

ACTS OF THE FOURTEENTH 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 the second day of December, 1816, and ended on the third day of March, 1817.

JAMES MADISON, President of the United States; JOHN GALLIARD, President of the Senate, pro tempore; HENRY CLAY, Speaker of the House of Representatives. (a)

STATUTE II.

Jan. 14, 1817.

Tonnage duties to be the same as by the act of 20th July, 1790, ch. 30, except, &c. Act of April 27, 1816, ch. 107. Act of March 3, 1817, ch. 109.

Proviso: as to treaty rights, &c.

Two dollars per ton on vessels from ports where, &c.

The duties to be collected as prescribed by law.

STATUTE II.

CHAP. III.—*An Act supplementary to an act to regulate the duties on imports and tonnage.* (b)

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the tonnage duties to be paid by ships or vessels which shall be entered in the United States, excepting only such foreign ships or vessels as shall be entered from any foreign port or place to or with which vessels of the United States are not ordinarily permitted to go and trade, shall be the same as are provided by the act, entitled "An act imposing duties on the tonnage of ships or vessels," passed on the twentieth day of July, in the year of our Lord one thousand seven hundred and ninety: *Provided always,* That nothing in this act contained shall be deemed in any wise to impair any rights and privileges which have been or may be acquired by any foreign nation under the laws and treaties of the United States relative to the duty on tonnage of vessels.

SEC. 2. *And be it further enacted,* That on all foreign ships or vessels, which shall be entered in the United States before the thirtieth day of June next, from any foreign port or place, to and with which vessels of the United States are not ordinarily permitted to go and trade, there shall be paid a duty at the rate of two dollars per ton. And the duties provided by this act shall be levied and collected in the same manner and under the same regulations as are prescribed by law in relation to the duties upon tonnage now in force.

APPROVED, January 14, 1817.

STATUTE II.

Jan. 20, 1817.

[Obsolete.]

The collection of land laws to be revised, &c.

CHAP. IV.—*An Act to authorize a new edition of the collection of laws respecting the public lands.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and hereby is, authorized to cause the collection of laws, resolutions, and treaties, printed under authority of an act, entitled

(a) The decease of the Honourable Elbridge Gerry made the office of Vice President of the Senate vacant during this session.

(b) See note of the acts relating to duties on tonnage, vol. i. 27.

"An act providing for the printing and distributing of such laws of the United States as respect the public lands," passed on the twenty-seventh day of April, one thousand eight hundred and ten, to be revised, and the acts passed, and treaties formed, subsequent to the publication of the said collection, and relating to the public lands, to be embraced therein; the acts to be digested and arranged in their proper order, and fifteen hundred copies thereof to be printed and preserved for the future disposition of Congress.

APPROVED, January 20, 1817.

Act of April 27, 1810, ch. 33.

The acts to be digested, &c. and 1500 copies to be printed, &c.

STATUTE II.

CHAP. VII.—*An Act making a partial appropriation for the subsistence of the army during the year one thousand eight hundred and seventeen.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That towards the subsistence of the army for the year one thousand eight hundred and seventeen, there be appropriated the sum of four hundred thousand dollars, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, January 22, 1817.

Jan. 22, 1817.

[Obsolete.]
40,000 dollars appropriated.

STATUTE II.

CHAP. IX.—*An Act to repeal, after the close of the present session of Congress, the act, entitled "An act to change the mode of compensation to the members of the Senate and House of Representatives and the delegates from territories," passed the nineteenth of March, one thousand eight hundred and sixteen.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, from and after the close of the present session of Congress, the act, entitled "An act to change the mode of compensation to the members of the Senate and House of Representatives and the delegates from territories," passed the nineteenth of March, one thousand eight hundred and sixteen, shall be, and the same is hereby, repealed: *Provided always,* That nothing herein contained shall be construed to revive any act or acts, or parts of acts, repealed or suspended by the act hereby repealed.

APPROVED, February 6, 1817.

Feb. 6, 1817.

The act of the 19th March, 1816, ch. 30, repealed.

Proviso: no other act revived.

STATUTE II.

CHAP. X.—*An Act to extend the provisions of the act to authorize certain officers and other persons to administer oaths, approved May the third, one thousand seven hundred and ninety-eight.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the chairman of any standing committee, either of the House of Representatives or of the Senate of the United States, shall be empowered to administer oaths or affirmations to witnesses in any case under their examination; and any person who shall be guilty of perjury before such committee shall be liable to the pains, penalties, and disabilities, prescribed for the punishment of the crime of wilful and corrupt perjury.

APPROVED, February 8, 1817.

Feb. 8, 1817.

Act of May 3, 1798, ch. 36.
The chairman of any standing committee empowered to administer oaths to witnesses, &c.

STATUTE II.

CHAP. XIII.—*An Act to repeal the second section of an act, entitled "An act concerning the pay of officers, seamen, and marines, in the navy of the United States."*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the second section

Feb. 22, 1817.

[Obsolete.]

Second section of the act

of 18th April, 1814, ch. 84, repealed.

of an act, entitled "An act concerning the pay of the officers, seamen, and marines, in the navy of the United States," passed the eighteenth of April, in the year one thousand eight hundred and fourteen, be, and the same is hereby repealed.

APPROVED, February 22, 1817.

STATUTE II.

Feb. 22, 1817.

CHAP. XV.—*An Act providing for the division of certain quarter sections, in future sales of the public lands.*

The sections designated to be offered for sale in quarter or half quarter sections, &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, from and after the first day of September next, the sections designated by number two, five, twenty, twenty-three, thirty, and thirty-three, in each and every township of the public lands, the sale of which is now, or hereafter may be authorized by law, shall be offered for sale either in quarter sections, or half quarter sections, at the option of the purchaser; and in every case of the division of a quarter section, the partition shall be made by a line running due north and south, and in every other respect the said sections shall be offered, whether at public or private sale, on the same terms and conditions as have been, or may be, by law, provided for the sale of the other public lands of the United States.

Manner of surveying the land.

APPROVED, February 22, 1817.

STATUTE II.

Feb. 24, 1817.

CHAP. XVIII.—*An Act authorizing the sale of certain grounds belonging to the United States in the city of Washington.*

[Obsolete.]
The superintendent to lay off that part of the public reservation of ground described.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the commissioner for the superintendence of the public buildings in the city of Washington be, and he hereby is, authorized to lay off into building lots all that part of the public reservation of ground in the said city, numbered ten, lying on the north side of the Pennsylvania avenue, between Third and Four and an Half streets west, embraced by the whole of the front of said reservation on said avenue, and extending back, or northwardly, not exceeding two hundred feet; and, under the direction of the President of the United States, to sell any number of such lots, not exceeding one half of the whole number, and the avails thereof to pay into the treasury of the United States; and in such sales the commissioner is hereby directed to reserve to the United States every other lot, except in particular cases it may be expedient to sell two or more contiguous lots; but all sales made in virtue of this act shall be under and upon the express condition, that the purchaser shall build and finish, or cause to be built and finished, within three years from the day of sale, a good and substantial brick or stone house of not less than three stories high, exclusive of the basement story, nor less than twenty-five feet front, and in failure of a compliance with the said conditions, or any of them, the lots so sold shall revert to the United States, and the party failing shall incur a forfeiture of any and all moneys which may have been paid for the same.

To sell half the lots, &c.

Condition of sale.

SEC. 2. *And be it further enacted,* That the moneys arising from the sales aforesaid be, and they hereby are, appropriated to the payment of any moneys which may hereafter be expended for the public buildings and public improvements in the city of Washington.

Appropriation of the moneys arising from the sales.

APPROVED, February 24, 1817.

STATUTE II.

March 1, 1817.

[Obsolete.]

CHAP. XXI.—*An Act authorizing vessels departing from the town of Bayou St. John and Basin of the Canal de Carondelet, for foreign ports, to clear out at the Custom-house in the city of New Orleans.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all ships or vessels, about to depart for foreign ports or places, from the town of Bayou St. John, or Basin of the Canal de Carondelet, shall be permitted to clear out, with their cargoes, at the Custom-house, in the city of New Orleans, and depart, under the same rules, regulations, and restrictions, and in every respect in the same manner, as vessels clearing out and departing, for foreign ports, from the said city of New Orleans, by the way of the Mississippi river.

APPROVED, March 1, 1817.

Vessels departing for foreign ports from Bayou St. John permitted to clear out at New Orleans, &c.

STATUTE II.

March 1, 1817.

CHAP. XXII.—*An Act making reservation of certain public lands to supply timber for naval purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of the Navy be authorized, and it shall be his duty, under the direction of the President of the United States, to cause such vacant and unappropriated lands of the United States as produce the live oak and red cedar timbers to be explored, and selection to be made of such tracts or portions thereof, where the principal growth is of either of the said timbers, as in his judgment may be necessary to furnish for the navy a sufficient supply of the said timbers. The said Secretary shall have power to employ such agent or agents and surveyor as he may deem necessary for the aforesaid purpose, who shall report to him the tracts by them selected, with the boundaries ascertained and accurately designated by actual survey or water courses, which report shall be laid before the President, which he may approve or reject in whole or in part; and the tracts of land thus selected with the approbation of the President, shall be reserved unless otherwise directed by law, from any future sale of the public lands, and be appropriated to the sole purpose of supplying timber for the navy of the United States: *Provided,* That nothing in this section contained shall be construed to prejudice the rights of any person or persons claiming lands which may be reserved as aforesaid.

SEC. 2. *And be it further enacted,* That if any person or persons shall cut any timber on the lands reserved as aforesaid, or shall remove or be employed in removing timber from the same, unless duly authorized so to do, by order of a competent officer, and for the use of the navy of the United States; or if any person or persons shall cut any live oak or red cedar timber on, or remove or be employed in removing from any other public lands of the United States, with intent to dispose of the same for transportation to any port or place within the United States, or for exportation to any foreign country, such person or persons so offending and being thereof duly convicted before any court having competent jurisdiction, shall pay a fine not exceeding five hundred dollars and be imprisoned not exceeding six months.

SEC. 3. *And be it further enacted,* That if the master, owner, or consignee of any ship or vessel, shall knowingly take on board any timber cut on lands reserved as aforesaid, without proper authority and for the use of the navy, or shall take on board any live oak or red cedar timber, cut on any other lands of the United States, with intent to transport the same to any port or place within the United States, or to export the same to any foreign country, the ship or vessel on board of which the same shall be seized, shall, with her tackle, apparel, and furniture be wholly forfeited.

The Secretary of the Navy enjoined to cause lands producing live oak and red cedar timbers to be explored and selections to be made of tracts, &c.

The tracts selected to be reserved, unless, &c.

Proviso: rights of persons claiming not to be prejudiced, &c.

Persons cutting timber on the lands reserved, or any live oak or red cedar on other public lands, &c. subject to fine and imprisonment.

Vessels taking on board timber from lands reserved, &c. forfeited.

Exportation of timber contrary to this act, subjects the vessel to forfeiture and the master to a fine.

Recovery of penalties, &c. and mitigation thereof, according to the acts mentioned.

1799, ch. 22.

1797, ch. 13.

SEC. 4. *And be it further enacted*, That if any timber as aforesaid shall, contrary to the prohibitions of this act, be exported to any foreign country, the ship or vessel in which the same shall have been exported shall be liable to forfeiture, and the captain or master of such ship or vessel shall forfeit and pay a sum not exceeding one thousand dollars.

SEC. 5. *And be it further enacted*, That all penalties and forfeitures incurred for taking on board, transporting or exporting timber by force of this act, shall be sued for, recovered, and distributed, and accounted for in the manner prescribed by the act, entitled "An act to regulate the collection of duties on imports and tonnage," and shall be mitigated or remitted in the manner prescribed by the act, entitled "An act to provide for mitigating or remitting the forfeitures, penalties, and disabilities accruing in certain cases therein mentioned."

APPROVED, March 1, 1817.

STATUTE II.

March 1, 1817.

CHAP. XXIII.—*An Act to enable the people of the western part of the Mississippi territory to form a constitution and state government, and for the admission of such state into the union, on an equal footing with the original states.*

Act of April 3, 1818, ch. 29.
Act of May 3, 1822, ch. 46.

Inhabitants of the western part of the Mississippi to form a state government, be admitted into the union, &c.

Boundaries of the state.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the inhabitants of the western part of the Mississippi territory be, and they hereby are, authorized to form for themselves a constitution and state government, and to assume such name as they shall deem proper; and the said state, when formed, shall be admitted into the union upon the same footing with the original states, in all respects whatever.

SEC. 2. *And be it further enacted*, That the said state shall consist of all the territory included within the following boundaries, to wit: Beginning on the river Mississippi at the point where the southern boundary line of the state of Tennessee strikes the same, thence east along the said boundary line to the Tennessee river, thence up the same to the mouth of Bear Creek, thence by a direct line to the north-west corner of the county of Washington, thence due south to the Gulf of Mexico, thence westwardly, including all the islands within six leagues of the shore, to the most eastern junction of Pearl river with Lake Borgne, thence up said river to the thirty-first degree of north latitude, thence west along the said degree of latitude to the Mississippi river, thence up the same to the beginning.

Qualifications of persons authorized to choose representatives, to form a convention.

Apportionment of representatives to form a convention.

Time and manner of holding the election.

SEC. 3. *And be it further enacted*, That all free white male citizens of the United States, who shall have arrived at the age of twenty-one years, and resided within the said territory at least one year previous to the time of holding the election, and shall have paid a county or territorial tax, and all persons having in other respects the legal qualifications to vote for Representatives in the general assembly of the said territory, be, and they are hereby authorized to choose Representatives to form a convention, who shall be apportioned among the several counties within the said territory, as follows, to wit: from the county of Warren, two Representatives; from the county of Claiborne, four Representatives; from the county of Jefferson, four Representatives; from the county of Adams, eight Representatives; from the county of Franklin, two Representatives; from the county of Wilkinson, six Representatives; from the county of Amite, six Representatives; from the county of Pike, four Representatives; from the county of Lawrence, two Representatives; from the county of Marion, two Representatives; from the county of Hancock, two Representatives; from the county of Wayne, two Representatives; from the county of Greene, two Representatives; from the county of Jackson, two Representatives; and the election of the Representatives aforesaid shall be holden on the first Monday and

Tuesday in June next, throughout the several counties above mentioned, and shall be conducted in the same manner as is prescribed by the laws of said territory, regulating elections therein for members of the House of Representatives.

SEC. 4. *And be it further enacted*, That the members of the convention, thus duly elected, be, and they hereby are authorized to meet at the town of Washington, on the first Monday in July next: which convention, when met, shall first determine, by a majority of the whole number elected; whether it be or be not expedient, at that time, to form a constitution and state government for the people within the said territory; and if it be determined to be expedient, the convention shall be, and hereby are, authorized to form a constitution and state government: *Provided*, That the same, when formed, shall be republican, and not repugnant to the principles of the ordinance of the thirteenth of July, one thousand seven hundred and eighty-seven, between the people and states of the territory north-west of the river Ohio, so far as the same has been extended to the said territory by the articles of agreement between the United States and the state of Georgia, or of the constitution of the United States: *And provided also*, That the said convention shall provide, by an ordinance irrevocable without the consent of the United States, that the people inhabiting the said territory do agree and declare that they for ever disclaim all right or title to the waste or unappropriated lands lying within the said territory, and that the same shall be and remain at the sole and entire disposition of the United States; and moreover, that each and every tract of land sold by Congress, shall be and remain exempt from any tax laid by the order, or under the authority, of the state, whether for state, county, township, parish or any other purpose whatever, for the term of five years, from and after the respective days of the sales thereof, and that the lands belonging to citizens of the United States, residing without the said state, shall never be taxed higher than the lands belonging to persons residing therein; and that no taxes shall be imposed on lands the property of the United States, and that the river Mississippi, and the navigable rivers and waters leading into the same, or into the Gulf of Mexico, shall be common highways, and for ever free, as well to the inhabitants of the said state, as to other citizens of the United States, without any tax, duty, impost, or toll, therefor, imposed by the said state.

SEC. 5. *And be it further enacted*, That five per cent. of the net proceeds of the lands lying within the said territory, and which shall be sold by Congress from and after the first day of December next, after deducting all expenses incident to the same, shall be reserved for making public roads and canals; of which three-fifths shall be applied to those objects within the said state, under the direction of the legislature thereof, and two-fifths to the making of a road or roads leading to the said state, under the direction of Congress: *Provided*, That the application of such proceeds shall not be made until after payment is completed of the one million two hundred and fifty thousand dollars due to the state of Georgia, in consideration of the cession to the United States, nor until the payment of all the stock which has been or shall be created by the act, entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi territory," shall be completed: *And provided also*, That the said five per cent. shall not be calculated on any part of such proceeds as shall be applied to the payment of the one million two hundred and fifty thousand dollars due to the state of Georgia, in consideration of the cession to the United States, or in payment of the stock which has or shall be created by the act, entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi territory."

SEC. 6. *And be it further enacted*, That until the next general census shall be taken, the said state shall be entitled to one Representative in the House of Representatives of the United States.

APPROVED, March 1, 1817.

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Convention to meet at Washington in July, 1817, and to determine, &c.

Proviso: the government to be republican, and not repugnant to the ordinance of 13th July, 1787.

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Proviso: Reservations and conditions of admission to the union.

Reservation of five per cent. on lands sold for making roads and canals.

Proviso: prior obligations to Georgia, &c., to be first discharged.

Act of March 31, 1814, ch. 39.

Proviso: the five per cent. not to be calculated on certain proceeds.

1814, ch. 39.

The state entitled to one representative in Congress.

STATUTE II.
March 1, 1817.

Act of March 30, 1812, ch. 47, sec. 6.

Pursers to enter into bond in the penalty of 25,000 dollars.

Exception in favour of pursers on distant service.

STATUTE II.
March 1, 1817.

[Obsolete.]
Letters and packets to and from James Madison free during life.

STATUTE II.
March 1, 1817.

[Obsolete.]
Persons redeeming and purchasing citizens from captivity to be allowed not exceeding 150 dollars for each.

STATUTE II.
March 1, 1817.

Powers of the commissioners appointed for the more convenient taking of affidavits and bail in civil causes extended.

Act of Feb. 20, 1812, ch. 25.
Act of 1789, ch. 20.

CHAP. XXIV.—*An Act supplementary to an act, entitled "An act concerning the naval establishment."* (a)

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That every purser now in service, or who may hereafter be appointed, shall, instead of the bond required by the act to which this is a supplement, enter into bond with two or more sufficient sureties, in the penalty of twenty-five thousand dollars, conditioned for the faithful discharge of all his duties as purser in the navy of the United States, which said sureties shall be approved by the judge or attorney of the United States for the district in which such purser shall reside.

SEC. 2. *And be it further enacted,* That, from and after the first day of May next, no person shall act in the character of purser, who shall not enter into bond as aforesaid, excepting pursers on distant service, who shall not remain in service longer than two months after their return to the United States, unless they shall comply with the provisions of the first section of this act.

APPROVED, March 1, 1817.

CHAP. XXV.—*An Act freeing from postage all letters and packets to and from James Madison.*

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 and from James Madison, 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, March 1, 1817.

CHAP. XXIX.—*An Act relating to the ransom of American captives of the late war.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the proper accounting officer of the War Department be, and he is hereby authorized and directed to settle the accounts of any person who may have redeemed and purchased from captivity any citizen of the United States, taken prisoner during the late war with Great Britain, upon the same principles and rules of evidence by which other claims are adjusted in said department: *Provided,* That in no case shall a greater sum be allowed than one hundred and fifty dollars.

APPROVED, March 1, 1817.

CHAP. XXX.—*An Act in addition to an act, entitled "An act for the more convenient taking of affidavits and bail in civil causes, depending in the courts of the United States."*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the commissioners who now are, or hereafter may be, appointed by virtue of the act, entitled "An act for the more convenient taking of affidavits and bail in civil causes, depending in the courts of the United States," are hereby authorized to take affidavits and bail in civil causes, to be used in the several district courts of the United States, and shall and may exercise all the powers that a justice or judge of any of the courts of the United States may exercise by virtue of the thirtieth section of the act, entitled "An act to establish the judicial courts of the United States."

APPROVED, March 1, 1817.

(a) By an act to regulate the pay of pursers and other officers of the navy, passed August 26, 1842, ch. 206, the pay of pursers was fixed as follows; in lieu of all other pay and allowances when attached to vessels in commission for sea service, for ships of the line, \$3500; for frigates or razees, \$3000; for sloops of war and steamers, first class, \$2000; for brigs and schooners and steamers less than first class, \$1500. On duty at navy-yards, at Boston, New York, Norfolk and Pensacola, \$2500. At Portsmouth, Philadelphia and Washington, \$2000. At other naval stations within the United States, \$1500. And in receiving ships at Boston, New York and Norfolk, \$2500, and at other places, \$1500. On leave or waiting orders, the same pay as surgeons.

