

# ACTS OF THE SIXTH 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 seventeenth day of November, 1800, and ended on the third day of March, 1801.*

JOHN ADAMS, President; THOMAS JEFFERSON, Vice President of the United States, and President of the Senate; JAMES HILLHOUSE, President of the Senate pro tempore, from the 2d of March, 1801; THEODORE SEDGWICK, Speaker of the House of Representatives.

### STATUTE II.

Dec. 15, 1800.

[Obsolete.]

Privilege of franking letters to the delegate from the territory northwest of the river Ohio.

Vol. i. 733.

Delegate to receive letters free of postage.

Compensation to delegate from the territory.

1796, ch. 3.

CHAP. I.—*An Act extending the privilege of franking letters to the Delegate from the Territory of the United States, northwest of the river Ohio; and making provision for his compensation.*

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

SEC. 2. *And be it further enacted,* That the present delegate from the aforesaid territory be authorized to receive, free of postage, under the said restrictions, any letters directed to him, and which shall have arrived at the seat of government, prior to the passage of this act.

SEC. 3. *And be it further enacted,* That the said delegate, and every future delegate from the territory of the United States, northwest of the river Ohio, shall receive for his travelling expenses and attendance in Congress, the same compensation as is, or may be allowed, by law, to the members of the House of Representatives of the United States; to be certified and paid in the same manner.

APPROVED, December 15, 1800.

### STATUTE II.

Jan. 30, 1801.

Lighthouse to be erected on Cape Poge.

CHAP. III.—*An Act to provide for the erection and support of a Lighthouse on Cape Poge, at the northeasterly part of Martha's Vineyard.*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury shall be, and he is hereby authorized and directed to cause a sufficient lighthouse to be erected on Cape Poge (so called) on Martha's Vineyard, in the state of Massachusetts, and to appoint a keeper, and otherwise to provide for the support of such lighthouse at the expense of the United States: *Provided,* that sufficient land for the accommodation of such lighthouse, together with the jurisdiction thereof, shall be duly and legally granted to, and vested in the United States.

SEC. 2. *And be it further enacted*, That there shall be, and hereby is appropriated for the erection of said lighthouse on Cape Poge, a sum not exceeding two thousand dollars, to be paid out of any monies which may be in the treasury of the United States, not otherwise appropriated.

Appropriation.

APPROVED, January 30, 1801.

## STATUTE II.

CHAP. IV.—*An Act to provide for the more convenient organization of the Courts of the United States.*

Feb. 13, 1801.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That from and after the next session of the Supreme Court of the United States, the said court shall be holden by the justices thereof, or any four of them, at the city of Washington, and shall have two sessions in each and every year thereafter, to commence on the first Monday of June and December respectively; and that if four of the said justices shall not attend within ten days after the times hereby appointed for the commencement of the said sessions respectively, the said court shall be continued over till the next stated session thereof: *Provided always*, that any one or more of the said justices, attending as aforesaid, shall have power to make all necessary orders touching any suit, action, appeal, writ of error, process, pleadings, or proceeding, returned to the said court or depending therein, preparatory to the hearing, trial or decision of such action, suit, appeal, writ of error, process, pleadings or proceedings.

Repealed by Act of April 29, 1802, ch. 31.

Terms of the Supreme Court.

The court to be holden at the city of Washington, by four justices.

To adjourn if four justices do not attend.

One or more of the justices attending may make rules and orders respecting courts, &c.

SEC. 2. *And be it further enacted*, That the said court shall have power, and is hereby authorized, to issue writs of prohibition, mandamus, scire facias, habeas corpus, certiorari, procedendo, and all other writs not specially provided for by statute, which may be necessary for the exercise of its jurisdiction, and agreeable to the principles and usages of law.

Court to have power to issue certain writs.

SEC. 3. *And be it further enacted*, That from and after the next vacancy that shall happen in the said court, it shall consist of five justices only; that is to say, of one chief justice, and four associate justices.

The court to consist of five justices after the next vacancy.

SEC. 4. *And be it further enacted*, That for the better establishment of the circuit courts of the United States, the said states shall be, and hereby are divided into districts, in manner following; that is to say, one to consist of that part of the state of Massachusetts, which is called the district of Maine, and to be called the district of Maine; one to consist of the state of New Hampshire, and to be called the district of New Hampshire; one to consist of the remaining part of the state of Massachusetts, and to be called the district of Massachusetts; one to consist of the state of Rhode Island and Providence Plantations, and to be called the district of Rhode Island; one to consist of the state of Connecticut, and to be called the district of Connecticut; one to consist of the state of Vermont, and to be called the district of Vermont; one to consist of that part of the state of New York which lies north of the counties of Dutchess and Ulster, and to be called the district of Albany; one to consist of the remaining part of the state of New York, and to be called the district of New York; one to consist of the state of New Jersey, and to be called the district of Jersey; one to consist of that part of the state of Pennsylvania which lies east of the river Susquehanna, and the northeast branch thereof, to the line betwixt Northumberland and Luzerne counties; thence westwardly along said line, betwixt Northumberland and Luzerne, and betwixt Luzerne and Lycoming counties, until the same strikes the line of the state of New York, and to be called the Eastern district of Pennsylvania; one to consist of the remaining part of the state of Pennsylvania, and to be called the

Division of the states into districts in relation to the Circuit Courts.

Maine.

New Hampshire.

Rhode Island.

Connecticut.

Vermont.

New York.

New Jersey.

Pennsylvania.

Delaware. Western district of Pennsylvania; one to consist of the state of Delaware, and to be called the district of Delaware; one to consist of the state of Maryland, and to be called the district of Maryland; one to consist of that part of the state of Virginia, which lies to the eastward of a line to be drawn from the river Potomac at Harper's ferry, along the Blue Ridge, with the line which divides the counties on the east side thereof from those on the west side thereof, to the North Carolina line, to be called the Eastern district of Virginia; one to consist of the remaining part of the said state of Virginia, to be called the Western district of Virginia; one to consist of the state of North Carolina, and to be called the district of North Carolina; one to consist of the state of South Carolina, and to be called the district of South Carolina; one to consist of the state of Georgia, and to be called the district of Georgia; one to consist of that part of the state of Tennessee which lies on the east side of Cumberland mountain, and to be called the district of East Tennessee; one to consist of the remaining part of said state, and to be called the district of West Tennessee; one to consist of the state of Kentucky, and to be called the district of Kentucky; and one to consist of the territory of the United States northwest of the Ohio, and the Indiana territory, and to be called the district of Ohio.

North Carolina.

South Carolina.

Georgia.

Tennessee.

Kentucky.

Ohio.

Waters and mountains to be considered as within both the adjoining districts.

Classification of the districts into six circuits.

Three judges to be appointed for the circuits, except the sixth circuit.

Times of holding the circuit courts.

Massachusetts.

New Hampshire.

Maine.

Connecticut.  
Vermont.

SEC. 5. *And be it further enacted*, That where any two adjoining districts of the United States shall be divided from each other, in whole or in part, by any river, bay, water, water-course or mountain, the whole width of such river, bay, water, water-course or mountain, as the case may be, shall be taken and deemed, to all intents and purposes, to be within both of the districts so to be divided thereby.

SEC. 6. *And be it further enacted*, That the said districts shall be classed into six circuits in manner following; that is to say: The first circuit shall consist of the districts of Maine, New Hampshire, Massachusetts, and Rhode Island; the second, of the districts of Connecticut, Vermont, Albany and New York; the third, of the districts of Jersey, the Eastern and Western districts of Pennsylvania, and Delaware; the fourth, of the districts of Maryland, and the Eastern and Western districts of Virginia; the fifth, of the districts of North Carolina, South Carolina, and Georgia; and the sixth, of the districts of East Tennessee, West Tennessee, Kentucky, and Ohio.

SEC. 7. *And be it further enacted*, That there shall be in each of the aforesaid circuits, except the sixth circuit, three judges of the United States, to be called circuit judges, one of whom shall be commissioned as chief judge; and that there shall be a circuit court of the United States, in and for each of the aforesaid circuits, to be composed of the circuit judges within the five first circuits respectively, and in the sixth circuit, by a circuit judge, and the judges of the district courts of Kentucky and Tennessee; the duty of all of whom it shall be to attend, but any two of whom shall form a quorum; and that each and every of the said circuit courts shall hold two sessions annually, at the times and places following, in and for each district contained within their several circuits respectively; that is to say, the circuit court of the first circuit, at Providence on the eighth day of May, and at Newport on the first day of November, in and for the district of Rhode Island; at Boston, in and for the district of Massachusetts, on the twenty-second day of May and fifteenth day of October; at Portsmouth on the eighth day of June, and at Exeter on the twenty-ninth day of September, in and for the district of New Hampshire; in and for the district of Maine, at Portland on the fifteenth day of June, and at Wiscasset on the twenty-second day of September. The circuit court of the second circuit, at New Haven on the fifteenth day of April, and at Hartford, on the twenty-fifth day of September, in and for the district of Connecticut; at Windsor on the fifth day of May, and at Rutland on the fifteenth day of October, in and

for the district of Vermont; at the city of Albany, in and for the district of Albany, on the twentieth day of May and twenty-fifth day of October; at the city of New York, in and for the district of New York, on the fifth day of June and the tenth day of November. The circuit court of the third circuit, at Trenton, in and for the district of Jersey, on the second days of May and October; at the city of Philadelphia, in and for the Eastern district of Pennsylvania, on the eleventh day of May and eleventh day of October; at Bedford, in and for the Western district of Pennsylvania, on the twenty-fifth day of June and twenty-fifth day of November; and at Dover, in and for the district of Delaware, on the third day of June and twenty-seventh day of October. The circuit court of the fourth circuit, at Baltimore, in and for the district of Maryland, on the twentieth day of March and fifth day of November; at Lexington in Rockbridge county, in and for the Western district of Virginia, on the fifth day of April and twentieth day of November; and at the city of Richmond, in and for the Eastern district of Virginia, on the twenty-fifth day of April, and fifth day of December. The circuit court of the fifth circuit, at Raleigh, in and for the district of North Carolina, on the first day of June and the first day of November; at Charleston on the sixth day of May, and at Columbia on the thirtieth day of November, in and for the district of South Carolina; at Savannah on the tenth day of April, and at Augusta on the fifteenth day of December, in and for the district of Georgia; and the circuit court of the sixth circuit, at Knoxville, in and for the district of East Tennessee, on the twenty-fifth day of March and twenty-fifth day of September; at Nashville, in and for the district of West Tennessee, on the twentieth day of April and twentieth day of October; and at Bairdstown, in and for the district of Kentucky, on the fifteenth day of May and fifteenth day of November; and at Cincinnati in and for the district of Ohio, on the tenth day of June and on the tenth day of December; and so on the several days and at the several places aforesaid, in each and every year afterwards: *Provided always*, that when any of the said days shall happen on Sunday, then the said court hereby directed to be holden on such day, shall be holden on the next day thereafter; and provided also, that there shall be appointed, in the sixth circuit, a judge of the United States, to be called a circuit judge, who together with the district judges of Tennessee and Kentucky, shall hold the circuit courts, hereby directed to be holden, within the said circuit; and that whenever the office of district judge, in the districts of Kentucky and Tennessee respectively, shall become vacant, such vacancies shall respectively be supplied by the appointment of two additional circuit judges, in the said circuit, who, together with the circuit judge first aforesaid, shall compose the circuit court of the said circuit.

SEC. 8. *Provided always, and be it further enacted*, That the said circuit courts hereby established shall have power, and hereby are authorized, to hold special sessions, for the trial of criminal causes, at any other time or times than is hereby directed, at their discretion.

SEC. 9. *And provided also, and be it further enacted*, That if in the opinion of any judge of any of the said circuit courts, it shall be dangerous to hold the next stated session of such court, for any district within the circuit to which such judge shall belong, at the place by law appointed for holding the same; it shall be lawful for such judge to issue his order, under his hand and seal, to the marshal of such court, directing him to adjourn the said session, to such other place within the same district as the said judge shall deem convenient; which said marshal shall, thereupon, adjourn the said court pursuant to such order, by making, in one or more public papers, printed within the said district, publication of such order and adjournment, from the time when he shall receive such order to the time appointed by law for commencing such stated

New York two districts.

New Jersey.

Pennsylvania.

Delaware.

Maryland.

Virginia.

North Carolina.

South Carolina.

Georgia.

East Tennessee.

West Tennessee.

Kentucky.

Ohio.

Sixth Circuit.

The circuit courts may hold special sessions.

A judge of the circuit court may alter the place of its meeting.

session: and that the court so to be held, according to, and by virtue of such adjournment, shall have the same powers and authorities, and shall proceed in the same manner, as if the same had been held at the place appointed by law for that purpose.

General powers of the circuit courts.

SEC. 10. *And be it further enacted*, That the circuit courts shall have, and hereby are invested with, all the powers heretofore granted by law to the circuit courts of the United States, unless where otherwise provided by this act.

Subjects of the cognizance of the circuit courts.

SEC. 11. *And be it further enacted*, That the said circuit courts respectively shall have cognizance of all crimes and offences cognizable under the authority of the United States, and committed within their respective districts, or upon the high seas; and also of all cases in law or equity, arising under the constitution and laws of the United States, and treaties made, or which shall be made, under their authority; and also of all actions, or suits of a civil nature, at common law, or in equity, where the United States shall be plaintiffs or complainants; and also of all seizures on land or water, and all penalties and forfeitures, made, arising or accruing under the laws of the United States; which cognizance of all penalties and forfeitures, shall be exclusively of the state courts, in the said circuit courts, where the offence, by which the penalty or forfeiture is incurred, shall have been committed within fifty miles of the place of holding the said courts; and also of all actions, or suits, matters or things cognizable by the judicial authority of the United States, under and by virtue of the constitution thereof, where the matter in dispute shall amount to four hundred dollars, and where original jurisdiction is not given by the constitution of the United States to the supreme court thereof, or exclusive jurisdiction by law to the district courts of the United States: *Provided always*, that in all cases where the title, or bounds of land shall come into question, the jurisdiction of the said circuit courts shall not be restrained, by reason of the value of the land in dispute.

Circuit courts and judges to have cognizance under the bankrupt law.

SEC. 12. *And be it further enacted*, That the said circuit courts respectively shall have cognizance concurrently with the district courts, of all cases which shall arise, within their respective circuits, under the act to establish an uniform system of bankruptcy throughout the United States; and that each circuit judge, within his respective circuit, shall and may perform all and singular the duties enjoined by the said act, upon a judge of a district court: and that the proceedings under a commission of bankruptcy, which shall issue from a circuit judge, shall in all respects be conformable to the proceedings under a commission of bankruptcy, which shall issue from a district judge, mutatis mutandis.

Certain suits may be removed from the state courts.

