

BY AUTHORITY OF CONGRESS.

THE
Public Statutes at Large
OF THE
UNITED STATES OF AMERICA,

FROM THE

ORGANIZATION OF THE GOVERNMENT IN 1789, TO MARCH 3, 1845.

ARRANGED IN CHRONOLOGICAL ORDER.

WITH

REFERENCES TO THE MATTER OF EACH ACT AND TO THE SUBSEQUENT ACTS
ON THE SAME SUBJECT,

AND

COPIOUS NOTES OF THE DECISIONS

OF THE

Courts of the United States

CONSTRUING THOSE ACTS, AND UPON THE SUBJECTS OF THE LAWS.

WITH AN

INDEX TO THE CONTENTS OF EACH VOLUME,

AND A

FULL GENERAL INDEX TO THE WHOLE WORK, IN THE CONCLUDING VOLUME.

TOGETHER WITH

*The Declaration of Independence, the Articles of Confederation, and
the Constitution of the United States;*

AND ALSO,

TABLES, IN THE LAST VOLUME, CONTAINING LISTS OF THE ACTS RELATING TO THE JUDICIARY,
IMPOSTS AND TONNAGE, THE PUBLIC LANDS, ETC.

EDITED BY

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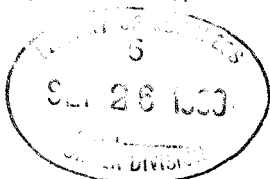
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LIST

OF THE

PUBLIC ACTS OF CONGRESS,

CONTAINED IN VOLUME THIRD.

Acts of the Thirteenth Congress of the United States.

STATUTE I.—1813.

	Page
<i>Georgetown.</i> An act concerning certain streets in Georgetown. June 19, 1813.....	1
<i>Fisheries of the United States.</i> An act for the government of persons in certain fisheries. June 19, 1813.....	2
<i>Army of the United States.</i> An act to amend the act in addition to the act entitled "An act to raise an additional military force, and for other purposes." (Obsolete.) July 5, 1813.....	3
<i>Barges for the Defence of the Ports and Harbours of the United States.</i> An act authorizing the President of the United States to cause to be built barges for the defence of the ports and harbours of the United States. (Repealed.) July 5, 1813.....	3
<i>Military Land Warrants.</i> An act further extending the time for issuing and locating military land warrants. (Obsolete.) July 5, 1813.....	3
<i>Reward of the Officers and Crew of the Hornet, and Lieutenant Elliott.</i> An act to reward the officers and crew of the sloop of war Hornet; and Lieutenant Elliott and his officers and companions. July 13, 1813.....	4
<i>Franking Privilege to the Superintendent-General of Military Supplies.</i> An act freeing from postage all letters and packets to and from the superintendent-general of military supplies. July 13, 1813.....	4
<i>Claims of the United States to Goods, &c., captured by private armed Vessels.</i> An act to relinquish the claims of the United States to certain goods, wares, and merchandise captured by private armed vessels. (Obsolete.) July 13, 1813.....	4
<i>Turnpike Road in the County of Alexandria.</i> An act to incorporate a company for making a certain turnpike road in the county of Alexandria. July 13, 1813.....	5
<i>Turnpike Road in the County of Washington.</i> An act to incorporate a company for making a certain turnpike road in the county of Washington, in the District of Columbia. July 13, 1813.....	12
<i>Defence of the Ports and Harbours of the United States.</i> An act providing for the further defence of the ports and harbours of the United States. July 16, 1813.....	18
<i>Suits and Costs in the Courts of the United States.</i> An act concerning suits and costs in courts of the United States. July 22, 1813.....	19
<i>Collection of Direct Taxes and Internal Revenues.</i> An act for the assessment and collection of direct taxes and internal duties. (Repealed.) July 22, 1813.....	22
<i>Forage to Officers of the Army.</i> An act to regulate the allowance of forage to officers in the army of the United States. July 22, 1813.....	34
<i>Mobile made a Port of Entry.</i> An act to establish the town of Mobile a port of entry. July 22, 1813.....	35