STATUTE II.

March 1, 1817.

CHAP. XXXI.—*An Act concerning the navigation of the United States.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That after the thirtieth day of September next no goods, wares, or merchandise, shall be imported into the United States from any foreign port or place, except in vessels of the United States, or in such foreign vessels as truly and wholly belong to the citizens or subjects of that country of which the goods are the growth, production, or manufacture; or from which such goods, wares, or merchandise, can only be, or most usually are, first shipped for transportation: *Provided, nevertheless,* That this regulation shall not extend to the vessels of any foreign nation which has not adopted, and which shall not adopt, a similar regulation.

SEC. 2. *And be it further enacted,* That all goods, wares, or merchandise, imported into the United States contrary to the true intent and meaning of this act, and the ship or vessel wherein the same shall be imported, together with her cargo, tackle, apparel, and furniture, shall be forfeited to the United States; and such goods, wares, or merchandise, ship, or vessel, and cargo, shall be liable to be seized, prosecuted, and condemned, in like manner, and under the same regulations, restrictions, and provisions, as have been heretofore established for the recovery, collection, distribution, and remission, of forfeitures to the United States by the several revenue laws.

SEC. 3. *And be it further enacted,* That after the thirtieth day of September next, the bounties and allowances now granted by law to the owners of boats or vessels engaged in the fisheries, shall be paid only on boats or vessels, the officers and at least three-fourths of the crews of which shall be proved to the satisfaction of the collector of the district where such boat or vessel shall belong, to be citizens of the United States, or persons not the subjects of any foreign prince or state.

SEC. 4. *And be it further enacted,* That no goods, wares, or merchandise, shall be imported, under penalty of forfeiture thereof, from one port of the United States to another port of the United States, in a vessel belonging wholly or in part to a subject of any foreign power; but this clause shall not be construed to prohibit the sailing of any foreign vessel from one to another port of the United States, provided no goods, wares, or merchandise, other than those imported in such vessel from some foreign port, and which shall not have been unladen, shall be carried from one port or place to another in the United States.

SEC. 5. *And be it further enacted,* That after the thirtieth day of September next, there shall be paid a duty of fifty cents per ton upon every ship or vessel of the United States, which shall be entered in a district in one state from a district in another state, except it be an adjoining state on the sea coast, or on a navigable river or lake, and except also it be a coasting vessel going from Long Island, in the state of New York, to the state of Rhode Island, or from the state of Rhode Island to the said Long Island, having on board goods, wares, and merchandise, taken in one state, to be delivered in another state: *Provided,* That it shall not be paid on any ship or vessel having a license to trade between the different districts of the United States, or to carry on the bank or whale fisheries, more than once a year; *And provided also,* That if the owner of any such vessel, or his agent, shall prove, to the satisfaction of the collector, that three-fourths at least of the crew thereof are American citizens, or persons not the subjects of any foreign prince or state, the duty to be paid in such case shall be only at the rate of six cents per ton; but nothing in this section shall be construed to repeal or affect any exemption from tonnage duty given by the eighth section of the act, entitled "An act to provide for the establishment of certain districts, and therein to

Restriction of importations to vessels of a particular character.

Proviso: the regulation not to extend to foreign vessels of a certain description.

Merchandise imported contrary to this act, vessel, &c., forfeited.

Bounties on vessels employed in the fisheries restricted to such whose officers and 3-4ths of the crews are citizens, &c.

Regulations with respect to importation of goods from one port of the United States to another, &c.

Regulations in relation to tonnage duty on vessels entering from a district in one to a district in another state.

Proviso: as to licensed vessels.

Proviso: as to diminution of duty where 3-4ths of the crew are citizens, &c.

Act of May 1, 1802, ch. 45.

amend an act, entitled An act to regulate the collection of duties on imports and tonnage, and for other purposes."

50 cents per ton on vessels, whose officers and 2-3ds of the crews are not citizens.

Proviso; exception in favour of vessels on foreign voyages, &c.

The proportion of citizen seamen to exist during the whole voyage, unless, &c.

SEC. 6. *And be it further enacted*, That after the thirtieth day of September next, there shall be paid upon every ship or vessel of the United States, which shall be entered in the United States, from any foreign port or place, unless the officers, and at least two-thirds of the crew, thereof shall be proved citizens of the United States, or persons not the subjects of any foreign prince or state, to the satisfaction of the collector, fifty cents per ton; *And provided also*, That this section shall not extend to ships or vessels of the United States which are now on foreign voyages, or which may depart from the United States prior to the first day of May next, until after their return to some port of the United States.

SEC. 7. *And be it further enacted*, That the several bounties and remissions, or abatements of duty, allowed by this act, in the case of vessels having a certain proportion of seamen who are American citizens, or persons not the subjects of any foreign power, shall be allowed only in the case of vessels having such proportion of American seamen during their whole voyage, unless in case of sickness, death, or desertion, or where the whole or part of the crew shall have been taken prisoners in the voyage.

APPROVED, March 1, 1817.

STATUTE II.

March 3, 1817.

CHAP. XXXIII.—*An Act making appropriations for the support of government for the year one thousand eight hundred and seventeen.*

Sums appropriated for the expenditure of the civil list, &c. for the year 1817.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following sums be, and the same are hereby, respectively appropriated, that is to say:

For Congress.

For compensation granted by law to the members of the Senate and House of Representatives, their officers, and attendants, four hundred and twenty-one thousand eight hundred and fifty dollars.

For the expenses of firewood, stationery, printing, and all other contingent expenses of the two Houses of Congress, forty-two thousand dollars.

For the expenses of the library of Congress, including the librarian's allowance for the year one thousand eight hundred and seventeen, one thousand three hundred and fifty dollars.

For President and Vice President.

For compensation to the President of the United States, twenty-five thousand dollars.

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

For the Department of State.

For compensation to the Secretary of State, five thousand dollars.

For compensation to the clerks employed in the Department of State, thirteen thousand seven hundred and fifty dollars.

For compensation to the messenger in said department, and for the patent office, six hundred and sixty dollars.

For the incidental and contingent expenses of the said department, including the expense of printing and distributing copies of the laws of the second session of the fourteenth Congress, and printing the laws in newspapers, twenty-three thousand seven hundred and two dollars.

For the Treasury Department.

For compensation to the Secretary of the Treasury, five thousand dollars.

For compensation to the clerks employed in the office of the Secretary of the Treasury, ten thousand four hundred and thirty-three dollars.

For compensation to the messenger and assistant messenger in the office of the Secretary of the Treasury, seven hundred and ten dollars.

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

For compensation to the comptroller of the treasury, three thousand five hundred dollars. Comptroller.

For compensation to the clerks employed in the office of the said comptroller, fifteen thousand five hundred and sixteen dollars.

For compensation to the messenger in said office, four hundred and ten dollars.

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

For compensation to the auditor of the treasury, three thousand dollars. Auditor.

For compensation to the clerks employed in the auditor's office, sixteen thousand six hundred and thirty-two dollars.

For compensation to the messenger in said office, four hundred and ten dollars.

For expense of stationery, printing and contingent expenses in said office, six hundred dollars.

For compensation to the treasurer of the United States, three thousand dollars. Treasurer.

For compensation to the clerks employed in the office of the treasurer, five thousand four hundred and forty dollars.

For compensation to the messenger of said office, four hundred and ten dollars.

For expense of stationery, printing, and contingent expenses in said office, eight hundred dollars.

For compensation to the commissioner of the general land office, three thousand dollars. Commissioner of general land office.

For compensation to the clerks employed in the office of said commissioner, eleven thousand nine hundred and fifty dollars.

For compensation to the messenger in said office, four hundred and ten dollars.

For expense of stationery, printing and contingent expenses of said office, including vellum for land patents, five thousand dollars.

For compensation to the commissioner of the revenue, three thousand dollars. Commissioner of the revenue.

For compensation to the clerks employed in the office of said commissioner, nine thousand dollars.

For compensation to the messenger of said office, four hundred and ten dollars.

For stationery, printing, and contingent expenses, including the paper, printing, and stamping of licenses, in said office, three thousand two hundred dollars.

For compensation to the register of the treasury, three thousand dollars. Register.

For an additional sum which was allowed him for the service of the year one thousand eight hundred and sixteen, six hundred dollars.

For compensation to the clerks employed in the office of the said register, seventeen thousand and twenty-eight dollars.

For compensation to the messenger of said office, four hundred and ten dollars.

For expense of stationery, including books for the public stocks, printing the public accounts, and other contingent expenses of the register's office, three thousand six hundred dollars.

For fuel and other contingent expenses of the Treasury Department, five thousand dollars.

To make good the deficiency in the sum appropriated last year for the general expenses of the several offices of the Treasury Department, and

which, from a re-occupancy of the public buildings, required an expenditure for repairs, furniture, and other contingent expenses thereunto incidental, six thousand nine hundred and twenty-five dollars.

For compensation to a superintendent and two watchmen, employed for the security of the treasury buildings; and for the expenses of rebuilding two fire engine houses; for repairs of two engines and hose; and for an additional number of buckets, and to keep the same in repair, one thousand seven hundred dollars.

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

For the War Department.

For compensation to the Secretary of War, four thousand five hundred dollars.

For compensation to the clerks employed in the office of the Secretary of War, fifteen thousand two hundred and thirty dollars.

For compensation to the messenger and his assistants in said office, seven hundred and ten dollars.

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

Accountant.

For compensation to the accountant of the War Department, two thousand dollars.

For compensation to the clerks employed in the office of said accountant, sixteen thousand seven hundred and seventy-five dollars.

For compensation to the messenger in said office, four hundred and ten dollars.

For expense of fuel, stationery, printing, and other contingent expenses in said office, one thousand five hundred dollars.

Additional accountant.

For compensation to the additional accountant of the War Department, two thousand dollars.

For compensation to the clerks employed in the office of said additional accountant, seventeen thousand six hundred dollars.

For compensation to the messenger in said office, four hundred and ten dollars.

For expense of fuel, stationery, printing, and other contingent expenses in the office of said additional accountant, including a sum of seven hundred dollars for which no appropriation was made for contingent expenses of last year, one thousand seven hundred dollars.

Paymaster.

For compensation to the paymaster general of the army, two thousand five hundred dollars.

For an additional compensation allowed him for the year one thousand eight hundred and sixteen, three hundred and forty-six dollars.

For compensation to the clerks employed in the office of the paymaster general of the army, ten thousand dollars.

For compensation to the messenger in said office, four hundred and ten dollars.

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

Superintendent general of military supplies.

For compensation to the superintendent general of military supplies, three thousand dollars.

For compensation to the clerks employed in the office of said superintendent, seven thousand dollars.

For compensation to the messenger in said office, four hundred and ten dollars.

For expense of fuel, stationery, printing, and other contingent expenses in said office, including a deficiency of two hundred dollars for the contingent expenses of the last year, one thousand two hundred dollars.

Commissary general of purchases.

For compensation to the commissary general of purchases, three thousand dollars.

For compensation to the clerks employed in the office of the commissary general of purchases, two thousand eight hundred dollars.

For compensation to the messenger in said office, three hundred and sixty dollars.

For contingent expenses in the office of said commissary, nine hundred and thirty dollars.

For compensation to the clerks employed in the office of the adjutant and inspector general, one thousand eight hundred dollars.

Adjutant and
inspector gen-
eral.
Ordnance.

For compensation to the clerks employed in the ordnance office, one thousand dollars.

For compensation to the Secretary of the Navy, four thousand five hundred dollars.

For the Navy
Department.

For compensation to the clerks employed in the office of the said secretary, seven thousand two hundred and thirty-five dollars.

For compensation to the messenger in said office, four hundred and ten dollars.

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

For compensation to the accountant of the Navy Department, two thousand dollars.

Accountant.

For compensation to the clerks employed in the office of the accountant of the Navy Department, fourteen thousand seven hundred dollars.

For compensation to the messenger in said office, four hundred and ten dollars.

For expense of fuel, stationery, and other contingent expenses in said office, one thousand two hundred and fifty dollars.

For compensation to the commissioners of the navy board, ten thousand five hundred dollars.

Commission-
ers of the navy
board.

For compensation to the secretary of the navy board, two thousand dollars.

For compensation to the clerks employed in the office of the navy board, three thousand three hundred dollars.

For compensation to the messenger in said office, four hundred and ten dollars.

For the contingent expenses of the navy board, two thousand dollars.

For compensation to the Postmaster General, three thousand dollars.

For the gen-
eral post office.

For compensation to the assistant postmaster general, one thousand seven hundred dollars.

For compensation to the second assistant postmaster general, one thousand six hundred dollars.

For compensation to the clerks employed in the general post office, nineteen thousand three hundred and five dollars.

For compensation to the messenger and his assistants in said office, six hundred and sixty dollars.

For contingent expenses in said office, three thousand six hundred dollars.

For compensation to the several commissioners of loans, and allowance to certain commissioners of loans, in lieu of clerk hire, fourteen thousand five hundred and fifty dollars.

For the Com-
missioners of
loans.

For compensation to the clerks of sundry commissioners of loans, and to defray the authorized expenses of the several loan offices, thirteen thousand seven hundred dollars.

For the salary of the late commissioner of loans of South Carolina, from the first of April to the twenty-fourth of July, one thousand eight hundred and eleven, being the amount carried to the surplus fund on the thirty-first of December, one thousand eight hundred and thirteen, three hundred and fifteen dollars and twenty-two cents.

For compensation to the surveyor general and his clerks, four thousand one hundred dollars.

For the sur-
veyor general.

For compensation to the surveyor of lands south of Tennessee, and for

the contingent expenses of his office, three thousand seven hundred dollars.

For the commissioner of the public buildings.

For compensation to the commissioner of the public buildings in Washington, two thousand dollars.

For the mint.

For compensation to the officers and clerks of the mint, nine thousand six hundred dollars.

For wages to persons employed in the different operations of the mint, including the sum of six hundred dollars allowed to an assistant engraver, five thousand dollars.

For repairs, cost of iron and machinery, rents, and other contingent expenses of the mint, three thousand dollars.

For allowance for wastage in the gold and silver coinage, one thousand five hundred dollars.

For the purchase of copper to coin into cents, fifteen thousand dollars.

For territorial officers.

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

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

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

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

For compensation to the governor, judges and secretary of the Missouri territory, seven thousand eight hundred dollars.

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

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

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

For demands admitted at the treasury.

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

For the judiciary.

For compensation granted by law to the chief justice, the associate judges and district judges of the United States, including the chief justice and associate judges of the district of Columbia, sixty-one thousand dollars.

For compensation to the attorney general of the United States, three thousand dollars.

For compensation of sundry district attorneys and marshals, as granted by law, including those in the several territories, seven thousand eight hundred and fifty dollars.

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

Pensions.

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

For the payment of the annual allowance to the pensioners of the United States, two hundred thousand dollars.

Light-houses, &c.

For the maintenance and support of light-houses, beacons, buoys, and public piers, stakeages of channels, bars, and shoals, including the purchase and transportation of oil, keepers' salaries, repairs and improvements, and contingent expenses, seventy-three thousand four hundred and ninety-three dollars and thirty-three cents.

For an appropriation in addition to the appropriation for building a light-house at the mouth of the Mississippi, and for repairing the block-house at the Balize for a temporary light-house, twenty-five thousand dollars. Light-houses,
&c.

For rebuilding the Bald Head light-house, in North Carolina, in addition to the sum heretofore appropriated for that purpose, one thousand dollars.

For rebuilding the light-house at Nantucket, recently destroyed by fire, seven thousand five hundred dollars; beacon-lights on Sandy Hook, one thousand two hundred dollars; erection of a beacon and placing buoys at the entrance of the harbour of Bristol, in Rhode Island, one thousand dollars.

For a light on the beacon on Tybee, and for erecting six beacons, and placing four buoys on such sites, and at such points, as the commissioners of pilotage, residing at Savannah, shall fix on, one thousand two hundred dollars.

For an additional appropriation for building a light-house at Tarpaulin cove, three thousand seven hundred and forty-six dollars.

For the following objects, being the balances of former appropriations, carried to the surplus fund, viz :

For erecting light-houses at the mouth of the Mississippi river, and at or near the pitch of cape Lookout, in North Carolina, twenty thousand dollars.

For building a light-house on the south point of Cumberland island, in Georgia, ten thousand dollars.

For erecting a light-house on the south point of Sapelo Island, in Georgia, fourteen thousand four hundred and ninety-five dollars.

For placing buoys and beacons at or near the entrance of the harbour of Beverly, in Massachusetts, three hundred and fifty dollars.

For placing buoys, as deemed necessary, at the entrance of the harbour of Edgartown, in Massachusetts, one thousand four hundred and forty-three dollars and forty-three cents.

For erecting two light-houses on Lake Erie, viz: On or near Bird Island, and on or near Presque Isle, seventeen thousand dollars.

For building a light-house on Petite Manan, six thousand dollars.

For fitting up light-houses heretofore authorized to be erected, with the apparatus for lighting the same, five thousand dollars.

For fitting up the light-houses with Winslow Lewis's improvements, agreeably to his contract of the 26th day of March, 1812, in addition to the sums heretofore appropriated for that purpose, six thousand dollars.

For erecting a beacon on a point of land near New Inlet, in North Carolina, one thousand eight hundred dollars.

For compensation to the commissioner for settling claims for property lost, two thousand dollars. For the com-
missioner for
settling claims,
&c.

For compensation to the clerk in said commissioner's office, one thousand dollars.

For defraying the expense of publishing certain notices by the commissioner, two thousand five hundred dollars.

For defraying the expense of printing various forms for the said commissioner, two hundred and forty-nine dollars and twenty-five cents.

For office furniture, stationery, wood, and other contingencies, seven hundred and twenty dollars.

For the hire of an additional clerk, from the eighteenth of September, one thousand eight hundred and sixteen, to the first of February, one thousand eight hundred and seventeen, at nine hundred dollars per annum, three hundred and thirty dollars.

For the hire of a messenger, from the first of July to the first of February following, one hundred and twenty dollars.

For defraying the expenses of printing certificates of registry and other documents for vessels, five thousand dollars. For printing
certificates of
registry.

For defraying expenses incident to lands. 1816, ch. 149.

To provide for the payment of the sums directed to be paid by an act of the last session, entitled "An act for settling the compensation of the commissioner, clerk and translator of the board for land claims in the eastern and western district of the territory of Orleans, now state of Louisiana," forty thousand three hundred and seventy-eight dollars and thirty-two cents.

For defraying the expense of surveying the public lands within the several states and territories of the United States, one hundred and eighty thousand and eighty-eight dollars.

For bringing votes for President and Vice president.

For bringing the votes for President and Vice President of the United States to the seat of government, two thousand four hundred dollars.

For objects of foreign intercourse.

For the salaries, allowances, and contingent expenses of ministers to foreign nations, and of secretaries of legation, eighty-seven thousand dollars.

For the contingent expenses of intercourse between the United States and foreign nations, seventy thousand dollars.

For the expenses of intercourse with the Barbary powers, forty-seven thousand dollars.

For the expenses necessary during the present year for carrying into effect the fourth, sixth, and seventh articles of the treaty of peace, concluded with his Britannic majesty on the twenty-fourth day of December, one thousand eight hundred and fourteen, including the compensation of the commissioners appointed under those articles, thirty-four thousand three hundred and thirty-three dollars and thirty-two cents.

For the salaries of the agents for claims on account of spoliations, and for seamen at London, Paris, Copenhagen, and the Hague, eight thousand dollars.

For the relief of distressed American seamen, for the present year, and to make good a deficiency in the preceding year, fifty thousand dollars.

On account of the paintings authorized by the resolution of Congress, eight thousand dollars.

For erecting custom-houses, &c.

For purchasing or erecting, for the use of the United States, suitable buildings for custom-houses and public warehouses, in such principal district in each state where the Secretary of the Treasury shall deem it necessary for the safe and convenient collection of the revenue of the United States, fifty thousand dollars.

1790, ch. 34.

SEC. 2. *And be it further enacted*, That the several appropriations herein before made, shall be paid and discharged out of the fund of six hundred thousand dollars, reserved by the act "making provision for the debt of the United States," and out of any moneys not otherwise appropriated.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

[Obsoleto.]

CHAP. XXXIV.—*An Act repealing the act, entitled "An act for the safe keeping and accommodation of prisoners of war," passed July the sixth, one thousand eight hundred and twelve.*

Act of July 6, 1812, ch. 128.

The act for the safe keeping of prisoners, &c. repealed.

An account to be rendered.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act, entitled "An act for the safe keeping and accommodation of prisoners of war," passed on the sixth day of July, one thousand eight hundred and twelve, be, and the same hereby is, repealed; and the Secretary of the Treasury is hereby required to cause an account to be rendered of the fund appropriated by the act hereby repealed, and report the same to Congress at their next session.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

[Obsolete.]