SEC. 13. *And be it further enacted*, That where any action or suit shall be, or shall have been commenced, in any state court within the United States, against an alien, or by a citizen or citizens of the state in which such suit or action shall be, or shall have been commenced against a citizen or citizens of another state, and the matter in dispute, except in cases where the title or bounds of land shall be in question, shall exceed the sum or value of four hundred dollars, exclusive of costs, and the defendant or defendants in such suit or action shall be personally served with the original process therein, or shall appear thereto; or where, in any suit or action, so commenced or to be commenced, final judgment, for a sum exceeding four hundred dollars, exclusive of costs, shall have been rendered in such state court, against such defendant or defendants, without return of personal service on him, her, or them, of the original process in such suit or action, and without an appearance thereto, by him, her, or them, and a writ of error, or writ of review, shall be brought by such defendant or defendants, in such state court, to reverse the said judgment; or where any suit or action shall have been, or shall be commenced in any such court, against any person or

Manner of removal.

persons, in any case arising under the constitution or laws of the United States, or treaties made or to be made under their authority; then, and in any of the said cases, it shall be lawful for the defendant or defendants, in such suit or action, at the time of entering his, her, or their appearance thereto, and for the plaintiff, or plaintiffs in such writ of error, or writ of review, at the time when such writ shall be returnable, to file in such court a petition for the removal of such suit, action, writ of error, or writ of review, to the next circuit court of the United States, hereby directed to be holden in and for the district within which such state court shall be holden, and to offer to such state court good and sufficient surety for entering, in such circuit court, on the first day of its next ensuing session, true copies of the process and proceedings, in such action, suit, writ of error, or writ of review, and also for his, her, or their appearance in the said circuit court, at the period aforesaid, and then and there entering special bail, in the said suit, or action, if special bail was originally demandable, and demanded therein; whereupon it shall be the duty of the said state court to accept the said security, and to stay all further proceedings in such suit, action, writ of error, or writ of review, and to discharge any bail that may have been given therein; and that the said copies being filed as aforesaid in such circuit court, and special bail, in manner aforesaid, being given therein, such suit, action, writ of error, or writ of review, shall be therein proceeded on, tried, heard and determined, in the same manner as if there originally commenced or brought: *Provided always*, that any attachment of the goods or estate of the defendant, by the original process in such suit or action, shall hold the goods or estate so attached, to answer the final judgment in the said circuit court, in the same manner as by the laws of the state they would have been holden, to answer the final judgment, had it been rendered by the court in which the suit or action was commenced.

Certain suits may be removed from the state courts.

SEC. 14. *And be it further enacted*, That when any suit or action, commenced, or to be commenced, in any state court within the United States, between citizens of the same state, the title or bounds of land shall come into question, it shall be lawful for either party, before trial, to state to the said court, and make affidavit if thereby required, that he, she, or they, doth or do claim under, and at the hearing or trial shall rely upon a right or title to the lands in dispute, under a grant, or grants, from a state other than that wherein such suit or action is, or shall be pending; and to produce to the said court the original grant, or grants, so claimed under, or exemplifications thereof, except in cases where the loss of public records shall put it out of his, her or their power so to do; and to move that the adverse party do inform the said court, forthwith, whether he, she, or they, doth or do claim the land in dispute, under a grant or grants from the state wherein such suit or action is, or shall be pending; whereupon the said adverse party shall give such information, or otherwise not be allowed to plead, or give in evidence, in the cause any such grant; and that if it shall appear from such information, that the said adverse party doth claim the said lands, under any such grant, or grants, then it shall be lawful for the party moving for such information, if plaintiff or complainant in the said suit or action, to remove the same, by motion, to the next circuit court of the United States, hereby directed to be holden in and for the district within which such state court shall be holden; and if defendant in the said suit or action, then to remove the same, as aforesaid, in the same manner, and under the like regulations, terms, and conditions, as are provided in and by the preceding section of this act, in the cases of actions thereby directed to be removed; and that the said circuit courts respectively, into which such suit or action shall be removed, pursuant to the provisions in this section contained, shall proceed in, try, hear and determine the same, in like manner as if therein

Proceedings when both parties to a suit claim under the same title to lands under different states.

Proviso as to pleading.

One judge of the circuit court may hold the court for five days and do certain acts therein.

Adjournment if another judge does not attend.

In civil suits no arrest shall be made in one district for trial in another, and no original civil process shall be brought but against inhabitants of the district or such as are found therein.

Suits founded on assignments. Trial by jury.

Writs of ne-exeat and injunctions.

Removal of prisoners in case of danger.

brought by original process: *Provided always*, that neither party, so removing any suit or action, shall be allowed, on the trial or hearing thereof, to plead, give evidence of, or rely on, any other title than that by him, her, or them, so stated as aforesaid, as the ground of his, her, or their claim.

SEC. 15. *And be it further enacted*, That any one judge of any of the said circuit courts shall be, and hereby is, authorized and empowered, to hold the same from day to day, not exceeding five days, to impanel and charge the grand jury, to order process on any indictment or presentment found in the said court; to direct subpoenas for witnesses to attend the same, and the requisite process on the non-attendance of witnesses or jurors; to receive any presentment or indictment from the grand jury; to take recognizance for the attendance of any witness, or for the appearance of any person, presented or indicted; to award and issue process, and order commitment for contempts; to commit any person presented or indicted, for want of security or otherwise; to order publication of testimony; to issue commissions for the examination of witnesses, where allowable by law; to grant rules and orders of survey; to take order, where necessary, relative to jurors, to serve at the next stated session of the said court; to direct the examination of witnesses *de bene esse*, where allowed by law; to make rules of reference by consent of parties; and to grant continuances on the motion of either party, upon such terms and conditions, as shall be agreeable to practice and the usages of law; and that if some other judge of the said court shall not attend the same within five days after the commencement thereof, inclusive, then the said court shall, by virtue of this act, be continued over to the next stated session thereof; in which case, all writs, process, and recognizances, returned and returnable to the said court, and all actions, suits, process, pleadings, and other proceedings of what nature or kind soever, depending before the said court, shall, by virtue of this act, be continued to the next stated session of the same.

SEC. 16. *And be it further enacted*, That no person shall be arrested in one of the said districts, for trial in another, before any of the said circuit courts in any civil action; and that no civil action or suit shall be brought before any of the said courts, by any original process, against an inhabitant of the United States, in any other district than that whereof he is an inhabitant, or in which he shall be found at the time of serving the writ; nor shall any district or circuit court have cognizance of any suit to recover the contents of any promissory note, or other chose in action, in favour of an assignee, unless a suit might have been prosecuted in such court to recover the said contents, if no assignment had been made, except in cases of foreign bills of exchange.

SEC. 17. *And be it further enacted*, That the trials of all issues of fact, before any of the circuit courts hereby established, except in cases of equity, and admiralty and maritime jurisdiction, shall be by jury.

SEC. 18. *And be it further enacted*, That any judge of any of the said circuit courts shall be, and hereby is authorized and empowered, in all cases cognizable by the circuit court, whereof he shall be a judge, to grant writs of ne-exeat, and writs of injunction to stay waste, or to stay proceedings at law, on any judgment rendered by such circuit court, upon the like terms and conditions as such writs may be now granted, by the justices of the Supreme Court of the United States.

SEC. 19. *And be it further enacted*, That if in the opinion of any circuit judge, of the circuit within which such district may be situated, the life or lives of any person or persons, confined in the prison of such district, under or by virtue of any law of the United States, shall be in imminent danger, arising from the place of such confinement, it shall, in such case, be lawful for such judge, and he is hereby authorized and empowered, to direct the marshal of such district to remove,

or cause to be removed, the person or persons so confined, to the next adjacent prison, there to be confined, until he, she, or they, may safely be removed back, to the place of his, her, or their first confinement; and that the said removals shall be at the expense of the United States.

SEC. 20. *And be it further enacted*, That all actions, suits, process, pleadings, and other proceedings of what nature or kind soever, depending or existing in any of the present circuit courts of the United States, or in any of the present district courts of the United States, acting as circuit courts, shall be, and hereby are, continued over to the circuit courts established by this act, in manner following, that is to say: all such as shall, on the fifteenth day of June next, be depending and undetermined, or shall then have been commenced and made returnable before the district court of Maine, acting as a circuit court, to the next circuit court hereby directed to be holden within and for the district of Maine; all such as shall be depending and undetermined before the circuit court for the district of New Hampshire, to the next circuit court hereby directed to be holden, within and for the district of New Hampshire; all such as shall be depending and undetermined before the circuit court for the district of Massachusetts, to the next circuit court hereby directed to be holden, within and for the district of Massachusetts; all such as shall be depending and undetermined before the circuit court of the district of Rhode Island, to the next circuit court hereby directed to be holden, within and for the district of Rhode Island; all such as shall be depending or undetermined before the circuit court for the district of Connecticut, to the next circuit court hereby directed to be holden, within and for the district of Connecticut; all such as shall be depending and undetermined before the circuit court for the district of Vermont, to the next circuit court hereby directed to be holden, within and for the district of Vermont; all such as shall be depending and undetermined before the circuit court for the district of New York, to the next circuit court hereby directed to be holden, within and for the district of New York; all such as shall be depending and undetermined before the circuit court for the district of New Jersey, to the next circuit court hereby directed to be holden, within and for the district of Jersey; all such as shall be depending and undetermined before the circuit court for the district of Pennsylvania, to the next circuit court hereby directed to be holden, within and for the eastern district of Pennsylvania; all such as shall be depending and undetermined before the circuit court for the district of Delaware, to the next circuit court hereby directed to be holden, within and for the district of Delaware; all such as shall be depending and undetermined before the circuit court for the district of Maryland, to the next circuit court hereby directed to be holden, within and for the district of Maryland; all such as shall be depending and undetermined before the circuit court for the district of Virginia, to the next circuit court hereby directed to be holden, within and for the eastern district of Virginia; all such as shall be depending and undetermined before the circuit court for the district of North Carolina, to the next circuit court hereby directed to be holden, within and for the district of North Carolina; all such as shall be depending and undetermined before the circuit court for the district of South Carolina, to the next circuit court hereby directed to be holden, within and for the district of South Carolina; all such as shall be depending and undetermined before the circuit court for the district of Georgia, to the next circuit court hereby directed to be holden, within and for the district of Georgia; all such as shall be depending and undetermined before the district court of Tennessee, acting as a circuit court, to the next circuit court hereby directed to be holden, within and for the district of East Tennessee; all such as shall be depending and undetermined before the district court of Kentucky,

Continuance  
of suits now de-  
pending in the  
circuit courts.



acting as a circuit court, to the next circuit court hereby directed to be holden, within and for the district of Kentucky; and shall there be equally regular and effectual, and shall be proceeded in, in the same manner as they could have been, if this act had not been made.

Additional dis-  
trict courts es-  
tablished.

SEC. 21. *And be it further enacted*, That for the better dispatch of the business of district courts of the United States, in the districts of Jersey, Maryland, Virginia, and North Carolina, additional district courts shall be established therein, in manner following, that is to say: The said district of Jersey shall be divided into two districts; one to consist of that part thereof, which is called East New Jersey, and to be called the district of East Jersey; a district court, in and for which, shall be holden at New Brunswick, by the district judge of the district of Jersey, on the fourth Tuesday in May, and on the fourth Tuesday in November, in each and every year; and one other, to consist of the remaining part of the said district of Jersey, and to be called the district of West Jersey, a district court, in and for which, shall be holden at Burlington, by the district judge last aforesaid, on the fourth Tuesday in February, and on the fourth Tuesday in August, in each and every year. And a new district shall be established, in the districts of Maryland and Virginia, to consist of the territory of Columbia, of all that part of the district of Maryland, which lies west and southwest of the river Patuxent, and of the western branch thereof, and south of the line which divides the county of Montgomery in the last mentioned district, from the county of Frederick, and of a line to be drawn from the termination of the last mentioned line, a northeast course to the western branch of the Patuxent; and of all that part of the district of Virginia, which lies north of the river Rappahannock, and east of the line which divides the counties of Fauquier and Loudon, in the last mentioned district from the counties of Fairfax, Prince William, and Stafford; which new district shall be called the district of Potomac, and a district court in and for the same, shall be holden at Alexandria, by the district judge of the district of Maryland, on the first Tuesday in April, and the first Tuesday in October, in each and every year. And there shall be a new district established in the district of Virginia, to be called the district of Norfolk, and to consist of all that part of the said district of Virginia, which is contained within the counties of Isle of Wight, Nansemond, Norfolk, Princess Anne, James City, New Kent, Warwick, York, Elizabeth City, Gloucester, Matthews, Middlesex, Accomac, and Northampton; a district court, in and for which district of Norfolk, shall be holden at Norfolk, by the district judge of the district of Virginia, on the first Tuesday in February, on the first Tuesday in May, on the first Tuesday in August, and on the first Tuesday in November, in each and every year. And the district of North Carolina shall be divided into three districts; one to consist of all that part thereof, which by the laws of the state of North Carolina, now forms the districts of Edenton and Halifax; which district shall be called the district of Albemarle, and a district court, in and for the same, shall be holden at Edenton, by the district judge of the district of North Carolina, on the third Tuesday in April, on the third Tuesday in August, and on the third Tuesday in December, in each and every year; one other to be called the district of Pamptico, and to consist of all that part of the district of North Carolina aforesaid, which by the laws of the said state now forms the district of Newbern and Hillsborough, together with all that part of the district of Wilmington, which lies to the northward and eastward of the river called New River, and for which district of Pamptico, a district court shall be holden at Newbern, by the district judge last aforesaid, on the first Tuesday in April, on the first Tuesday in August, and on the first Tuesday in December; in each and every year. And one other to consist of the remaining part of the said district of North Carolina, and to be called the district of Cape Fear, in and

for which a district court shall be holden at Wilmington, by the district judge last aforesaid, on the last Tuesday in March, on the last Tuesday in July, and on the last Tuesday in November, in each and every year; which said courts, hereby directed to be holden, shall severally and respectively have and exercise, within their several and respective districts, the same powers, authority, and jurisdiction, in all cases and respects whatsoever, which are vested by law in the district courts of the United States.

Additional district courts.

SEC. 22. *And be it further enacted*, That there shall be clerks for each of the said courts to be appointed by the judge thereof, which clerks shall reside and keep the records of the said courts, at the places of holding the courts, whereto they respectively shall belong, and shall perform the same duties, and be entitled to and receive the same emoluments and fees, which are established by law, for the clerks of the district courts of the United States respectively; and that the marshals and attornies of the United States, for the districts, which are hereby divided, or within the limits of which new districts are hereby erected, shall continue to be marshals and attornies for the courts hereby appointed to be holden within the limits of their present districts respectively, and shall have, exercise, and perform, within the jurisdictions of those courts respectively, all the powers and duties, and receive all the fees and emoluments, appointed and established by law, for the marshals and attornies of the United States.

Clerks of the district courts to be appointed.

SEC. 23. *And be it further enacted*, That the stated sessions of the district court of the district of Maryland shall hereafter be holden at Baltimore only.

Marshals and attornies to act in the subdivisions of their districts.

SEC. 24. *And be it further enacted*, That the district courts of the United States, in and for the districts of Tennessee and Kentucky, shall be, and hereby are, abolished; and that all and singular the powers, authority and jurisdiction of the said courts respectively shall be and hereby are vested in, and shall be exercised by the circuit courts, by this act directed to be holden in and for the districts of East Tennessee, West Tennessee and Kentucky, respectively, within the limits of their respective jurisdictions; and that the circuit judges to be appointed for the sixth circuit aforesaid, severally, shall be invested with, possess and exercise, all and singular the powers, now vested by law in the district judges of the United States.

District court of Maryland to be held at Baltimore only.

District courts of Tennessee and Kentucky abolished.

SEC. 25. *And be it further enacted*, That in case of the inability of the district judge of either of the districts of the United States, to perform the duties of his office, and satisfactory evidence thereof being shown to the circuit court, in and for such district, it shall be the duty of such circuit court, from time to time, as occasion may require, to direct one of the judges of said circuit court, to perform the duties of such district judge, within and for said district, for and during the period the inability of the district judge shall continue. And it shall be the duty of the circuit judge, to whom the duties of the district judge shall be assigned in manner aforesaid, and he is hereby authorized to perform the duties of said district judge, during the continuance of his disability.

Judges for the sixth circuit to have the powers of district judges.

In case of inability of the district judge, a circuit judge may act.