	Page
<i>Duties on Refined Sugar.</i> An act laying duties on sugar refined within the United States. (Repealed.) July 24, 1813.....	35
<i>Commissioner of the Revenue.</i> An act to establish the office of commissioner of the revenue. (Obsolete.) July 24, 1813.....	39
<i>Army of the United States.</i> An act to continue in force, for a limited time, certain acts authorizing corps of rangers for the protection of the frontier of the United States, and making appropriations for the same. (Obsolete.) July 24, 1813.....	39
<i>Duties on Carriages.</i> An act laying duties on carriages for the conveyance of persons. (Repealed.) July 24, 1813.....	40
<i>Duties on Licenses to Distillers of spirituous Liquors.</i> An act laying duties on licenses to distillers of spirituous liquors. July 24, 1813.....	42
<i>Duties on Sales at Auction.</i> An act laying duties on sales at auction of merchandise, and of ships and vessels. (Repealed.) July 24, 1813.....	44
<i>Sea Fencibles.</i> An act to authorize the raising a corps of sea fencibles. (Repealed.) July 26, 1813.....	47
<i>Appropriation for the Capitol.</i> An act making an appropriation for finishing the Senate chamber and repairing the roof of the north wing of the capitol. (Obsolete.) July 26, 1813.....	48
<i>Accommodation of the Household of the President of the United States.</i> An act to provide for the accommodation of the household of the President of the United States. (Obsolete.) July 26, 1813.....	48
<i>Congress.</i> An act fixing the time for the next meeting of Congress. July 27, 1813.....	48
<i>Message of the President to be transmitted free of Postage.</i> An act to authorize the transportation of certain documents free of postage. July 28, 1813.....	48
<i>Fisheries. Duties on imported Salt; Bounty on pickled Fish.</i> An act laying a duty on imported salt; granting a bounty on pickled fish exported, and allowances to certain vessels employed in the fisheries. July 29, 1813.....	49
<i>Naturalization.</i> An act supplementary to the acts heretofore passed on the subject of a uniform rule of naturalization. July 30, 1813.....	53
<i>Direct Taxes.</i> An act to lay and collect a direct tax within the United States. (Repealed.) Aug. 2, 1813.....	53
<i>Duties on Licenses to Retailers of Wines, &c.</i> An act laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise. (Repealed.) Aug. 2, 1813....	72
<i>Pensions.</i> An act to provide for the widows and orphans of militia slain, and for militia disabled in the service of the United States. (Obsolete.) Aug. 2, 1813.....	73
<i>Army of the United States.</i> An act explanatory of an act entitled "An act to raise ten additional companies of rangers." (Obsolete.) Aug. 2, 1813.....	74
<i>Appointment of Officers of the Army in the Recess of the Senate.</i> An act to authorize the appointment by the President of certain officers in the recess of the Senate. (Obsolete.) Aug. 2, 1813.....	74
<i>Sale of Lots in Pittsburg.</i> An act authorizing the sale of sundry lots, the property of the United States, in the borough of Pittsburg. Aug. 2, 1813.....	75
<i>Duties on Goods captured by private armed Vessels.</i> An act for reducing the duties payable on prize goods captured by the private armed vessels of the United States. (Obsolete.) Aug. 2, 1813.....	75
<i>Army of the United States.</i> An act supplementary to the act entitled "An act for the better regulation of the ordnance." (Obsolete.) August 2, 1813.....	75
<i>Loan.</i> An act authorizing a loan for a sum not exceeding seven millions five hundred thousand dollars. (Obsolete.) Aug. 2, 1813.....	75
<i>Duties on Stamps.</i> An act laying duties on notes of banks, bankers, and certain companies; on notes, bonds, and obligations discounted by banks, bankers, and certain companies; and on bills of exchange of certain descriptions. (Repealed.) Aug. 2, 1813.	77
<i>Appropriations.</i> An act making additional appropriations for the support of government during the year one thousand eight hundred and thirteen. (Obsolete.) Aug. 2, 1813.....	81
<i>Bounty for Prisoners taken by private armed Vessels.</i> An act allowing a bounty to the owners, officers, and crews of the private armed vessels of the United States. (Obsolete.) Aug. 2, 1813.....	81

LIST OF THE PUBLIC ACTS OF CONGRESS.

	v
	Page
<i>Collection of Internal Duties.</i> An act making further provision for the collection of internal duties, and for the appointment and compensation of assessors. (Obsolete.) Aug. 2, 1813.....	82
<i>Licenses from the Government of Great Britain prohibited.</i> An act to prohibit the use of licenses or passes granted by the authority of the government of the united kingdom of Great Britain and Ireland. (Repealed.) Aug. 2, 1813.....	84
<i>Pensions.</i> An act to amend and explain the act regulating pensions to persons on board private armed ships. (Obsolete.) Aug. 2, 1813.....	86
<i>Claims to Lands in Arkansas.</i> An act giving further time for registering claims to lands in the late district of Arkansas, in the territory of Missouri, and for other purposes. (Obsolete.) Aug. 2, 1813.....	86

STATUTE II.—1813, 1814.

<i>Embargo.</i> An act laying an embargo on all ships and vessels in the ports and harbours of the United States. (Repealed.) Dec. 17, 1813.....	88
<i>Appropriations.</i> An act making certain partial appropriations for the year one thousand eight hundred and fourteen. (Obsolete.) Jan. 11, 1814.....	93
<i>Direct Taxes.</i> An act to amend the seventh section of the act entitled "An act to lay and collect a direct tax within the United States." (Obsolete.) Jan. 17, 1814.....	94
<i>Nantucket.</i> An act authorizing the President of the United States to grant certain permissions to the inhabitants of the island of Nantucket. (Obsolete.) Jan. 25, 1814... ..	94
<i>Army of the United States.</i> An act making further provision for filling the ranks of the regular army, encouraging enlistments, and authorizing the re-enlistments for longer periods, of men whose terms of service are about to expire. (Obsolete.) Jan. 27, 1814.....	94
<i>An additional Judge in the Missouri Territory.</i> An act for the appointment of an additional judge for the Missouri territory, and for other purposes. (Obsolete.) Jan. 27, 1814.....	95
<i>Army of the United States.</i> An act authorizing the President of the United States to cause certain regiments therein mentioned to be enlisted for five years, or during the war. (Obsolete.) Jan. 28, 1814.....	96
<i>Army of the United States.</i> An act to raise three regiments of riflemen. (Obsolete.) Feb. 10, 1814.....	96
<i>Public Lands.</i> An act giving further time to purchasers of public lands to complete their payments. Feb. 19, 1814.....	97
<i>Army of the United States.</i> An act to continue in force an act to raise ten additional companies of rangers. (Expired.) Feb. 24, 1814.....	98
<i>Army of the United States.</i> An act to authorize the President to receive into service certain volunteer corps. (Obsolete.) Feb. 24, 1814.....	98
<i>Return of Vessels detained by the Embargo.</i> An act to provide for their return to their own districts, of vessels detained by the embargo in districts other than those where they are respectively owned or belong. (Obsolete.) March 4, 1814.....	98
<i>Treasury Notes.</i> An act to authorize the issuing of treasury notes for the service of the year one thousand eight hundred and fourteen. (Obsolete.) March 4, 1814.....	100
<i>Indiana Territory.</i> An act to establish the mode of laying off the territory of Indiana into districts, for the election of its members for the Legislative Council. March 4, 1814.....	103
<i>Pensions.</i> An act giving pensions to the orphans and widows of persons slain in the public or private vessels of the United States. March 4, 1814.....	102
<i>Floating Batteries.</i> An act authorizing the President of the United States to cause to be built, equipped, and employed, one or more floating batteries for the defence of the waters of the United States. (Obsolete.) March 4, 1814.....	104
<i>Appropriations.</i> An act making appropriations for the support of the military establishment of the United States, for the year one thousand eight hundred and fourteen. (Obsolete.) March 19, 1814.....	104
<i>Appropriations.</i> An act making appropriations for the support of the navy of the United States, for the year one thousand eight hundred and fourteen. (Obsolete.) March 19, 1814.....	105