Sums appropriated for specific objects, connected with the military establishment, for 1817.

CHAP. XXXV.—*An Act making provision for the support of the military establishment for the year one thousand eight hundred and seventeen.*

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 seventeen; for the Indian department; for fortifications; for the ordnance department; for armories; for arsenals and magazines; for the expenses of the public buildings at West Point; and for the purchase of maps, plans, books, and instruments, for the military academy at said place, the following sums be, and the same are hereby, respectively, appropriated; that is to say:

For the pay of the army of the United States, one million four hundred and thirty-three thousand eight hundred and seventy-two dollars.

For subsistence, including the sum of four hundred thousand dollars, already appropriated to that object by an act of this session, one million one hundred and twenty-three thousand seven hundred and ninety-eight dollars.

For forage for officers, sixty-eight thousand three hundred and twenty-four dollars.

For bounties and premiums, thirty-two thousand dollars.

For clothing, six hundred and seventy thousand eight hundred and eighty-one dollars.

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

For the ordnance department, one hundred and ninety-one thousand seven hundred and thirty-eight dollars.

For fulfilling contracts already entered into for cannon and shot, sixty thousand dollars.

For completing arsenals already commenced, including that at Pittsburg, and not including that at Frankford, one hundred and thirty-four thousand five hundred dollars.

For purchasing materials for carriages for cannon and caissons, thirty-nine thousand dollars.

For fulfilling a contract for saltpetre with John P. Boyd, a sum not exceeding forty-three thousand seven hundred and sixty dollars.

For armories, three hundred and seventy-seven thousand three hundred and sixty-seven dollars.

For the quartermaster's department, four hundred and sixty thousand dollars.

For fortifications, eight hundred and thirty-eight thousand dollars.

For contingencies of the army, one hundred thousand dollars.

For the Indian department, two hundred thousand dollars.

For the purchase of maps, plans, books, and instruments for the war office, two thousand five hundred dollars.

For the purchase of maps, plans, books, instruments, fuel and stationery, for the military academy; repairing buildings at West Point, and for transportation and two boats, sixteen thousand five hundred and seventy dollars.

SEC. 2. *And be it further enacted,* That the sums herein appropriated be paid out of any money in the treasury, not otherwise appropriated.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

[Obsolete.]

CHAP. XXXVI.—*An Act authorizing the payment of a sum of money to the state of Georgia, under the articles of agreement and cession between the United States and that state.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there shall be paid

A sum to be paid to the state

of Georgia equal to the amount of Mississippi stock received in payment of public lands in Mississippi territory, until, &c.

Proviso; amount of payments limited, and repayment to be made to the treasury before, &c.

to the state of Georgia, out of any moneys in the treasury not otherwise appropriated, a sum equal to the amount of Mississippi stock which has been or shall be received in payment of the public lands in the Mississippi territory, until the payment of one million two hundred and fifty thousand dollars, secured to the said state by the articles of agreement and cession between the United States and the state of Georgia shall be completed; and the money hereby appropriated shall be paid in the same manner as if the payments in the said Mississippi stock had been made in money. *Provided*, That the payments which shall be made in pursuance of this act shall not in the whole exceed three hundred and fifty thousand dollars, and the same shall be repaid to the treasury out of the nett proceeds of the sale of public lands in the Mississippi territory before any of the moneys thence arising shall be paid for the redemption of the outstanding certificates of Mississippi stock.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

CHAP. XXXVII.—*An Act for erecting a light-house on the west chop of Holmes's Hole harbour, in the state of Massachusetts.*

A lighthouse to be built on the west chop of Holmes's Hole, as soon as Massachusetts cedes jurisdiction, &c.

Superintendent, &c.

5,000 dolls. appropriated.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, as soon as a cession shall be made by the state of Massachusetts to the United States of the jurisdiction over a piece of land proper for the purpose, the Secretary of the Treasury shall be, and he is hereby authorized to provide, by contract, to be approved by the President of the United States, for building a light-house on the west chop of Holmes's Hole harbour in the said state, and to furnish the same with all necessary supplies; and also to agree for the salaries or wages of the person, or persons, who may be appointed by the President for the superintendance and care of the same; and the President shall be authorized to make the said appointments.

SEC. 2. *And be it further enacted*, And there shall be appropriated and paid out of any moneys in the treasury, not otherwise appropriated, the sum of five thousand dollars for the purposes aforesaid.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

CHAP. XXXVIII.—*An Act transferring the duties of commissioner of loans to the Bank of the United States, and abolishing the office of commissioner of loans.*

The Bank of the United States, &c. to perform the duties of commissioners of loans.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Bank of the United States, and its several branches, shall be, and they are hereby, required to do and perform the several duties of commissioners of loans for the several states; and the Bank of the United States and its several branches, and such state banks as the Bank of the United States may employ in those states where no branch bank shall be established, shall observe and conform to the directions which have been or may hereafter be prescribed by the Secretary of the Treasury, with the approbation of the President of the United States, touching the execution of the duties aforesaid.

SEC. 2. *And be it further enacted*, That all such duties and acts as are now done and performed by the commissioners of loans, in transferring stock from the books of one loan office to another, or to the books of the treasury, or from the books of the treasury to the books of the loan offices, shall be done and performed by the president of the Bank of the United States, the president of the several branches of the said bank, and by the president of such state banks as the Bank of the United States may employ, (in states where no branch of the United States Bank shall be

established;) and the acts of the presidents aforesaid shall be counter-
 signed by the cashiers of those banks respectively.

SEC. 3. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to notify the President of the Bank of the United States, that the duties now performed by the commissioners of loans will be transferred to the Bank of the United States, and he shall direct the commissioners of loans and the agents for military pensions, where there is no commissioner, respectively, in the several states, to deliver to the president of the Bank of the United States, or to the president of a branch thereof, or to the president of such state bank as the Bank of the United States may employ, on such day or days as he may designate, the register, and all the records and papers of their respective offices; and it shall be the duty of the said commissioners of loans and agents for pensioners to comply with the said direction, and also to take duplicate receipts for the delivery of the records and papers herein described, one of which shall be transmitted, without delay, to the Secretary of the Treasury: *Provided, however*, that the Secretary of the Treasury may designate such time before the first day of January, one thousand eight hundred and eighteen, for the performance of the duties aforesaid, as the public convenience will permit; *And provided also*, That this act shall not be construed to extend to any agent for military pensions in any state where there is no bank established by law.

SEC. 4. *And be it further enacted*, That the office of commissioner of loans, upon the delivery of the records and papers, as herein required, to the Bank of the United States, or its branches, or to the state banks employed by the Bank of the United States in those states where there may be no branch, shall be, and hereby is, abolished; and the pay and emoluments of the said commissioners of loans, and the clerks and persons employed by them, after such delivery, shall respectively cease and determine.

SEC. 5. *And be it further enacted*, That the act, entitled "An act for the prompt settlement of public accounts," shall commence, and be in force, on and after the third day of this instant, March, any thing in the aforesaid act to the contrary notwithstanding.

APPROVED, March 3, 1817.

CHAP. XXXIX.—*An Act to regulate the trade in plaster of Paris.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, from and after the fourth day of July next, no plaster of Paris, the production of any country, or its dependencies, from which the vessels of the United States are not permitted to bring the same article, shall be imported into the United States in any foreign vessel. And all plaster of Paris imported, or attempted to be imported, into the United States, contrary to the true intent and meaning of this act, and the vessel in which the same may be imported, or attempted to be imported, together with the cargo, tackle, apparel, and furniture, shall be forfeited to the United States; and such plaster of Paris, vessel and cargo, shall be liable to be seized, prosecuted, and condemned, in like manner, and under the same regulations, restrictions, and provisions, as have been heretofore established for the recovery, collection, and distribution, and remission, of forfeitures to the United States by the several revenue laws.

SEC. 2. *And be it further enacted*, That this act shall continue and be in force five years from the thirty-first day of January, one thousand eight hundred and seventeen: *Provided, nevertheless*, That if any foreign nation or its dependencies, which have now in force regulations on the subject of the trade in plaster of Paris, prohibiting the exportation there-

The Secretary of the Treasury to notify the President of the Bank of the United States, &c.

Provido; as to the time, &c.

Provido; as to states where no banks are established by law.

Office of commissioner of loans abolished, &c.

An act for the prompt settlement of public accounts in force from the 3d of March, 1817.

Act of March 3, 1817, ch. 45.

STATUTE II.

March 3, 1817.

[Obsolete.]

Importation of plaster prohibited in foreign vessels from countries whence vessels of the United States are not allowed to bring it.

This act to be in force for five years.

Provido; a foreign nation discontinuing

prohibitory regulations, the restrictions imposed by the act to cease with respect to that nation.

of to certain ports of the United States, shall discontinue such regulations, the President of the United States is hereby authorized to declare that fact by his proclamation, and the restrictions imposed by this act shall, from the date of such proclamation, cease and be discontinued in relation to the nation, or its dependencies, discontinuing such regulations.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

CHAP. XL.—*An Act authorizing the deposit of the papers of foreign vessels, with the consul of their respective nations.*

Act of Feb. 26, 1803, ch. 9. Ships' papers to be produced to the collector before entry.

The papers to be deposited with the consul of the nation within forty-eight hours.

Fine in case of non-compliance. Proviso; as to foreign nations in whose ports American consuls are not allowed to have custody of papers according to the act mentioned.

1803, ch. 9. Consul not to deliver the papers to the master until he produces a clearance.

Consuls offending to be fined.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the register, or other document in lieu thereof, together with the clearance and other papers, granted by the officers of the customs to any foreign ship or vessel, at her departure from the port or place from which she may have arrived, shall, previous to entry in any port of the United States, be produced to the collector with whom such entry is to be made. And it shall be the duty of the master or commander, within forty-eight hours after such entry, to deposit the said papers with the consul or vice-consul of the nation to which the vessel belongs, and to deliver to the collector the certificate of such consul or vice-consul, that the said papers have been so deposited; and any master, or commander, as aforesaid, who shall fail to comply with this regulation, shall, upon conviction thereof in any court of competent jurisdiction, be fined in a sum not less than five hundred dollars, nor exceeding two thousand dollars; *Provided,* That this act shall not extend to the vessels of foreign nations in whose ports American consuls are not permitted to have the custody and possession of the register and other papers of vessels entering the ports of such nation, according to the provisions of the second section of the act supplementary to the act "concerning consuls and vice-consuls, and for the further protection of American seamen," passed the twenty-eighth of February, one thousand eight hundred and three.

Sec. 2. *And be it further enacted,* That it shall not be lawful for any foreign consul to deliver to the master or commander of any foreign vessel the register and other papers deposited with him pursuant to the provisions of this act, until such master or commander shall produce to him a clearance in due form from the collector of the port where such vessel has been entered; and any consul offending against the provisions of this act shall, upon conviction thereof before the Supreme Court of the United States, be fined at the discretion of the court in a sum not less than five hundred dollars, nor exceeding five thousand dollars.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

CHAP. LXI.—*An Act to provide for furnishing the house of the President of the United States.*

[Obsolete.]
Decayed furniture to be sold, and the proceeds and 20,000 dolls. additional appropriated for furnishing the President's house anew.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That after the third day of March, one thousand eight hundred and seventeen, the President of the United States be, and he is hereby, authorized and empowered, to cause to be sold such articles furnished by the United States for the President's household, as may be decayed, out of repair, or unfit for use; and that the proceeds of sales, and so much of a sum not exceeding twenty thousand dollars, in addition thereto, out of any money in the treasury not otherwise appropriated, as the President of the United States may judge necessary, be, and hereby are, appropriated for the accommodation of

the household of the President, to be laid out and expended for such articles of furniture as he shall direct.

APPROVED, March 3, 1817.

STATUTE II.

CHAP. XLII.—*An Act further to regulate the territories of the United States, and their electing delegates to Congress.*

March 3, 1817.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in every territory of the United States in which a temporary government has been, or hereafter shall be established, and which by virtue of the ordinance of Congress of the thirteenth of July, one thousand seven hundred and eighty-seven, or of any subsequent act of Congress, passed or to be passed, now hath or hereafter shall have the right to send a delegate to Congress, such delegate shall be elected every second year, for the same term of two years for which members of the house of representatives of the United States are elected; and in that house each of the said delegates shall have a seat with a right of debating, but not of voting.

Delegates to Congress to be elected every second year.

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SEC. 2. *And be it further enacted,* That on the first Monday of August next the citizens of the territory of Missouri, qualified according to the act, entitled "An act providing for the government of the territory of Missouri," shall elect a delegate to Congress; and it shall be the duty of the general assembly of the said territory to make provision by law for the annual or biennial meetings of the said general assembly, as the interests of the territory may in their opinion require; and such annual or biennial meeting shall be on the first Monday of December, unless they shall by law appoint a different day. And so much of any law, or laws, as are inconsistent with the provisions of this act, shall be, and the same are hereby, repealed.

The citizens of Missouri to elect a delegate to Congress.

Act of June 4, 1812, ch. 95.

Provision to be made for the meeting of the general assembly.

APPROVED, March 3, 1817.

STATUTE II.

CHAP. XLIII.—*An Act to continue in force an act, entitled "An act for establishing trading houses with the Indian tribes."*

March 3, 1817.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act, entitled "An act for establishing trading houses with the Indian tribes," passed on the second day of March, one thousand eight hundred and eleven, and which was continued in force for a limited time by an act passed on the third day of March, one thousand eight hundred and fifteen, shall be, and the same is hereby, further continued in force until the first day of May, one thousand eight hundred and eighteen, and no longer.

Act of March 2, 1811, ch. 30.

The act for establishing trading houses with the Indian tribes continued until the 1st of May, 1818.

Act of May 6, 1822, ch. 54.

APPROVED, March 3, 1817.

STATUTE II.

CHAP. XLIV.—*An Act to alter and establish certain post-roads.*

March 3, 1817.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the post-roads hereafter named be discontinued:

[Obsolete.]
Post-roads discontinued.

In Pennsylvania.—From Wysoxby, Orville and Warren to Nanticoke. From Silver Lake or Montrose to Binghampton.

Pennsylvania.

From Williamsport to Jersey Shore.

In Virginic.—From Liberty to Fincastle.

Virginia.

In Indiana.—From Brookville, by Bath and Lewistown, to Salisbury.

Indiana.

- Kentucky. *In Kentucky*.—From Isbellville to Ewingville.
From Greenup c. h. to Little Sandy Salt works.
From Danville, by Casey c. h., Pulaski c. h., Wayne c. h., Burksville and Columbia, to Danville.
- Post-roads established. SEC. 2. *And be it further enacted*, That the following be established post-roads.
- Maine. *In Maine*.—From Jay, by Jaypoint, Dixfield and Holmantown, to Rumford.
From Anson to Solon.
- New Hampshire. *In New Hampshire*.—From Dunstable, by Nottingham West, to Pelham.
From Ackworth, Lempster and Unity, to Newport.
From Ossippe, by Effingham, to Parsonfield.
- Vermont. *In Vermont*.—From Craftsborough, by Kelyvale, and Montgomery, to Richford.
- Massachusetts. *In Massachusetts*.—From Groton, by Pepperel and Holles, to Amherst, N. H.
- Connecticut. *In Connecticut*.—From Bridgeport, by Weston, Reading and Bethel, to Danbury.
From Stanford, by way of New Canaan, and North Ridgefield, to Danbury.
From Colchester, by Chatham, to Middletown.
- New York. *In New York*.—From Canandaigua, by Bristol, Richmond, Livonia, Genessee and Warsaw, to Sheldon.
From Oswego Falls, by Port Glasgow and Portland, and along the ridge road by Carthage, to Rochester.
From Moscow, by the state road, to Buffalo.
From Oswego, by Montrose, Pa. and the turnpike to Milford, thence by Hamburg, in New Jersey, to Jersey City.
From Poughkeepsie, through Beekmantown, to New Milford.
From Bath, by Angelica, Hamilton, Cerestown, Pa. Coudersport and Jersey Shore, to Williamsport.
From Bath to Naples.
From Angelica, by Nunda and Leicester, to Batavia.
From Salem, by Hebron, Argyle and Fort Edwards, to Sandy Hill.
From Kingston, by Hurley, Marbletown, Rochester, Warwarsink, Mamakoting, to Milford, Pa.
From Madison, by Peterboro, to the Sullivan Post-office at the Chittenengo creek.
- New Jersey. *In New Jersey*.—From Trenton, by Birmingham, Lambertsville, Prattsville, Frenchtown, Milford and Hughes' Forge, to Easton, Pa.
From Baskingridge, by New Providence, to Springfield, in Essex county.
- Pennsylvania. *In Pennsylvania*.—From Newtown on the Somerset great road, by Fairfield meeting-house, to Armagh.
From Greensburgh, by the Great Salt works, to Indiana.
From Connelsville to Mount Pleasant.
From Kittaning to Roseburg.
From Franklin, by Oil Creek Town, Centreville, Bloomfield and Union, to Waterford.
From Lewistown, by Bellville, M'Alcavy's, Henry's and Petersburg, to Alexandria; or, from Lewistown, by Bellville, Kisharvyville's valley, Wilson's mills, and Huntingdon, to Alexandria.
From Womelsdorf, by Rohrsburg, Pine Grove, Klingerstown, and Georgetown, to Sunbury.
From Meansville, by Wysox, Pike, Head of Wyalusing creek and Windham, to Montrose.
From Measville, by Sugar creek, and Smith's, to Putnamville.
From Putnamville, by Columbia, Springfield, Athens and Old Sheshiquin, to Meansville.

- From Montrose, by Orwell and Warren, to Athens.
- From Shickshenny, by Huntingdon, Jackson and Evernills, to Jerseytown. Post-roads established.
- In Maryland.*—From Westminster, by Taneytown and Emmittsburg, to Waynesburg. Maryland.
- From Baltimore, by Randalstown, Freedom and New Windsor, to Uniontown.
- In Ohio.*—From St. Clairsville, by Harrisville, Cadiz, Flushing, Morristown, Belmont and Barnsville, to Woodfield, thence by Dillon's on Capteen Creek, to St. Clairsville. Ohio.
- From Dayton to Monroe.
- From Columbus to Granville.
- From London, by Springfield, to Dayton.
- From Newark, by New Lebanon, to Lancaster.
- From Cincinnati, by Carson's, Ingersoll's ferry, or town of Miami, Clarke's store, and Harrison, to Brookville, Ind.
- In Virginia.*—From Charlottesville, by Grayham's store, to Brown's turnpike. Virginia.
- From Liberty to Salem.
- From Clarksburg, by Lewis c. h., to Point Pleasant.
- From Hull's store, in Pendleton county, to Bath c. h.
- In Kentucky.*—From Cattelsburg, by Little Sandy Salt works, Isle's mills, Owingsville, and Mouth of Bald Eagle, to Paris. Kentucky.
- From Louisville, by Middletown, New Castle, 'Twin meeting house, to Boone c. h.
- From Russellville, by Elkton and Ewingville, to Hopkinsville.
- From Hopkinsville, by Greenville, Madisonville, Bellville and Morganfield, to Shawneetown, (Indiana.)
- From Elizabethtown, by Philadelphia, to Corydon (Indiana.)
- From Danville, by Liberty and Somerset, to Monticello.
- From Monticello, by Burksville, to Glasgow.
- From Burksville to Columbia.
- From Upper Blue-lick, by Moorfield, to Owingsville.
- From Port William, by Bedford, to New Castle.
- In North Carolina.*—From Morgantown, by Rutherfordton, to Greenville, S. C. North Carolina.
- In Tennessee.*—From Boat-yard to Scott c. h. Tennessee.
- From Dandridge, by Sevierville, to Maryville.
- From Knoxville, by Loysborough and Speedville Iron Works, to Cumberland Gap.
- From Shelbyville to Winchester.
- From Nashville, by John Hunts, to Clarksville.
- From Morganton, by Russel's ferry, Chota, Tellico Plains, Beaver Dams and Griffins, to Carnesville, Ga.
- In South Carolina.*—From Pocotaligo, by Hickory Hill, in Prince William Parish, to Lower Three Runs, or Higginbottoms. South Carolina.
- From Cambridge, by Scuffletown, to Pickensville.
- In Georgia.*—From Washington, by Elberton c. h. and Danielsville, to Carnesville. Georgia.
- In Indiana.*—From Corydon, by Shoemaker's, Troy, Mount Pleasant, Darlington and Evansville, to Harmony. Indiana.
- From Corydon, by Fredericksburg, to Salem.
- From Lexington, by Salem, to Peola.
- From Vincennes, by Emmersonville, Carlisle, and Terre Haut, to fort Harrison.
- From Madison to New Castle, Ky.
- From Madison to Vernon.
- From Lawrenceburg, by Decatur, to Wilmington.

