereby repealed.

Letters to cer-
tain agents and
from them free
of postage.

SEC. 11. *And be it further enacted*, That all letters and packets to and from the adjutant and inspector general, adjutants general, inspectors general, quartermasters general, commissary general of ordnance, physician and surgeon general, and apothecary general, which relate to their official duties, shall be free from postage.

President may
appoint certain
officers in recess
of Senate.

Act of Febru-
ary 24, 1813,
ch. 24.

SEC. 12. *And be it further enacted*, That the President of the United States be, and he is hereby authorized to appoint any of the officers authorized by an act, entitled "An act making provision for an additional number of general officers," passed the twenty-fifth day of February, (a) one thousand eight hundred and thirteen, during the recess of the Senate, to be submitted to the Senate at their next session for their advice and consent; and that no officer appointed, or who may be appointed, by virtue of the aforesaid act, shall be entitled to receive any pay or emolument until he shall be called into actual service, nor for any longer time than he shall be continued therein.

No pay to be
allowed until
called into actu-
al service.

APPROVED, March 3, 1813.

STATUTE II.

March 3, 1813.

[Obsolete.]

Act of March
2, 1811, ch. 36.

CHAP. LIII.—*An Act to revive and continue in force "An act declaring the consent of Congress to an act of the State of Georgia, passed the twelfth day 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. Marys."*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act of Congress, passed the second day of March, one thousand eight hundred and eleven, entitled "An act declaring the consent of Congress to an act of the state of Georgia, passed the twelfth day 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. Marys," be, and the same is hereby revived and continued in force for one year, and from thence to the end of the next session of Congress, and no longer.

Act continued
until March 3,
1815.

APPROVED, March 3, 1813.

(a) This act was passed on the 24th February, 1813.

CHAP. LIV.—*An Act supplementary to the act for increasing the Navy.*

STATUTE II.

March 3, 1813.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby authorized to have built six sloops of war, and to have the same manned, equipped, and commissioned for service; and that the President be authorized to have built, or procured, such a number of sloops of war, or other armed vessels, to be manned, equipped, and commissioned, as the public service may require, on the lakes.

Act of Feb. 27, 1815, ch. 62.

Sloops of war to be built, manned, and equipped for service, &c.

Vessels to be prepared for the lakes.

Officers to be appointed, &c. &c.

SEC. 2. *And be it further enacted,* That the President be, and he is hereby authorized to appoint such officers and to employ the number of seamen which may be necessary for such vessels as are authorized by law to be put in commission, any law to the contrary notwithstanding.

Specific appropriation for the purposes of this act.

SEC. 3. *And be it further enacted,* That for the building or procuring said vessels, and for the payment of two hundred thousand dollars, for vessels already procured on the lakes, by direction of the President, that the sum of nine hundred thousand dollars, out of any money in the treasury not otherwise appropriated be, and the same is hereby appropriated.

Appropriation for a dock yard.

SEC. 4. *And be it further enacted,* That the sum of one hundred thousand dollars be appropriated for the purpose of establishing a dock yard, for repairing the vessels of war, in such central and convenient place on the seaboard as the President of the United States shall designate.

President may contract for building any of the forty-four gun ships.

SEC. 5. *And be it further enacted,* That the President be, and he is hereby authorized to contract for the building any of the six forty-four gun ships authorized by law: *Provided,* that the building be under inspection of an agent appointed by the Secretary of the Navy.

Sale of gun boats authorized.

SEC. 6. *And be it further enacted,* That the President of the United States be authorized to sell or dispose of such and so many of the gun boats belonging to the United States as may have become unfit for service, or as in his judgment may no longer be necessary to be retained by the government.

APPROVED, March 3, 1813.

STATUTE II.

March 3, 1813.

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

[Obsolete.]
Specific appropriations.

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, during the year one thousand eight hundred and thirteen, the following sums be, and the same hereby are respectively appropriated, that is to say:

For the pay and subsistence of the officers, and pay of the seamen, one million six hundred and sixty-eight thousand dollars, and for pay due to the officers and crews of the public ships and other vessels in commission for the year one thousand eight [hundred] and twelve, three hundred and sixty-five thousand dollars.

For provisions, seven hundred and seventy-five thousand dollars.

For medicines, instruments, hospital stores, and all expenses on account of the sick, one hundred thousand dollars.

For repair of vessels, six hundred and forty thousand dollars.

For freight, store rent, and all other contingent expenses, two hundred and fifty thousand dollars.