	Page
<i>Bounty to Owners, &c., of private armed Vessels.</i> An act in addition to an act entitled "An act allowing a bounty to the owners, officers, and crews of the private armed vessels of the United States." (Obsolete.) March 19, 1814.....	105
<i>Appropriations.</i> An act making appropriations for the support of government for the year one thousand eight hundred and fourteen. (Obsolete.) March 24, 1814.....	106
<i>Loan not exceeding twenty-five Millions of Dollars.</i> An act to authorize a loan for a sum not exceeding twenty-five millions of dollars. March 24, 1814.....	111
<i>District Court of the United States in the Virginia District.</i> An act to alter the time for holding the District Courts of the United States for the Virginia districts. March 24, 1814.....	112
<i>Duties on Sales at Auction.</i> An act to amend the act entitled "An act laying duties on sales at auction of merchandise and of ships and vessels." (Obsolete.) March 24, 1814.....	113
<i>Shawneetown.</i> An act concerning Shawneetown. March 26, 1814.....	113
<i>Army of the United States.</i> An act for the better organizing, paying, and supplying the army of the United States. (Obsolete.) March 30, 1814.....	113
<i>Exchange of Land in the City of New York.</i> An act authorizing the President of the United States to exchange a certain parcel of land, in the city of New York, for other lands in the same city or its vicinity. March 30, 1814.....	116
<i>Land Claims in the Mississippi Territory.</i> An act providing for the indemnification of certain claimants of public lands in the Mississippi territory. March 31, 1814.....	116
<i>Elizabeth City a Port of Entry.</i> An act making Elizabeth City the port of entry and delivery for the District of Camden in the State of North Carolina. April 9, 1814....	120
<i>Courts of the United States in New York.</i> An act for the better organization of the courts of the United States within the State of New York. April 9, 1814.....	120
<i>Land Titles in Louisiana and Missouri.</i> An act for the final adjustment of land titles in the State of Louisiana and territory of Missouri. April 14, 1814.....	121
<i>Embargo and Non-Importation.</i> An act to repeal an act entitled "An act laying an embargo on all ships and vessels in the ports and harbours of the United States," and so much of any act or acts as prohibit the importation of goods, wares, and merchandise, of the growth, produce, or manufacture of Great Britain or Ireland, or of any of the colonies or dependencies thereof, or of any place or country in the actual possession of Great Britain. April 14, 1814.....	123
<i>Assent of Congress to an Act of the Assembly of Tennessee. Direct Taxes.</i> An act declaring the assent of Congress to an act of the General Assembly of the State of Tennessee, therein mentioned. April 14, 1814.....	123
<i>Marine Corps.</i> An act authorizing an augmentation of the marine corps, and for other purposes. April 16, 1814.....	124
<i>Flotilla Service.</i> An act authorizing the appointment of certain officers for the flotilla service. (Obsolete.) April 16, 1814.....	125
<i>Assent of Congress to an Act of the State of Maryland and Georgia.</i> An act to revive and continue in force "An act declaring the assent of Congress to certain acts of the States of Maryland and Georgia." April 16, 1814.....	125
<i>Claims to Lands in the Illinois Territory.</i> An act confirming certain claims to land in the Illinois territory, and providing for their location. April 16, 1814.....	125
<i>Money paid into the Courts of the United States.</i> An act directing the disposition of money paid into the courts of the United States. April 18, 1814.....	127
<i>Pensions.</i> An act granting pensions to the officers and seamen serving on board the revenue cutters in certain cases. April 18, 1814.....	127
<i>Congress.</i> An act fixing the time for the next meeting of Congress. April 18, 1814.....	128
<i>Compensation to the Paymaster of the Army, &c., and appointment of Assistant District Paymasters.</i> An act fixing the salary of the paymaster of the army of the United States, and allowing a sum for the employment of additional clerks in his office, for the year one thousand eight hundred and fourteen, and providing for the appointment of assistant district paymasters. (Expired.) April 18, 1814.....	128
<i>Laws of the United States.</i> An act authorizing a subscription for the laws of the United States, and for the distribution thereof. (Obsolete.) April 18, 1814.....	129

LIST OF THE PUBLIC ACTS OF CONGRESS.