From Hamilton, O., by Bath, Brookville, Connersville, Waterloo, Centreville, Salisbury, Dunlapsville and Fairfield, to Brookville.

From Princeton to Hendersonson, Ky.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

Act of March 3, 1797, ch. 20.
Act of Feb. 24, 1819, ch. 43.

Act of May 7, 1822, ch. 90.

Act of March 1, 1823, ch. 20.

Accountants' offices of the War and Navy Departments, and office of superintendent general of military supplies, abolished.

All accounts to be settled in the Treasury Department.

Four auditors and one comptroller additional, in the Treasury Department.

Duty of the first auditor.

Duty of the second auditor.

Duty of the third auditor.

Duty of the fourth auditor.

Duty of the fifth auditor.

Proviso; as to the accounts of the additional accountant.

CHAP. XLV.—*An Act to provide for the prompt settlement of public accounts. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, from and after the third day of March next; the offices of accountant and additional accountant of the Department of War, the office of accountant of the navy, and the office of superintendent general of military supplies, be, and they are hereby abolished.

SEC. 2. *And be it further enacted,* That, from and after the said third day of March next, all claims and demands whatever, by the United States or against them, and all accounts whatever, in which the United States are concerned, either as debtors or as creditors, shall be settled and adjusted in the Treasury Department.

SEC. 3. *And be it further enacted,* That, from and after the third day of March next, in addition to the officers in the Treasury Department, already established by law, there shall be the following officers, namely, four auditors and one comptroller.

SEC. 4. *And be it further enacted,* That it shall be the duty of the first auditor to receive all accounts accruing in the Treasury Department, and, after examination, to certify the balance and transmit the accounts, with the vouchers and certificate to the first comptroller for his decision thereon; that it shall be the duty of the second auditor to receive all accounts relative to the pay and clothing of the army, the subsistence of officers, bounties, and premiums, military and hospital stores, and the contingent expenses of the War Department; that it shall be the duty of the third auditor to receive all accounts relative to the subsistence of the army, the quartermaster's department, and generally all accounts of the War Department other than those provided for; and it shall be the duty of the fourth auditor to receive all accounts accruing in the navy department, or relative thereto, and the second, third, and fourth auditors, aforesaid, shall examine the accounts respectively, and certify the balance, and transmit the accounts, with the vouchers and certificate, to the second comptroller for his decision thereon; and it shall be the duty of the fifth auditor to receive all accounts accruing in, or relative to, the department of state, the general post office, and those arising out of Indian affairs, and examine the same, and thereafter certify the balance, and transmit the accounts, with the vouchers and certificate, to the first comptroller for his decision thereon: *Provided,* That the President of the United States may assign to the second or third auditor the settlement of the accounts which are now confided to the additional accountant of the War Department.

(a) The comptroller of the treasury has a right to direct the marshal to whom he shall pay money received upon executions, and a payment according to such directions is good; and it seems he may avail himself of it upon the trial without having submitted it as a claim to the accounting officers of the treasury. *United States v. Giles*, 9 Cranch, 212; 3 Cond. Rep. 377.

No debtor to the United States can at the trial set off a claim for a debt due to him by the United States, unless such claim shall have been submitted to the accounting officers of the treasury, and by them rejected, except in cases provided for by the statute. *Ibid.*

The rules prescribed by the Treasury Department for the adjustment of claims against the government, will, if reasonable, be respected; but if these rules go to a complete denial of justice, the court, if it have jurisdiction of the subject, cannot disregard the rights of parties. *United States v. Mann*, 2 Brockenb. C. C. R. 96.

A transcript from the treasury which contains sums charged in gross as balances, is not evidence as to such balances. *The United States v. Edwards*, 1 M'Lean's C. C. R. 467.

By the act of 1817, ch. 33, § 5, the above act is made to take effect from its date.

SEC. 5. *And be it further enacted,* That it shall be the duty of the auditors, charged with the examination of the accounts of the War and Navy Departments, to keep all accounts of the receipts and expenditures of the public money in regard to those departments, and of all debts due to the United States on moneys advanced relative to those departments; to receive from the second comptroller the accounts which shall have been finally adjusted, and to preserve such accounts, with their vouchers and certificates, and to record all warrants drawn by the secretaries of those departments, the examination of the accounts of which has been assigned to them by the preceding section. And it shall be the duty of the said auditors to make such reports on the business assigned to them, as the Secretaries of the War and Navy Departments may deem necessary, and require, for the services of those departments.

Further duties of the auditors.

SEC. 6. *And be it further enacted,* That the said auditors shall annually, on the first Monday in November, report to the Secretary of the Treasury the application of the money appropriated for the Military and Naval Departments, for the preceding year, which shall be laid before Congress by him, with the annual statement of the public expenditure.

Auditors to report to the Secretary of the Treasury.

SEC. 7. *And be it further enacted,* That the Treasurer of the United States shall disburse all such moneys as shall have been previously ordered for the use of the War and Navy Departments by warrants from the treasury, which disbursements shall be made pursuant to warrants drawn by the Secretary of the War and Navy Departments respectively, countersigned by the second comptroller, and registered by the auditors respectively.

The treasurer to disburse all moneys ordered for the use of the War and Navy Departments, &c.

SEC. 8. *And be it further enacted,* That it shall be the duty of the first comptroller to examine all accounts settled by the first and fifth auditors, and certify the balances arising thereon to the register; to countersign all warrants drawn by the Secretary of the Treasury, which shall be warranted by law; to report to the secretary the official forms to be issued in the different offices for collecting the public revenue, and the manner and form of keeping and stating the accounts of the several persons employed therein; he shall also superintend the preservation of the public accounts, subject to his revision, and provide for the regular payment of all moneys which may be collected.

Duty of the first comptroller.

SEC. 9. *And be it further enacted,* That it shall be the duty of the second comptroller to examine all accounts settled by the second, third, and fourth auditors, and certify the balances arising thereon to the secretary of the department in which the expenditure has been incurred; to countersign all warrants drawn by the Secretaries of the War and Navy Departments, which shall be warranted by law; to report to the said secretaries the official forms to be issued in the different offices for disbursing the public money in those departments, and the manner and form of keeping, and stating, the accounts of the persons employed therein; and it shall also be his duty to superintend the preservation of the public accounts subject to his revision.

Duty of the second comptroller.

SEC. 10. *And be it further enacted,* That it shall be the duty of the first comptroller to superintend the recovery of all debts to the United States; to direct suits and legal proceedings, and to take all such measures as may be authorized by the laws, to enforce prompt payment of all debts to the United States.

First comptroller to superintend the recovery of all debts, &c.

Act of May 7, 1822, ch. 90.

SEC. 11. *And be it further enacted,* That the provision contained in the second section of the act, passed the third March, one thousand seven hundred and ninety-seven, entitled "An act to provide more effectually for the settlement of accounts between the United States and receivers of public money," which directs that in every case where suit has been, or shall be, instituted, a transcript from the books and proceedings of the treasury, certified by the register, shall be admitted as evidence, be extended, in regard to the accounts of the War and Navy

The provision contained in the second section of the act of March 3, 1797, ch. 20, extended, in regard to the accounts of the War and Navy Departments, &c.

Departments, to the auditors respectively charged with the examination of those accounts, and that certificates, signed by them, shall be of the same effect as that directed to be signed by the register.

Act 1797, ch. 20.

Auditors empowered to administer oaths, &c.

Secretary of the Treasury to cause all accounts of the expenditure of public money to be settled within the year, &c.

The comptroller to distinguish between balances, &c.

Salary of the second comptroller and auditors \$3000.

Letters, &c. to and from the second comptroller and auditors, free.

SEC. 12. *And be it further enacted,* That the auditors of the public accounts shall be empowered to administer oaths or affirmations to witnesses in any case in which they may deem it necessary for the due examination of the accounts with which they shall be charged.

SEC. 13. *And be it further enacted,* That it shall be the duty of the Secretary of the Treasury to cause all accounts of the expenditure of public money to be settled within the year, except where the distance of the places where such expenditure occurs may be such as to make further time necessary; and, in respect to expenditures at such places, the Secretary of the Treasury, with the assent of the President, shall establish fixed periods at which a settlement shall be required. And it shall be the duty of the first comptroller to lay before Congress annually, during the first week of their session, a list of such officers as shall have failed in that year to make the settlement required by law.

SEC. 14. *And be it further enacted,* That in the annual statement of all accounts on which balances appear to have been due more than three years, which the comptroller is now required by law to make, he shall hereafter distinguish those accounts, the balances appearing on which shall, in his opinion, be owing to difficulties of form, which he may think it equitable shall be removed by an act of Congress; and where the debtors, by whom such balances shall have been due more than three years, shall be insolvent, and have been reported to Congress for three successive years as insolvent, the comptroller shall not be required in such case to continue to include such balances in the statement above mentioned.

SEC. 15. *And be it further enacted,* That the salary of the comptroller, appointed by virtue of this act, shall be three thousand dollars per annum, and that of the auditors, each, three thousand dollars per annum.

SEC. 16. *And be it further enacted,* That all letters and packages to and from the comptroller, and auditors, herein before mentioned, be conveyed free of postage, under the same regulations that are provided by law for other officers of government; and the Secretary of the Treasury is hereby authorized to assign the several sums appropriated for clerk hire in the offices of the accountant, additional accountant, superintendent general of military supplies, and accountant of the navy, to the officers hereby created, to which their respective duties shall be assigned.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

[Obsolete.]

Additional annual allowance to the collector of the customs at Edgartown.

And to the collector of the customs, Plymouth.

Per centum allowance to the collectors of Middletown

CHAP. XLIX.—*An Act respecting the compensation of the collectors therein mentioned.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, from and after the last day of March instant, there shall be allowed and paid, annually, in addition to the sum now allowed by law to the collector of the customs for Edgartown, in the state of Massachusetts, the sum of one hundred and fifty dollars; and to the collector of the customs for Plymouth, in the state of North Carolina, there shall also be paid annually the sum of one hundred and fifty dollars, in addition to the fees and other emoluments of office.

SEC. 2. *And be it further enacted,* That, from and after the last day of March instant, there shall be allowed to the collector of the customs for Middletown, in Connecticut, and to the collector of the customs in Newburyport, in the state of Massachusetts, three per centum on all moneys

by them received on account of the duties upon importation and on tonnage. and Newburyport.

APPROVED, March 3, 1817.

STATUTE II.

CHAP. L.—*An Act to continue in force the second section of the act, entitled “An act supplementary to an act to regulate the duties on imports and tonnage.”*

March 3, 1817.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That on all foreign ships or vessels which shall be entered in the United States, after the thirtieth day of June next, from any foreign port or place, to and with which vessels of the United States are not [ordinarily] permitted to enter and trade, there shall be paid a duty [at] the rate of two dollars per ton, to be levied and collected in the same manner, and under the same regulations, as are prescribed by law in relation to the duties upon tonnage now in force.

[Obsolete.]
Act of Jan. 14, 1817, ch. 3.

Two dolls. per ton on foreign vessels from foreign ports with which vessels of the United States are not permitted to enter and trade.

APPROVED, March 3, 1817.

STATUTE II.

CHAP. LI.—*An Act supplementary to “An act to regulate the duties on imports and tonnage.”*

March 3, 1817.

Be it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That in all cases where an ad valorem duty shall be charged, it shall be calculated on the net cost of the article at the place whence imported, (exclusive of packages, commissions, charges of transportation, export duty, and all other charges,) with the usual addition, established by law, of twenty per cent. on all merchandise imported from places beyond the Cape of Good Hope, and of ten per cent. on articles imported from all other places.

[Obsolete.]
Act of July 20, 1790, ch. 30.
Act of April 27, 1816, ch. 107.

Act of Jan. 14, 1817, ch. 3.
Ad valorem duty to be on the net cost of the article whence imported.

APPROVED, March 3, 1817.

STATUTE II.

CHAP. LV.—*An Act for the relief of the widows and orphans of the officers, seamen, and marines, who were lost in the United States brig Epervier.*

March 3, 1817.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the widows, if any such there be, and, in case there be no widow, the child or children, if there be no child, then to the parents or parent, and if there be no parent, then to the brothers and sisters of the officers, seamen, and marines, who were in the service of the United States and lost in the brig Epervier, shall be entitled to, and receive, out of any money in the treasury not otherwise appropriated, a sum equal to six months' pay of their respective deceased relatives aforesaid, in addition to the pay due to the said deceased on the fourteenth day of July, one thousand eight hundred and fifteen, to which day the arrears of pay due the deceased shall be allowed and paid by the accounting officers of the Navy Department.

[Obsolete.]

The widows and orphans of officers and men lost in the Epervier, to receive six months' pay additional, &c.,

APPROVED, March 3, 1817.

STATUTE II.

CHAP. LVI.—*An Act authorizing the Secretary of the Treasury to remit the duties therein mentioned.*

March 3, 1817.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That if any person to whom a license shall have been granted before the first day of July, in the year of our Lord one thousand eight hundred and sixteen, for a term ex-

[Obsolete.]

The Secretary of the Treasury authorized to remit proportion of duties

to persons discontinuing the use of the stills, &c.

Act of July 24, 1813, ch. 25.

tending beyond the said first day of July, according to the provisions of the act, entitled "An act laying duties on licenses to distillers of spirituous liquors," shall prove, to the satisfaction of the Secretary of the Treasury, that he has discontinued, at any time since the said first of July, the use of any still, or stills, for the use of which the said license was granted, and not afterwards used the same, then, and in such case, it may be lawful for the Secretary of the Treasury to remit such proportion of the said duties as may have accrued for the time during which the use of the said still, or stills, was so discontinued; and, if such duties have been paid, then to repay, out of any money in the treasury not otherwise appropriated, that proportion of such duties which accrued during the discontinuance of the use of said still, or stills, as above mentioned.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

CHAP. LVII.—*An Act authorizing the Secretary of the Treasury to pay to the state of Georgia fifteen per centum upon the quota of direct tax, for the year one thousand eight hundred and sixteen, assumed and paid by that state.*

The Secretary of the Treasury authorized to pay to the order of the governor of Georgia an abatement of 15 per cent. on the quota of direct tax, &c.

Act of Jan. 9, 1815, ch. 21.

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 authorized to pay to the order of the Governor of Georgia, for the use of that state, the sum of fourteen thousand one hundred and eighty dollars and forty-seven cents, being an abatement of fifteen per cent. on the quota of direct tax, payable by that state, for the year one thousand eight hundred and sixteen: which quota was paid, but notice of an intention to assume it not given in time to entitle the said state to the deduction of fifteen per cent. under the act of January, one thousand eight hundred and fifteen, laying a direct tax upon the United States.

SEC. 2. *And be it further enacted,* That the above sum of fourteen thousand one hundred and eighty dollars and forty-seven cents shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

CHAP. LVIII.—*An Act more effectually to preserve the neutral relations of the United States.*

Repealed by act of April 20, 1818, ch. 88, sec. 12.

Persons fitting out and arming, &c. vessels intended to be employed to commit hostilities against a friendly power, liable to fine and imprisonment, &c.

Vessel, &c. forfeited.

Half to the informer.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That if any person shall, within the limits of the United States, fit out and arm, or attempt to fit out and arm, or procure to be fitted out and armed, or shall knowingly be concerned in the furnishing, fitting out or arming, of any such ship or vessel, with intent that such ship or vessel shall be employed in the service of any foreign prince or state, or of any colony, district or people, to cruise or commit hostilities, or to aid or co-operate in any warlike measure whatever, against the subjects, citizens, or property, of any prince or state, or of any colony, district or people, with whom the United States are at peace, every such person so offending shall, upon conviction, be adjudged guilty of a high misdemeanor, and shall be fined and imprisoned at the discretion of the court in which the conviction shall be had, so as the fine to be imposed shall in no case be more than ten thousand dollars, and the term of imprisonment shall not exceed ten years: and every such ship or vessel, with her tackle, apparel, and furniture, together with all materials, arms, ammunition, and stores, which may have been procured for the building and equipment thereof, shall be forfeited, one half to the use of any person who shall give information, and the other half to the use of the United States.

SEC. 2. *And be it further enacted*, That the owners of all armed ships, sailing out of the ports of the United States, and owned wholly, or in part, by citizens thereof, shall enter into bond to the United States, with sufficient sureties, prior to clearing out the same, in double the amount of the value of the vessel and cargo on board, including her armament, that the said ship or vessel shall not be employed by such owners in cruising or committing hostilities, or in aiding, or co-operating, in any warlike measure against the subjects, citizens, or property, of any prince or state, or of any colony, district or people, with whom the United States are at peace.

SEC. 3. *And be it further enacted*, That the collectors of the customs be, and they are hereby, respectively, authorized and required to detain any vessel manifestly built for warlike purposes, and about to depart from the United States, of which the cargo shall principally consist of arms and munitions of war, when the number of men shipped on board, or other circumstances, shall render it probable that such vessel is intended to be employed by the owner, or owners, to cruise or commit hostilities upon the subjects, citizens, or property, of any prince or state, or of any colony, district, or people, with whom the United States are at peace, until the decision of the President be had thereupon, or until the owner enters into bond, and sureties, to the United States, prior to clearing out the same, in double the amount of the value of the vessel and cargo on board, including her armament, that the said ship or vessel shall not be employed by the owner, or owners, in cruising or committing hostilities, or in aiding, or co-operating, in any warlike measure against the subjects, citizens or property, of any prince or state, or of any colony, district, or people, with whom the United States are at peace.

SEC. 4. *And be it further enacted*, That if any person shall, within the territory or jurisdiction of the United States, increase or augment, or procure to be increased or augmented, or shall be knowingly concerned in increasing, or augmenting, the force of any ship of war, cruiser, or other armed vessel, which, at the time of her arrival within the United States, was a ship of war, cruiser, or armed vessel, in the service of a foreign prince, or state, or any colony, district, or people, or belonging to the subjects, or citizens, of any such prince, state, colony, district, or people, the same being at war with any foreign prince, or state, with whom the United States are at peace, by adding to the number or size of the guns of such vessels prepared for use, or by the addition thereto of any equipment solely applicable to war, every such person, so offending, shall, upon conviction, be adjudged guilty of a misdemeanor, and shall be fined and imprisoned, at the discretion of the court in which the conviction shall be had, so as that such fines shall not exceed one thousand dollars, nor the term of imprisonment be more than one year.

SEC. 5. *And be it further enacted*, That this act shall continue in force for the term of two years.

APPROVED, March 3, 1817.

Owners of armed vessels sailing from ports of the United States, the owners being wholly or in part citizens, to give bond, &c.

The collectors of the customs authorized to detain vessels built for warlike purposes, the cargoes of which consist principally of arms, &c., when circumstances render it probable they are intended to commit hostilities against friendly powers, &c.

Persons increasing or augmenting the force of armed vessels in the service of a foreign power engaged in hostilities with a nation at peace with the United States, &c., subject to fine and imprisonment.

STATUTE II.

CHAP. LIX.—*An Act to establish a separate territorial government for the eastern part of the Mississippi territory.*

March 3, 1817.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all that part of the Mississippi territory which lies within the following boundaries, to wit: beginning at the point where the line of the thirty-first degree of north latitude intersects the Perdido river, thence east to the western boundary line of the state of Georgia, thence along said line to the southern boundary line to the state of Tennessee, thence west along said boundary line to the Tennessee river, thence up the same to the mouth of Bear creek,

That part of the Mississippi territory described, to form a territory to be called Alabama.

Act of April 20,
1818, ch. 126.

Laws in force
to continue un-
til otherwise
provided.

Governor and
secretary, &c.
Act of March
2, 1810, ch. 16.

An additional
judge, &c.
Act of March
27, 1804, ch. 59.

A general
court, &c.

1805, ch. 38.

Legislative
council.

thence by a direct line to the north-west corner of Washington county, thence due south to the Gulf of Mexico, thence eastwardly, including all the islands within six leagues of the shore, to the Perdido river, and thence up the same to the beginning, shall, for the purpose of a temporary government, constitute a separate territory, and be called "Alabama."

SEC. 2. *And be it further enacted*, That all offices which may exist, and all laws which may be in force, in said territory, within the boundaries above described, at the time this act shall go into effect, shall continue to exist, and be in force, until otherwise provided by law. And the President of the United States shall have power to appoint a governor and secretary for the said Alabama territory, who shall respectively exercise the same power, perform the same duties, and receive for their services the same compensation, as are provided for the governor and secretary of the Mississippi territory: *Provided*, that the appointment of said governor, and secretary, shall be submitted to the Senate, for their advice and consent, at the next session of Congress.