For expenses of navy yards, comprising docks and other improvements, pay of superintendents, storekeepers, clerks, and labourers, ninety thousand dollars.

Specific ap-
propriations.

For ordnance, and for ordnance and military stores, one hundred thousand dollars.

For pay and subsistence of the marine corps, including provisions for those on shore, and forage for the staff, two hundred and forty-five thousand three hundred and ninety-one dollars and seventy cents.

For clothing for the same, seventy-one thousand seven hundred and eighty-eight dollars and ten cents.

For military stores for the same, twenty-seven thousand six hundred and eight dollars and seventy-five cents.

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

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, forty-six 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, March 3, 1813.

STATUTE II.

March 3, 1813.

CHAP. LVI.—*An Act making an appropriation for alterations and repairs in the Capitol.*

[Obsolete.]
Specific ap-
propriations.

Repairs of the
chamber of the
house of repre-
sentatives.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a sum not exceeding five thousand dollars shall be, and the same is hereby appropriated, to be applied under the direction of the President of the United States, in such repairs or alterations in the chamber of the House of Representatives as may be necessary for their accommodation in their future sessions, having in view as well the increased number of the members, as the better lighting, ventilating, and warming the chamber; which sum shall be paid out of any money in the treasury not otherwise appropriated.

Repairs of the
roof of the cap-
itol.

SEC. 2. *And be it further enacted*, That five hundred dollars be appropriated to repair the roof of the capitol, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1813.

STATUTE II.

March 3, 1813.

CHAP. LVII.—*An Act making appropriations for the support of the military establishment and of the volunteer militia in the actual service of the United States, for the year one thousand eight hundred and thirteen.*

[Obsolete.]
Specific ap-
propriations for
the military
establishment.

Act of Janua-
ry 20, 1813, ch.
11.

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 military establishment of the United States, including the volunteers and militia, in their actual service, for the year one thousand eight hundred and thirteen, for the Indian department, and for the expense of fortifications, arsenals, and armories, the following sums, including the sum of one million of dollars already appropriated by the first section of the act, entitled "An act making certain partial appropriations for the year one thousand eight hundred and thirteen," be, and the same are hereby respectively appropriated, that is to say:

For the pay of the army of the United States, including the pay of the artificers and labourers in the quartermaster general's and ordnance departments, and of the private servants kept by officers, and for the pay of the volunteers and militia in the actual service of the United States, five million one hundred and sixty-eight thousand eight hundred and three dollars.

For forage to officers, one hundred and nine thousand two hundred and twenty-four dollars.

For the subsistence of the army, and volunteers and militia, two million nine hundred and seventy-seven thousand five hundred and thirty-one dollars.

For clothing, two million fifteen thousand eight hundred and eighty-four dollars.

For bounties and premiums, five hundred and fifty-seven thousand seven hundred and forty dollars.

For camp and field equipage, two hundred and seventy thousand dollars.

For the medical and hospital department, two hundred thousand dollars.

For ordnance and ordnance stores, nine hundred and twenty-eight thousand dollars.

For fortifications, four hundred and ninety-seven thousand dollars.

For arsenals, magazines, and armories, three hundred and fifty-two thousand two hundred and eight dollars.

For the quartermaster general's department, including fuel, straw, barrels, quarters, tools, and all the expenses incident to transportation, two million three hundred thousand dollars.

For contingencies, three hundred and five thousand three hundred and seventeen dollars.

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

For the salary of the commissary general of purchases, three thousand dollars.

For the salary of the clerks employed in the offices of the adjutant general, of the commissary general, and of the quartermaster general, eight thousand dollars.

For the purchase of books and apparatus for the military academy, twelve thousand dollars.

For the Indian department, one hundred and sixty-four thousand five hundred dollars.

For the repayment of the sum of five hundred and twenty-seven dollars, being a balance due the state of Maryland, of monies paid by that state to the United States, as the purchase money of public arms, which have not been fully supplied.

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, March 3, 1813.

Specific appropriations.

STATUTE II.

CHAP. LVIII.—*An Act making appropriation for the support of Government for the year one thousand eight hundred and thirteen.*

March 3, 1813.

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 the civil lists, &c.

For compensation granted by law to the members of the Senate and

Specific ap-
propriations.

House of Representatives, their officers and attendants, estimated for a session of four months and a half continuance, one hundred and ninety-six thousand two hundred and fifty-five dollars.