SEC. 26. *And be it further enacted*, That the several circuit courts hereby established shall have power to appoint clerks for their respective courts; that is to say, one for each district within which such court is or shall be directed by law to be holden; which clerks respectively shall take the same oath or affirmation, and give the like bonds, as are by law required to be taken and given by the clerk of the supreme court of the United States; and shall be entitled to demand and receive, for their services respectively, the same fees, to be recovered in the same manner, as have heretofore been allowed by law, for the like services, to the clerks of the circuit and district courts of the United States.

Clerks of the circuit courts to be appointed.

Former circuit courts abolished.

SEC. 27. *And be it further enacted*, That the circuit courts of the United States, heretofore established, shall cease and be abolished; and that the records and office papers of every kind, belonging to those courts respectively, shall be safely kept by the clerks thereof, who shall continue in all respects to act as heretofore in the business of the said courts, until it shall otherwise be ordered by the courts hereby established.

Certain courts constituted courts of record.

SEC. 28. *And be it further enacted*, That the supreme, circuit and district courts of the United States, shall be, and hereby are, constituted courts of record.

Test, signing and return of writs.

SEC. 29. *And be it further enacted*, That all writs and processes whatsoever, issuing from any of the circuit courts, hereby established, shall, after the first day of April next, bear test of the presiding judge of such court; before which time they shall bear test of the chief justice of the United States; all which said writs and processes shall be signed by the clerks of the courts respectively, from which the same shall issue, and shall be made returnable to the next stated or special session of such court, and all writs and processes which have issued, or which may issue before the first day of April next, returnable to the circuit courts heretofore established, or to any district court acting as a circuit court, shall be returned to the circuit courts hereby established, and shall be there proceeded in, in the same manner as they could, had they been originally returnable to the circuit courts hereby established.

Judges of the supreme and circuit courts may grant writs of habeas corpus.

SEC. 30. *And be it further enacted*, That every justice of the supreme court of the United States, and every judge of any circuit or district court shall be, and hereby is authorized and empowered, to grant writs of habeas corpus, for the purpose of inquiring into the cause of commitment, and thereupon to discharge from confinement, on bail or otherwise: *Provided always*, that no writ of habeas corpus, to be granted under this act, shall extend to any prisoner or prisoners in gaol, unless such prisoner or prisoners be in custody, under or by colour of the authority of the United States, or be committed for trial before some court of the same; or be necessary to be brought into court to give testimony.

New trials, rehearings and practice.

SEC. 31. *And be it further enacted*, That the several courts of the United States shall be, and hereby are authorized and empowered to grant new trials and rehearings, on motion and cause shown, and to make and establish all necessary rules and regulations, for returning writs, filing pleas, and other proceedings; and for regulating the practice and enforcing the orderly conduct of business, in the said courts respectively: *Provided always*, that the said rules and regulations be not repugnant to the laws of the United States; and that all the courts of the United States, and each of the justices and judges thereof, shall be, and hereby are, authorized and empowered to administer all necessary oaths and affirmations, and to bind to the peace or good behaviour, with surety where necessary, in all cases, arising under the authority of the United States.

The courts or judges empowered to administer oaths generally, &c.

Oath of a circuit judge.

SEC. 32. *And be it further enacted*, That every person who shall be appointed a judge of any circuit court, hereby established, shall, before he shall begin to exercise the duties of his said office, take the following oath or affirmation; that is to say: "I, A. B. do solemnly swear" (or affirm) "that I will administer justice without respect to persons; and will do equal right to all persons; and will, in all things, faithfully and impartially discharge and perform, all the duties incumbent on me as a judge of \_\_\_\_\_ according to the best of my abilities and understanding, and to the constitution and laws of the United States."

Appeals from the district courts, to the circuit courts,

SEC. 33. *And be it further enacted*, That from all final judgments or decrees, in any of the district courts of the United States, an appeal, where the matter in dispute, exclusive of costs, shall exceed the sum or

value of fifty dollars, shall be allowed to the circuit court next to be holden, in the district where such final judgment or judgments, decree or decrees, may be rendered; and the circuit court or courts are hereby authorized and required to receive, hear and determine such appeal; and that from all final judgments or decrees in any circuit court, in any cases of equity, of admiralty and maritime jurisdiction, and of prize or no prize, an appeal, where the matter in dispute, exclusive of costs, shall exceed the sum or value of two thousand dollars, shall be allowed to the supreme court of the United States; and that upon such appeal, a transcript of the libel, bill, answer, depositions, and all other proceedings of what kind soever in the cause, shall be transmitted to the said supreme court; and that no new evidence shall be received in the said court, on the hearing of such appeal; and that such appeals shall be subject to the same rules, regulations and restrictions, as are prescribed by law in case of writs of error; and that the said supreme court shall be, and hereby is authorized and required, to receive, hear and determine such appeals.

and from thence to the supreme court.

SEC. 34. *And be it further enacted*, That all final judgments in civil actions at common law, in any of the circuit courts hereby established, whether brought by original process in such court, or removed thereto from any state court, and all final judgments in any of the district courts of the United States may, where the matter in dispute, exclusive of costs, shall exceed the sum or value of two thousand dollars, be re-examined and reversed or affirmed, in the supreme court of the United States, by writ of error: whereto shall be annexed, and returned therewith at the day and place therein mentioned, an authenticated transcript of the record and assignment of errors, and prayer for reversal, and also a citation to the adverse party, signed by a judge of such circuit court, or by the district judge as the case may be; which citation shall be served on the adverse party personally, or by leaving a true copy thereof at his or their usual place or places of residence, at least thirty days before the time mentioned in such writ of error, for the return thereof.

Writs of error to the circuit courts.

SEC. 35. *And be it further enacted*, That the stipulation, bond or security, taken upon any writ of error or appeal to be brought or allowed as aforesaid, shall be returned by the judge taking the same, to the clerk or register of the court where the judgment or decree complained of was rendered, to be by him annexed to the transcript of the record, hereby directed to be sent up to the supreme court of the United States.

Security taken upon writs of error or appeals to be sent up with the record.

SEC. 36. *And be it further enacted*, That there shall be appointed, in and for each of the districts established by this act, a marshal, whose duty it shall be to attend the circuit courts of the United States hereby established, when sitting within such district, and who shall have and exercise, within such district, the same powers, perform the same duties, be subject to the same penalties, give the same bond with sureties, take the same oath, be entitled to and receive the same compensation and emoluments, and in all respects be subject to the same regulations, as are now prescribed by law, in respect to the marshals of the United States heretofore appointed: *Provided always*, that the several marshals of the United States, now in office, shall, during the periods for which they were respectively appointed, unless sooner removed by the President of the United States, be and continue marshals for the several districts hereby established, within which they respectively reside; and shall perform the duties, exercise the powers, and receive the emoluments, hereby directed to be performed, exercised and received, by marshals therein.

Marshals to be appointed.

SEC. 37. *And be it further enacted*, That there shall be appointed for each of the districts hereby established, a person learned in the law, to act as attorney for the United States within such district, and in the circuit and district courts which may be holden therein; which attorney shall take an oath or affirmation for the faithful performance of the duties of his office, and shall prosecute, in such district, all delinquents for

District attorneys to be appointed.

District attor-  
nies.

crimes and offences cognizable under the authority of the United States, and all civil actions or suits in which the United States shall be concerned, except actions or suits in the supreme court of the United States; and shall be entitled to, and receive, for their services respectively, such compensations, emoluments and fees, as by law are or shall be allowed, to the district attorneys of the United States: *Provided always*, that the district attorneys of the United States now in office shall, severally and respectively, be attorneys for those districts hereby established, within which they reside, until removed by the President of the United States; and shall perform the duties, exercise the powers, and receive the emoluments, hereby directed to be performed, exercised and received, by the attorney of the United States therein.

Compensation  
of jurors and  
witnesses.

SEC. 38. *And be it further enacted*, That jurors and witnesses attending any of the courts, hereby established, shall be entitled to and receive the same compensations respectively, as heretofore have been allowed by law to jurors and witnesses, attending the circuit and district courts of the United States.

Records of the  
circuit courts,  
where to be  
kept.

SEC. 39. *And be it further enacted*, That the records of the several circuit courts, hereby established, shall hereafter be kept at the respective places at which the said courts are hereby directed to be holden: *Provided always*, that in the district wherein there are more than one place directed by this act for holding said circuit courts, the records of the circuit court in such district shall hereafter be kept in either of such places, as the said court in such district shall direct.

Suitors, &c.  
how far privi-  
leged from ar-  
rest.

SEC. 40. *And be it further enacted*, That the privilege from arrest of every person going to, attending at, or returning from, any court of the United States, shall be computed and continue, from the time of his or her departure from his or her habitation, until his or her return there-to: *Provided*, that such time shall not exceed one day, Sundays excluded, for every twenty miles of the distance, which such person must necessarily travel in so going and returning, over and above the time of attendance.

Salaries of  
judges.

SEC. 41. *And be it further enacted*, That each of the circuit judges of the United States, to be appointed by virtue of this act, shall be allowed as a compensation for his services, an annual salary of two thousand dollars, to be paid quarter-yearly at the treasury of the United States; except the judges of the sixth circuit, who shall be allowed the sum of fifteen hundred dollars each, to be paid in like manner; and that the salaries of the district judges of Kentucky and Tennessee shall be, and hereby are, severally augmented to the like sum of fifteen hundred dollars, annually, to be paid in like manner.

APPROVED, February 13, 1801.

## STATUTE II.

Feb. 18, 1801.

CHAP. V.—*An Act regulating the grants of land appropriated for the refugees from the British provinces of Canada and Nova Scotia.*(a)

Survey of  
lands for the  
refugees from  
Canada, &c. to  
be made.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the surveyor-general be, and he is hereby directed to cause those fractional townships of the sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first and twenty-second ranges of townships, which join the southern boundary line of the military lands, to be subdivided into half sections, containing three hundred and twenty acres each; and to return a survey and description of the same to the Secretary of the Treasury, on or before the first Monday of December next; and that the said lands be, and they are hereby set apart and reserved for the purpose of satisfying the claims of persons entitled to lands under the act, intituled

(a) Act of April 7, 1798, chap. 26; act of March 3, 1803, chap. 38; act of April 29, 1816, chap. 153.

"An act for the relief of the refugees from the British provinces of Canada and Nova Scotia."

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury shall, within thirty days after the survey of the lands shall have been returned to him as aforesaid, proceed to determine, by lot to be drawn in the presence of the secretaries of state and of war, the priority of location of the persons entitled to lands as aforesaid. The persons, thus entitled, shall severally make their locations on the second Tuesday of January next, and the patents for the lands thus located shall be granted in the manner directed for military lands, without requiring any fee whatever.

How locations shall be made.

Patents to be granted.

SEC. 3. *And be it further enacted*, That the following persons, claiming lands under the above-mentioned act, shall respectively be entitled to the following quantities of land; that is to say: Martha Walker, widow of Thomas Walker, John Edgar, P. Francis Cazeau, John Allan, and Seth Harding, respectively, two thousand two hundred and forty acres each; Jonathan Eddy, Colonel James Livingston, and Parker Clark, respectively, one thousand two hundred and eighty acres each; and the heirs of John Dodge, one thousand two hundred and eighty acres; Thomas Faulkner, Edward Faulkner, David Gay, Martin Brooks, Lieutenant-colonel Bradford, Noah Miller, Joshua Lamb, Atwood Fales, John Starr, William How, Ebenezer Gardner, Lewis F. Delesdernier, John McGown, and Jonas C. Minot, respectively, nine hundred and sixty acres each; and the heirs of Simeon Chester, nine hundred and sixty acres; Jacob Vander Heyden, John Livingston, James Crawford, Isaac Danks, Major B. Von Heer, Benjamin Thompson, Joseph Bindon, Joseph Levittre, Lieutenant William Maxwell, John D. Mercier, James Price, Seth Noble, Martha Bogart, relict of Abraham Bogart, and formerly relict of Daniel Tucker, and John Halsted, respectively, six hundred and forty acres each; David Jenks, Ambrose Cole, James Cole, Adam Johnson, the widow and heirs of Colonel Jeremiah Duggan, Daniel Earl, junior, John Paskell, Edward Chinn, Joseph Cone, and John Torreyre, respectively, three hundred and twenty acres each; Samuel Fales, one hundred and sixty acres; which several tracts of land shall, except the last, be located in half sections by the respective claimants.

Quantities of land assigned to the refugees, nominally.

APPROVED, February 18, 1801.

STATUTE II.

CHAP. VI.—*An Act making the Port of Biddeford and Pepperrelborough, and the Port of New Bedford, in Massachusetts, ports of entry for ships or vessels, arriving from the Cape of Good Hope, and from places beyond the same.*

Feb. 18, 1801.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the port of Biddeford and Pepperrelborough, and the port of New Bedford, in the commonwealth of Massachusetts, be, and they are hereby made, ports of entry for ships or vessels arriving from the Cape of Good Hope, and from places beyond the same.

Biddeford and Pepperrelborough ports of entry.

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APPROVED, February 18, 1801.

STATUTE II.

CHAP. VII.—*An Act to establish the district of Bristol, and to annex the towns of Kittery and Berwick to the district of Portsmouth.*

Feb. 25, 1801.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That from and after the thirty-first day of March next, the towns of Bristol, Warren and Barrington, in the state of Rhode Island and Providence Plantations, and all the shores and waters around the same, within the following

District of Bristol established.

Collector to  
reside at Bristol.

1799, ch. 22,  
sec. 3.

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

Kittery and  
Berwick an-  
nexed to Ports-  
mouth.

limits, viz. a line beginning at the middle of the bay, between Mount Hope and Common Fence Point, running southwesterly through the middle of Bristol Ferry, and continuing such course until it strikes a point of equal distance from Rhode Island to Prudence Island, from thence northwardly on a straight line to the westernmost part of Nahant Point, and from thence to the western shore of Bullock's Point, shall be a district, to be called the district of Bristol, of which the port of Bristol shall be the sole port of entry, and a collector for said district shall be appointed to reside at Bristol, and Warren and Barrington shall be ports of delivery only, and a surveyor shall be appointed to reside at each of the ports of Bristol and Warren; and the surveyor at Warren shall also be surveyor for the port of Barrington.

SEC. 2. *And be it further enacted*, That said port of Bristol shall also be a port of entry, for all ships or vessels arriving from the Cape of Good Hope, or places beyond the same.

SEC. 3. *And be it further enacted*, That from and after the said thirty-first day of March next, the towns of Kittery and Berwick, in the state of Massachusetts, shall be annexed to the district of Portsmouth, in New Hampshire, as ports of delivery only: *Provided*, that nothing herein contained shall be construed to prevent the master or commander of any ship or vessel, having merchandise on board, destined for either of the said places, from making entry at his option, with the collector of the district of York, and obtaining permits for the delivery thereof as heretofore.

APPROVED, February 25, 1801.

#### STATUTE II.

Feb. 25, 1801.

Letters to  
John Adams to  
be free of post-  
age.

Act of March  
3, 1801, ch. 35,  
sec. 3.

CHAP. IX.—*An Act freeing from postage all letters and packets to John Adams.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all letters and packets to John Adams, now President of the United States, after the expiration of his term of office and during his life, shall be carried by the mail, free of postage.

APPROVED, February 25, 1801.

#### STATUTE II.

Feb. 25, 1801.

Repealed by  
Act of April 6,  
1802, ch. 19.

Act of Nov.  
5, 1794, and Act  
of June 9, 1794,  
continued in  
force to March  
4, 1801.