SEC. 3. *And be it further enacted*, That there shall be appointed an additional judge for the Mississippi territory, who shall reside in the eastern part thereof, and receive the same compensation as the other judges; and that the judge appointed by virtue of an act, passed the twenty-seventh day of March, one thousand eight hundred and four, for the appointment of an additional judge for the Mississippi territory, together with the judge appointed for Madison county, and the judge to be appointed by virtue of this act, shall possess and exercise exclusive original jurisdiction in the superior courts of Washington, Baldwin, Clarke, Monroe, Montgomery, Wayne, Green, Jackson, Mobile, Madison, and of such new counties as may be formed out of them, and shall arrange the same among themselves, from time to time: *Provided*, that no judge shall sit more than twice in succession in the same court, and that the other judges of the Mississippi territory shall exercise, as heretofore authorized by an act of Congress, or of the territorial legislature, exclusive jurisdiction in the superior courts of the other counties. That a general court, to be composed of the judge appointed by virtue of the act of twenty-seventh of March, one thousand eight hundred and four, the judge appointed for Madison county, and the judge to be appointed by virtue of this act, or any two of them, shall be holden at St. Stephens, commencing on the first Mondays of January and July, annually, who shall have the same power of issuing writs of error to the superior courts of the counties mentioned in this section, or which shall hereafter be formed in the eastern division of the territory, which was given by the act for the appointment of an additional judge, passed the year one thousand eight hundred and four, to the superior court of Adams district, and which shall possess, exclusively of the courts of the several counties, the federal jurisdiction given to the superior courts of the territories, by an act passed the third day of March, one thousand eight hundred and five, entitled "An act to extend jurisdiction in certain cases to the territorial courts."

SEC. 4. *And be it further enacted*, That the governor, to be appointed under the authority of this act, shall, immediately after entering into office, convene, at the town of St. Stephens, such of the members of the legislative council and house of representatives, of the Mississippi territory, as may then be the representatives from the several counties within the limits of the territory to be established by this act; and the said members shall constitute the legislative council, and house of representatives for the aforesaid Alabama territory, whose powers, in relation to the said territory, shall be, until the expiration of the term for which they shall have been chosen, or until Congress shall otherwise provide, the same in all respects as are now possessed by the legislative council, and house of representatives of the Mississippi territory; and the said legislative council, and house of representatives of the Alabama territory,

so formed, shall have power to nominate six persons to the President of the United States, three of whom shall be selected by him for members of the legislative council, in addition to the number which the said territory may possess, agreeably to the foregoing provisions of this section. The said legislative council and house of representatives, shall also have power to elect a delegate to Congress, who shall, in all respects, possess the same rights and immunities as other delegates from territories of the United States.

A delegate to Congress.

SEC. 5. *And be it further enacted,* That this act shall commence and be in force, so soon as the convention, the appointment whereof has been authorized by Congress at their present session, shall have formed a constitution and state government, for that part of the Mississippi territory lying west of the territory herein described; of which act of convention the governor of the Mississippi, for the time being, shall give immediate notice to the President of the United States, who shall thereupon forthwith proceed to the execution of the powers vested in him by the second section of this act; but in case said convention shall fail to form a constitution and state government, as aforesaid, then this act shall become null and void, except so far as relates to the third section thereof, which shall take effect, and be in force, from and after the passage of this act.

Time at which this act shall commence and be in force, &c.

SEC. 6. *And be it further enacted,* That all persons who shall be in office, within the territory hereby established, when the said convention shall have formed a constitution and state government, as aforesaid, shall continue to hold and exercise their offices, in all respects as if this act had never been made; and the governor and secretary of the Mississippi territory, for the time being, shall continue to exercise the duties of their respective offices, in relation to the territory hereby established, until a governor and secretary shall be appointed therefor, in pursuance to this act.

Persons in office to continue, &c.

SEC. 7. *And be it further enacted,* That all judicial process in the said territory of Alabama, shall be issued, and bear test, as heretofore; nor shall any suit be discontinued, or the proceedings of any cause stayed, or in any wise affected by any thing contained in this act, or in the act, entitled "An act to enable the people of the western part of the Mississippi territory to form a constitution and state government, and for the admission of such state into the union on an equal footing with the original states."

Judicial process as heretofore, &c.

Act of March 1, 1817, ch. 23.

SEC. 8. *And be it further enacted,* That the town of St. Stephens shall be the seat of government for the said Alabama territory, until it shall be otherwise ordered by the legislature thereof.

St. Stephens the seat of government.

SEC. 9. *And be it further enacted,* That whatever balance may remain in the treasury of the Mississippi territory, at the time when the convention authorized to form a constitution and state government, for the western part of said territory, may have formed a constitution and state government for the same, shall be divided between the new state and territory, according to the amount which may have been paid into said treasury, from the counties lying within the limits of such state and territory respectively.

Balance in the treasury to be divided between the new state, and territory.

APPROVED, March 3, 1817.

STATUTE II.

CHAP. LX.—*An Act to amend and explain an "Act giving pensions to the orphans and widows of persons slain in the public or private armed vessels of the United States."*

March 3, 1817.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That if any officer, seaman, or marine, belonging to the navy of the United States, shall die, or shall have died, since the eighteenth day of June, in the year of our Lord one

Act of March 4, 1814, ch. 20. Widows, &c. of officers and men in the navy

entitled to half pay for five years, &c.

If the widow dies or marries, the half pay goes to the children.

Proviso; as to the cessation of the half pay.

The provisions of this act extended.

March 3, 1819, ch. 81.

STATUTE II.

March 3, 1817.

CHAP. LXI.—*An Act to set apart and dispose of certain public lands, for the encouragement of the cultivation of the vine and olive.*

Four contiguous townships, each six miles square, in the Mississippi territory, to be set apart and reserved, &c.

Act of March 3, 1815, ch. 88.

The Secretary of the Treasury to contract for the sale of the townships at two dolls. per acre, &c.

Proviso; as to the agents of French emigrants being duly authorized to form a contract, &c.

The secretary empowered to make allotment of the lands among individuals, and to stipulate for the cultivation of the vine, &c.

Proviso; no patent or title until complete payment for the whole, &c.

thousand eight hundred and twelve, in consequence of disease contracted, or of casualties or injuries received, while in the line of his duty, and which shall be satisfactorily proved to the commissioners of the navy pension fund, leaving a widow, or if no widow, a child or children, under sixteen years of age, such widow, or if no widow, such child or children, shall be entitled to receive half the monthly pay to which the deceased was entitled at the time of his death, which allowance shall continue for the term of five years; but in case of the death or intermarriage of such widow, before the expiration of the said term of five years, the half pay for the remainder of the term, shall go to the child or children of the deceased: *Provided*, That such half pay shall cease on the death of such child or children. And the money required for this purpose shall be paid out of the navy pension fund, under the direction of the commissioners of that fund.

APPROVED, March 3, 1817.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall be the duty of the Secretary of the Treasury, under the direction of the President of the United States, to designate, and set apart, any four contiguous townships, each six miles square, of vacant public lands lying in that part of the Mississippi territory which was formed into a land district, by the act, entitled "An act for the ascertaining and surveying of the boundary lines fixed by the treaty with the Creek Indians, and for other purposes," passed on the third day of March, one thousand eight hundred and fifteen; and the four townships, so designated and set apart, shall be reserved from public and private sale, any thing in the aforesaid act to the contrary notwithstanding.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized to contract for the sale of the said four townships, which shall have been designated and set apart, as aforesaid, at the rate of two dollars per acre, to be made payable fourteen years after the contract shall have been concluded with any agent, or agents, of the late emigrants from France, who have associated together for the purpose of forming a settlement in the United States: *Provided*, That satisfactory evidence shall be produced that such agent, or agents, are duly authorized to form such contract, and that the number of such emigrants, being of full age, for which he or they are authorized to act, are equal at least to the number of half sections contained in the four townships proposed to be disposed of.

SEC. 3. *And be it further enacted*, That the said secretary shall have power to make such allotment of the lands among the individuals, and to stipulate, in the proposed contract, for such conditions of settlement and cultivation of the vine, and other vegetable productions, as may to him appear reasonable; and that on the fulfilment of such conditions shall the issuing of grants for the lands, be made to depend: *Provided*, That no patent shall be granted for any of the lands aforesaid, nor shall any title be obtained therefor, either at law or equity, until complete payment shall have been made for the whole four townships, and until they comply with the conditions of the contract, so to be made as aforesaid; nor shall a patent be granted for a greater quantity than six hundred and forty acres to any one person.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

CHAP. LXII.—*An Act to authorize the appointment of a surveyor for the lands in the northern part of the Mississippi territory, and the sale of certain lands therein described.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That a surveyor of the lands of the United States in the Mississippi territory, lying north of an east and west line, to be drawn from the river Mississippi, through fort Williams, to the western boundary line of the state of Georgia, shall be appointed, whose duty it shall be to engage a sufficient number of skilful surveyors as his deputies, and to cause the lands above mentioned, which have not already been surveyed, and to which the Indian title has been extinguished, to be surveyed and divided in the manner provided by law for the surveying of the other public lands of the United States in the Mississippi territory, to do and perform all such acts in relation to the said lands, to transmit plats of survey in the manner, and to fix the compensation of the deputy surveyor, chain-carriers, and axe-men, under the same restrictions and limitations of expense in surveying, as is by law directed and provided for the regulation of the powers and duties of the surveyor of the lands south of the state of Tennessee, in relation to the other public lands in the Mississippi territory. And the said surveyor, appointed in pursuance of this act, shall be entitled to receive, for his services, one thousand five hundred dollars, as an annual compensation.

SEC. 2. *And be it further enacted,* That all the lands of the United States in the Mississippi territory, to which the Indian title has been extinguished, lying north of the aforesaid east and west line, and which has not heretofore been offered for sale, shall be attached to, and made a part of, the land district of Madison, in the said territory.

SEC. 3. *And be it further enacted,* That all the lands, by this act attached to the district of Madison, after having been surveyed according to law, shall, with the exception of the section No. 16, in each township, which shall be reserved for the support of schools therein, and with the further exception of such sections, not exceeding ten in number, as the President shall designate, for the purpose of laying out and establishing towns thereon, be offered for sale to the highest bidder, under the direction of the register of the land office, and the receiver of public moneys, at the place where the land office is kept, and on such day, or days, as shall, by proclamation of the President of the United States, be designated for that purpose; the sales shall remain open two weeks, and no longer. The lands shall not be sold for less than two dollars an acre, and shall in every other respect be sold in tracts of the same size, and on the same terms, and conditions, as have been, or may be, provided for lands sold in the same district. All the lands offered for sale, and remaining unsold at the close of the said public sales, may be disposed of at private sale by the register of the land office, in the same manner, for the same price, and on the same terms and conditions, as are, [or] may be, provided for the sale of other lands in the same district, and patents shall be granted in the same manner, and on the same terms, as for other lands in the said district.

SEC. 4. *And be it further enacted,* That the register and receiver of public moneys shall each receive five dollars; for each day's attendance in directing the public sales, directed by this act.

SEC. 5. *And be it further enacted,* That the President of the United States be, and he hereby is, authorized to cause the sections, reserved as aforesaid, for establishing towns thereon, to be laid off into lots, under the direction of the surveyor appointed as aforesaid; and when the survey of the lots shall be completed, plats thereof shall be transmitted to the commissioner of the general land office, and the register of the land

A surveyor of the lands of the United States to be appointed for that part of the Mississippi territory described; his duties, compensation, &c.

Lands to be attached to Madison district.

Lands attached to Madison district, with the exception of section No. 16, to be offered for sale, &c.

Lands not to be sold for less than two dollars per acre. Lands remaining unsold may be disposed of at private sale, &c.

Five dollars per day to the register and receiver.

The sections reserved to be laid off into lots, &c.

Plats, &c.

To be sold on the same terms as other lands, except, &c.

Proviso; as to the price of each lot, &c.

office, and the lots shall be offered, to the highest bidder, at public sale, on such day or days as the President shall, by his proclamation, designate for that purpose, and shall be sold on the same terms and conditions, in every respect (except as to the quantity of land) as have or may be provided for the sale of the other public lands in the said district; *Provided*, That no lot shall be sold for a less price than at the rate of six dollars per acre; nor shall there be reserved for the purpose aforesaid, more than one section in any one township.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

CHAP. LXIII.—*An Act to provide for reports of the decisions of the Supreme Court. (a)*

Reporter to receive 1,000 dolls. per annum.

Proviso; decisions to be printed and published within six months, &c.

Eighty copies to be delivered to the Secretary of State.

Distribution of the eighty copies, &c.

Copies distributed to be delivered up to successors, &c.

This act in force for three years.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the reporter who shall, from time to time, be appointed by the Supreme Court of the United States, to report its decisions, shall be entitled to receive, from the treasury of the United States, as an annual compensation for his services, the sum of one thousand dollars: *Provided, nevertheless*, The said compensation shall not be paid unless the said reporter shall print and publish, or cause to be printed and published, the decisions of said court, made during the time he shall act as such reporter, within six months after such decisions shall be made, and shall deliver eighty copies of the decisions, so printed and published, to the Secretary of State, without any expense to the United States, and which copies shall be distributed as follows, to wit: to the President of the United States, the judges of the Supreme Court, and the judges of the district courts, the attorney general of the United States, the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, the comptroller of the treasury, the Postmaster General, the commissioner of the revenue, the commissioner of the general land office, the judges of the several territories of the United States, the secretary of the Senate, the clerk of the House of Representatives, the auditor of the treasury, the register of the treasury, the treasurer of the United States, the paymaster general, the accountants of the War and Navy Departments, and to the commissioners of the navy, one copy each: and the residue of said copies shall be deposited in, and become part of, the library of Congress.

SEC. 2. *And be it further enacted*, That, in case of the death, resignation, or dismissal from office, of either of the officers before mentioned, the said copies of the decisions, delivered to them as aforesaid, shall belong to, and be delivered up to, their respective successors, in the said offices.

SEC. 3. *And be it further enacted*, That this act shall be, and continue in force for three years, and no longer.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

CHAP. LXV.—*An Act to fix the peace establishment of the marine corps.*

[Obsolete.]
Number of officers and men.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the peace establishment of the marine corps shall consist of the following officers, non-commis-

(a) The acts in relation to the reporter, and reports of decisions of the Supreme Court, have been—
An act to provide for reports of the decisions of the Supreme Court, expired, March 3, 1817, ch. 63.
An act to continue in force "An act to provide for reports of decisions of the Supreme Court," May 15, 1820, expired, ch. 131.

An act to continue in force the act entitled "An act to provide for reports of the decisions of the Supreme Court," passed the third day of March, one thousand eight hundred and seventeen, March 3, 1823, expired, ch. 34.

An act to provide for reports of the decisions of the Supreme Court, expired, Feb. 22, 1827, ch. 18.

An act to provide for the reports of the decisions of the Supreme Court of the United States, Aug. 29, 1842, ch. 264.

siond officers, musicians and privates, viz: one lieutenant colonel commandant, nine captains, twenty-four first lieutenants, sixteen second lieutenants, one adjutant and inspector, one paymaster and one quartermaster, to be taken from the said captains and lieutenants, seventy-three corporals, forty-two drums and fifes, and seven hundred and fifty privates.

SEC. 2. *And be it further enacted*, That the President of the United States cause the provisions of this act to be carried into effect on the first day of April next, or as soon thereafter as circumstances will admit, and cause any supernumerary officers to be discharged from the service of the United States; and to all persons so discharged, there shall be paid three months' additional pay.

SEC. 3. *And be it further enacted*, That the President of the United States may, in the recess of the Senate, appoint any of the officers authorized by this act, which appointments shall be submitted to the Senate at their next session, for their advice and consent.

APPROVED, March 3, 1817.

Act of April 16, 1814, ch. 58.

Supernumerary officers to be discharged, &c.

The President may appoint any of the officers in the recess.

STATUTE II.

CHAP. LXVII.—*An Act making an appropriation for opening and cutting out a road therein described.*

March 3, 1817.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of four thousand dollars be, and the same is hereby appropriated, and payable out of any moneys in the treasury not otherwise appropriated, for the purpose of opening and cutting out a road from Reynoldsburgh, on Tennessee river, in the state of Tennessee, through the Chickasaw nation, to intersect the Natchez road near the south end of the Chickasaw old town, agreeable to the survey and marked lines heretofore made by Messrs. Johnson and Dickson, commissioners, appointed by the President of the United States; and that the opening of said road shall be under the direction of the Secretary of War.

APPROVED, March 3, 1817.

[Obsolete.]
4,000 dolls. appropriated for cutting out a road agreeably to the survey, &c. of Johnson and Dickson.

Under direction of the Secretary of War.

STATUTE II.

CHAP. LXIX.—*An Act to authorize the Secretary of the Treasury to cause repayments to be made of certain alien duties.*

March 3, 1817.

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 directed to cause to be repaid, or remitted, all alien or discriminating duties, either upon tonnage or merchandise imported, in respect to all British vessels which have been entered in ports of the United States at any time between the seventeenth of August, one thousand eight hundred and fifteen, and the twenty-second of December in the same year, excepting only such duties as may have been paid or secured on the tonnage of ships, or upon the merchandise imported therein, which ships have been entered in the United States from a colony or district, into or with which vessels of the United States are not ordinarily permitted to enter and trade.

APPROVED, March 3, 1817.

[Obsolete.]
Discriminating duties paid on British vessels, from the 17th Aug. to 22d Dec. 1815, to be repaid, &c.

Exception.

STATUTE II.

CHAP. LXXXV.—*An Act to repeal so much of any acts now in force as authorize a loan of money, or an issue of Treasury notes.*

March 3, 1817.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of any act, or

[Obsolete.]
Acts authorizing loans, &c. repealed.

Proviso; as to securities for money heretofore borrowed.

Acts authorizing treasury notes to be issued, repealed.

Proviso; as to right of holders, &c.

So much of the act mentioned, as authorizes a re-issue of the treasury notes, repealed.

Feb. 24, 1815, ch. 56.

Treasury notes now, or which may become, the property of the United States, to be cancelled.

acts, of Congress as authorizes the President of the United States to borrow money on the credit of the United States, and to cause certificates of stock to be issued for [money] so borrowed, be, and the same is hereby repealed; *Provided, always*, That nothing in this act contained shall be construed to invalidate, or in any way affect, any securities or claims for money heretofore borrowed under the said acts.

SEC. 2. *And be it further enacted*, That so much of any act, or acts, of Congress as authorizes the President of the United States to cause treasury notes to be prepared, signed and issued, be, and the same is hereby repealed; *Provided, always*, That nothing in this act contained shall be construed to affect the rights of any persons who may be the holders of treasury notes already issued.

SEC. 3. *And be it further enacted*, That so much of the act, entitled "An act to authorize the issuing of treasury notes for the service of the year one thousand eight hundred and fifteen," as makes it lawful for the Secretary of the Treasury to cause the treasury notes, [in] cases therein mentioned, to be re-issued and applied anew to the same purposes, and in the same manner, as when originally issued, be, and the same is hereby repealed.

SEC. 4. *And be it further enacted*, That all treasury notes which are now, or shall hereafter become, the property of the United States, (from reimbursement, purchase, exchange, or receipts, on account of taxes, duties, and demands,) shall be cancelled or destroyed at such times, and under such regulations and securities, as the commissioners of the sinking fund, with the approbation of the President, shall establish and determine.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

[Obsolete.]

Additional appropriation for defraying the expenses of the military establishment, and those incurred by calling out the militia.

15,000 dolls. for ascertaining Indian boundary line, &c.

CHAP. LXXXVI.—*An Act making additional appropriations to defray the expenses of the army and militia during the late war with Great Britain.*

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, and those incurred by calling out the militia during the late war with Great Britain, in addition to the sums heretofore appropriated by law for these objects, the following sums be, and the same are hereby appropriated, viz :

For pay of the army and militia, including the sum of three hundred thousand dollars, exclusive of interest, advanced by the state of Pennsylvania for defraying the expenses of the militia of said state, during the late war, seven hundred and thirty thousand dollars.

For subsistence, two hundred thousand dollars.

For the quarter [master's] department, four hundred and fifty thousand dollars.

For the ordnance department, one hundred and forty-four thousand dollars.

For the payment of balances due to certain states, on account of disbursements for militia employed in the service of the United States, during the late war, seven hundred and seventeen thousand dollars.

For paying the expenses incurred in ascertaining and surveying the boundary lines established by the treaty lately made with the Creek Indians, fifteen thousand dollars.

SEC. 2. *And be it further enacted*, That the several sums, hereby appropriated, be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

[Obsolete.]

Acts making appropriation for the purchase, &c. of the funded debt, &c. repealed.

An annual sum of 10,000,000 dolls. appropriated to the sinking fund.

Application of the money.

The Secretary of the Treasury to pay the 10,000,000 dolls. to the commissioners of the sinking fund.

Proviso; as to the time of payment.