For the expense of firewood, stationery, printing, and all other contingent expenses of the two houses of Congress, fifty-two 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 thirteen, eight 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 a deficiency of one thousand one hundred and twenty-five dollars, in last year's appropriation, fifteen thousand two hundred and fifty-eight dollars.

For compensation to a clerk on old records in the said department, for the year eighteen hundred and thirteen, one thousand one hundred and fifty dollars.

For compensation to a messenger to the patent office, two hundred dollars.

For additional compensation to the clerks in the said department, not exceeding fifteen per centum, in addition to the sum 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," one thousand and seventy-two dollars and fifty-four cents.

Act of April
21, 1806, ch. 41.

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

For printing and distributing the laws of the second session of the twelfth Congress, and printing the laws in newspapers, including the sum of six thousand two hundred and eighty-two dollars, to make good a deficiency in the appropriation for this object in the year one thousand eight hundred and twelve, thirteen thousand six hundred and twenty-two dollars.

For compensation to the Secretary of the Treasury, clerks, and persons employed in his office, including a deficiency of ten dollars in last year's appropriation, thirteen thousand three hundred and nine dollars and eighty-one cents.

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.

For compensation to the comptroller of the treasury, clerks, and persons employed in his office, including the sum of two thousand eight hundred and eighty-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, fifteen thousand eight hundred and sixty-six dollars.

Act of April
21, 1806, ch. 41.

For expense of stationery, printing, and incidental and contingent expenses of the comptroller's office, eight 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, including the sum of one thousand 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, seven thousand two hundred and twenty-seven dollars and forty-five cents.

Act of April
21, 1806, ch. 41.

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

Specific ap-
propriations.

For compensation to the commissioner of the general land-office, clerks, and persons employed in his office, including the sum of five hundred and eighty-five dollars and twenty-four cents for extra services of clerks, and for the service of a messenger during the year one thousand eight hundred and twelve, ten thousand nine hundred and ninety-five dollars.

For expense of stationery, printing, and incidental and contingent expenses of the commissioner's office, including four hundred and seventy-four dollars and twenty cents, to defray those expenses in the year one thousand eight hundred and twelve, seven hundred and twenty-four dollars and twenty cents.

For the expense of vellum, and printing land patents, including the sum of fifteen hundred and six dollars and twenty-five cents for defraying the expense incurred for that object, in the year one thousand eight hundred and twelve, four thousand three hundred and six dollars and twenty-five cents.

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

For additional compensation to the clerks in the treasury department, not exceeding fifteen per centum, in addition to the sum 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," six thousand six hundred and thirty-four dollars and nine cents.

Act of April
21, 1806, ch. 41.

For compensation to the messenger of the register's office, for stamping and arranging ships' 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 thirteen, 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 thirteen, 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, including the sum of three thousand nine hundred and sixty dollars for clerk hire, in addition to the sum allowed by the act of April twenty-first, one thousand eight hundred and six, fifteen thousand two hundred and ten dollars.

Act of April
21, 1806, ch. 41.

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

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

Act of April
21, 1806, ch. 41.

For additional compensation to the clerks in the war department, not

Specific ap-
propriations.
Chap. 41.

exceeding fifteen per centum, in addition to the sum 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," two thousand two hundred and twenty-six 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, nine thousand and ninety dollars.

For compensation to a messenger for the paymaster's office, four hundred and ten dollars.

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

To Doyle Sweeny, for compensation for his services as clerk in the office of purveyor of public supplies, in the year one thousand eight hundred and ten, one hundred and twenty-five dollars.

Chap. 41.

For compensation to the Secretary of the Navy, clerks, and persons employed in his office, including the sum of one thousand six hundred dollars' clerk hire, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six, eleven thousand four hundred and ten dollars.

For expenses 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.

Act of April
21, 1806, ch. 41.

For additional compensation to the clerks in the navy department, not exceeding fifteen per centum in addition to the sum 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," one thousand nine hundred and thirty-five dollars.

Chap. 41.

For compensation to the postmaster general, assistant postmasters general, clerks and persons employed in the postmaster general's office, including the sum of three thousand five hundred and twelve 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, nineteen thousand five hundred and sixty-seven dollars.

For the expense of fuel, house rent for the messenger, candles, stationery, chests, &c. incident to the postmaster general's office, two thousand eight hundred dollars.

Act of April
21, 1806, ch. 41.

For additional compensation to the clerks employed in the postmaster general's office, not exceeding fifteen per centum in addition to the sum 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," one thousand four hundred and one dollars and seventy-five cents.