CHAP. XI.—*An Act to continue in force the acts laying duties on licenses for selling wines, and foreign distilled spirits by retail, and so much of the act laying certain duties on snuff and refined sugar as respects a duty on refined sugar, on property sold at auction, and on carriages for the conveyance of persons.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That an act passed on the fifth day of June, in the year one thousand seven hundred and ninety-four, intituled "An act laying duties on licenses for selling wines and foreign distilled spirituous liquors by retail;" and that so much of an act passed on the fifth day of June, in the year one thousand seven hundred and ninety-four, intituled "An act laying certain duties upon snuff and refined sugar," as respects a duty upon refined sugar, and that an act passed on the ninth day of June, in the year one thousand seven hundred and ninety-four, intituled "An act laying duties on property sold at auction," and which acts were, by an act, passed on the third day of March, in the year one thousand seven hundred and ninety-five, continued in force until the first day of March, in the year one thousand eight hundred and one, shall be, and the same are hereby continued in force without limitation of time; any thing in any former act to the contrary notwithstanding.

SEC. 2. *Be it further enacted*, That so much of the thirteenth section of an act, passed on the twenty-eighth day of May in the year

"Act laying  
duties upon car-

one thousand seven hundred and ninety-six, intituled "An act laying duties upon carriages for the conveyance of persons, and repealing the former act for that purpose," as limits the duration of said act, shall be and the same is hereby repealed, and said act is hereby continued in force, without limitation of time.

APPROVED, February 25, 1801.

riages," &c. continued without limitation.  
May 28, 1796, ch. 37.

STATUTE II.

CHAP. XII.—*An Act declaring the consent of Congress to an act of the state of Maryland, passed the twenty-eighth day of December, one thousand seven hundred and ninety-three, for the appointment of a Health Officer.*

Feb. 27, 1801.

[Expired.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress be, and is hereby granted and declared, to the operation of an act of the General Assembly of Maryland, passed the twenty-eighth day of December, one thousand seven hundred and ninety-three, intituled "An act to appoint a health officer for the port of Baltimore, in Baltimore county," so far as to enable the state aforesaid to collect a duty of one cent per ton, on all vessels coming into the district of Baltimore from a foreign voyage, for the purposes in said act intended.

SEC. 2. *And be it further enacted,* That this act shall be in force for three years, from the passing thereof, and from thence to the end of the next session of Congress thereafter, and no longer.

Continued by Act of March 1, 1805, ch. 19.

APPROVED, February 27, 1801.

STATUTE II.

CHAP. XIII.—*An Act to allow the transportation of goods, wares and merchandise, to and from Philadelphia and Baltimore, by the way of Appoquinimink and Sassafras.*

Feb. 27, 1801.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any goods, wares and merchandise, which lawfully might be transported to or from the city of Philadelphia and Baltimore, by the way of Elkton, Bohemia or Frenchtown, and Port Penn, Appoquinimink, New Castle, Christiana Bridge, Newport or Wilmington, shall and may lawfully be transported, to and from the city of Philadelphia and Baltimore, by the way of Appoquinimink and Sassafras river, and shall be entitled to all the benefits and advantages, and shall be subject to all the provisions, regulations, limitations and restrictions, existing in the case of goods, wares and merchandise, transported by any of the routes before mentioned.

Goods imported into Baltimore or Philadelphia may be transported by Appoquinimink and Sassafras rivers.

1799, ch. 22.

APPROVED, February 27, 1801.

STATUTE II.

CHAP. XV.—*An Act concerning the District of Columbia.*(a)

Feb. 27, 1801.

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

Laws of Virginia and Mary-

(a) District of Columbia. The acts for the government and administration of justice in the District of Columbia, are :

1. An act for establishing the temporary and permanent seat of the government of the United States, July 16, 1790, chap. 28.
2. An act supplementary to an act entitled, "An act concerning the District of Columbia," March 3, 1801, chap. 24.
3. An act concerning the District of Columbia, February 27, 1801, chap. 15.
4. An act additional to an act amendatory of an act entitled, "An act concerning the District of Columbia," May 3, 1802, chap. 53.
5. An act to amend the judicial system of the United States, April 29, 1802, chap. 31, sec. 24.
6. An act for the relief of insolvent debtors within the District of Columbia, March 3, 1803, chap. 20.
7. An act to extend the jurisdiction of justices of the peace in the recovery of debts, in the District of Columbia, March 1, 1823, chap. 23.
8. An act respecting the adjournment of the circuit court of the District of Columbia, March 3, 1825.



land continued in force in the district.

laws of the state of Virginia, as they now exist, shall be and continue in force in that part of the District of Columbia, which was ceded by the said state to the United States, and by them accepted for the permanent seat of government; and that the laws of the state of Maryland,

9. An act altering the times of holding the circuit courts in the District of Columbia, May 20, 1826, chap. 131.

10. An act to establish a criminal court in the District of Columbia, July 7, 1838, chap. 192.

11. An act to restrain the circulation of small notes as a currency in the District of Columbia, and for other purposes, July 7, 1838, chap. 212.

12. Resolution directing the manner in which certain laws of the District of Columbia shall be executed, March 2, 1839.

13. An act for granting possessions, enrolling conveyances and securing the estates of purchasers within the District of Columbia, May 31, 1832, chap. 112.

14. An act changing the times of holding the courts in the District of Columbia, May 31, 1832, chap. 114. Act of February 30, 1839, chap. 30.

The decisions of the courts of the United States upon this and other statutes relating to the District of Columbia, and other questions arising in the district, have been :

The act of Congress of 27 February, 1801, concerning the District of Columbia, directs that writs of error shall be prosecuted in the same manner, under the same regulations, and the same proceedings shall be had thereon, as is or shall be provided in case of writs of error on judgments, or appeals upon orders or decrees, rendered in the circuit courts of the United States. *United States v. Hooe et al.*, 1 Cranch, 318; 1 Cond. Rep. 322.

By the separation of the District of Columbia from the state of Maryland, the residents in that part of Maryland which became a part of the district ceased to be citizens of the state. *Reilly, Appellant v. Lamar et al.*, 2 Cranch, 344; 1 Cond. Rep. 419.

A citizen of the District of Columbia, could not be discharged by the insolvent law of Maryland, out of the district. *Ibid.*

A citizen of the District of Columbia, cannot maintain an action in the circuit court of the United States, out of the district; he not being a citizen of a state within the meaning of the provision in the law of the United States, regulating the jurisdiction of the courts of the United States. *Hepburn and Dundas v. Ellzey*, 2 Cranch, 445; 1 Cond. Rep. 444.

A justice of the peace, in the District of Columbia, is an officer of the government of the United States; and is exempt from militia duty. *Wise v. Withers*, 3 Cranch, 331; 1 Cond. Rep. 552.

Under the sixth and eighth sections of the act of assembly of Virginia, of the 22d of December, 1794, property pledged to the Mutual Assurance Society, &c. continues liable for assessments, on account of the losses insured against, in the hands of a bona fide purchaser, without notice. *The Mutual Assurance Society v. Watts' Ex'rs*, 1 Wheat. 279; 3 Cond. Rep. 570.

A mere change of sovereignty produces no change in the state of rights existing in the soil; and the cession of the District of Columbia to the national government did not affect the lien created by the above act on real property situate in the town of Alexandria; though the personal character or liability of a member of the society could not be thereby forced on a purchaser of such property. *Ibid.*

Congress has authority to impose a direct tax on the District of Columbia, in proportion to the census directed to be taken by the constitution. *Loughborough v. Blake*, 5 Wheat. 317; 4 Cond. Rep. 660.

Congress, when legislating for the District of Columbia, under the fifth section of the first article of the constitution, is still the legislature of the Union, and its acts are the laws of the United States. *Cohens v. Virginia*, 6 Wheat. 264; 5 Cond. Rep. 90.

An act of the legislature of Maryland, passed the 19th of December, 1791, entitled "An act concerning the territory of Columbia, and the city of Washington," which, by the 6th section, provides for the holding of lands by "foreigners," is an enabling act; and applies to those only who could not take lands without the provisions of that law. It enables a "foreigner" to take in the same manner as if he were a citizen. *Spratt v. Spratt*, 1 Peters, 349.

A foreigner who becomes a citizen, is no longer a foreigner, within the view of the act. Thus, after purchase, lands vested in him as a citizen; not by virtue of the act of the legislature of Maryland, but because of his acquiring the rights of citizenship. *Ibid.*

Land in the county of Washington, and District of Columbia, purchased by a foreigner, before naturalization, was held by him under the law of Maryland, and might be transmitted to the relations of the purchasers, who were foreigners: and the capacity so to transmit those lands, is given, absolutely, by this act, and is not affected by his becoming a citizen; but passes to his heirs and relations, precisely as if he had remained a foreigner. *Ibid.*

The supreme court of the United States has jurisdiction of appeals from the orphans' court, through the circuit court for the county of Washington, by virtue of the act of Congress of February 13, 1801; and by the act of Congress subsequently passed, the matter in dispute, exclusive of costs, must exceed the value of one thousand dollars, in order to entitle the party to an appeal. *Nicholls et al. v. Hodges' Ex'rs*, 1 Peters, 565.

The statute of Elizabeth is in force in the District of Columbia. *Cathcart et al. v. Robinson*, 5 Peters, 264.

The levy court of Washington county is not entitled to one half of all the fines, penalties, and forfeitures imposed by the circuit court in cases at common law, and under the acts of Congress, as well as the acts of assembly of Maryland, adopted by Congress as the law of the District of Columbia. *Levy Court of Washington v. Ringgold*, 5 Peters, 451.

The supreme court of the United States has no jurisdiction of causes brought before it, upon a certificate of division of opinion of the judges of the circuit court for the District of Columbia. The appellate jurisdiction, in respect to that court, extends only to its final judgments and decrees. *Ross v. Triplett*, 3 Wheat. 600; 4 Cond. Rep. 351.

By the insolvent law of Maryland, of January 3, 1800, the chancellor of Maryland could not discharge one who was an inhabitant of the District of Columbia, after the separation from Maryland, unless previous

as they now exist, shall be and continue in force in that part of the said district, which was ceded by that state to the United States, and by them accepted as aforesaid.

SEC. 2. *And be it further enacted*, That the said district of Columbia shall be formed into two counties; one county shall contain all that part of said district, which lies on the east side of the river Potomac, together with the islands therein, and shall be called the county of Washington; the other county shall contain all that part of said district, which lies on the west side of said river, and shall be called the county of Alexandria; and the said river in its whole course through said district shall be taken and deemed to all intents and purposes to be within both of said counties.

It shall be formed into two counties.

Washington county.

Alexandria county.

SEC. 3. *Be it further enacted*, That there shall be a court in said district, which shall be called the circuit court of the district of Columbia; and the said court and the judges thereof shall have all the powers by law vested in the circuit courts and the judges of the circuit courts of the United States. Said court shall consist of one chief judge and two assistant judges resident within said district, to hold their respective offices during good behaviour; any two of whom shall constitute a quorum; and each of the said judges shall, before he enter on his office, take the oath or affirmation provided by law to be taken by the

Circuit court established in it.

To consist of one chief judge and two assistant judges.

to that separation he had entitled himself to a discharge by performing all the requisites of the act. *Reilly v. Lamar et al.* 2 Cranch, 344; 1 Cond. Rep. 419.

No appeal or writ of error lies, in a criminal case, from the judgment of the circuit court of the District of Columbia, to the supreme court of the United States: the appellate jurisdiction given by the act of Congress, is confined to civil cases. *United States v. Moore*, 3 Cranch, 159; 1 Cond. Rep. 480.

There is, in the District of Columbia, no division of powers between the general and the state governments. Congress has the entire control over the district, for every purpose of government: and it is reasonable to suppose that, in organizing a judicial department in the district, all the judicial power, necessary for the purpose of government, would be vested in the courts of justice. *Kendall, Postmaster General v. The United States*, 12 Peters, 524.

The circuit court of the United States, for the District of Columbia, has a right to award a mandamus to the postmaster-general of the United States, requiring him to pass to the credit of certain contractors for conveying the mail of the United States, a sum found to be due to them by the solicitor of the treasury of the United States, the solicitor acting under the special provisions of an act of Congress. *Ibid.*

There can be no doubt, that, in the state of Maryland, a writ of mandamus might be issued to an executive officer, commanding him to perform a ministerial act, required of him by the laws: and if it would lie in that state, there can be no good reason why it should not lie in the District of Columbia, in analogous cases. *Ibid.*

The powers of the supreme court of the United States, and of the circuit courts of the United States, to issue writs of mandamus, granted by the fourteenth section of the judiciary act of 1789, is only for the purpose of bringing the case to a final judgment or decree, so that it may be reviewed. The mandamus does not direct the inferior court how to proceed, but only that it must proceed, according to its own judgment, to a final determination; otherwise it cannot be reviewed in the appellate court. It is different in the circuit court of the District of Columbia, under the adoption of the laws of Maryland, which included the common law. *Ibid.*

The power of the circuit court of the District of Columbia, to exercise the jurisdiction to issue a writ of mandamus to a public officer, to do an act required of him by law, results from the third section of the act of Congress of February 27, 1804; which declares that the court and judges thereof shall have all the powers by law vested in the circuit courts of the United States. The circuit courts referred to, were those established by the act of February 13, 1801. The repeal of that law, fifteen months afterwards, and after that law had gone into operation, under the act of February 27, 1801, could not in any manner affect that law, any further than was provided by the repealing act. *Ibid.*

The circuit courts of the United States, sitting in the states of the Union, have no jurisdiction in a case in which a citizen of the District of Columbia is plaintiff. *Westcott's Lessee v. Inhabitants, &c. Peters' C. C. R. 45.*

The act of Congress of June, 1822, authorizes any person to whom administration has been granted by the states of the United States, to prosecute claims by suits in the District of Columbia, in the same manner as if the same had been granted by proper authority, in the District of Columbia, to such persons. The power is limited by its terms to the institution of suits, and does not authorize suits against an executor or administrator. The effect of this law was to make all debts due by persons in the District of Columbia, not local assets, for which the administrator was bound to account in the courts of the district, but general assets which he had full authority to receive, and for which he was bound to account in the courts of the state from which he derived his letters of administration. *Vaughan et al. v. Northup et al.*, 15 Peters' Rep. 1.

The courts of the United States in the District of Columbia, have a like jurisdiction upon personal property, with the courts in England, and in the states of the Union; and in the absence of statutory provisions, in the trial of them they must apply the same common law principle which regulates the mode of bringing such actions, the pleadings and the proof. *McKenna v. Fiske*, 17 Peters' Rep. 245.

judges of the circuit courts of the United States; and said court shall have power to appoint a clerk of the court in each of said counties, who shall take the oath and give a bond with sureties, in the manner directed for clerks of the district courts in the act to establish the judiciary of the United States.

Sessions of the court in Washington county,

in Alexandria county.

Subjects for the cognizance of the court.

SEC. 4. *Be it further enacted*, That said court shall, annually, hold four sessions in each of said counties, to commence as follows, to wit: for the county of Washington, at the city of Washington, on the fourth Mondays of March, June, September and December; for the county of Alexandria, at Alexandria, on the second Mondays of January, April, July, and the first Monday of October.

SEC. 5. *Be it further enacted*, That said court shall have cognizance of all crimes and offences committed within said district, and of all cases in law and equity between parties, both or either of which shall be resident or be found within said district, and also of all actions or suits of a civil nature at common law or in equity, in which the United States shall be plaintiffs or complainants; and of all seizures on land or water, and all penalties and forfeitures made, arising or accruing under the laws of the United States.

Where local actions shall be commenced.

No suits to be brought, but against inhabitants or persons found in the district.

A marshal to be appointed for the district.