Proviso; as to payments made to the commissioners heretofore.

9,000,000 dolls. additional appropriated to the sinking fund for the year 1817, &c.

A further sum of 4,000,000 dolls. during 1817, in advance, if, &c.

Purchase of the debt holden by the bank, &c.

Any surplus in the treasury, above appropriations, and

CHAP. LXXXVII.—An Act to provide for the redemption of the public debt.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of any act or acts of Congress, as makes appropriations for the purchase or reimbursement of the principal, or for the payment of the interest, of the funded debt of the United States be, and the same is hereby repealed.

SEC. 2. And be it further enacted, That from the proceeds of the duties on merchandise imported, and on the tonnage of vessels, and from the proceeds of the internal duties, and of the sales of western lands, now belonging, or which may hereafter belong, to the United States, the annual sum of ten millions of dollars be, and the same is yearly, appropriated to the sinking fund; and the said sum is hereby declared to be vested in the commissioners of the sinking fund, in the same manner as the moneys heretofore appropriated to the said fund, to be applied by the said commissioners to the payment of interest and charges, and to the reimbursement or purchase of the principal of the public debt; and it shall be the duty of the Secretary of the Treasury annually to cause to be paid to the commissioners of the sinking fund, the said sum of ten millions of dollars, in such payments, and at such times in each year, as the situation of the treasury will best admit: *Provided*, That all such payments as may be necessary to enable the said commissioners to discharge or reimburse any demands against the United States, on account of the principal or interest of the debt which shall be actually due in conformity to the engagements of the said United States, shall [and] may be made at such times in each year as will enable the said commissioners faithfully and punctually to comply with such engagement: *Provided also*, That any money which may have been paid, before the passage of this act, to the commissioners of the sinking fund for the year one thousand eight hundred and seventeen, as a part of the annual appropriation heretofore made by law to that fund, shall be held to be a payment for the year one thousand eight hundred and seventeen, on account of the appropriation of ten millions hereinbefore directed.

SEC. 3. And be it further enacted, That in addition to the sum of ten millions of dollars, hereinbefore annually appropriated to the sinking fund, there shall be appropriated for the year one thousand eight hundred and seventeen, to the sinking fund, the further sum of nine millions of dollars, to be paid out of any moneys in the treasury not otherwise appropriated, at such time within the year as the Secretary of the Treasury shall deem most conducive to the public interest, to be applied by the commissioners of the sinking fund to the purchase or redemption of the public debt: and it shall be lawful for the Secretary of the Treasury, at any time during the year one thousand eight hundred and seventeen, if he shall deem it expedient to do so, to cause to be paid to the commissioners of the sinking fund a further sum, not exceeding four millions of dollars, which shall be considered as an advance to that amount, on the appropriation of ten millions, payable in the next year, and the said amount shall also be applied by the said commissioners to the purchase or redemption of the public debt, and the commissioners aforesaid are authorized and directed to apply the sums by this act appropriated to the purchase and redemption of the public debt, holden by the Bank of the United States, if not otherwise to be obtained on the terms stated in this act.

SEC. 4. And be it further enacted, That after the year one thousand eight hundred and seventeen, whenever there shall be, at any time after an adjournment of Congress, in any year, a surplus of money in the treasury, above the sums appropriated for the service of such year, the payment of which to the commissioners of the sinking fund, will yet leave in the treasury, at the end of the year, a balance equal to two millions of dol-

leaving two millions there, appropriated to the sinking fund.

When there is a surplus in the sinking fund, the commissioners may purchase the debt at the market price.

The price not to exceed the rates specified.

Certificates of the public debt which become the property of the United States, to be cancelled.

No interest to accrue on certificates cancelled, &c.

Nothing in this act to prevent Congress from applying surplus to other objects in case of war, &c.

Nor to affect pledges of former acts, &c.

Exception.

lars, then such surplus shall be, and the same is hereby, appropriated to the sinking fund, to be paid at such times as the situation of the treasury will best permit; and shall be applied, by the commissioners thereof, to the purchase or redemption of the public debt.

SEC. 5. *And be it further enacted*, That whenever, in any year, there shall be a surplus in the sinking fund, beyond the amount of interest and principal, which may be actually due and payable to the United States, in such year, in conformity with their engagements, the commissioners of the sinking fund shall be, and they are hereby, authorized, with the approbation of the President of the United States, to purchase the debt of the United States, at its market price, if such price shall not exceed the following rates, viz: for stock of the United States, bearing an interest of three per centum per annum, there shall not be paid more than sixty-five dollars for every hundred dollars of the principal thereof: for stock bearing an annual interest of six per centum per annum, there shall not be paid more than the par or true value thereof; and for stock bearing an annual interest of seven per centum, there shall not be paid an advance above the par value thereof, which shall exceed, for every hundred dollars of stock, the computed value of an annuity of one dollar for a number of years, equal to that during which the stock so purchased will not be reimbursable at the pleasure of government, estimating, in such computation, the interest of money at six per centum per annum.

SEC. 6. *And be it further enacted*, That all certificates of public debt which, by payment or purchase, have become, or hereafter shall become, the property of the United States, shall be cancelled or destroyed, at such times, and under such regulations and securities, as the commissioners of the sinking fund, with the approbation of the President, shall establish and determine. And no interest shall be considered as accruing, and no further payment shall be made, on account of such debt, the certificates of which have been so cancelled and destroyed.

SEC. 7. *And be it further enacted*, That nothing in this act contained shall be construed to prevent the Congress of the United States, if war shall occur with any foreign power, from applying, to any object of public service, any surplus of the amount herein appropriated to the sinking fund, which may be left in any year after paying the interest and principal which may be actually due and payable by the United States, in conformity with their engagements. Nor shall any thing in this act be construed to repeal, alter, or affect, any of the provisions of any former act, pledging the faith of the United States to the payment of the interest or principal of the public debt, but all such payments shall continue to be made at the time heretofore prescribed by law, excepting only as before provided, that no payments shall be made on certificates which have become the property of the United States.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

CHAP. LXXXVIII.—*An Act making provision for the location of the lands reserved by the first article of the treaty of the ninth of August, one thousand eight hundred and fourteen, between the United States and the Creek nation, to certain chiefs and warriors of that nation, and for other purposes.*

Act of Feb. 20, 1819, ch. 28. Chiefs and warriors of the Creek nation authorized to locate their reservations of land.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the chiefs and warriors of the Creek nation, who, by virtue of the first article of the treaty of the ninth of August, one thousand eight hundred and fourteen, between the United States and that nation of Indians, are entitled to a reservation of land, which shall include their improvements, shall be authorized to locate said reservation in the following manner, viz:

Every such chief, or warrior, shall and may select such four quarter

sections, or such number of quarter sections and fractional parts of sections, not exceeding six hundred and forty acres of land, as have been or may be surveyed, in pursuance of the act of Congress, passed the third day of March, one thousand eight hundred and fifteen, and as shall include their respective improvements. And in case such chief, or warrior, shall have resided at one place, and cultivated a farm or plantation at another place, he may, at his option, select such quarter sections, and fractional parts of sections, as shall include his said separate improvements:—*Provided, however,* That the lands so selected, shall enure to such chief or warrior so long only as he shall continue to occupy and cultivate the same; and, in case he shall not have abandoned the possession, shall, on his decease, descend to and vest in his heirs in fee simple, reserving to the widow of such chief or warrior the use and occupation of one-third part of said lands, during her natural life.

SEC. 2. *And be it further enacted,* That when any chief or warrior, so entitled to a reservation of land at the time of the signing of the treaty, shall have since died, and left a widow and child or children, who has or have continued to occupy and cultivate the said land, they shall have the right of selection in the same manner as the original claimant would have, if he were living; and the title of the lands, so selected, shall be a fee simple title in the child or children, reserving to the widow, if any, the use and occupation of one third of the land during her life: *Provided, however,* That the said child or children shall not have the power to alienate the said lands except by devise, until each and every one of them shall have arrived at the age of twenty-five years.

SEC. 3. *And be it further enacted,* That the descendant of any native Creek Indian, male or female, who, at the commencement of the late war with the hostile Creeks, occupied and cultivated a farm or plantation: who continued friendly to the United States during that war; and who, after the termination of hostilities, returned to, and has continued to occupy and cultivate, the said farm or plantation, shall be entitled to a reservation of two quarter sections of land, to be selected in the manner stated in the first section of this act; which lands shall enure to them so long as they shall continue to occupy and cultivate the same; and on their death, shall descend, in fee, to their children; and on failure of children, shall revert to the United States; reserving, however, to the husband or widow, as the case may be, the right to occupy and cultivate one third part of the lands during their natural lives.

SEC. 4. *And be it further enacted,* That the child or children of any chief or warrior of the Creek nation, who resided within the limits of the said ceded country, at the commencement of the late Creek war, and who was killed or died in the service of the United States, during said war, or who has since died of wounds received therein, shall be entitled, without payment, to a reservation of so much land as such chief or warrior would have been entitled to, had he been living at the time said treaty was signed; which land shall be located in the manner prescribed by the first section of this act.

SEC. 5. *And be it further enacted,* That, for the purpose of carrying into effect the provisions of this act, the agent of the United States for the Creek nation shall immediately proceed to take such evidence as each and every person, who may be entitled to lands under the provisions of it, shall be able to adduce in support of such title. The evidence shall, as far as practicable, be taken by the agent on the land occupied by such claimant; and in all cases where he shall be of opinion that the claim is a valid one, the quarter sections, including the improvements, shall be designated as provided for in the first section of this act; and the agent shall, without delay, return to the Secretary of the Treasury the evidence taken in each case, (reserving a copy thereof) together with the names of the claimants, and the numbers of the quarter sections reserved for

Manner of location.

Act of March 3, 1815, ch. 88.

Proviso; as to the title vested.

Widows and children to have the right of selection as the original claimant, &c.

Proviso; as to the power of alienation in the children.

Descendants of native Creeks who continue friendly, &c. entitled to a reservation, &c.

The children of any Creek warrior who resides within the limits, &c. and who was killed, &c. entitled to a reservation, &c.

The agent of the United States for the Creek nation to take evidence, &c.

The Secretary of the Treasury

to decide finally, &c.

The agent to transmit to the register of the land office, the names of claimants and numbers of quarter sections, &c.

Three dollars per day to the agent in addition to salary, &c.

The agent may employ a surveyor.

them respectively. And the Secretary of the Treasury, with the approbation of the President, shall finally decide on the validity of such claim.

SEC. 6. *And be it further enacted*, That the agent shall transmit, without delay, to the register of the land office for the district in which the lands may be, a statement of the names of the claimants, and the numbers of the quarter sections which have been reserved for each claimant; and the register of the land office shall not offer any such quarter section for sale, unless specially directed otherwise by the Secretary of the Treasury.

SEC. 7. *And be it further enacted*, That the agent of the United States shall be allowed, in addition to his salary, the sum of three dollars per day, whilst occupied in performing the duties assigned to him by this act; and he shall be authorized to employ a surveyor, in those cases where it may be necessary, for the purpose of ascertaining the quarter sections of land to be allotted to each claimant.

SEC. 8. *And be it further enacted*, That the expenses which shall be incurred in carrying into effect this act, shall be paid out of any moneys in the treasury not otherwise appropriated.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

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

Appropriations for defraying the expenses of the navy for 1817.

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, for the year one thousand eight hundred and seventeen, the following sums be, and they are hereby, respectively, appropriated, that is to say:

For pay and subsistence of the officers, and pay of seamen, one million ninety-two thousand seven hundred and thirty-two dollars.

For provisions, four hundred and ninety-six thousand seven hundred and sixty-five dollars.

For medicine, hospital stores, and all expenses on account of sick, including those of the marine corps, ten thousand dollars.

For repairs of vessels, three hundred and twenty-five thousand dollars.

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

For the purchase of saltpetre and sulphur, twenty thousand dollars.

For navy yards, docks, and wharves, one hundred and fifty thousand dollars.

For contingent expenses, including freight, transportation, and recruiting expenses, three hundred and fifty thousand dollars.

For expenses in procuring gold and silver medals and swords, in conformity with sundry resolutions of Congress, fifteen thousand dollars.

For pay and subsistence of the marine corps, one hundred and eighty-seven thousand three hundred and eight dollars.

For clothing for the same, thirty-four thousand one hundred and sixty-six dollars.

For military stores for the same, one thousand one hundred and eighty-eight dollars.

For contingent expenses for the same, fourteen thousand dollars.

SEC. 2. *And be it further enacted*, That the several appropriations, hereinbefore made, shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

CHAP. XCII.—*An Act to provide for the punishment of crimes and offences committed within the Indian boundaries. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That if any Indian, or other person or persons, shall, within the United States, and within any town, district, or territory, belonging to any nation or nations, tribe or tribes, of Indians, commit any crime, offence, or misdemeanor, which, if committed in any place or district of country under the sole and exclusive jurisdiction of the United States, would, by the laws of the United States, be punished with death, or any other punishment, every such offender, on being thereof convicted, shall suffer the like punishment as is provided by the laws of the United States for the like offences, if committed within any place or district of country under the sole and exclusive jurisdiction of the United States.

SEC. 2. *And be it further enacted,* That the superior courts in each of the territorial districts, and the circuit courts and other courts of the United States, of similar jurisdiction in criminal causes, in each district of the United States, in which any offender against this act shall be first apprehended or brought for trial, shall have, and are hereby invested with, full power and authority to hear, try, and punish, all crimes, offences, and misdemeanors, against this act; such courts proceeding therein in the same manner as if such crimes, offences, and misdemeanors, had been committed within the bounds of their respective districts: *Provided,* That nothing in this act shall be so construed as to affect any treaty now in force between the United States and any Indian nation, or to extend to any offence committed by one Indian against another, within any Indian boundary.

SEC. 3. *And be it further enacted,* That the President of the United States, and the governor of each of the territorial districts, where any offender against this act shall be apprehended or brought for trial, shall have, and exercise, the same powers, for the punishment of offences against this act, as they can severally have and exercise by virtue of the fourteenth and fifteenth sections of an act, entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," passed thirtieth March, one thousand eight hundred and two, for the punishment of offences therein described.

APPROVED, March 3, 1817.

Indians or other persons committing offences in Indian towns, &c. which, if committed within the sole jurisdiction of the United States, would be punished with death, or other punishment, to suffer in like manner.

Superior territorial, and circuit, and other courts authorized to try offences against this act.

The President, and the governors of territories, invested with the same powers for the punishment of offences against this act as by the sections of the act referred to.

Act of March 30, 1802, ch. 13, sec. 14, 15.

STATUTE II.

March 3, 1817.

CHAP. XCIII.—*An Act to incorporate the subscribers to certain banks in the District of Columbia, and to prevent the circulation of the notes of unincorporated associations within the said district.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, from and after the passage of this act, all those persons who shall hold any share of the joint

Farmers and Mechanics' Bank of George-

(a) Congress have power to regulate commerce among the Indian tribes, which affords a wide scope for legislation. Under a similar power as regards foreign relations, Congress have passed non-intercourse acts, acts laying embargoes, and other acts which are admitted to be constitutional. *United States v. Baily*, 1 McLean's C. C. R. 234.

Congress have a right to select the means which have a direct relation to the object, in the regulation of commerce with the Indians. Such are the provisions of the act of 1802. *Ibid.*

But Congress cannot under this investiture of power exercise a general jurisdiction over an Indian territory within a state. In a territory of the United States, in which Congress possesses legislative power, there can be no objection to the exercise of the power. *Ibid.*

Congress cannot punish for an offence, within the Indian territory, in a state, which has no relation to the Indians, and which cannot affect their commerce. *Ibid.*

The act of March 3, 1817, ch. 92, which assumes to exercise a general jurisdiction over Indian countries, within a state, is unconstitutional and of no effect. *Ibid.*

The crime of murder, charged against a white man for killing another white man in the Cherokee country, within the State of Tennessee, cannot be punished in the courts of the United States. *Ibid.*

town incor-
porated.

stock, or funds, created in pursuance of certain articles of association, made and entered into on the first Monday in February, in the year eighteen hundred and fourteen, between sundry persons forming a company of limited partnership, under the name and style of the president and directors of the Farmers and Mechanics' Bank of Georgetown, and their successors, being stockholders as aforesaid, shall be, and they are hereby, incorporated and made a body corporate and politic, by the name and style of the "Farmers and Mechanics' Bank of Georgetown;" and as such shall continue until the first day of January, one thousand eight hundred and twenty-two, and by that name may sue and be sued, implead and be impleaded, answer and be answered, defend and be defended, in courts of record, and any other place whatsoever; and by that name may have and hold, purchase, receive, possess, enjoy, and retain, lands, rents, tenements, hereditaments, goods, chattels, and effects, of what nature, kind, or quality soever, and the same may sell, grant, demise, alien, and dispose of, and by that name shall have, during the continuance of this act, succession, and may make, have, and use, a common seal, and the same may break, alter, and renew at pleasure; and shall have power to ordain, establish, and put in execution, such by-laws, ordinances, and regulations, as shall seem necessary and convenient for the government of said corporation, not being contrary to law, nor the constitution thereof; and generally to do and execute all acts necessary or proper for the objects of said incorporation; subject to the rules, regulations, restrictions, limitations, and provisions herein described and declared.

Capital.

Sec. 2. *And be it further enacted,* That the capital stock of the said bank shall consist of five hundred thousand dollars, money of the United States, to be divided into shares of twenty-five dollars each.

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

To transact
business in
Georgetown.
The president
and directors.

Sec. 4. *And be it further enacted,* That the affairs of the said bank shall be conducted by twelve directors and a president, whose place, if chosen from among their number, shall be supplied by that body. Six of the directors, with the president, shall form a board or quorum, for transacting all the business of the company; but the ordinary discounts may be done by the president and three directors. In case of his sickness, or necessary absence, his place may be supplied by any director whom he, by writing under his hand, may nominate for that purpose; or, in case of his not making such nomination, the board may appoint a president, to act during his absence. The president and directors who may be in office under the said articles of association, at the time of the passage of this act, shall continue in office under and by virtue of this act of incorporation, until others shall be duly chosen in their stead. No person shall be a director, or president, who is not a citizen of the United States, and a stockholder; and a director, ceasing to be a stockholder, shall cease to be a director; and no person, a director of another bank, shall be a director of this bank. Every stockholder, being a citizen of the United States, shall be entitled to vote, by himself, his agent or proxy, appointed under his hand and seal, at all elections in virtue of this act; and shall have as many votes as he shall have shares, as far as thirty shares; and from thirty to sixty, one vote for every two shares; and one vote for every five shares thereafter. No person, who is not a citizen of the United States, shall be entitled to vote in any election of this corporation; *Provided, nevertheless,* that this section may, at any time hereafter, be altered or amended by Congress, in such manner as they may see fit, so as to provide for an annual rotation of directors.

Votes accord-
ing to shares.

Proviso; this
section may be
altered by Con-
gress.

Annual elec-
tion of direc-
tors.

Sec. 5. *And be it further enacted,* That a general meeting of stockholders of the said bank shall be holden on the first Monday of July, in the year eighteen hundred and seventeen, and on the first Monday of July in every year thereafter, at such place as the president and directors shall

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

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

Powers of the president and directors.

Six per cent. per annum for discounts.

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

Effect of bank notes, &c.

SEC. 8. *And be it further enacted*, That the books, papers, correspondence, and funds, of the bank shall, at all times, be subject to the inspection of the directors.

Books, &c. subject to inspection of directors.

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

Cashier and other officers of the banks, &c.

No compensation to a director, except, &c.

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

The president and directors empowered to call general meetings of stockholders.

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

Shares transferable.

Debts of stockholders to be paid before transfer of stock.

Half yearly dividends.

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

Dividends not to impair capital stock.

Directors knowingly declaring dividends that impair the capital stock liable in their individual capacities.

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

Restrictions on the bank as to buying, selling, trading, &c.

SEC. 14. *And be it further enacted*, That the bank shall, in no case, buy and sell the funded debt of the United States, or of any state, or be owners of any ships or vessels, or directly or indirectly be concerned in trade, or the importation, exportation, purchase or sale of any goods, wares, or merchandise whatever, except bills of exchange, or bullion, and such ships, vessels, goods, wares, or merchandise, as shall be truly pledged to them by way of security, for debts due, owing, or growing due to the said bank, or purchased by it to secure such debts: *Provided, nevertheless*, That the said bank may sell and dispose of either the whole or any part of the funded debt of the United States, which it now holds.

Proviso; as to the funded debt now held by the bank.

The bank not to purchase or hold lands, except for the convenient transaction of business, or by way of security, &c.

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

The directors to fill vacancies in that body.

SEC. 16. *And be it further enacted*, That if any vacancies shall, at any time, happen among the directors, by death, resignation, or otherwise, the rest of the directors, for the time being, shall elect a director to fill the vacancy.