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

For compensation to the clerks of the commissioners of loans, including a sum of two thousand dollars in addition to the amount heretofore allowed by law, and for allowance to certain loan officers, in lieu of clerk hire, and to defray the authorized expense of the several loan offices, seventeen 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, including the sum of one thousand five hundred dollars for clerk hire in addition to the sums heretofore appropriated for that object, four 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

One clerk, at five hundred dollars.

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 five hundred dollars.

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

For an allowance for wastage in the gold and silver coinage, three thousand dollars.

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

For expenses 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 Missouri 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.

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 of the District of Columbia, and to the attorney-general, including the sum of nine hundred and fifty-three dollars and eighty-four cents, for the salary of the additional district judge of the state of New York, for the year eighteen hundred and twelve, and a further sum of one thousand four hundred and fifty dollars, to make good a deficiency in the appropriation for the year eighteen hundred and twelve, for the compensation of the attorney-general, and of the district judge of Louisiana, sixty-five thousand four hundred and three dollars and eighty-four cents.

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, Ken-

Specific ap-
propriations.

tucky, Ohio, East and West Tennessee, and Louisiana, 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, eight 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 thirteen, to the fourth of March, one thousand eight hundred and fourteen, ninety-eight thousand dollars.

For expenses incident to the receiving the subscriptions to the loan of eleven millions of dollars, authorized by the act of the [fourteenth] of March, one thousand eight hundred and twelve, two thousand dollars in addition to the sum already for that purpose appropriated.

For the maintenance and support of lighthouses, beacons, buoys and public piers, stakeages of channels, bars and shoals, and certain contingent expenses including twenty-four thousand dollars for completing the fitting up of all the lighthouses with Winslow Lewis's improvements, ninety-nine thousand three hundred and forty-nine dollars and fifteen cents.

For erecting lighthouses at the mouth of the Mississippi river, and at or near the pitch of Cape Lookout in North Carolina; being the balance of a former appropriation carried to the surplus fund, thirty-four thousand nine hundred and ninety-five dollars and fifty cents.

For building a lighthouse at Nawshawn island, near Tarpaulin Cove in Massachusetts, being the amount of a former appropriation carried to the surplus fund, two thousand four hundred and seventy-five dollars.

1798, ch. 78. For erecting a beacon, and placing buoys near the entrance of Savannah river, being an expense incurred under the act of the sixteenth of July one thousand seven hundred and ninety-eight, carried to the surplus fund, two thousand four hundred and ninety-four dollars and eighty-nine cents.

For erecting two lights on Lake Eric, viz. on or near Bird Island, and on or near Presque Isle, being the balance of a former appropriation carried to the surplus fund, one thousand five hundred and ninety dollars.

For placing buoys and beacons at or near the entrance of the harbor of Beverly in Massachusetts, being the balance of a former appropriation carried into the surplus fund, three hundred and forty-one dollars and ninety-five cents.

For rebuilding the Baldhead lighthouse in North Carolina, fifteen thousand dollars.

For placing a buoy at the entrance of Barnstable harbor, one hundred dollars.

For the support of sick and disabled seamen in addition to the funds already appropriated by law, twenty thousand dollars.

For defraying the expense of surveying the public land within the several territories of the United States, sixty-one thousand two hundred and sixty dollars.

For the payment of a claim for taking the second census or enumeration of the inhabitants of the United States, the sum appropriated for that object having been heretofore carried to the surplus fund, two hundred and seventy-seven dollars and twelve cents.

For the support and safe keeping of prisoners of war, one hundred and fifty thousand dollars.

For bringing the votes for President and Vice President of the United

States to the seat of government one thousand nine hundred and eleven dollars and fifty cents.

Specific appropriations.

For paying the bounties which may become payable to the owners of private armed vessels, in conformity with the ninth section of the act of the twenty-sixth of June, one thousand eight hundred and twelve, ten thousand dollars.

Act of June 26, 1812, ch. 107.

For making the road from Cumberland in the state of Maryland, to the state of Ohio, to be repaid out of the five per cent. fund reserved for that purpose, one hundred and forty thousand dollars.

Act of April 30, 1802, ch. 40.

For pensions to the widows or children of officers and soldiers killed in the campaign of one thousand eight hundred and eleven, on the Wabash, from the seventh of November, one thousand eight hundred and eleven, to the thirty-first of December, one thousand eight hundred and thirteen, five thousand five hundred and seventeen dollars and twenty-seven cents.