vii

	Page
<i>Vessels captured on Lake Erie.</i> An act authorizing the purchase of the vessels captured on Lake Erie. (Obsolete.) April 18, 1814.....	130
<i>Public Lands.</i> An act extending relief to certain purchasers of public lands in the Mississippi territory. April 18, 1814.....	130
<i>Post-roads.</i> An act to alter and establish certain post-roads. April 18, 1814.....	130
<i>Flags, Standards, and Colours captured from the Enemy.</i> An act to provide for the collection and preservation of such flags, standards, and colours as shall have been or may hereafter be taken by the land and naval forces of the United States, from their enemies. April 18, 1814.....	133
<i>Compensation of Marshals, Clerks, and Attorneys.</i> An act to lessen the compensation of marshals, clerks, and attorneys in the cases therein mentioned. (Repealed.) April 18, 1814.....	133
<i>Militia.</i> An act in further addition to an act entitled "An act more effectually to provide for the national defence by establishing a uniform militia throughout the United States." (Obsolete.) April 18, 1814.....	134
<i>Militia.</i> An act in addition to the act entitled "An act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes." (Expired.) April 18, 1814.....	134
<i>Pay of Officers, Seamen, and Marines in the Navy.</i> An act concerning the pay of officers, seamen, and marines in the navy of the United States. April 18, 1814.....	136
<i>Claims to Lands in Louisiana.</i> An act supplemental to an act entitled "An act for ascertaining the titles and claims to lands in that part of Louisiana which lies east of the river Mississippi and island of New Orleans." (Obsolete.) April 18, 1814....	137
<i>Compensation of Clerks in the Senate and House of Representatives.</i> An act to fix the compensation of the clerks employed in the offices of the secretary of the Senate and clerk of the House of Representatives. (Obsolete.) April 18, 1814.....	137
<i>Duties on Licenses to Retailers of Wines, &c.</i> An act to amend the act laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise, and for other purposes. (Repealed.) April 18, 1814.....	137
<i>Appropriations.</i> An act making additional appropriations for the service of the year one thousand eight hundred and fourteen. (Obsolete.) April 18, 1814.....	139
<i>Claims to Lands in Louisiana.</i> An act concerning certificates of confirmation of claims to lands in the State of Louisiana. (Obsolete.) April 18, 1814.....	139

RESOLUTIONS.

1. For the printing and distribution of an additional number of the journals of Congress, and of the documents published under their order. Dec. 27, 1813.....	140
2. Expressive of the sense of Congress of the gallant conduct of Captain Oliver H. Perry, the officers, seamen, marines, and infantry, acting as such, on board of his squadron. Jan. 6, 1814.....	141
3. Relative to the brilliant achievement of Lieutenants Burrows and M'Call. Jan. 6, 1814.....	141
4. Relative to the brilliant achievement of Captain James Lawrence, in the capture of the British vessel of war the Peacock. Jan. 11, 1814.....	142
5. Directing a sword to be presented to the nearest male relation of midshipman John Clark. Feb. 19, 1814.....	142

STATUTE III.—1814, 1815.

<i>Right of Suffrage in the Mississippi Territory extended.</i> An act further to extend the right of suffrage, and to increase the number of members of the Legislative Council in the Mississippi territory. (Obsolete.) Oct. 25, 1814.....	143
<i>Virginia Military Land Warrants.</i> An act for extending the time for locating Virginia military land warrants, and for returning the surveys thereon to the general land-office. (Expired.) Nov. 3, 1814.....	143

	Page
<i>The President authorized to cause to be built or purchased Vessels for the Navy.</i> An act authorizing the President of the United States to cause to be built or purchased the vessels therein described. (Repealed.) Nov. 15, 1814.....	144
<i>Loan of three Millions of Dollars.</i> An act to authorize a loan for a sum not exceeding three millions of dollars. (Obsolete.) Nov. 15, 1814.....	144
<i>Publication of the Laws of the United States in the Territories.</i> An act to authorize the publication of the laws of the United States within the territories of the United States. (Obsolete.) Nov. 21, 1814.....	145
<i>A Clerk to be appointed in the Office of the Commissioner of the Revenue, &c.</i> An act authorizing the Secretary of the Treasury to appoint a clerk in the office of the commissioner of the revenue, with power to sign licenses. Nov. 22, 1814.....	146
<i>Allowances to Merchant Vessels during the War for bringing back destitute and distressed seamen.</i> An act authorizing the Secretary of State, during the continuance of the present war, to make an additional allowance to the owners and masters of vessels, for bringing back to the United States destitute and distressed American seamen. (Obsolete.) Dec. 1, 1814.....	146
<i>Army of the United States.</i> An act making further provision for filling the ranks of the army of the United States. (Repealed.) Dec. 10, 1814.....	146
<i>Duties on Stamps.</i> An act supplementary to an act laying duties on notes of banks, bankers, and certain companies; on notes, bonds, and obligations, discounted by banks, bankers, and certain companies; and on bills of exchange of certain descriptions. (Repealed.) Dec. 10, 1814.....	148
<i>Duties on Carriages.</i> An act to provide additional revenues for defraying the expenses of government and maintaining the public credit, by duties on carriages and the harness used therefor. (Repealed.) Dec. 15, 1814.....	148
<i>Army of the United States.</i> An act directing the staff officers of the army to comply with the requisitions of naval and marine officers in certain cases. (Obsolete.) Dec. 15, 1814.....	151
<i>Appropriations for the Service of the year 1814.</i> An act making additional appropriations for the service of the year one thousand eight hundred and fourteen. (Obsolete.) Dec. 15, 1814.....	152
<i>Duties on distilled Spirits and on Licenses to Distillers.</i> An act to provide additional revenues for defraying the expenses of government and maintaining the public credit, by laying duties on spirits distilled within the United States and territories thereof, and by amending the act laying duties on licenses to distillers of spirituous liquors. (Repealed.) Dec. 21, 1814.....	152
<i>Duties on Sales at Auction and on Licenses to retail Wines, &c., and on Postage.</i> An act to provide additional revenues for defraying the expenses of government and maintaining the public credit, by laying duties on sales at auction and on licenses to retail wines, spirituous liquors, and foreign merchandise, and for increasing the rates of postage. (Repealed.) Dec. 23, 1814.....	159
<i>Loan of twenty-five Millions of Dollars authorized.</i> An act supplementary to the acts authorizing a loan for the several sums of twenty-five millions of dollars, and three millions of dollars. (Obsolete.) Dec. 26, 1814.....	161
<i>Public Lands in the District of Vincennes.</i> An act giving further time to locate certain claims to lands, confirmed by an act of Congress, entitled "An act confirming certain claims to lands in the district of Vincennes." (Obsolete.) Dec. 26, 1814.....	163
<i>Leasing of Lands reserved for Schools in the Mississippi Territory.</i> An act to provide for leasing certain lands reserved for the support of schools in the Mississippi territory. (Obsolete.) Jan. 9, 1815.....	163
<i>Direct Taxes.</i> An 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. (Repealed.) Jan. 9, 1815.	164
<i>Additional Duties on Goods, Wares, and Merchandise manufactured within the United States.</i> An act to provide additional revenues for defraying the expenses of government and maintaining the public credit, by laying duties on various goods, wares, and merchandise manufactured within the United States. (Repealed.) Jan. 18, 1815.....	180
<i>Duties on Household Furniture and on gold and silver Watches.</i> An act to provide additional revenues for defraying the expenses of government and maintaining the public credit, by laying duties on household furniture, and on gold and silver watches. (Repealed.) Jan. 18, 1815.....	186