SEC. 6. *Provided, and be it further enacted*, That all local actions shall be commenced in their proper counties, and that no action or suit shall be brought before said court, by any original process against any person, who shall not be an inhabitant of, or found within said district, at the time of serving the writ.

SEC. 7. *Be it further enacted*, That there shall be a marshal for the said district, who shall have the custody of the gaols of said counties, and be accountable for the safe keeping of all prisoners legally committed therein; and he shall be appointed for the same term, shall take the same oath, give a bond with sureties in the same manner, shall have generally, within said district, the same powers, and perform the same duties, as is by law directed and provided in the case of marshals of the United States.

Writs of error and appeal.

SEC. 8. *Be it further enacted*, That any final judgment, order or decree in said circuit court, wherein the matter in dispute, exclusive of costs, shall exceed the value of one hundred dollars, may be re-examined and reversed or affirmed in the supreme court of the United States, by writ of error or appeal,<sup>(a)</sup> which shall be prosecuted in the same manner, under the same regulations, and the same proceedings shall be had therein, as is or shall be provided in the case of writs of error on judgments, or appeals upon orders or decrees, rendered in the circuit court of the United States.

An attorney to be appointed.

SEC. 9. *Be it further enacted*, That there shall be appointed an attorney of the United States for said district, who shall take the oath and perform all the duties required of the district attorneys of the United States; and the said attorney, marshal and clerks, shall be entitled to receive for their respective services, the same fees, perquisites and emoluments, which are by law allowed respectively to the attorney, marshal and clerk of the United States, for the district of Maryland.

Allowances to the attorney, marshal and clerks.

SEC. 10. *Be it further enacted*, That the chief judge, to be appointed by virtue of this act, shall receive an annual salary of two thou-

(a) By an act entitled, "An act to limit the right of appeal from the circuit court of the United States for the District of Columbia, passed April 2, 1816, chap. 39, it is provided that no cause shall be removed from the circuit court of the District of Columbia, unless the matter in dispute in the cause shall be of the value of one thousand dollars and upwards. But when a party in a cause shall deem himself aggrieved by any final judgment or decree of the said circuit court, where the matter in dispute shall be of the value of \$100, and of less value than \$1000, on a petition to a justice of the supreme court, if the said justice shall be of opinion that errors in the proceedings of the court involve questions of law of such extensive interest and operation as to render the final judgment of the supreme court desirable, the case may be removed at the discretion of the said justice.

sand dollars, and the two assistant judges, of sixteen hundred dollars each, to be paid quarterly, at the treasury of the United States.(a)

SEC. 11. *Be it further enacted*, That there shall be appointed in and for each of the said counties, such number of discreet persons to be justices of the peace, as the President of the United States shall from time to time think expedient, to continue in office five years; and such justices, having taken an oath for the faithful and impartial discharge of the duties of the office, shall, in all matters, civil and criminal, and in whatever relates to the conservation of the peace, have all the powers vested in, and shall perform all the duties required of, justices of the peace, as individual magistrates, by the laws herein before continued in force in those parts of said district, for which they shall have been respectively appointed; and they shall have cognizance in personal demands to the value of twenty dollars, exclusive of costs; which sum they shall not exceed, any law to the contrary notwithstanding; and they shall be entitled to receive for their services the fees allowed for like services by the laws herein before adopted and continued, in the eastern part of said district.

Compensation of the judges.

Justices of the peace to be appointed.

Their jurisdiction.

SEC. 12. *And be it further enacted*, That there shall be appointed in and for each of the said counties, a register of wills, and a judge to be called the judge of the orphans' court, who shall each take an oath for the faithful and impartial discharge of the duties of his office; and shall have all the powers, perform all the duties, and receive the like fees, as are exercised, performed, and received, by the registers of wills and judges of the orphans' court, within the state of Maryland; and appeals from the said courts shall be to the circuit court of said district, who shall therein have all the powers of the chancellor of the said state.

Registers of wills and judges of the orphans' court to be appointed.

Act of May 19, 1828, ch. 59.

SEC. 13. *And be it further enacted*, That in all cases where judgments or decrees have been obtained, or hereafter shall be obtained, on suits now depending in any of the courts of the commonwealth of Virginia, or of the state of Maryland, where the defendant resides or has property within the district of Columbia, it shall be lawful for the plaintiff in such case upon filing an exemplification of the record and proceedings in such suits, with the clerk of the court of the county where the defendant resides, or his property may be found, to sue out writs of execution thereon, returnable to the said court, which shall be proceeded on, in the same manner as if the judgment or decree had originally been obtained in said court.

How to obtain execution within the district, upon judgments already rendered in courts of Maryland and Virginia.

SEC. 14. *And be it further enacted*, That all actions, suits, process, pleadings, and other proceedings of what nature or kind soever, depending or existing in the courts of Hustings for the towns of Alexandria and Georgetown, shall be, and hereby are continued over to the circuit courts to be holden by virtue of this act, within the district of Columbia, in manner following; that is to say: all such as shall then be depending and undetermined, before the court of Hustings for the town of Alexandria, to the next circuit court hereby directed to be holden in the town of Alexandria; and all such as shall then be depending and undetermined, before the court of Hustings for Georgetown, to the next circuit court hereby directed to be holden in the city of Washington: *Provided nevertheless*, that where the personal demand in such cases, exclusive of costs, does not exceed the value of twenty dollars, the justices of the peace within their respective counties, shall have cognizance thereof.

Suits in the courts of Hustings for Alexandria and Georgetown continued to the circuit court.

SEC. 15. *And be it further enacted*, That all writs and processes whatsoever, which shall hereafter issue from the courts hereby established

Test of writs.

(a) An act concerning the District of Columbia, February 27, 1801, chap. 15; an act to increase the salaries of the judges of the circuit court for the District of Columbia, March 3, 1811; an act to increase the salaries of the judges of the circuit court for the District of Columbia, April 20, 1818; an act concerning the orphans' court of Alexandria county, in the District of Columbia, May 19, 1828, chap. 59.

Saving of the  
rights of corpo-  
rations.

within the district, shall be tested in the name of the chief judge of the district of Columbia.

SEC. 16. *And be it further enacted*, That nothing in this act contained shall in any wise alter, impeach or impair the rights, granted by or derived from the acts of incorporation of Alexandria and Georgetown, or of any other body corporate or politic, within the said district, except so far as relates to the judicial powers of the corporations of Georgetown and Alexandria.

APPROVED, February 27, 1801.

#### STATUTE II.

March 2, 1801.

[Obsolete.]

Act of May 7,  
1800, ch. 41.  
Certain suits  
revived.

CHAP. XVI.—*An Act supplementary to an act, intituled "An act to divide the territory of the United States northwest of the Ohio, into two separate governments."*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all suits, and process and proceedings, which, on the third day of July, one thousand eight hundred, were pending in any court of either of the counties, which by the act intituled "An act to divide the territory of the United States northwest of the Ohio, into two separate governments," has been included within the Indiana territory; and that all suits, process and proceedings, which, on the aforesaid third day of July, were pending in the general court of the territory of the United States northwest of the Ohio, in consequence of any writ of removal or order for trial at bar, had been removed from either of the counties now within the limits of the Indiana territory aforesaid, shall be and they are hereby revived and continued; and the same proceedings, before the rendering of final judgment and thereafter, may and shall be had, in the same courts, in all suits and process aforesaid, and in all things concerning the same, as by law might have been had in case the said territory of the United States northwest of the Ohio had remained undivided.

APPROVED, March 2, 1801.

#### STATUTE II.

March 2, 1801.

[Repealed.]

District of  
Massac.

CHAP. XVII.—*An Act to add to the district of Massac, on the Ohio, and to discontinue the district of Palmyra in the state of Tennessee, and therein to amend the act, intituled "An act to regulate the collection of duties on imports and tonnage."*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the district of Massac, in addition to the territory it already possesses, shall include all waters, shores, and inlets, now included within the district of Palmyra, and all rivers, waters, shores and inlets, lying within the state of Tennessee.

District of  
Palmyra.  
Section 16,  
Act of March 2,  
1799, repealed.

SEC. 2. *And be it further enacted*, That from and after the thirtieth day of June next, so much of the "Act to regulate the collection of duties on imports and tonnage," as establishes the district of Palmyra in the state of Tennessee, shall be repealed, except as to the recovery and receipts of such duties on goods, wares and merchandise, and on the tonnage of ships or vessels, as shall have accrued, and as to the recovery and distribution of fines, penalties and forfeitures, which shall have been incurred before and on the said day.

APPROVED, March 2, 1801.

#### STATUTE II.

March 2, 1801.

[Obsolete.]

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

*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, for the year one thousand eight hundred and one, the pay and subsistence of the officers and men, bounties and premiums, the clothing, hospital, ordnance, quartermaster's and Indian departments, the defensive protection of the frontiers, the contingent expenses of the war department, for the fabrication of cannon and arms, and purchase of ammunition, and for the payment of military pensions, the sum of two millions, ninety-three thousand and one dollars, be, and is hereby appropriated; that is to say,

For the pay of the army of the United States, four hundred and eighty thousand three hundred and ninety-six dollars.

For the subsistence of the army, three hundred and six thousand three hundred and ninety-five dollars.

For forage, the sum of seven thousand six hundred and eighty dollars.

For horses to replace those which may die, or become unfit for service, the sum of five thousand dollars.

For clothing, the sum of one hundred and forty-one thousand five hundred and thirty dollars.

For bounties and premiums, the sum of forty-two thousand dollars.

For the hospital department, the sum of twenty thousand dollars.

For the ordnance department, the sum of one hundred thousand dollars.

For the quartermaster's department, the sum of one hundred and sixty-five thousand dollars.

For paying annuities to the following nations of Indians, in pursuance of treaties: to the Six Nations, Cherokees, Chickasaws and Creeks, the sum of fifteen thousand dollars; and for presents to the Choctaws, two thousand dollars.

For defraying the expense of the transportation of annuities to the Indian tribes, ten thousand dollars.

For promoting civilization among the Indian tribes, and pay of temporary agents, and rations to Indians at the different military posts, the sum of forty-five thousand dollars.

For the defensive protection of the frontiers of the United States, including the erection and repairs of forts and fortifications, the sum of thirty thousand dollars.

For loss of stores, allowances to officers on being ordered to distant commands, and for special purposes; advertising and apprehending deserters, printing, purchasing maps, and other contingencies, the sum of thirty thousand dollars.

For the annual allowance to the invalids of the United States, for their pensions, from the fifth of March, one thousand eight hundred and one, to the fourth of March, one thousand eight hundred and two, the sum of ninety-three thousand dollars.

For the fortification of ports and harbors within the United States, the sum of two hundred thousand dollars. For the fabrication of cannon and small arms, and the purchase of ammunition, being the balance of appropriations unexpended which have been carried to the surplus fund, four hundred thousand dollars.

SEC. 2. *And be it further enacted*, That the foregoing appropriations shall be paid out of any monies in the treasury of the United States, not otherwise appropriated.

APPROVED, March 2, 1801.

Appropriations for the military establishment and the Indian annuities.

STATUTE II.

CHAP. XIX.—*An Act to amend the act intituled "An act to establish a general Stamp Office."*

March 3, 1801.

[Repealed.]  
April 6, 1802,  
ch. 19.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That whenever any person or persons shall pay to a collector of the revenue, the duty

Mode of obtaining a stamp

to an instrument  
not stamped.

Act of April  
23, 1800, ch. 31.

Act of April  
23, 1800.  
Repeal of part  
of the former  
act.

chargeable by law on a deed, instrument or writing, on which the stamp duty chargeable by law shall not have been paid, together with the further sum of ten dollars, and shall obtain the endorsement and receipt of such collector, upon such deed, instrument or writing therefor, agreeably to the provisions of an act, intituled "An act to establish a general stamp office," passed on the twenty-third day of April, in the year one thousand eight hundred, it shall be lawful for such person or persons to produce such deed, instrument or writing, to the supervisor of the revenue within whose district such person or persons shall reside; which supervisor thereupon shall certify under his hand and seal, and upon some part of the said deed, instrument or writing, that the same, so endorsed, has been produced to him, and that the said endorsement is, in his belief, genuine; after which said endorsement and certificate, and not otherwise, such deed, instrument or writing, shall be to all intents and purposes as valid and available as if the same had been or were stamped, counterstamped, or marked as by law required; any thing in any act to the contrary notwithstanding.

SEC. 2. *And be it further enacted*, That so much of the act, intituled "An act to establish a general stamp office," as requires certain duties to be performed by the surveyors of the revenue, shall be, and the same is hereby repealed.

APPROVED, March 3, 1801.

## STATUTE. II.

March 3, 1801.

[Obsolete.]

The President  
may cause to be  
sold certain of  
the public ves-  
sels.

Six of the fri-  
gates to be re-  
tained in con-  
stant service.

Residue of the  
frigates laid up.

Component  
parts of a ration  
after the reduc-  
tion of the Navy.

CHAP. XX.—*An Act providing for a Naval peace establishment, and for other purposes.*(a)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States be, and he hereby is authorized, whenever the situation of public affairs shall in his opinion render it expedient, to cause to be sold, they being first divested of their guns and military stores, which are to be carefully preserved, all or any of the ships and vessels belonging to the navy, except the frigates United States, Constitution, President, Chesapeake, Philadelphia, Constellation, Congress, New York, Boston, Essex, Adams, John Adams, and General Greene; and also to lay up all the frigates thus to be retained, except such as are directed by this act to be kept in constant service in time of peace.

SEC. 2. *And be it [further] enacted*, That six of the frigates to be retained shall be kept in constant service in time of peace, and shall be officered and manned as the President of the United States may direct, not to exceed, however, two thirds of the present complement of seamen, and ordinary seamen; the residue of the frigates to be retained shall be laid up in convenient ports, and there shall be permanently attached to each frigate so laid up, one sailing-master, one boatswain, one gunner, one carpenter, and one cook, one sergeant or corporal of marines, and eight marines; and to the large frigates twelve, and to the small frigates ten seamen; the sailing-master shall have the general care and superintendence of the ship; and shall generally execute such duties of a purser as may be necessary.

SEC. 3. *And be it [further] enacted*, That from and after the day when the reduction of the navy shall take place as aforesaid, the navy ration shall consist of as follows: on Sunday, fourteen ounces of bread, one and a quarter pound of beef, half a pound of flour, one quarter of a pound of suet, one half pint of distilled spirits; Monday, fourteen ounces of bread, one pound of pork, half pint of pease, one half pint of distilled spirits; Tuesday, fourteen ounces of bread, one pound of beef, two ounces of cheese, one half pint of distilled spirits; Wednes-

(a) Act of March 27, 1804, chap. 53; act of April 21, 1806, chap. 35.

day, fourteen ounces of bread, one pound of pork, half pint of rice, one half pint of distilled spirits; Thursday, fourteen ounces of bread, one and a quarter pound of beef, half pound of flour, quarter pound of suet, one half pint of distilled spirits; Friday, fourteen ounces of bread, four ounces of cheese, two ounces of butter, half pint of rice, half pint of molasses, one half pint of distilled spirits; Saturday, fourteen ounces of bread, one pound of pork, half pint of pease, half pint of vinegar, one half pint of distilled spirits.

SEC. 4. *Be it further enacted*, That the President of the United States retain in the navy service in time of peace, nine captains, thirty-six lieutenants, and one hundred and fifty midshipmen, including those employed on board of the six frigates to be kept in service; and that he be authorized to discharge all the other officers in the navy service of the United States, but such of the aforesaid officers as shall be retained in the service shall be entitled to receive no more than half their monthly pay during the time when they shall not be under orders for actual service.

Number of officers to be retained.