For expenses of intercourse with foreign nations, thirty-five thousand four hundred dollars.

For the contingent expenses of intercourse with foreign nations, fifty thousand dollars.

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

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

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

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.

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.

Act of August 4, 1790, ch. 34.

APPROVED, March 3, 1813.

STATUTE II.

CHAP. LX.—*An Act altering the time for holding the District Court in the District of Maine.*

March 3, 1813.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the session of the district court for the district of Maine, by law appointed to be holden at Wiscasset on the first Tuesday in March, shall, from and after the first day of April next, be holden at Wiscasset on the last Tuesday of February annually, any law to the contrary notwithstanding.

District Court of Maine.

Act of November 23, 1811, ch. 2.

APPROVED, March 3, 1813.

STATUTE II.

CHAP. LXI.—*An Act vesting in the President of the United States the power of retaliation.*

March 3, 1813.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all and every case, wherein, during the present war between the United States of America and the United Kingdom of Great Britain and Ireland, any violations of the laws and usages of war, among civilized nations, shall be or have been done and perpetrated by those acting under authority of the British government, on any of the citizens of the United States or persons in the land or naval service of the United States, the President of the

The President may cause retaliation to be made.

United States is hereby authorized to cause full and ample retaliation to be made, according to the laws and usages of war among civilized nations, for all and every such violation as aforesaid.

President may retaliate upon the British for injuries done by the Indians.

SEC. 2. *And be it further enacted*, That in all cases where any outrage or act of cruelty or barbarity shall be or has been practised by any Indian or Indians, in alliance with the British government, or in connexion with those acting under the authority of the said government, on citizens of the United States or those under its protection, the President of the United States is hereby authorized to cause full and ample retaliation to be done and executed on such British subjects, soldiers, seamen or marines, or Indians, in alliance or connexion with Great Britain, being prisoners of war, as if the same outrage or act of cruelty or barbarity had been done under the authority of the British government.

APPROVED, March 3, 1813.

RESOLUTIONS.

Jan. 29, 1813.

I. RESOLUTION *relative to the brilliant achievements of Captains Hull, Decatur, Jones, and Lieutenant Elliott.*

Brilliant achievements of Captains Hull, Decatur, Jones, and Lieutenant Elliott.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby requested to present to Captain Hull of the frigate Constitution, Captain Decatur of the frigate United States, and Captain Jones of the sloop of war Wasp, each a gold medal, with suitable emblems and devices; and a silver medal, with like emblems and devices, to each commissioned officer of the aforesaid vessels, in testimony of the high sense entertained by Congress of the gallantry, good conduct, and services of the captains, officers, and crews of the aforesaid vessels in their respective conflicts with the British frigates the Guerriere and the Macedonian, and sloop of war Frolic: and the President is also requested to present a silver medal, with like emblems and devices, to the nearest male relative of Lieutenant Bush, and one to the nearest male relative of Lieutenant Funk, in testimony of the gallantry and merit of those deceased officers, in whom their country has sustained a loss much to be regretted.

SEC. 2. *And be it further resolved*, That the President of the United States be, and he hereby is requested to present to Lieutenant Elliott of the navy of the United States, an elegant sword, with suitable emblems and devices, in testimony of the just sense entertained by Congress of his gallantry and good conduct in boarding and capturing the British brigs Detroit and Caledonia, while anchored under the protection of Fort Erie.

APPROVED, January 29, 1813.

March 3, 1813.

II. RESOLUTION *requesting the President of the United States to cause to be prepared and laid before Congress a system of Military Discipline.*

A system of discipline for the army and militia to be passed.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby requested to cause to be prepared and laid before Congress, as soon as practicable, a military system of discipline for the infantry of the army and militia of the United States.

APPROVED, March 3, 1813.

III. RESOLUTION requesting the President of the United States to present medals to Captain William Bainbridge and the officers of the frigate Constitution.

March 3, 1813.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby requested to present to Captain William Bainbridge, of the frigate Constitution, a gold medal, with suitable emblems and devices, and a silver medal, with suitable emblems and devices, to each commissioned officer of the said frigate, in testimony of the high sense entertained by Congress of the gallantry, good conduct and services of Captain Bainbridge, his officers and crew, in the capture of the British frigate Java, after a brave and skilful combat.

A gold medal
to Commodore
William Bain-
bridge.

APPROVED, March 3, 1813.