	Page
<i>Appointment of a Board of Commissioners relative to the Indemnification of Claimants to Lands in the Mississippi Territory.</i> An act supplementary to the act entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi territory." (Obsolete.) Jan. 23, 1815.....	192
<i>Army. Service of State Troops and Volunteers may be accepted.</i> An act to authorize the President of the United States to accept the services of state troops and of volunteers. (Repealed.) Jan. 27, 1815.....	193
<i>Library of Thomas Jefferson.</i> An act to authorize the purchase of the library of Thomas Jefferson, late President of the United States. Jan. 30, 1815.....	195
<i>Prohibition of Intercourse with the Enemy.</i> An act to prohibit intercourse with the enemy, and for other purposes. (Expired.) Feb. 4, 1815.....	195
<i>Duties on Licenses to Retailers of Wines, &c.</i> An act supplementary to the act entitled "An act to amend the act laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise, and for other purposes." (Repealed.) Feb. 4, 1815.....	201
<i>Public Lands. Land Districts.</i> An act attaching to the Canton district, in the State of Ohio, the tract of land lying between the foot of the rapids of the Miami of Lake Erie, and the Connecticut Western Reserve. Feb. 4, 1815.....	201
<i>Further Time given for Payment for Public Lands.</i> An act for giving further time to the purchasers of public lands to complete their payments. (Expired.) Feb. 4, 1815.....	201
<i>Navy Department. Board of Commissioners of the Navy.</i> An act to alter and amend the several acts for establishing a navy department, by adding thereto a board of commissioners. (Repealed.) Feb. 7, 1815.....	202
<i>Ordnance Department.</i> An act for the better regulation of the ordnance department. (Obsolete.) Feb. 8, 1815.....	203
<i>Land near Plattsburg to be purchased for Arsenal, &c.</i> An act to authorize the purchase of a tract of land for the use of the United States. (Obsolete.) Feb. 8, 1815.....	205
<i>Duties on Licenses to Retailers of Wines, &c.</i> An act to amend an act laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise. (Repealed.) Feb. 8, 1815.....	205
<i>Repairing and rebuilding the public Buildings in Washington.</i> An act making appropriations for repairing or rebuilding the public buildings within the city of Washington. Feb. 13, 1815.....	205
<i>Cumberland Road.</i> An act in addition to the act to regulate the laying out and making a road from Cumberland, in the State of Maryland, to the State of Ohio. Feb. 4, 1815.....	206
<i>Appropriation for the Support of Government in 1815.</i> An act making appropriations for the support of government for the year one thousand eight hundred and fifteen. (Obsolete.) Feb. 16, 1815.....	206
<i>Relief of Sufferers by Earthquakes in the Missouri Territory.</i> An act for the relief of the inhabitants of the late county of New Madrid, in the Missouri territory, who suffered by earthquakes. Feb. 17, 1815.....	211
<i>Virginia Resolution Warrants.</i> An act giving further time to complete the surveys and obtain the patents for lands located under Virginia resolution warrants. (Expired.) Feb. 22, 1815.....	212
<i>Security to be given by the Secretary of the Senate and the Clerk of the House of Representatives for faithful Disbursement of the Contingent Funds of the Senate, &c.</i> An act requiring the secretary of the Senate and clerk of the House of Representatives in the Congress of the United States, to give security for the faithful application and disbursement of the contingent funds of the Senate and House of Representatives. Feb. 23, 1815.....	212
<i>Courts in the Indiana Territory.</i> An act for the regulation of the courts of justice of Indiana. Feb. 24, 1815.....	213
<i>Treasury Notes.</i> An act to authorize the issuing of the treasury notes for the service of the year one thousand eight hundred and fifteen. (Obsolete.) Feb. 24, 1815.....	213
<i>Direct Taxes.</i> An act to provide additional revenues for defraying the expenses of government and maintaining the public credit, by laying a direct tax upon the District of Columbia. (Repealed.) Feb. 27, 1815.....	216
<i>Duties on Gold, Silver, and Plated Wares, Jewelry, &c.</i> An act to provide additional revenues for defraying the expenses of government and maintaining the public credit, by laying a duty on gold, silver, and plated wares, and jewelry and pastework, manufactured within the United States. (Repealed.) Feb. 27, 1815.....	217