Number of stockholders who may call a general meeting.

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

Corporation not dissolved by a failure to choose directors on the day appointed, &c.

SEC. 18. *And be it further enacted*, That in case it should at any time happen that an election of directors should not be made on any day when, pursuant to this act, it ought to have been made, the said corporation shall not for that cause be deemed to be dissolved, but it shall be lawful on any other day to hold and make an election of directors, at a

meeting to be called in such manner as shall be prescribed by the laws and ordinances of said corporation.

SEC. 19. *And be it further enacted*, That it shall be the duty of the president and directors of the said bank to exhibit, on the first Monday in January, in each year, or oftener if required, a statement of the debts, credits, and funds of the bank, to the Secretary of the Treasury of the United States, whose duty it shall also be to state to Congress, immediately thereafter, his opinion as to the solidity of said bank, and the causes of danger, if any, arising from the improper management thereof.

The president and directors bound to exhibit a statement of debts, credits, and funds of the bank, to the Secretary of the Treasury, &c.
Penalty in case of refusal by the bank to pay in lawful currency, &c.

SEC. 20. *And be it further enacted*, That if the said bank shall at any time fail or refuse to pay, on demand, any bill, note or obligation issued by said bank, in lawful currency of the United States, if required, or shall neglect or refuse to pay on demand in like currency, if required, any moneys received by said bank on deposit, to the person or persons entitled to receive the same, then and in such case the holder of any such note, bill, or obligation, or the person or persons to demand and receive such deposit as aforesaid, shall respectively be entitled to receive and recover interest on the same at the rate of ten per centum per annum, from the time of demand until the same be fully paid and satisfied. *And further*, It shall be lawful for Congress forthwith to revoke and declare this charter null and void.

SEC. 21. *And be it further enacted*, That unless the president and directors, for the time being, of the said bank, on the part of the stockholders, file their declaration in writing in the office of the Secretary of the Treasury, within thirty days from the time of passing this act, assenting to and accepting the charter granted by this act, upon the terms and conditions herein expressed, this act shall have no force or effect, and the charter hereby granted shall be void.

President and directors to file a declaration accepting the charter, &c.

SEC. 22. *And be it further enacted*, That if the whole amount of the capital aforesaid of said bank, shall not have been paid in, on or before the first day of January, in the year one thousand eight hundred and nineteen, then the capital stock shall be limited to the sum which shall at that time be paid in, and the books of subscription be thenceforth closed immediately, after which it shall be the duty of the president and directors to certify to the Secretary of the Treasury the whole amount of the capital of said bank so paid in.

Capital limited to the amount of stock paid in on the first of Jan., 1819, &c.

SEC. 23. *And [be] it further enacted*, That all those persons, their legal representatives and assigns, who have heretofore subscribed certain articles of association, and formed a company or limited partnership, under the name and style of the president and directors of the "Central Bank of Georgetown and Washington," and their successors, shall be, and they are hereby incorporated with the like capital, and limitation thereof, and with the like number of directors, and time and manner of electing them, and a president, as is hereinbefore provided in relation to the Farmers and Mechanics' Bank of Georgetown, and with only the difference herein specially provided and set forth, the said Central Bank of Georgetown and Washington, and the president and directors thereof, shall be subject to the rules, duties, regulations, conditions, and impositions, and be vested with the like rights, privileges, and immunities, as a body corporate, as appertain to the said Farmers and Mechanics' Bank of Georgetown, and as if all the general provisions of this act were herein again repeated and enacted, with express reference to the said Central Bank of Georgetown and Washington.

Central Bank of Georgetown and Washington incorporated.

SEC. 24. *And be it further enacted*, That all those persons, their legal representatives and assigns, who have heretofore subscribed certain articles of association, and formed a company, or limited partnership, under the name and style of the "President and Directors of the Bank of the Metropolis," and their successors, shall be, and are hereby, incorporated, with the like capital and limitation thereof, with the like number of di-

Bank of the Metropolis incorporated.

rectors, and time and manner of electing them, and a president, as is hereinbefore provided in relation to the Farmers and Mechanics' Bank of Georgetown, and with only the difference herein specially provided and set forth. The said Bank of the Metropolis, and the president and directors thereof, shall be subject to the like rules, duties, regulations, conditions and impositions, and be vested with the like rights, privileges and immunities, as a body corporate, as appertain to the Farmers and Mechanics' Bank of Georgetown, and as if all the general provisions of this act were herein again repeated and enacted with express reference to the said Bank of the Metropolis.

SEC. 25. *And be it further enacted,* That all those persons, their legal representatives and assigns, who have heretofore subscribed certain articles of association, and formed a company or limited partnership, under the name and style of the "Patriotic Bank of Washington," and their successors, shall be, and are hereby, incorporated, with the like capital and limitation thereof, the like number of directors, and time and manner of electing them, and a president, as is hereinbefore provided in relation to the Farmers and Mechanics' Bank of Georgetown, and with only the difference herein specially provided and set forth, the said Patriotic Bank of Washington, and the president and directors thereof, shall be subject to the rules, duties, regulations, conditions and impositions, and be vested with the like rights, privileges and immunities, as a body corporate, as appertain to the Farmers and Mechanics' Bank of Georgetown, and as if all the general provisions of this act were herein again repeated and enacted, with express reference to the said Patriotic Bank of Washington.

SEC. 26. *And be it further enacted,* That all those persons, their legal representatives and assigns, who have heretofore subscribed certain articles of association, and formed a company or limited partnership, under the name and style of the "President and directors of the Real Estate Bank of the United States," and their successors, shall be, and are hereby, incorporated, under the name and style of the "Franklin Bank of Alexandria," with the like capital and limitation thereof, with the like number of directors, and time and manner of electing them, and a president, as is hereinbefore provided in relation to the Farmers and Mechanics' Bank of Georgetown; and with only the difference herein specially provided and set forth, the said Franklin Bank of Alexandria, and president and directors thereof, shall be subject to the like rules, duties, regulations, conditions and impositions, and be vested with the like rights, privileges and immunities, as a body corporate, as appertain to the Farmers and Mechanics' Bank of Georgetown, and as if all the general provisions of this act were herein again repeated and enacted with express reference to the said Franklin Bank of Alexandria.

SEC. 27. *And be it further enacted,* That all those persons, their legal representatives and assigns, who have heretofore subscribed certain articles of association, and formed a company or limited partnership, under the name and style of the "Union Bank of Alexandria," and their successors, shall be, and are hereby, incorporated, with the like capital and limitation thereof, the like number of directors, and time and manner of electing them, and a president, as is hereinbefore provided in relation to the Farmers and Mechanics' Bank of Georgetown; and with only the difference herein specially provided and set forth, the said Union Bank of Alexandria, and the president and directors thereof, shall be subject to the duties, rules, regulations, conditions and impositions, and be vested with the like rights, privileges, and immunities, as a body corporate, as appertain to the Farmers and Mechanics' Bank of Georgetown, and as if all the general provisions of this act were herein again repeated and enacted, with express reference to the said Union Bank of Alexandria.

SEC. 28. *And be it further enacted,* That nothing in this act contained,

Patriotic
Bank of Wash-
ington incor-
porated.

Real Estate
Bank of the
United States
incorporated.

Union Bank
of Alexandria
incorporated.

shall be construed to exonerate or discharge any member of any of the aforesaid associations, or the funds thereof, from any liability to creditors under any existing contract, or on account of any note, bill, or obligation, issued or in existence when this act shall take effect, but such liability shall remain in relation to all such notes, bills, obligations, or contracts, as if this act had not been passed.

SEC. 29. *And be it further enacted*, That from and after the fourth day of April next, it shall not be lawful for any unchartered banking company, or any association, partnership, or company of individuals, within the District of Columbia, to discount any notes, or other securities, for the payment of money, or to issue notes or bills, whether payable to order or bearer, or any other securities, promises or orders, for the payment of money or stock; and every member, officer, or agent, of any such company, or associate or partner of any such association or partnership, shall be held to be guilty of a misdemeanor, and for every such offence, upon conviction thereof, may be fined in a sum not less than one hundred dollars, nor more than five hundred dollars.

SEC. 30. *And be it further enacted*, That whoever, as president, cashier, or agent, of any such company, or as associate or partner of any such association or partnership, shall, after the said fourth day of April next, sign, countersign, or endorse, any such note, bill, or security, contrary to the provisions of this act, shall, in addition to the aforesaid penalties, be held to be guilty of a high misdemeanor, and may be imprisoned for a period not less than three, nor more than twelve, months, at the discretion of a jury.

SEC. 31. *And be it further enacted*, That all drafts, bills, or other securities, for the payment of money, discounted contrary to the provisions of this act, whether the same be payable to any such company, association or partnership, or to any person, as agent or trustee for such company, association or partnership, or for the benefit thereof, and all contracts, bonds, deeds, penal or single bills, or other instrument, given to reimburse or indemnify any person for any payment or responsibility incurred by such person for any debt contracted by any dealing, contrary to the true intent and meaning of this act, shall be, and the same are hereby declared to be utterly void to all intents and purposes.

SEC. 32. *And be it further enacted*, That if any person, as president, cashier, teller, or other officer, or agent of any such banking company, or as associate or partner in any such association, or partnership, shall, from and after the said fourth day of April next, issue or pass into circulation any such note, bill, draft, or other security, hereby prohibited to be issued, together with every person assenting thereto, shall be deemed and taken to have incurred the penalties of this act, notwithstanding the note, bill, or other security, so issued, may have been signed, countersigned, and endorsed, before the commencement of this act.

APPROVED, March 3, 1817.

Nothing in this act to exonerate the members of the associations incorporated, &c. from liability to creditors under existing contracts.

Unchartered banking companies prohibited after the 4th of April, 1817.

Penalty for signing, &c., notes of unchartered banking companies.

Drafts, bills, &c., discounted contrary to this act declared utterly void.

Penalty for issuing prohibited bills or notes after the 4th day of April, 1817.

STATUTE II.

March 3, 1817.

[Obsolete.]
100,000 dolls. appropriated for repairing the public buildings.

38,658 dolls. appropriated for completing the

CHAP. XCIV.—*An Act making further provision for repairing the public buildings, and improving the public square.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the purpose of repairing the public buildings, a sum not exceeding one hundred thousand dollars be, and the same is hereby, appropriated, to be applied, by the commissioner, under the direction of the President of the United States.

SEC. 2. *And be it further enacted*, That for the purpose of completing the enclosure and improvement of the public square, near the capitol, a sum not exceeding thirty-eight thousand six hundred and fifty-eight dol-

enclosure, &c. of the public square.

lars be, and the same is hereby, appropriated, to be applied under the same direction as aforesaid.

SEC. 3. *And be it further enacted*, That the moneys so appropriated shall be paid out of any moneys in the treasury not otherwise appropriated.

The enclosure to extend round the semi-circular area.

SEC. 4. *And be it further enacted*, That the commissioner of the public buildings be authorized to extend the enclosure round the semi-circular area west of the Capitol.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

CHAP. XCVI.—*An Act supplementary to an act, entitled "An act further to amend the several acts for the establishment and regulation of the Treasury, War, and Navy Departments."*

Act of March 3, 1809, ch. 28.

The President restrained from making transfers of appropriations for specified objects to any other objects.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That nothing contained in the act of the third of March, one thousand eight hundred and nine, entitled "An act further to amend the several acts for the establishment and regulation of the Treasury, War, and Navy Departments," shall be construed to authorize the President of the United States to direct any sum appropriated to fortifications, arsenals, armories, custom-houses, docks, navy yards, or buildings of any sort, or to munitions of war, or to the pay of the army or navy, to be applied to any other object of public expenditure.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

CHAP. XCIX.—*An Act allowing further time for entering donation rights to lands in the district of Detroit.*

The claimants to certain donation rights of land in the district of Detroit allowed until the 1st of Dec. 1818, to file their claims.

Act of April 23, 1812, ch. 62.

Act of May 11, 1820, ch. 84.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the claimants to certain donation rights to land in the district of Detroit, granted by the second [section] of an act, entitled "An act to authorize the granting of patents for land, according to the surveys that have been made, and to grant donation rights to certain claimants of land in the district of Detroit, and for other purposes," passed the twenty-third of April, one thousand eight hundred and twelve, be, and they are hereby, allowed until the first day of December, one thousand eight hundred and eighteen, to file their claims with the register of the land office, for the district aforesaid.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

CHAP. C.—*An Act to provide for the due execution of the laws of the United States within the state of Indiana.*

Resolution of Dec. 11, 1816.

All the laws of the United States, not locally inapplicable, to be in force in Indiana.

The state to be a judicial district; a district court to be held therein, &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all the laws of the United States, which are not locally inapplicable, shall have the same force and effect within the said state of Indiana as elsewhere within the United States.

SEC. 2. *Be it further enacted*, That the said state shall be one district, and be called the Indiana District; and a district court shall be held therein, to consist of one judge, who shall reside in the said district, and be called a district judge. He shall hold, at the seat of government of the said state, two sessions annually, on the first Mondays in May and November, and he shall, in all things, have and exercise the same jurisdiction and

powers which were, by law, given to the judge of the Kentucky district, under an act, entitled "An act to establish the judicial courts of the United States." He shall appoint a clerk for the said district, who shall reside and keep the records of the court at the place of holding the same; and shall receive for the services performed by him, the same fees to which the clerk of the Kentucky district is entitled for similar services.

Act of Sep.
24, 1789, ch. 20.

SEC. 3. *Be it further enacted*, That there shall be allowed to the judge of the said district court the annual compensation of one thousand dollars, to commence from the date of his appointment, to be paid quarter yearly at the treasury of the United States.

1000 dollars
a year to the
judge.

SEC. 4. *Be it further enacted*, That there shall be appointed in the said district a person learned in the law, to act as attorney for the United States, who shall, in addition to his stated fees, be paid by the United States two hundred dollars as a full compensation for all extra services.

Attorney for
the district, &c.

SEC. 5. *Be it further enacted*, That a marshal shall be appointed for said district, who shall perform the same duties, be subject to the same regulations and penalties, and be entitled to the same fees, as are prescribed to marshals in other districts; and shall, moreover, be entitled to the sum of two hundred dollars annually, as a compensation for all extra services.

A marshal, &c.

APPROVED, March 3, 1817.

STATUTE II.

CHAP. CI.—*An Act to authorize the extension of the Columbia Turnpike Road within the district of Columbia.*

March 3, 1817.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Columbia Turnpike Road Company, incorporated by an act of the general assembly of Maryland, passed the sixth day of January, one thousand eight hundred and ten, entitled "An act to incorporate a company to make a turnpike road from near Ellicott's lower mills towards Georgetown, in the district of Columbia," be, and they are hereby, authorized and empowered to extend the said road from its intersection with the line of the district of Columbia to Rock Creek, near Georgetown, and to locate and complete the same in the nearest and most practicable direction, and in the manner required by the twelfth section of the act of assembly of Maryland hereinbefore mentioned.

The company
authorized to
extend the road
from the line of
the District to
Rock Creek,
&c.

SEC. 2. *And be it further enacted*, That the said company may demand, and receive, the same tolls as are allowed for a like distance by the act of assembly of the state of Maryland, incorporating the said company, and shall possess and enjoy the same privileges, and be subject to the same limitations, pains, and penalties, as by the said act are prescribed, enjoined and directed: *Provided always, and be it further enacted*, That if the said company shall fail or neglect to extend, locate, and improve, the said road in the direction, and in the manner, authorized and required by this act, within five years, to commence from the first day of May next ensuing the passage of this act, then, and in that case, the authority and privileges hereby granted shall be, and they are hereby declared to be, forfeited and withdrawn, and this act shall cease and be of no effect.

Tolls.

Proviso; the
road to be ex-
tended within
five years, &c.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

[Expired.]

The court for the northern district to be holden by the judges thereof and judge of the southern district.

Altered by act of April 3, 1818, ch. 32.

Times and places of holding the court for the northern district.

Act of March 2, 1821, ch. 32.

1000 dollars annually additional to the judge of the southern district.

This act in force for a year only.

STATUTE II.

March 3, 1817.

Where appeals have been taken and not legally acted on, &c., the Secretary of the Treasury shall direct the appeals to be acted on by the principal assessor, &c.

Act of Jan. 9, 1815, ch. 21.

Act of April 26, 1816, ch. 82. Deeds to be acknowledged by collectors, &c.

5000 dollars appropriated.

CHAP. CII.—*An Act respecting the district court of the United States in the northern district of New York. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the passage of this act, the district court of the United States, within and for the northern district of New York, shall be holden by the judges of said northern district, together with the judge of the district court of the United States for the southern district of said state: *Provided, nevertheless,* That either of said judges shall be competent to hold said court in the absence of the other.

SEC. 2. *And be it further enacted,* That the district court of the United States, within and for said northern district, shall be holden at the village of Utica, on the third Tuesday of January, and second Tuesday of July; at Canandaigua on the second Tuesday of October; and at Salem on the third Tuesday of April, in each year. And all suits and proceedings in said court shall be revived and continue in full force, in the same manner as if the said court had been adjourned to the term next to be holden by virtue of this act.

SEC. 3. *And be it further enacted,* That during the continuance of this act, there shall be paid to the judge of the district court of said southern district, in addition to his present salary, the annual sum of one thousand dollars, as compensation for the duties required to be performed under this act.

SEC. 4. *And be it further enacted,* That this act shall be in force one year, and no longer.

APPROVED, March 3, 1817.

CHAP. CIII.—*An Act respecting the assessment and collection of the direct tax.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in all cases in which appeals have been taken, and the same shall not have been legally acted on by a principal assessor, in any collection district, in regard to the enumerations, valuations, or revisions, of property, subject to the direct tax, the Secretary of the Treasury shall be, and he is hereby, authorized to direct the said appeals to be acted on by the principal assessor of such collection district, and such appeals shall be conducted, as nearly as may be, in conformity with the provisions of the act "to provide additional revenues for defraying the expenses of government, and maintaining the public credit, by laying a direct tax upon the United States, and to provide for assessing and collecting the same," passed the ninth day of January, one thousand eight hundred and fifteen, so far as respects the direct tax imposed in that year, and with the provisions of an act supplementary thereto, passed the twenty-sixth day of April, one thousand eight hundred and sixteen, so far as respects the direct tax imposed in that year.

SEC. 2. *And be it further enacted,* That all deeds for real estate, sold for taxes by any designated collector, or by the collector for the District of Columbia, shall be made, executed, and acknowledged, by such collector, or proved in due form; and for every such deed the purchaser, or grantee, shall pay to the said collector, for his use, the sum of one dollar.

SEC. 3. *And be it further enacted,* That to defray the expenses authorized by this act, there is hereby appropriated a sum not exceeding five thousand dollars, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1817.

(a) See notes to act April 3, 1818, ch. 32.

STATUTE II.

CHAP. CIV.—*An Act making appropriations for carrying into effect certain Indian treaties, and for other purposes.*

March 3, 1817.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the purpose of defraying the expenses which may arise in carrying into effect the treaty made between the United States and the tribes of Indians called the Ottowas, Chippewas, Pottowatomies, Chickasaws, Cherokees, and Choctaws, that is to say: with the Ottowas, Chippewas, and Pottowatomies, at St. Louis, on the twenty-fourth of August, one thousand eight hundred and sixteen; with the Chickasaws, at the Chickasaw council house, on the twenty-eighth of September, one thousand eight hundred and sixteen; with the Cherokees, at Turkeytown, on the fourth of October, one thousand eight hundred and sixteen; with the Choctaws, at the Choctaw trading house, on the twenty-fourth of October, one thousand eight hundred and sixteen, the following sums, to be paid out of any moneys in the treasury, not otherwise appropriated, be, and the same are hereby, appropriated, for the payment of the annuities to the Indians, as stipulated in the said treaties, that is to say: to the Ottowas, Chippewas, and Pottowatomies, one thousand dollars annually, for twelve years; to the Chickasaws, twelve thousand dollars annually, for twelve years; and to William Colbert, a Chickasaw chief, one hundred dollars annually, for and during his life; to the Cherokees, six thousand dollars annually, for ten years; and to the Choctaws, six thousand dollars, annually, for twenty years.

Specific appropriations for carrying into effect, treaties made with various Indian nations.

SEC. 2. *And be it further enacted,* That for the purpose of carrying into effect certain other stipulations in the said treaties, the following sums be, and they are hereby, appropriated, to be paid out of any moneys in the treasury, not otherwise appropriated, that is to say: to carry into effect the treaty with the Chickasaws, as aforesaid, the sum of seven thousand three hundred and fifty dollars; to carry into effect the treaty with the Cherokees, the sum of five thousand dollars; and to carry into effect the treaty with the Choctaws, the sum of ten thousand dollars.

Other sums appropriated to carry into effect other stipulations.