SEC. 5. *Be it further enacted*, That all the commissioned and warrant officers, who shall be discharged as aforesaid, shall be entitled to receive four months pay over and above what may be due to them respectively at the time of their discharge.

Four months extra pay allowed to those who are discharged.  
Repeated April 21, 1806.

APPROVED, March 3, 1801.

#### STATUTE II.

#### CHAP. XXI.—*An Act concerning the Mint.*(a)

March 3, 1801.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the mint shall remain in the city of Philadelphia, until the fourth day of March, in the year one thousand eight hundred and three.

To remain at Philadelphia.

SEC. 2. *And be it further enacted*, That during the continuance of the mint at the city of Philadelphia, the duties now enjoined on the Chief Justice of the United States, the Secretary and Comptroller of the Treasury, the Secretary for the Department of State, and the Attorney General of the United States, by the eighteenth section of the act, intitled "An Act establishing a mint, and regulating the coins of the United States," passed the second day of April, one thousand seven hundred and ninety-two, shall be performed by the district judge of Pennsylvania, the attorney for the United States in the district of Pennsylvania, and the commissioner of loans for the state of Pennsylvania.

Act of March 3, 1803, ch. 36.  
Act of April 1, 1808, ch. 41.  
Act of Dec. 2, 1812, ch. 2.  
Act of Jan. 14, 1818, ch. 4.  
Act of March 3, 1823, ch. 42.  
Certain duties to be performed by the district judge and attorney of Pennsylvania and the commissioner of loans.

APPROVED, March 3, 1801.

#### STATUTE II.

CHAP. XXII.—*An Act authorizing the Secretary of the Treasury to employ Clerks for completing the abstracts of the valuation of lands and dwelling-houses, and the enumeration of slaves.*

March 3, 1801.

[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby authorized and directed to employ clerks, for such compensation as he shall judge reasonable, to complete the abstracts of the valuation of lands and dwelling-houses, and the enume-

(a) The 2d section of the act of March 3, 1823, chap. 42, provides that the duty of attending to the examination of the coins at the mint, shall be performed by the collector of the port of Philadelphia, instead of the commissioner of loans.

By the 32d section of the act supplementary to an act entitled, "An act establishing a mint, and regulating the coins of the United States," passed January 18, 1837, chap. 1, the annual trial of the gold and silver coins of the United States, is required to be made before the district judge of Pennsylvania, the attorney of the United States for the district of Pennsylvania, and collector of the port of Philadelphia, and such other persons as the President of the United States shall, for that purpose, designate.



ration of slaves within the United States, under the direction of the commissioners authorized to direct the completing of such abstracts, in those states where clerks cannot be procured by the commissioners, for the compensation allowed by law to clerks for performing that business, agreeably to the provisions of the following acts; that is to say, an act, intituled "An act to provide for the valuation of lands and dwelling-houses, and the enumeration of slaves within the United States;" an act, intituled "An act supplementary to the act, intituled 'An act to provide for the valuation of lands and dwelling-houses, and the enumeration of slaves within the United States;'" and an act, intituled "An act to provide for equalizing the valuation of unseated lands."

APPROVED, March 3, 1801.

## STATUTE II.

March 3, 1801.

Act of March 2, 1799, ch. 29.

Act of May, 1802, ch. 44.

Right of pre-emption given to certain persons who have contracted with J. C. Symmes, &c.

CHAP. XXIII.—*An Act giving a right of pre-emption to certain persons who have contracted with John Cleves Symmes, or his associates, for lands lying between the Miami rivers, in the territory of the United States northwest of the Ohio.* (a)

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any person or persons, and the legal representative or representatives of any person or persons, who, before the first day of January, in the year of our Lord one thousand eight hundred, had made any contract or contracts in writing, or by any note or memorandum thereof in writing, either with John Cleves Symmes, or with any of his associates, or who had made to him or them, any payment of money for the purchase of lands, situate between the Miami rivers, within the limits of a survey made by Israel Ludlow, in conformity to an act of Congress of the twelfth of April, one thousand seven hundred and ninety-two, and not comprehended within the limits of a tract of land, conveyed to John Cleves Symmes and his associates, by letters patent, bearing date the thirtieth of September, one thousand seven hundred and ninety-four, in the territory of the United States northwest of the Ohio, shall be entitled to a preference, in becoming the purchasers, from the United States, of all the lands so contracted for, at the price of two dollars per acre, exclusive of the surveying fees, and other incidental expenses; and payment may be made therefor, to the treasurer of the United States, or the receiver of public monies for the lands of the United States at Cincinnati, in like instalments, and under the same conditions, as directed by the act, intituled "An act to amend the act, intituled 'An act providing for the sale of the lands of the United States, in the territory of the United States northwest of the Ohio, and above the mouth of Kentucky river.'" *Provided however,* that no interest shall be charged upon any of the instalments until they respectively become payable.

SEC. 2. *And be it further enacted,* That every person, claiming the benefit of the first section of this act, shall, on or before the first day of November next, deliver to the receiver of public monies, for the lands of the United States at Cincinnati, a notice in writing, stating the nature and extent of his claim or contract; and if any person shall neglect to give such notice of his claim or contract, or having given the same, shall neglect to make application for the purchase thereof, as herein after directed, or shall fail in making the first payment before the first of January next, all his right of pre-emption, on the terms aforesaid, shall cease and become void.

SEC. 3. *And be it further enacted,* That the aforesaid receiver of public monies, on being paid the fees herein after provided, shall receive every such notice of claim, or statement thereof, and give a receipt

Persons claiming the benefit of this act to give notice to the receiver of public monies at Cincinnati.

Duty of the receiver herein.

(a) Act of March 3, 1803, chap. 21, sec. 4; act of March 26, 1804, chap. 35.

therefor, and carefully put and preserve on file every such paper or writing, and lay the same before the commissioners, when met, for settling and adjusting the claims aforesaid.

SEC. 4. *And be it further enacted*, That the aforesaid receiver of public monies, and two other persons, who shall be appointed by the President of the United States alone shall be commissioners for the purpose of ascertaining the rights of persons claiming the benefits of this act, who, previous to entering on the duties of their appointment, shall respectively take and subscribe the following oath or affirmation, before some person qualified to administer oaths, to wit: "I — do solemnly swear, or affirm, that I will impartially exercise and discharge the duties imposed on me, by an act of Congress, intituled 'An act giving a right of pre-emption to certain persons who have contracted with John Cleves Symmes, or his associates, for lands lying between the Miami rivers, in the territory of the United States northwest of the Ohio,' to the best of my understanding and ability;" and it shall be the duty of the said commissioners to meet at Cincinnati, between the first and the tenth day of November next, of which meeting three weeks previous notice shall be given by them in a public newspaper printed at Cincinnati; and they, or a majority of them, so met, shall not adjourn to any other place, or for a longer time than three days, until they have finally completed the business of their said appointment; and they, or any two of them, shall have power to hear and decide, in a summary manner, all matters respecting all such claims of which notice may have been filed, pursuant to the third section of this act, also to administer oaths, and examine witnesses, and such other testimony as may be adduced, and to determine thereon according to justice and equity; which determination shall be final; and when it shall appear to them, that the claimant is entitled to the right of pre-emption, on the terms aforesaid, they shall give a certificate thereof, stating as accurately as may be, the quantity and local situation of the lands to which he may be entitled, directed to the register of the land-office at Cincinnati, or when the said register may be a claimant, to the surveyor-general, copies of which certificates shall be by them recorded, in a book to be provided for that purpose, and deposited for safe keeping with the register of the land-office.

SEC. 5. *And be it further enacted*, That the aforesaid register and surveyor-general, respectively, upon application of any person or persons, who shall produce a certificate of the commissioners aforesaid, to him directed, before the first day of January next, and shall also produce a receipt from the treasurer of the United States, or the aforesaid receiver of public monies, for at least one fourth part of the purchase money, and also for the payment of three dollars for each half section or smaller quantity, and shall pay him the fees in like case provided by the act, intituled "An act to amend the act, intituled An act providing for the sale of the lands of the United States, in the territory of the United States northwest of the Ohio, and above the mouth of Kentucky river," shall admit such person or persons to become a purchaser or purchasers of the land designated in the said certificate, and shall receive the said certificate and preserve it on file, and make an entry of the application in his book, kept for the purpose, and on any of the three last payments being made in advance, he shall allow the purchaser the like discount as is allowed by the fourth clause of the fifth section of the act last above recited; and on payment in full, and a final settlement had, he shall give his certificate thereof; upon producing which to the Secretary of the Treasury, a patent shall issue in like manner as is provided by the said act last above recited.

SEC. 6. *And be it further enacted*, That the said receiver of public monies shall be entitled to have and receive, to his own use, from the respective claimants, the following fees, that is to say: for filing a notice

And also of the two commissioners to be appointed.

Duty of the Surveyor General and Register at Cincinnati.

Act of May 10, 1800, ch. 55.

Fees allowed to the receiver and commissioners.

and evidence of claim, or statement thereof, twenty-five cents; for giving a copy thereof, twelve and a half cents for every one hundred words. And the said commissioners shall, as a full compensation for their services, be entitled, jointly, to have and receive from the respective claimants, that is to say: for every determination, and entering the result in their book, at the rate of three dollars for every section; for every certificate, and recording the same, at the rate of one dollar for every section.

Mode in which  
the land shall  
be surveyed.

SEC. 7. *And be it further enacted*, That all the aforesaid tract of country shall be surveyed by the surveyor-general, as soon as may be after the first day of September next, in the manner herein after directed.

1. So much of the said tract as lies between the northern boundary line, and the aforesaid patent of John Cleves Symmes, and associates, and Israel Ludlow's southern boundary of the seventh entire range of townships, shall be laid off into sections, agreeably to northwardly and southwardly lines, run under the direction of John Cleves Symmes; and the marks thereon made, at the time of running the aforesaid lines, for the corners of sections, shall be established by the surveyor-general, and eastwardly and westwardly lines shall be run to intersect the aforesaid northwardly and southwardly lines, in the corresponding marked points.

2. And the residue of the said tract lying north of the aforesaid southern boundary of the seventh entire range, shall be laid off into sections, according to such uniform rule and method, as, in the opinion of the surveyor-general, shall best secure the rights and interest of those who are entitled to pre-emption.

3. Such divisions shall be made of sections, according to the claim of such who obtain pre-emption right, and the contents of each and every section, and such division thereof, shall be ascertained, and the surveyor-general shall prepare and transmit a plan thereof to the aforesaid register, immediately after the said survey shall be completed, and also forward a copy thereof to the Secretary of the Treasury.

Applications  
to be made as  
for a section of  
640 acres, &c.

SEC. 8. *And be it further enacted*, That all persons, availing themselves of a pre-emption under this act, shall make application for a section, or any part or parts of a section or sections, according to the estimated quantity of six hundred and forty acres to a section, and the amount of the excess or deficiency shall be added to or deducted from the last payment, and the purchaser shall make payment for and hold the quantity returned and expressed in the plats, let the quantity be more or less.

Duties and al-  
lowance of the  
Surveyor Gen-  
eral, Register,  
and Receiver of  
public monies.

SEC. 9. *And be it further enacted*, That the duties of the surveyor-general, of the aforesaid register and receiver of public monies, as nearly as may be consistent with this act, shall respectively be the same as directed in and by the last recited act, and the fees and emoluments shall respectively be the same as provided in the said act last recited.

Parts of the  
land to be sold  
in a different  
manner.

SEC. 10. *And be it further enacted*, That after completing the surveys, agreeably to this act, reserving the lots marked sixteen in each township, or fractional part of a township, in which the same may be, for the purposes expressed in the ordinance of Congress of the twentieth of May, one thousand seven hundred and eighty-five, the residue of the lands, and so many of the aforesaid pre-emptions as shall become forfeited by reason of failures of payment, shall be sold agreeably to the last recited act.

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Repeal of for-  
mer laws with-  
in the purview  
of this.

SEC. 11. *And be it further enacted*, That this act shall have full operation and effect, any thing in any former law to the contrary notwithstanding.

APPROVED, March 3, 1801.

CHAP. XXIV.—*An Act supplementary to the act intituled "An act concerning the District of Columbia."* (a)

STATUTE II.

March 3, 1801.

Act of Feb. 27, 1801, ch. 15.  
Powers of the circuit court.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the circuit courts for the district of Columbia shall be and they are hereby invested with the same power respecting constables, inspectors, and the inspection of tobacco and flour, surveyors, mills, highways and ferries, for the county of Alexandria, as have heretofore been vested in the county courts of the commonwealth of Virginia; and for the county of Washington, the same power and authority as have been heretofore exercised by the county and levy courts of the state of Maryland; with power to appoint to all other offices necessary for the said district, under the laws of the respective states of Maryland and Virginia. And all officers for whom no special provision is made by this act, or the act to which this is a supplement, shall receive the same fees and emoluments as they have respectively received under the jurisdiction of the respective states.

Fees of certain officers of the territory.

SEC. 2. *And be it further enacted,* That all indictments shall run in the name of the United States, and conclude, against the peace and government thereof. And all fines penalties and forfeitures accruing under the laws of the states of Maryland and Virginia, which by adoption have become the laws of this district, shall be recovered with costs, by indictment or information in the name of the United States, or by action of debt, in the name of the United States and of the informer; one half of which fine shall accrue to the United States, and the other half to the informer; and the said fines shall be collected by or paid to the marshal, and one half thereof shall be by him paid over to the board of commissioners herein after established, and the other half to the informer; and the marshal shall have the same power regarding their collection, and be subject to the same rules and regulations as to the payment thereof, as the sheriffs of the respective states of Maryland and Virginia are subject to in relation to the same.

Form of indictments.

Mode of recovering and distribution of penalties.

SEC. 3. *And be it further enacted,* That all felonies committed within the county of Alexandria shall be punished in the same manner as such crimes were punishable by the laws of Virginia, as they existed prior to the year one thousand seven hundred and ninety-six; and the circuit court for the said county of Alexandria shall possess and exercise the same powers and jurisdiction, civil and criminal, as is now possessed and exercised by the district courts of Virginia.

Punishment of felonies.

Jurisdiction of the circuit court for Alexandria.

SEC. 4. *And be it further enacted,* That the magistrates, to be appointed for the said district, shall be and they are hereby constituted a board of commissioners within their respective counties, and shall possess and exercise the same powers, perform the same duties, receive the same fees and emoluments, as the levy courts or commissioners of county for the state of Maryland possess, perform and receive; and the clerks and collectors, to be by them appointed, shall be subject to the same laws, perform the same duties, possess the same powers, and receive the same fees and emoluments as the clerks and collectors of the county tax of the state of Maryland are entitled to receive.

Magistrates to form a board of county commissioners.

SEC. 5. *And be it further enacted,* That the clerks of the circuit court shall, within their respective districts, be bound to perform the same duties, respecting the recording of deeds and all other services, and shall receive the same fees and emoluments for the same (except in those cases provided for in the ninth section of the act to which this is a supplement) as are now performed and received by the clerks of the counties of the respective states of Maryland and Virginia.

Duties and emoluments of the clerks of courts.

Act of Feb. 27, 1801, ch. 15.

(a) See notes to act of February 27, 1801, chap. 15.

Delivery of fugitives from justice or labour from any state.

SEC. 6. *And be it further enacted*, That in all cases where the constitution or laws of the United States provide that criminals and fugitives from justice, or persons held to labour in any state, escaping into another state, shall be delivered up, the chief justice of the said district shall be, and he is hereby empowered and required to cause to be apprehended and delivered up such criminal, fugitive from justice, or persons fleeing from service, as the case may be, who shall be found within the district in the same manner and under the same regulations as the executive authority of the several states are required to do the same; and all executive and judicial officers are hereby required to obey all lawful precepts or other process issued for that purpose, and to be aiding and assisting in such delivery.