	Page
<i>Repeal of the Acts concerning the Flotilla Service, &c.</i> An act to repeal certain acts concerning the flotilla service, and for other purposes. Feb. 27, 1815.....	217
<i>Land Claims in the Illinois Territory.</i> An act to amend and extend the provisions of the act of the sixteenth of April, one thousand eight hundred and fourteen, entitled "An act confirming certain claims to land in the Illinois territory, and providing for their location." Feb. 27, 1815.....	218
<i>Repeal of the Acts authorizing the Acceptance of the Services of State Troops and Volunteers, and authorizing the raising of Sea Fencibles.</i> An act to repeal certain acts therein mentioned. Feb. 27, 1815.....	219
<i>Post-office.</i> An act in addition to the act regulating the post-office department. (Repealed.) Feb. 27, 1815.....	220
<i>Post-roads.</i> An act to alter and establish certain post-roads. March 1, 1815.....	221
<i>Appropriations for the Military Establishment in 1815.</i> An act making appropriations for the support of the military establishment for the year one thousand eight hundred and fifteen. (Obsolete.) March 3, 1815.....	222
<i>Public Buildings at West Point.</i> An act making further provision for completing the public buildings at West Point, for the accommodation of the military academy. (Obsolete.) March 3, 1815.....	223
<i>Appropriations for the Support of the Navy in 1815.</i> An act making appropriations for the support of the navy of the United States, for the year one thousand eight hundred and fifteen. (Obsolete.) March 3, 1815.....	223
<i>Repeal of discriminating Duties on foreign Vessels.</i> An act to repeal so much of the several acts imposing duties on the tonnage of ships and vessels, and on goods, wares, and merchandise, imported into the United States, as imposes a discriminating duty on tonnage, between foreign vessels and vessels of the United States, and between goods imported into the United States in foreign vessels and vessels of the United States. March 3, 1815.....	224
<i>Military Peace Establishment.</i> An act fixing the military peace establishment of the United States. March 3, 1815.....	224
<i>A Library Room provided, &c.</i> An act to provide a library room, and for transporting the library lately purchased. March 3, 1815.....	225
<i>Naval Establishment. Appropriation for the Purchase of Timber, &c.</i> An act concerning the naval establishment. (Expired.) March 3, 1815.....	226
<i>Repeal of the Acts prohibiting the entrance of foreign Vessels into the Waters of the United States.</i> An act to repeal certain acts therein mentioned. March 3, 1815.....	226
<i>Compensation to Officers of Congress.</i> An act increasing the compensation allowed the sergeants at arms of the Senate and House of Representatives, and of the doorkeeper and assistant doorkeeper of the Senate and House of Representatives. (Obsolete.) March 3, 1815.....	226
<i>Loan of eighteen Millions four hundred and fifty-two thousand eight hundred Dollars authorized.</i> An act to authorize a loan for a sum not exceeding eighteen millions four hundred and fifty-two thousand eight hundred dollars. (Obsolete.) March 3, 1815.....	227
<i>Boundary Lines under the Treaty with the Creek Indians.</i> An act to provide for ascertaining and surveying of the boundary lines fixed by the treaty with the Creek Indians, and for other purposes. (Obsolete.) March 3, 1815.....	228
<i>Purchase of the Vessels captured on Lake Champlain.</i> An act authorizing the purchase of the vessels captured on Lake Champlain. (Obsolete.) March 3, 1815.....	229
<i>Protection of the Commerce of the United States against the Algerine Cruisers.</i> An act for the protection of the commerce of the United States against the Algerine cruisers. (Obsolete.) March 3, 1815.....	230
<i>Collection of Duties and Internal Revenue.</i> An act to amend the act entitled "An 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," and the act entitled "An act to provide additional revenues for defraying the expenses of government and maintaining the public credit, by laying duties on household furniture, and on gold and silver watches." (Repealed.) March 3, 1815.....	230
<i>Clerks to the Board of Navy Commissioners.</i> An act authorizing the board of navy commissioners to appoint clerks. (Obsolete.) March 3, 1815.....	231

LIST OF THE PUBLIC ACTS OF CONGRESS.

xi

	Page
<i>Collection of Duties.</i> An act further to provide for the collection of duties on imports and tonnage. (Expired.) March 3, 1815.....	231
<i>Courts in New York.</i> An act supplementary to an act entitled "An act for the better organization of the courts of the United States, within the State of New York. March 3, 1815.....	235
<i>Appropriation for the Military Service of 1815.</i> An act making additional appropriation for the service of the year one thousand eight hundred and fifteen. (Obsolete.) March 3, 1815.....	235
<i>Proceedings of the Commissioners relating to Claimants to Lands in the Mississippi Territory.</i> An act further supplementary to an act entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi territory. (Obsolete.) March 3, 1815.....	235
<i>Duties of the Judges of the United States in the Illinois Territory.</i> An act regulating and defining the duties of the United States judges for the territory of Illinois. (Obsolete.) March 3, 1815.....	237
<i>Trading Houses with the Indian Tribes.</i> An act to continue in force, for a limited time, the act entitled "An act for establishing trading houses with the Indian tribes." (Repealed.) March 3, 1815.....	239
<i>Collectors of Direct Taxes and Internal Duties.</i> An act to fix the compensations, and increase the responsibility of the collectors of the direct taxes and internal duties; and for other purposes connected with the collection thereof. (Repealed.) March 3, 1815.	239
<i>Jurisdiction given to State Courts in Suits for Taxes.</i> An act to vest more effectually in the state courts and in the district courts of the United States jurisdiction in the cases therein mentioned. (Obsolete.) March 3, 1815.....	244

RESOLUTIONS.