SEC. 3. *And be it further enacted,* That there be, and is hereby, appropriated the following sums, viz: For the salary of the second comptroller, three thousand dollars; for the salaries of four additional auditors, twelve thousand dollars; for the salaries of additional clerks in the offices of the second comptroller, and additional auditors, nine thousand dollars.

Salary of second comptroller, auditors, &c.

APPROVED, March 3, 1817.

STATUTE II.

CHAP. CV.—*An Act to continue in force an act, entitled "An act relating to settlers on lands of the United States."*

March 3, 1817.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That an act, entitled "An act relating to settlers on the lands of the United States," passed the twenty-fifth of March, one thousand eight hundred and sixteen, be, and the same is hereby, continued in force for one year from and after the passage of this act.

[Expired.]
Act of March 25, 1816, ch. 35.
The act mentioned continued by act of April 20, 1818, ch. 90.

APPROVED, March 3, 1817.

STATUTE II.

CHAP. CVI.—*An Act to amend the act, entitled "An act granting bounties in land and extra pay to certain Canadian volunteers," passed the fifth of March, one thousand eight hundred and sixteen.*

March 3, 1817.

[Expired.]

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the pass-

1816, ch. 25.

Six months' service; and name on the muster roll a condition of bounty.

Provided, &c. Act of March 5, 1816, ch. 25.

Warrants to be located on lands offered at public sale.

Act of March 5, 1816, ch. 25.

Rates of land to grades specified.

Contrary provisions of former act repealed.

This and former act in force for a year.

ing of this act, no bounty in land shall be given to any Canadian volunteer, except where it shall appear that the full term of six months' service shall have been performed in some corps in the United States service, and whose name shall appear upon the muster-rolls of such corps: *Provided*, That where it shall appear that the said term of service had not been performed by reason of wounds received in battle, or other disabilities, occasioned by the performance of his duty while in such corps, such claimant shall be considered as having performed the full term of service for which he had engaged.

SEC. 2. *And be it further enacted*, That all warrants issued in pursuance of the act, entitled "An act granting bounties in land and extra pay to certain Canadian volunteers," and which have not been located, and those which shall be issued in pursuance of this act, shall be located on such lands as have been offered at public sale according to law, and no other.

SEC. 3. *And be it further enacted*, That instead of the bounty given in the act hereby amended, the following rates shall be given: For a colonel, four hundred and eighty acres; for a major, four hundred and eighty acres; for a captain, three hundred and twenty acres; for a subaltern, three hundred and twenty acres; to a non-commissioned officer, musician, or private, one hundred and sixty acres; and to the medical and other staff, in proportion to their pay.

SEC. 4. *And be it further enacted*, That all such parts of the act hereby amended, as shall be inconsistent with, or contravene, the provisions of this act, are hereby repealed.

SEC. 5. *And be it further enacted*, That this act, together with the act hereby amended, shall continue, and be in force, for the term of one year, and no longer.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

[Obsolete.]

Act of April 16, 1816, ch. 55.

1819, ch. 94.

Widows and children of soldiers, of militia, volunteers, rangers, and sea-fencibles, &c., placed on an equality.

Rate of annual allowance.

Provisions of the act referred to concerning additional pay extended to wagon-masters, &c.

Act of March 3, 1815, ch. 79.

CHAP. CVII.—*An Act to amend an act, entitled "An act making further provision for military services during the late war, and for other purposes."*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the widows and children of soldiers, of the militia, the volunteers, the rangers, and the sea-fencibles, who served during the late war, and for whom half pay for five years was provided, by an act passed the sixteenth day of April, one thousand eight hundred and sixteen, entitled "An act making further provision for military services during the late war, and for other purposes," shall be placed on an equality as to their annual allowance, that is to say: Such widows, and in case of no widow, such children as may be embraced in the before recited act, shall be entitled to receive, (as the half pay to which they are entitled,) at the rate of forty-eight dollars per annum, and no more; and the widows and children, aforesaid, of the officers of the different corps, aforesaid, shall be entitled to the half pay of the officers of the infantry.

SEC. 2. *And be it further enacted*, That the provisions contained in an act, entitled "An act fixing the military peace establishment of the United States," passed on the third of March, one thousand eight hundred and fifteen, granting to the commissioned officers of the regular army, who were deranged by said act, three months' pay in addition to the pay and emoluments to which they were entitled by law at the time of their discharge, shall equally extend to wagon-masters, forage-masters, barrack-masters, and other warrant officers of the staff of the regular army, who were deranged by the before recited act, except those provisionally retained by the President of the United States.

SEC. 3. *And be it further enacted*, That the further time of two years

shall be allowed to the guardians of the minor children of deceased soldiers, to relinquish their claims to bounty lands for five years' half pay, according to the second section of the before recited act, to which this is a supplement, passed the sixteenth day of April, one thousand eight hundred and sixteen.

SEC. 4. *And be it further enacted*, That the widows and children of the non-commissioned officers of the rangers, shall be placed on the same footing as to half pay, for five years, with the widows and children of the infantry.

SEC. 5. *And be it further enacted*, That the provisions of the second section of the act to which this is a supplement, shall be, and the same are hereby, extended to all cases where either of the children therein mentioned shall have been under sixteen years of age at the time of the father's decease: *Provided*, The guardian of such minor children shall, in addition to the relinquishment by said act required, file, in the office of the Department of War, evidence of the assent of all the other heirs, if any there be, of said deceased soldier, or of their guardians, to such relinquishment.

SEC. 6. *And be it further enacted*, That in all cases where the child or children of a regular soldier, deceased, have the right, under the laws of the United States, to relinquish their bounty in land, for five years' half pay, the said child or children shall be entitled to the same amount as is given by the act to the widows of the militia soldiers who died in service during the late war, viz: four dollars per month.

APPROVED, March 3, 1817.

Further time to guardians for relinquishment of bounty lands, &c.

Act of April 16, 1816, ch. 55.

Widows and children of non-commissioned officers of the rangers.

Provisions of the second section of the act referred to extended, &c.

Proviso; as to the assent of other heirs.

Relinquishment of title to bounty land entitles children of regular soldiers to four dollars per month.

STATUTE II.

CHAP. CVIII.—*An Act supplementary to the act, entitled "An act directing the disposition of money paid into the courts of the United States."*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall be the duty of the judges of the circuit and district courts of the United States, within sixty days from and after the passing of this act, in all districts in which a branch of the bank of the United States is, or shall be, established, to cause and direct all moneys remaining in said courts respectively, or being subject to the order thereof, to be deposited in such branch bank, in the name and to the credit of the court, and a certificate thereof from the cashier of said bank, stating the amount and time of such deposit to be transmitted, within twenty days thereafter, to the Secretary of the Treasury; and in districts in which no such branch bank is, or shall be established, such deposit shall be made in like manner, and within the same time, in some incorporated state bank, and a certificate thereof, in like manner, and within the same time as aforesaid, transmitted to the Secretary of the Treasury.

SEC. 2. *And be it further enacted*, That all moneys which shall hereafter be paid into said courts, or received by the officers thereof, in causes pending therein, shall be immediately deposited in the branch bank within the district, if there be one, otherwise in some incorporated state bank, within the district, in the name and to the credit of the court.

SEC. 3. *And be it further enacted*, That no money, deposited as aforesaid, shall be drawn from said banks, except by order of the judge or judges of said courts respectively, in term or in vacation, to be signed by such judge or judges, and to be entered and certified of record by the clerk, and every such order shall state the cause in, or on account of which it is drawn.

SEC. 4. *And be it further enacted*, That if any clerk of such court, or other officer thereof, having received any such moneys as aforesaid, shall

March 3, 1817.

Act of April 18, 1814, ch. 62.

Money to be deposited in the branch banks of the United States, &c.

Moneys hereafter received to be also deposited, &c.

No money to be drawn from the banks except by order, &c.

Clerks, &c. refusing to obey

the order of the court to be proceeded against, &c.

Account of moneys to be given to the court, &c.

Proviso; as to there being no bank, &c.

refuse or neglect to obey the order of such court, for depositing the same as aforesaid, such clerk, or other officer, shall be forthwith proceeded against by attachment for contempt.

SEC. 5. *And be it further enacted*, That at each regular and stated session of said courts, the clerks thereof shall present an account to said court of all moneys remaining therein, or subject to the order thereof, stating particularly on account of what causes said moneys are deposited, which account, and the vouchers thereof, shall be filed in court: *Provided, nevertheless*, That if in any district there shall be no branch of the bank of the United States, nor any incorporated state bank, the courts may direct such moneys to be deposited, according to their discretion as heretofore.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

CHAP. CIX.—*An Act to continue in force an act, entitled "An act further to provide for the collection of duties on imports and tonnage," passed the third day of March, one thousand eight hundred and fifteen, and for other purposes.*

Act of 1815, ch. 94, continued in force, except as to §§ 5, and 6.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act, entitled "An act further to provide for the collection of duties on imports and tonnage," passed the third day of March, one thousand eight hundred and fifteen, be, and the same is hereby, continued in force, excepting the sixth and eighth section thereof.

Collectors, naval officers, &c. empowered to remove causes from state to circuit courts, &c.

SEC. 2. *And be it further enacted*, That if any suit or prosecution be commenced in any state court against any collector, naval officer, surveyor, inspector, or any other officer, civil or military, or any other person aiding or assisting, agreeably to the provisions of the act hereby continued in force, or under colour thereof, for any thing done or omitted to be done, as an officer of the customs, by virtue of said act, or under colour thereof, and the defendant shall, at the time of entering his appearance in such state court, file a petition for the removal of the cause of trial at the next circuit court of the United States to be holden in the district where the suit is pending, and offer good and sufficient surety for his entering in such circuit court, on the first day of its session, copies of said process against him, and also for his there appearing at the court and entering special bail in the cause, if special bail was originally required therein, it shall then be the duty of the state court to accept the surety and proceed no further in the cause; and the bail that shall have been originally taken shall be discharged. And such copies being entered as aforesaid in such court of the United States, the cause shall then proceed in the same manner as if it had been brought there by original process, whatever may be the amount of the sum in dispute, or damages claimed, or whatever the citizenship of the parties, any former law to the contrary notwithstanding; and any attachment of the goods or estate of the defendant by the original process shall hold the goods or estate so attached to answer the final judgment, in the same manner as by the laws of such state they would have been holden to answer final judgment, had it been rendered by the court in which the suit was commenced: *Provided nevertheless*, That this act shall not be understood to apply to any prosecution for an offence involving corporal punishment.

Proviso; as to corporal punishment.

As to the delivery of manifests by steamboats to Canada on lake Champlain.

SEC. 3. *And be it further enacted*, That it shall be lawful hereafter for the master, or person having charge or command of any steamboat, on lake Champlain, when going from the United States into the province of Lower Canada, to deliver a manifest of the cargo on board, and take a clearance from the collector of the district through which any such boat shall last pass, when leaving the United States, without regard to the place from which any such boat shall have commenced her voyage, or where her

cargo shall have been taken on board, any law to the contrary notwithstanding.

SEC. 4. *And be it further enacted*, That when any goods, wares, or merchandise, shall hereafter be imported from the province of Lower Canada into the United States, in any steamboat on lake Champlain, and the said goods, wares, and merchandise, shall have been duly entered, the duties thereon paid, or secured, at the office of the collector of any district adjoining lake Champlain, it shall be lawful to land such goods, wares, or merchandise, in the same, or any other, district adjoining said lake Champlain, any law to the contrary notwithstanding.

As to landing goods brought in steamboats from Canada on lake Champlain.

SEC. 5. *And be it further enacted*, That in any action or prosecution against any person as aforesaid, it shall be lawful for such person to plead the general issue, and give this act, and any special matter in evidence. And if in any suit the plaintiff is non-suit, or judgment pass against him, the defendant shall recover double costs.

General issue, this act, &c. in evidence, &c.

SEC. 6. *And be it further enacted*, That this act shall continue in force for the term of four years, from and after the third day of March next, and no longer.

This act in force for four years, &c.

SEC. 7. *And be it further enacted*, That every collector of the customs shall have authority, with the approbation of the Secretary of the Treasury, to employ within his district such number of proper persons, as deputy collectors of the customs, as he shall judge necessary, who are hereby declared to be officers of the customs; and the said deputy collectors, before they enter on the duties of their offices, shall take and subscribe, before the collector appointing them, or before some magistrate within their respective districts, authorized by law to administer oaths, the following oath or affirmation, to wit: "I, _____, having been appointed deputy collector of the customs, within and for the district of _____, do solemnly, sincerely, and truly, swear (or affirm, as the case may be,) that I will diligently and faithfully execute the duties of the said office of deputy collector, and will use my best endeavours to prevent, and detect, frauds and violations against the laws of the United States: I further swear (or affirm) that I will support the constitution of the United States."

Collectors may employ deputies, &c.

Form of the oath to be taken by deputies.

APPROVED, March 3, 1817.

STATUTE II.

CHAP. CX.—*An Act to amend the act "authorizing the payment for property lost, captured, or destroyed by the enemy, while in the military service of the United States, and for other purposes," passed the ninth of April, one thousand eight hundred and sixteen.*

March 3, 1817.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the ninth section of the act, entitled "An act authorizing the payment for property lost, captured, or destroyed by the enemy, while in the military service of the United States, and for other purposes," passed on the ninth of April, one thousand eight hundred and sixteen, shall be construed to extend only to houses or other buildings, occupied by an order of an officer or agent of the United States as a place of deposit for military or naval stores, or as barracks for the military forces of the United States; and that, in acting on all claims arising under the aforesaid ninth section, as well those whereon commissions are now returned, and remain undecided, as those on which commissions may be hereafter executed, it shall be the duty of the commissioner, appointed in virtue of the act aforesaid, carefully to examine and investigate the same, and to report the facts in such case to Congress as soon as may be, that such provision may be made for the relief of the respective claimants as shall be deemed just and proper.

Act of April 9, 1816, ch. 40. Restriction as to ninth section of the act referred to.

Act of April 20, 1818, ch. 124.

Commissioner to investigate, &c. report facts to Congress, &c.

SEC. 2. *And be it further enacted*, That the said commissioner shall, in

Commissions to be awarded in cases above 200 dolls., &c.

Proviso; as to new commission where facts may not be sufficiently disclosed, &c.

Compensation for horses, mules, wagons, &c.

Provisions of this and former act extended to property lost, &c. in war with Indian tribes, &c.

Claims of 200 dolls. and upwards to be revised by the Secretary of War, &c.

all cases in which the claim to compensation or indemnity shall exceed the sum of two hundred dollars, award a commission to some one or more discreet commissioners, near the places where the witnesses reside, who shall, before they proceed to act, take an oath, or affirmation, before some officer authorized by law to administer the same, that they will faithfully and impartially execute the duties assigned to them in said commission, to the best of their judgment; and the said commissioner shall accompany said commission with directions as to the examination of witnesses, on oath or affirmation, which the said commissioner, or commissioners, so acting, are hereby authorized to administer; which said commission, when executed, together with the examinations taken in pursuance thereof, shall be enclosed, sealed, and returned by mail, to the office of the said commissioner: *Provided, however,* That in acting on examinations, taken by virtue of the act to which this is an amendment, the said commissioner shall be authorized, in all cases where he shall adjudge the facts not to be sufficiently disclosed to allow a just decision between the claimants and the United States, to award a new commission as aforesaid, and, also, in all cases in which the said commissioner shall deem it proper to appoint an agent to act in behalf of the United States, in executing said commissions; and it shall be the duty of the commissioner, or commissioners, taking evidence in any case, to make inquiry whether any evidence may be had which may be favourable to the interest of the United States, and to take such evidence, and transmit the same to the said commissioner in like manner.

SEC. 3. *And be it further enacted,* That any person, in the late war aforesaid, who has sustained damage by the loss of any horse, mule, ox, wagon, cart, boat, sleigh, or harness, while such property was in the military service of the United States, either by impressment or contract, except in cases where the risk to which the property would be exposed was agreed to be incurred by the owner, if it shall appear that such loss was without any fault or negligence on the part of the owner, shall be allowed and paid the value thereof.

SEC. 4. *And be it further enacted,* That the provisions of this act, and the act to which it is an amendment, shall be, and are hereby, extended to cases of property lost, captured, or destroyed, in the wars with the Indian tribes, subsequent to the eighteenth day of February, and prior to the first day of September, one thousand eight hundred and fifteen, in the same manner as if lost, captured, or destroyed, in the late war with Great Britain.

SEC. 5. *And be it further enacted,* That all claims allowed by said commissioner, of two hundred dollars or upwards, shall be revised by the Secretary of War, on a statement of the facts made to him by the aforesaid commissioner, and may be confirmed or rejected: and the amount of all claims allowed by the aforesaid commissioner less than two hundred dollars, and those of two hundred dollars and upwards, if confirmed by the Secretary of War, shall be paid in the manner prescribed in the tenth and fourteenth sections of the act to which this act is an amendment.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

CHAP. CXI.—*An Act authorizing a subscription for the printing of the tenth volume of public documents.*

500 copies of the 10th volume of public documents to be subscribed for.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of State be, and he is hereby, authorized to subscribe for, and receive, for the use and disposal of Congress, five hundred copies of the tenth volume of public documents, proposed to be printed by Thomas B. Wait and Sons. The aforesaid volume to be delivered in strong leather binding, at the Depart-

ment of state, at the rate of two dollars and a quarter for each five hundred pages contained in the same.

SEC. 2. *And be it further enacted*, That the sum of one thousand five hundred dollars is hereby appropriated for the purpose aforesaid, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1817.

Two dollars
twenty-five
cents for each
500 pages.
1500 dollars
appropriated.

CHAP. CXII.—*An Act for the relief of certain officers.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the paymaster general be authorized, and is hereby required, to pay the general staff (the volunteer aids excepted) of the governor of the Illinois territory, while in service in the year one thousand eight hundred and twelve; and that to each one be allowed the pay and emoluments of a major of infantry.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

Relief of officers of Illinois territory.

STATUTE II.

March 3, 1817.

CHAP. CXIV.—*An Act supplementary to "An act for the relief of persons imprisoned for debts due the United States."*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That any person imprisoned upon execution for a debt due to the United States, which he shall be unable to pay, if his case shall be such as does not authorize his discharge by the Secretary of the Treasury, under the powers given him by the act, entitled "An act providing for the relief of persons imprisoned for debts due to the United States," may make application to the President of the United States, and upon proof being made to his satisfaction that such debtor is unable to pay the debt, and upon a compliance by the debtor with such terms and conditions as the President shall deem proper, he may order the discharge of such debtor from his imprisonment, and he shall be accordingly discharged, and shall not be liable to be imprisoned again for the same debt; but the judgment shall remain good and sufficient in law, and may be satisfied out of any estate which may then, or at any time afterwards, belong to the debtor.

APPROVED, March 3, 1817.

Act of June 6, 1798, ch. 49.

Relief of persons imprisoned for debts due United States.

On conditions such as the President may deem proper.

RESOLUTIONS.

I. RESOLUTION for admitting the state of Indiana into the Union.

WHEREAS in pursuance of an act of Congress, passed on the nineteenth day of April, one thousand eight hundred and sixteen, entitled "An act to enable the people of Indiana territory to form a constitution and state government, and for the admission of that state into the union," the people of the said territory did, on the twenty-ninth day of June, in the present year, by a convention called for that purpose, form for themselves a constitution and state government, which constitution and state government, so formed, is republican, and in conformity with the principles of the articles of compact between the original states and the people and states in the territory north-west of the river Ohio, passed on the thirteenth day of July, one thousand seven hundred and eighty-seven.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the state of Indiana shall be one, and is hereby declared to be one, of the United States of

Dec. 11, 1816.

Indiana admitted into the union as a state.

Act of April 19, 1816, ch. 57.

America, and admitted into the union on an equal footing with the original states, in all respects whatever.

APPROVED, December 11, 1816.

Feb. 6, 1817. II. RESOLUTION to employ John Trumbull, to compose and execute certain paintings.

Four paintings to be placed in the capitol.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby, authorized to employ John Trumbull, of Connecticut, to compose and execute four paintings commemorative of the most important events of the American Revolution, to be placed, when finished, in the capitol of the United States.

APPROVED, February 6, 1817.

March 3, 1817.

Public documents printed in royal octavo page.

III. RESOLUTION respecting contracts for the printing for Congress.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the secretary of the Senate, and the clerk of the House of Representatives, be directed, in making any future contract for the printing of Congress, to stipulate, and require, that the same, excepting only the bills, or when otherwise specially directed by either house, shall be done in royal octavo form, the size of the pages to be the same as those of the late edition of the laws of the United States; and that when any tables will not admit, with the use of a small type, of compression into that size, they shall be so printed as to fold conveniently into the volume.

APPROVED, March 3, 1817.