Powers of sheriffs and collectors of certain adjacent counties may be exercised within the district for the collection of certain public dues.

SEC. 7. *And be it further enacted*, That it shall be lawful for the sheriffs and collectors of public dues for the counties of Montgomery and Prince George's in the state of Maryland, and for the sheriffs of Fairfax county in the commonwealth of Virginia, and they shall respectively have full power and authority to enter into those parts of the now district of Columbia, which were heretofore within the limits of their respective bailiwicks, for the purposes of collecting by distress or otherwise, as they were heretofore authorized to do, all officers' fees, state taxes and county taxes, levies, fines and other public dues, which were due on the first Monday of December, one thousand eight hundred, and still remain uncollected, from persons residing or having property, subject to the payment of such officers' fees, state taxes and county taxes, and levies within the said district; and all disputes or controversies that do or may arise between such sheriff or collector, and the person or persons from whom he or they may claim such public dues, shall be cognizable before and tried by the respective state courts to whom the trial of such controversies heretofore belonged, and not before the court of the district of Columbia.

Sheriffs may make certain arrests.

SEC. 8. *And be it further enacted*, That it shall and may be lawful for the sheriffs of the said counties of Montgomery and Prince George's in the state of Maryland, and for the sheriff of Fairfax county in the commonwealth of Virginia, and they shall respectively have full power and authority to enter into those parts of the now district of Columbia, which were heretofore within the limits of their respective bailiwicks, for the purpose of arresting and conducting to the respective jails under their keeping and care, as they heretofore might have done had the law to which this is a supplement never passed, each and every person within the limits of the district of Columbia, upon whom such sheriff hath heretofore served a writ of capias ad satisfaciendum, capias ad respondendum, attachment or other process, issuing from any state court, which commands and requires such sheriff to have the body of the person before the court from which such writ or process hath issued.

The chief judge and one of the associate justices may make appointments.

SEC. 9. *And be it further enacted*, That where by this act, and the act to which this is a supplement, appointments are authorized to be made by the circuit court of the district, it shall be lawful for the chief judge, with one of the associate justices of the said court, to make such appointments.

APPROVED, March 3, 1801.

STATUTE II.

March 3, 1801.

CHAP. XXV.—*An Act to amend the act altering the district of Bermuda Hundred and City Point.*

Alterations in the districts.  
1800, ch. 49.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That from and after the passing of this act, the master or commander of any ship or vessel arriving within the districts of Petersburg or Richmond, laden with goods, wares and merchandise, belonging or consigned to persons resident within both

the said districts, shall make entry of such ship or vessel, in manner already prescribed by law, with the collector of that district wherein the owner or consignee, or the husband or acting manager of such ship or vessel, shall actually reside: and the said master or commander shall, at the time of making the entry aforesaid, deliver a duplicate manifest of the cargo as now required by law, to the said collector, whose duty it shall then be, to certify the same as a true copy, and to transmit it to the collector of the other district, and the delivery of such goods, wares or merchandise, shall be authorized by permits from the collector of each district respectively, in which the same shall have been duly entered according to law: *Provided*, that no bona fide importer, owner or consignee of goods, wares or merchandise, residing in either district, shall be admitted to make an entry of such goods, wares or merchandise with the collector of the district, in which such importer, owner or consignee shall not reside: *And provided also*, that all entries for goods, wares or merchandise, made by agents, for persons residing in other districts, shall be made with the collector of the district in which such ship or vessel may discharge.

APPROVED, March 3, 1801.

STATUTE II.

CHAP. XXVI.—*An Act authorizing the remission of duties on certain Teas destroyed by fire, while under the care of the officers of the customs, in Providence, Rhode Island.*

March 3, 1801.

[Obsolete.]

Duties on goods destroyed by fire remitted.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the collector of the district of Providence, in the state of Rhode Island, be, and he is hereby authorized and directed to remit the duties on such part of a certain quantity of teas, imported into the port of Providence, in the ship called the Resource, on the twenty-ninth day of July, one thousand eight hundred, by Thomas Lloyd Halsey, John Corlis, William F. Megee, and Henry Smith, of the town of Providence, merchants, and on such part of a certain quantity of teas, imported into the said port, in the ship called the Ann and Hope, on the twenty-second day of August, in the same year, by John Innes Clark, of the said town, merchant, as remained deposited to secure the payment of duties, under the care of the officers of the customs, on the twenty-first day of January last, in the aforesaid town of Providence, and shall be proved, to the satisfaction of the said collector, to have been burned and destroyed.

APPROVED, March 3, 1801.

STATUTE II.

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

March 3, 1801.

[Obsolete.]

Specific appropriations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That for the support of government, and to discharge certain claims and expenses hereafter enumerated, the following sums be and are hereby appropriated, that is to say:

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

For the like compensation to the members of the Senate and House of Representatives, their officers and attendants, one hundred and ninety-three thousand four hundred and seventy dollars.

For the contingent expenses of the two houses of Congress, including the payment of certain articles of furniture purchased for the accommodation of Congress, and not provided for by former appropriations, seventeen thousand dollars.

Specific ap-  
propriations.

For the compensation granted by law to the Judges of the United States, the Attorney-General, the district attorneys, and marshals, eighty-three thousand four hundred dollars.

For defraying the expense of courts, jurors, and witnesses, and for defraying the expenses of prosecutions for offences against the United States, and for safe keeping of prisoners, thirty thousand dollars.

For compensation to the Secretary of the Treasury, clerks and persons employed in his office, eleven thousand three hundred and nine dollars, eighty-one cents.

For expenses of stationery, printing, translating foreign languages, allowance to persons employed in receiving and transmitting passports and sea letters, and all other contingent expenses in the office of the Secretary of the Treasury, eight hundred dollars.

For compensation to the Comptroller of the Treasury, clerks, and persons employed in his office, twelve thousand nine hundred and seventy-seven dollars, eight cents.

For expense of stationery, printing, and all other contingent expenses in 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 dollars, ninety-three cents.

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

For compensation to the Treasurer, clerks and other persons employed in his office, six thousand three hundred and forty-eight dollars, ninety-eight cents.

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

For compensation to the Commissioner of the Revenue, clerks, and other persons employed in his office, six thousand two hundred and fifty-three dollars, six cents.

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

For compensation to the Register of the Treasury, clerks, and persons employed in his office, sixteen thousand and fifty-two dollars, one cent.

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

For compensation to the Superintendent of Stamps, clerks, and persons employed in his office, and for making good a deficiency in former appropriations for the stamp-office, five thousand nine hundred and ninety dollars, twenty-four cents.

For expense of stationery, printing, and all other contingent expenses in the stamp-office, six hundred dollars.

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

For firewood and candles for the offices of the treasury, including the stamp-office, and other contingencies, four thousand dollars.

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

For making good the deficiency of former appropriations, for the expense of removing the books and records of the treasury from Philadelphia to Trenton, in the year one thousand seven hundred and ninety-nine, two thousand six hundred and thirty-nine dollars, seventy-sixty cents.

For the expense of new office furniture for the treasury, at the city of Washington, two thousand dollars.

For flooring the treasury, and incidental expenses for securing the

buildings and records of the treasury, three hundred and fifty-nine dollars, eighty-three cents.

Specific appropriations.

For paying two watchmen for the treasury, six hundred dollars.

For the expense of two buildings for messengers of the treasury, and sinking two wells for the treasury, five thousand one hundred and twenty-two dollars.

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

For compensation to the clerks of the commissioners of loans, and an allowance to certain loan-officers in lieu of clerk hire, twelve thousand one hundred dollars.

For defraying the authorized expenses of the several loan-offices, two thousand nine hundred dollars.

For compensation to the Secretary of State, clerks, and persons employed in his office, eleven thousand three hundred and sixty dollars.

For the contingent expenses of the office of state, thirteen thousand five hundred dollars.

For compensation to the director of the mint, officers, clerks, and other persons, employed in the mint establishment, seventeen thousand six hundred dollars.

For repairs, and all other contingent expenses in the mint establishment, six thousand three hundred dollars.

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

For the compensation of two additional clerks employed by the Secretary at War in copying papers in the office of the Secretary of the Treasury, to replace those lately burnt in the war-office, one thousand two hundred dollars.

For such additional compensation to the clerks of the several departments of the treasury, of state, of war, of the navy, and of the general post-office, not exceeding for each department, respectively, fifteen per cent. in addition to the sums allowed by the act, intituled "An act to regulate and fix the compensation of clerks, as the secretaries of the said departments and the Postmaster-General, may respectively think reasonable for the present year, to be distributed as the said secretaries and the Postmaster-General, respectively, shall think proper, to the clerks in their departments, respectively, eleven thousand eight hundred and eighty-five dollars.

1799, ch. 40.

For an additional allowance to the chief clerk in the office of the Secretary of the Navy, for his services in the year one thousand eight hundred, the sum of three hundred dollars.

For contingent expenses attending the office of Secretary of War, and to make good the deficiency of former appropriations, five thousand dollars.

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

For contingent expenses in the accountant's office, one thousand dollars.

For compensation to the purveyor of public supplies, clerks, and persons employed in his office, and for contingent expenses of the same, four thousand four hundred and sixty-six dollars.

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

For contingent expense in the office of the Secretary of the Navy, three thousand three hundred dollars.

For compensation to the accountant of the navy department, clerks, and persons employed in his office; and to make good a deficiency in the appropriation of the last year, eleven thousand four hundred and forty-nine dollars, forty-one cents.



Specific ap-  
propriations.

For the contingent expenses in the accountant's office, seven hundred and fifty dollars.

For compensation to the Postmaster-General, Assistant Postmaster-General, clerks and persons employed in the general post-office, nine thousand nine hundred and sixty dollars.

For the contingent expense in the general post-office, two thousand one hundred and twelve dollars, fifty cents.

For compensation to the Surveyor-General, the contingent expenses in his office, and the expense of executing surveys of the public land northwest of the river Ohio, twenty-eight thousand two hundred dollars.

For salaries to the governor, secretary, and judges of the territory northwest of the river Ohio, and the contingent expenses of that government, five thousand five hundred dollars.

For salaries to the governor, secretary, and judges of the Mississippi territory, and the contingent expenses of that government, five thousand five hundred dollars.

For salaries to the governor, secretary, and judges of the Indiana territory, and the contingent expenses of that government, five thousand five hundred dollars.

For the discharge of such demands against the United States unprovided for, as shall be ascertained and admitted in due course of settlement at the treasury, two thousand dollars.

For satisfying annuities and grants to Isaac Van Wart, John Paulding, David Williams, Joseph De Bealeau, Joseph Traversie, James M'Kensie, Joseph Brussels, Elizabeth Bergen, and the children of Major Alexander Trueman, and Colonel John Harding, one thousand seven hundred and fifty-three dollars, thirty-three cents.

For the expenses of intercourse with foreign nations during the present year, and making good the deficiency of the appropriation for the year one thousand eight hundred, for the expense of the mission to France, eighty-five thousand dollars.

For carrying into effect the treaty of amity, commerce and navigation, between the United States, and the King of Great Britain, fifty-eight thousand eight hundred and sixty-four dollars.

For a deficiency of former appropriations for carrying into effect the treaty between the United States and the King of Spain, forty-six thousand five hundred dollars.

For fulfilling the engagements of the United States with the Mediterranean powers, two hundred and fifty-six thousand dollars.

For prosecuting the claims of American citizens for property captured by the belligerent powers, sixty-four thousand dollars.

For the relief of American seamen, thirty thousand dollars.

For defraying the further expenses incident to the valuation of houses and lands, and the enumeration of slaves within the United States, forty thousand dollars.

For the support of lighthouses, beacons, buoys and public piers, and other improvements in navigation, thirty-eight thousand six hundred and twenty-two dollars, seventy cents.

For discharging the expense of the second enumeration of the inhabitants of the United States, the sum of sixty thousand dollars.

For discharging such miscellaneous claims against the United States, not otherwise provided for, as shall be admitted at the treasury, which, according to the usage thereof, require payment in specie, four thousand dollars.

For the expense of returning the votes for President and Vice-President of the United States, one thousand five hundred and twenty-four dollars, fifty cents.

For repairing the building occupied by the treasury department, the sum of two thousand dollars.

For satisfying the claim of Clement Biddle, twenty-nine thousand eight hundred and fifty-six dollars, sixty-three cents.

For erecting a lighthouse at old Point Comfort, the sum of three thousand five hundred dollars.

SEC. 2. *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, March 3, 1801.

STATUTE II.

CHAP. XXVIII.—*An Act directing the mode of estimating certain foreign coins and currencies, and of making out invoices in certain cases.*

March 3, 1801.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That from and after the passing of this act, the foreign coins and currencies herein-after mentioned, shall be estimated in the computation of duties, at the following rates; each sicca rupee of Bengal and each rupee of Bombay, at fifty cents; and each star pagoda of Madras, at one hundred and eighty-four cents; any thing in any former act to the contrary notwithstanding.

Act of March  
2, 1799, ch. 22,  
sec. 74.

SEC. 2. *And be it further enacted*, That from and after the thirtieth day of June next, the invoices of all goods, imported into the United States, and subject to a duty ad valorem, shall be made out in the currency of the place or country from whence the importation shall be made, and shall contain a true statement of the actual cost of such goods, in such foreign currency or currencies, without any respect to the value of the coins of the United States, or foreign coins, which now are, or shall be by law made current within the United States, in such foreign place or country.

1799, ch. 22,  
sec. 36.

APPROVED, March 3, 1801.

STATUTE II.

CHAP. XXIX.—*An Act to augment the salaries of the district judges in the districts of Massachusetts, New York, New Jersey, Delaware and Maryland, respectively.*

March 3, 1801.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That instead of the compensation at present allowed to the district judges for the districts of Massachusetts, New York, Delaware, and Maryland, respectively, there shall hereafter be allowed to the district judge for the district of Massachusetts, the yearly salary of sixteen hundred dollars; to the district judge for the district of New York, the yearly salary of sixteen hundred dollars; to the district judges for the districts of New Jersey and Delaware, the yearly salaries of twelve hundred dollars each, and to the district judge for the district of Maryland, the yearly salary of sixteen hundred dollars, to be paid at the treasury of the United States in quarter-yearly payments.

[Obsolete.]  
Salaries in-  
creased.

1789, ch. 18.

SEC. 2. *And be it further enacted*, That for the year one thousand eight hundred and one, there shall be appropriated the sum of eight hundred dollars, to satisfy the additional compensation hereby allowed to the district judges, to be paid out of any monies in the treasury not otherwise appropriated.

APPROVED, March 3, 1801.

STATUTE II.

CHAP. XXX.—*An Act in addition to an act intituled "An act making provision for the further accommodation of the household of the President of the United States."*

March 3, 1801.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secre-

[Obsolete.]  
1797, ch. 6.

tary of the Treasury be authorized to appoint a proper person, who shall receive the public property belonging to the household of the President of the United States, and, after taking an inventory of the same, shall deliver it, after the third day of March instant, to the President of the United States.

SEC. 2. *And be it further enacted*, That such articles of the furniture belonging to the President's household as may be decayed, out of repair, or unfit for use, and as the President of the United States for the time being, may direct, and all the public property, other than furniture, now belonging to the said household, shall be sold, under the direction of the heads of the several departments of state, of the treasury, of war, and of the navy; and that the proceeds of such sales be expended, in addition to the funds already appropriated for that purpose, under the direction of the same officers, for the purpose of providing furniture for the house erected for the accommodation of the President of the United States.

APPROVED, March 3, 1801.

STATUTE II.

March 3, 1801.