1. Expressive of the sense of Congress of the gallant conduct of Captain Thomas Macdonough, the officers, seamen, marines, and infantry, serving as marines, on board the United States squadron on Lake Champlain. Oct. 20, 1814.....	245
2. Expressive of the sense of Congress relative to the victory of the Peacock over the Epervier. Oct. 21, 1814.....	246
3. Empowering the joint library committee of Congress to contract for the purchase of Mr. Jefferson's library. Oct. 21, 1814.....	246
4. Expressive of the sense of Congress relative to the capture of the British sloop Reindeer, by the American sloop Wasp. Nov. 3, 1814.....	246
5. Expressive of the sense of Congress of the gallantry and good conduct with which the reputation of the arms of the United States has been sustained by Major-General Brown, Major-General Scott, Major-General Porter, Major-General Gaines, Major-General Macomb, and Brigadiers Ripley and Miller. Nov. 3, 1814.....	247
6. Requesting the President of the United States to recommend a day of public humiliation, fasting, and prayer.	248
7. For furnishing the American Antiquarian Society with a copy of the journals of Congress, and of the documents published under their order. Dec. 1, 1814.	248
8. Expressive of the high sense entertained by Congress of the patriotism and good conduct of the people of Louisiana and of New Orleans, during the late military operations before that city. Feb. 22, 1815.	248
9. Expressive of the high sense entertained by Congress of the gallantry and good conduct of Commodore D. T. Patterson, and Major D. Carmick, and of the officers, seamen, and marines under their command, in the defence of New Orleans. Feb. 22, 1815.	249
10. Expressive of the thanks of Congress to Major-General Jackson and the troops under his command, for their gallantry and good conduct in the defence of New Orleans. Feb. 27, 1815.	249
11. Directing the manner of providing stationery, and procuring the printing for the Senate and House of Representatives. March 3, 1815.	249
12. Relative to the distribution of the laws of the United States. March 3, 1815.....	250
13. For the appointment of a joint committee to wait upon the President, and request that he recommend a day of thanksgiving to Almighty God, for restoring to these United States the blessings of peace.....	250

Acts of the Fourteenth Congress of the United States.

STATUTE I.—1815, 1816.

	Page
<i>Lease of the new Building on Capitol Hill for the Accommodation of Congress.</i> An act to authorize the President of the United States to lease, for the time therein mentioned, the new building on Capitol Hill, with the appurtenances, for the better accommodation of Congress. (Obsolete.) Dec. 8, 1815.....	251
<i>Appropriation Act.</i> An act making additional appropriations to defray the expenses of the army and militia, during the late war with Great Britain. Dec. 21, 1815.....	251
<i>Direct Taxes.</i> An act to enlarge the time for ascertaining the annual transfers and changes of property subject to the direct tax, and for other purposes. (Repealed.) Jan. 17, 1816.....	252
<i>Repeal of additional Duties on Postage.</i> An act to repeal so much of an act; passed on the twenty-third day of December, one thousand eight hundred and fourteen, as imposes additional duties on postage. Feb. 1, 1816.....	252
<i>Duties on Bank Notes and refined Sugar.</i> An act continuing in force certain acts, laying duties on bank notes, refined sugars, and for other purposes. (Repealed.) Feb. 1, 1816.....	253
<i>Duties on imported Merchandise.</i> An act to continue in force the act entitled "An act for imposing additional duties upon all goods, wares, and merchandise, imported from any foreign port or place, and for other purposes." (Repealed.) Feb. 5, 1816....	253
<i>Fisheries of the United States.</i> An act to continue in force an act entitled "An act laying a duty on imported salt, granting a bounty on pickled fish exported, and allowances to certain vessels employed in the fisheries." Feb. 9, 1816.....	254
<i>Courts in the State of New York.</i> An act concerning certain courts of the United States in the State of New York. Feb. 16, 1816.....	254
<i>Repeal of Duties on certain Articles of Domestic Manufacture.</i> An act to repeal the duties on certain articles manufactured within the United States. (Obsolete.) Feb. 22, 1816.....	254
<i>Rewards to the Officers and Crew of the Sloop of War Hornet.</i> An act rewarding the officers and crew of the sloop of war Hornet, for the capture and destruction of the British sloop of war Penguin. Feb. 28, 1816.....	254
<i>Duties on Tonnage or Impost on British Vessels and Articles imported therein.</i> An act concerning the convention to regulate the commerce between the territories of the United States and his Britannic majesty. (Obsolete.) March 1, 1816.....	255
<i>Direct Taxes.</i> An act to reduce the amount of direct tax upon the United States and the District of Columbia, for the year one thousand eight hundred and sixteen; and to repeal in part the act entitled "An act to provide additional revenue 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;" and also the act entitled "An act to provide additional revenue for defraying the expenses of government and maintaining the public credit, by laying a direct tax upon the District of Columbia." (Repealed.) March 5, 1816.....	255
<i>Canadian Volunteers.</i> An act granting bounties in land and extra pay to certain Canadian volunteers. March 5, 1816.....	256
<i>Appropriations for Ordnance and Ordnance Stores.</i> An act making appropriations for ordnance and ordnance stores, for the year one thousand eight hundred and sixteen. (Obsolete.) March 18, 1816.....	257
<i>Compensation to the Members of Congress.</i> An act to change the mode of compensation to the members of the Senate and House of Representatives, and the delegates from territories. March 19, 1816.....	257
<i>Circuit and District Courts in Vermont.</i> An act to alter the times of holding the Circuit and District Courts of the United States for the district of Vermont. March 22, 1816..	258
<i>Naturalization.</i> An act relative to evidence in cases of naturalization. March 22, 1816..	258
<i>Public Documents.</i> An act authorizing a subscription for the printing of the second edition of the public documents. (Obsolete.) March 25, 1816.....	259

LIST OF THE PUBLIC ACTS OF CONGRESS.