[Obsolete.]  
Specific appropriations.

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

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That for defraying the expenses of the navy of the United States, for the year one thousand eight hundred and one, there shall be, and hereby is appropriated the sum of three millions forty-two thousand three hundred and fifty-two dollars and ninety-five cents, that is to say:

For the pay of the officers of the navy of the United States, the sum of three hundred and eighty-two thousand seven hundred and eighty-eight dollars.

For the subsistence of the officers of the navy, the sum of sixty-nine thousand eight hundred and two dollars and sixty cents.

For the pay of the seamen, the sum of eight hundred and sixteen thousand six hundred and sixty dollars.

For provisions, the sum of five hundred and ninety-seven thousand one hundred and one dollars and thirty-seven cents.

For the expenses of medicines, hospitals, and hospital stores, the sum of thirty-one thousand six hundred and forty-seven dollars, and twenty cents.

For the contingent expenses of the navy, including expenditure of military stores, the sum of three hundred and forty-four thousand six hundred dollars.

For salaries to store-keepers, clerks, store rent, labourers, and other contingencies, the sum of thirty-seven thousand eight hundred and fifty dollars.

For the pay of the officers, non-commissioned officers, and privates of the marine corps, the sum of ninety-nine thousand two hundred and thirty-four dollars.

For the subsistence of the officers and privates of the marine corps, the sum of eleven thousand four hundred and eighty-six dollars and ten cents.

For clothing for the marine corps, the sum of thirty-three thousand five hundred and eighty-one dollars, and thirty cents.

For military stores for the marine corps, the sum of nine thousand one hundred and sixty-six dollars, and thirty-eight cents.

For the contingent expenses of the marine corps, including camp equipage, quartermaster, barrack master, hospital stores, stationery, and other contingencies, the sum of thirteen thousand four hundred and thirty-six dollars.

For the expenses attending six seventy-four gun ships, and for completing navy yards, docks, and wharves, the sum of five hundred thousand dollars.

For erecting marine barracks, the sum of twenty thousand dollars.

For maintenance of French prisoners, the sum of thirty thousand dollars.

For making up deficiency of former appropriations for the maintenance of French prisoners, the sum of forty-five thousand dollars.

SEC. 2. *And be it further enacted*, That the several appropriations herein before made shall be paid out of the unexpended balance of appropriations for the navy, at the close of the last year, and out of any other monies in the treasury not otherwise appropriated.

APPROVED, March 3, 1801.

# STATUTE II.

CHAP. XXXII.—*An Act for altering the times and places of holding certain Courts therein mentioned, and for other purposes.*

March 3, 1801.

[Repealed.]

Act of March, 1802, ch. 8.

Times and places of holding the circuit courts of Maine, New Hampshire and Massachusetts, altered.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the circuit courts of the United States, within the districts of Maine, New Hampshire, Massachusetts and Rhode Island, shall, after the passing of this act, commence and be respectively held on the several days herein after expressed, instead of the times heretofore established by law, that is to say: In and for the district of Rhode Island, at Providence, on every first day of April, and at Newport on every eleventh day of November; in and for the district of Massachusetts, on every eighth day of April and twenty-fifth day of October; in and for the district of New Hampshire, at Portsmouth, on every twenty-third day of April, and at Exeter on every fifteenth day of October; in and for the district of Maine, at Portland, on every first day of May, and at Wiscasset on every sixth day of October, except when any of those days shall happen on a Sunday, and then the session shall commence on the next day following.

SEC. 2. *And be it further enacted*, That all actions, suits, process and other proceedings of what nature or kind soever, depending and undetermined before the circuit courts aforesaid respectively, or that shall be depending and undetermined on the first day of April next, before the district court for the district of Maine, acting as a circuit court, shall be continued to the next circuit courts respectively hereby directed to be holden in and for the districts aforesaid, respectively.

Continuances to those courts.

SEC. 3. *And be it further enacted*, That all writs and processes which have been, or shall be duly sued out and made returnable to either of the circuit courts aforesaid, or to the district court for the district of Maine, acting as a circuit court, on either of the days on which the same courts were respectively to have been held prior to the passing of this act, and all recognizances that have been or shall be duly taken and made so returnable (said writs and processes having been duly and seasonably served) shall be returned to and proceeded upon in the said next circuit courts respectively, which are next to be holden in and for the districts aforesaid, respectively, as hereby directed; and all property attached by virtue of such writs or processes, shall be held in due form of law to respond the final judgments that shall be obtained upon the same respectively.

Causes to be proceeded on therein.

SEC. 4. *And be it further enacted*, That the district courts of the United States, in the state of North Carolina, shall, after the passing of this act, commence and be held on the several days herein after expressed, instead of the times heretofore established by law, that is to say: at Edenton in and for the district of Albemarle on every last Monday of March, third Monday of June, and last Monday of November; at Newbern

Times and places of holding the district courts in North Carolina, altered.

in and for the district of Pamptico, on every first Monday of April, fourth Monday of June and first Monday of December; and at Wilmington in and for the district of Cape Fear, on every second Monday of April, first Monday of July and second Monday of December.

Continuance of causes in the district courts of N. Carolina and New Jersey.

SEC. 5. *And be it further enacted*, That all actions, suits, writs, process, pleadings and other proceedings commenced, instituted, depending or existing in the district courts of the districts of New Jersey and North Carolina, at the time of the passing of this act, shall be continued in manner following, that is to say: all such commenced, instituted, depending, or existing in the district court of the district of New Jersey, to the next district court to be holden in the district of East Jersey; and all such commenced, instituted, depending or existing in the district court of the district of North Carolina, shall be continued to the next district court to be holden in the district of Pamptico.

Place of holding the circuit court in Kentucky.

SEC. 6. *And be it further enacted*, That from and after the passing of this act, the circuit court of the United States for the district of Kentucky, shall be holden at Frankfort, within and for said district, on the days already established by law, instead of at Beardstown, any thing in any other law to the contrary notwithstanding.

Chief judge of Columbia to be the judge of Potomac district.

SEC. 7. *And be it further enacted*, That the chief judge of the district of Columbia, shall hold the district courts of the United States in and for the district of Potomac, and shall have, exercise and perform, within the said district of Potomac, all the powers and duties now possessed, exercised and performed by the district judges of the United States within their respective districts.

APPROVED, March 3, 1801.

## STATUTE II.

Feb. 27, 1801.

[Obsolete.]

Act of July 11, 1798, ch. 70.

Surveyors of the revenue to make certain returns to the supervisors and inspectors of the revenue.

CHAP. XXXIII.—*An Act to amend the act, intituled "An act to provide for the valuation of lands and dwelling-houses, and the enumeration of Slaves, within the United States," and to repeal the act, intituled "An act to enlarge the powers of the surveyors of the revenue."*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That each surveyor of the revenue who has been or shall be appointed under the act, intituled "An act to provide for the valuation of lands and dwelling-houses, and the enumeration of slaves within the United States," after completing the lists of the sums payable, for every dwelling-house and slave within the district to which such surveyor does or shall belong, and delivering the same to the collector of the revenue, and after taking receipts for such lists from the collector, in the manner provided by the act, intituled "An act to lay and collect a direct tax within the United States," shall transmit to the supervisor of the district, or to the inspector of survey, in any district comprehending more than one survey of inspection, to which such surveyor does or may belong, the receipts given by the collector for such lists, together with all the records of the lists, valuations and enumerations, which he has received or shall receive, or which doth or shall exist in his office under authority of the act first mentioned; and it shall be the duty of such supervisor or inspector to receive such receipts, records and papers, and safely to preserve the same.

1798, ch. 75.

Repeal of part of the former act.

1798, ch. 70.

SEC. 2. *And be it further enacted*, That so much of the act, intituled "An act to provide for the valuation of lands and dwelling-houses, and the enumeration of slaves," as makes it the duty of the surveyors of the revenue to record the transfers of lands or dwelling-houses, included in the said valuations, and to view and apportion the value of such land or dwelling-houses as shall be divided by sale or partition, and to value and assess new dwelling-houses and lands which are exempted, but which shall cease to be exempted from taxation by the laws of the state, where the same shall be situated, and to cancel or reduce the valuation of dwelling-

houses, which may be damaged or destroyed by fire or other accidents, shall be and the same is hereby repealed.

SEC. 3. *And be it further enacted*, That the act, intituled "An Act to enlarge the powers of the surveyors of the revenue," passed on the thirteenth day of May, in the year one thousand eight hundred, shall be and the same is hereby repealed.

APPROVED, February 27, 1801.

Repeal of a former act. 1800, ch. 60.

STATUTE II.

March 3, 1801.

CHAP. XXXIV.—*An Act for erecting Lighthouses on New Point Comfort, and on Smith's Point, in the state of Virginia, and on Faulkner's Island in Long Island Sound, in the state of Connecticut, and for placing buoys in Naraganset Bay.*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That as soon as a session shall be made by the state of Virginia to the United States, of the jurisdiction over the land proper for the purpose, the Secretary of the Treasury be, and he is hereby authorized to provide by contract, to be approved by the President of the United States, for building a lighthouse on New Point Comfort, and another lighthouse on Smith's Point, both in the state aforesaid, and to furnish the same with all necessary supplies; and also to agree for the salaries or wages of the persons, who may be appointed by the President for the superintendence and care of the same, and that the President be authorized to make the said appointments.

Lighthouses to be erected on New Point Comfort and on Smith's Point.

SEC. 2. *And be it further enacted*, That as soon as a session shall be made by the state of Connecticut, of the jurisdiction over the land proper for the purpose, the Secretary be, and he is hereby authorized to provide by contract, to be approved by the President of the United States, for building a lighthouse on Faulkner's Island, in Long Island Sound, in the said state of Connecticut, and to furnish the same with all necessary supplies, and also to agree for the salaries or wages of the person or persons appointed by the President for the superintendence and care of the same, and that the President be authorized to make the said appointments.

A lighthouse to be erected on Faulkner's Island.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby authorized and directed to cause to be placed one buoy on the shoal south of Kinnimicut Point, and one buoy on a ledge called the halfway rock, in the Naraganset Bay, in the state of Rhode Island.

Buoys to be placed in Naraganset Bay.

SEC. 4. *And be it further enacted*, That there be appropriated and paid, out of the monies arising from imports and tonnage, the sum of five thousand dollars for the purpose of erecting the lighthouse as aforesaid on New Point Comfort; the sum of nine thousand dollars for the purpose of erecting the lighthouse as aforesaid on Smith's Point; and the sum of six thousand dollars for erecting the lighthouse as aforesaid on Faulkner's Island in Long Island Sound, and the sum of one hundred and fifty dollars for placing two buoys as aforesaid in the Naraganset Bay, in the state of Rhode Island.

Appropriation.

APPROVED, March 3, 1801.

STATUTE II.

March 3, 1801.

CHAP. XXXV.—*An Act further to alter and to establish certain Post Roads.*

SECTION 1. *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 discontinued:

From Lancaster to New Holland in Pennsylvania.

From Greenville in Tennessee, by the Warm Springs, to Buncomb Courthouse.

[Repealed.]  
Act of April 28, 1810, ch. 37.  
Certain post-roads to be discontinued.

Post-roads  
established.

From Elizabeth city in North Carolina, by New Lebanon, to Northwest river bridge.

From Upper Marlborough to Piscataway.

From Henderson Courthouse to Muhlenberg Courthouse.

Sec. 2. *And be it further enacted*, That the following be established as post roads:

*In Maine*.—From Standish to Fryburg.

*In New Hampshire*.—From Amherst by Francistown, Washington and Claremont, to Windsor in Vermont.

*In Vermont*.—From Bennington to Brattleborough.

From Newbury by Bradford, Corinth, Washington and Barre, to Montpelier.

*In Massachusetts*.—From Leominster, through Westminster, Templeton and Athol, to Greenfield.

From Worcester, by Mendon, to Providence, and from Worcester to Lancaster.

*In Rhode Island*.—From Providence, by Rehoboth and Attleborough, to Taunton, Massachusetts.

*In New York*.—From Albany, by Duaneburg and Durlock, to Cherry Valley.

From Poughkeepsie, by Sharon, to Litchfield.

*In Delaware*.—From Georgetown, by Concord and the village of Laurel, to Salisbury.

*In Maryland*.—From Annapolis to Easton, by Young Hadaways.

From Annapolis to Centreville, by Kent Island.

From the city of Washington to Piscataway.

From Elkton, by Warwick and Bridgetown, to Greensborough, in Caroline county.

From the city of Washington, by Brookville and W. Hobbs's in Frederick county, to Taneytown.

From the city of Washington to Wiley's tavern in Fairfax county, Virginia.

*In Pennsylvania*.—From Pittsburg, by Georgetown and Canfield, to Warren in the Northwestern territory.

From Berwick to Wilkesbarre.

*In Virginia*.—From Richmond to Charles City Courthouse.

From Clarksburg to Marietta.

From Romney to Morganton or Clarksburg.

From Alexandria, by Thomas's ferry, to Piscataway, in Maryland.

From Halifax Courthouse to Danville.

From Bowling Green, by Broadus's mill, S. Harrison's and Dunkirk, to New Kent Courthouse.

The post road from Jerusalem to Hicks's ford shall pass by the Cross-keys, and from the Cross-keys to Murfreesborough.

From Petersburg, by Sussex Courthouse, to Southampton Courthouse.

From Jamestown to Farmville.

The mail from Mecklenberg Courthouse, in Virginia, to Christianville, shall be carried by Marshall's and Wilson's store.

*In the Northwestern Territory*.—From Cincinnati to Detroit.

*In Indiana Territory*.—From Vincennes, by Kaskaskias, to Kahokia.

*In Kentucky*.—From Harding Courthouse to Breckenridge Courthouse, to Henderson Courthouse, Eddy Grove and Eddyville, to Fort Massac.

From Breckenridge Courthouse, by Hartford and Vienna, to Muhlenberg Courthouse.

*In Tennessee*.—From Knoxville, by Sevierville, Newport and the Warm Springs, to Buncomb Courthouse.

From Newport, by Cheek's cross-roads, to Oresville.

*In the Mississippi Territory*.—From Natchez to the southern boundary line of the United States.

*In North Carolina.*—The post road from Raleigh to Chatham Courthouse, shall pass through Haywoodsborough.

New post roads established.

The post road from Raleigh to Newbern, shall pass through Greene county.

From Elizabeth City to Indiantown and Tull's creek, to Northwest river bridge.

The post road from Winton to Windsor shall pass through Pitch-  
anding and Colerain.

From Louisburg, by Nash Courthouse, to Tarborough.

From Charlotte Courthouse to York Courthouse, in South Carolina.

From Charlotte to Camden, in South Carolina.

SEC. 3. *And be it further enacted*, That all letters and packets from John Adams, now President of the United States, after the expiration of his term in office, and during his life, shall be received and conveyed by post free of postage.

Privilege of franking extended to John Adams.

SEC. 4. *And be it further enacted*, That this act shall not be construed to affect any existing contracts.

APPROVED, March 3, 1801.

RESOLUTION respecting certain property of the United States, in the possession of Thomas Claxton, James Mathers and Thomas Dunn, doorkeepers to Congress.

March 2, 1801.

RESOLVED by the Senate and House of Representatives of the United States of America in Congress assembled, That Thomas Claxton, James Mathers and Thomas Dunn, be permitted to occupy, free of rent, until otherwise directed by Congress, the houses now in their respective possession, the property of the United States, in the public square in the city of Washington on which the Capitol stands, together with a small piece of ground contiguous to each, for a garden, to be inclosed in such a manner as not to interfere with any of the public streets or avenues passing through the said square.

APPROVED, March 2, 1801.