xiii

	Page
<i>Settlers on the Public Lands.</i> An act relating to settlers on the lands of the United States. (Expired.) March 25, 1816.....	260
<i>Courts in the District of Columbia.</i> An act to limit the right of appeal from the Circuit Court of the United States for the District of Columbia. April 2, 1816.....	261
<i>Payment for Property lost, destroyed, or captured by the Enemy.</i> An act to authorize the payment for property lost, captured, or destroyed by the enemy, while in the military service of the United States, and for other purposes. (Obsolete.) April 9, 1816..	261
<i>Repeal of the Duties on Household Furniture and Watches.</i> An act to repeal the act entitled "An act to provide additional revenues for defraying the expenses of government and maintaining the public credit, by laying duties on household furniture and on gold and silver watches." April 9, 1816.....	264
<i>Post-office.</i> An act in addition to an act to regulate the post-office establishment. (Repealed.) April 9, 1816.....	264
<i>Incorporation of the Bank of the United States.</i> An act to incorporate the subscribers of the Bank of the United States. (Expired.) April 10, 1816.....	266
<i>Appropriations for the Support of Government in 1816.</i> An act making appropriations for the support of government for the year one thousand eight hundred and sixteen. (Obsolete.) April 16, 1816.....	277
<i>Library of Congress.</i> An act providing for the settlement of certain accounts against the library of Congress, for extending the privileges of using the books therein, and for establishing the salary of the librarian. (Obsolete.) April 16, 1816.....	283
<i>Roads in the District of Columbia.</i> An act supplementary to an act entitled "An act to incorporate a company for making certain turnpike roads within the District of Columbia." April 16, 1816.....	284
<i>Military Land Warrants.</i> An act further extending the time for issuing and locating military land warrants, and for other purposes. (Expired.) April 16, 1816.....	284
<i>Public Lands in the District of Vincennes.</i> An act for the relief of certain claimants to land in the district of Vincennes. (Obsolete.) April 16, 1816.....	285
<i>Road from the Rapids of Miami of Lake Erie.</i> An act to authorize the President of the United States to alter the road laid out from the foot of the rapids of the river Miami of Lake Erie, to the western line of the Connecticut reserve. (Obsolete.) April 16, 1816.....	285
<i>Appropriations for Military Services in the late War.</i> An act making further provision for military services during the late war, and for other purposes. (Obsolete.) April 16, 1816.....	285
<i>Pensions.</i> An act in addition to an act entitled "An act in relation to the navy pension fund." April 19, 1816.....	287
<i>The People of the Territory of Indiana authorized to form a State Government.</i> An act to enable the people of Indiana 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. April 19, 1816.....	289
<i>Duties on Distilled Spirits and on Licenses to Distillers.</i> An act to abolish the existing duties on spirits distilled within the United States, and to lay other duties, in lieu of those at present imposed, on licenses to distillers of spirituous liquors. (Repealed.) April 19, 1816.....	291
<i>Indemnification of Claimants of Public Lands in the Mississippi Territory. Proceedings of the Commissioners.</i> An act further supplementary to the act entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi territory." (Obsolete.) April 20, 1816.....	294
<i>Officers of the Militia.</i> An act concerning field-officers of the militia. (Obsolete.) April 20, 1816.....	295
<i>Prize money to the Officers and Crew of the Sloop of War Wasp.</i> An act respecting the late officers and crew of the sloop of war Wasp. (Obsolete.) April 20, 1816.....	295
<i>Lease of the Saline near the Wabash River.</i> An act authorizing the President of the United States to lease the saline near the Wabash river, for a term not exceeding seven years. (Obsolete.) April 24, 1816.....	296
<i>Pensions.</i> An act to increase the pensions of invalids in certain cases, for the relief of invalids of the militia; and for the appointment of pension agents in those States where there is no commissioner of loans. April 24, 1816.....	296

	Page
<i>General Staff of the Army of the United States.</i> An act for organizing the general staff, and making further provisions for the army of the United States. (Repealed.) April 24, 1816.....	297
<i>Ports of Entry at Middletown and Plymouth.</i> An act concerning the entry of vessels at the ports of Middletown and Plymouth. (Obsolete.) April 24, 1816.....	299
<i>Appropriations for the Support of the Navy for the Year 1816.</i> An act making appropriations for the support of the navy of the United States for the year one thousand eight hundred and sixteen. (Obsolete.) April 24, 1816.....	299
<i>Circuit Courts in South Carolina and Georgia.</i> An act for the more convenient arrangement of the times and places of holding the Circuit Courts of the United States for the districts of South Carolina and Georgia. April 24, 1816.....	300
<i>Relief of Purchasers of Public Lands in the Mississippi Territory.</i> An act for the relief of certain purchasers of public lands in the Mississippi territory. April 24, 1816.....	300
<i>Bounties in Land and Extra Pay to Canadian Volunteers.</i> An act supplementary to an act entitled "An act granting bounties in lands and extra pay to certain Canadian volunteers." (Obsolete.) April 26, 1816.....	301
<i>Assent of Congress to an Act of Virginia for improving James River.</i> An act declaring the assent of Congress to an act of the General Assembly of the State of Virginia. April 26, 1816.....	301
<i>Reward of the Officers and Crew of the Constitution for the Capture of the Levant.</i> An act rewarding the officers and crew of the Constitution for the capture of the British sloop of war Levant. April 26, 1816.....	301
<i>A Port of Delivery established at the Town of the Bayou St. John.</i> An act establishing a port of delivery at the town of the Bayou St. John. April 26, 1816.....	302
<i>Direct Taxes.</i> An act supplementary to 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. (Obsolete.) April 26, 1816.....	302
<i>Compensations to Officers of the Customs.</i> An act to increase the compensations now allowed by law to inspectors, measurers, weighers, and gaugers, employed in the collection of the customs. (Obsolete.) April 26, 1816.....	306
<i>Court-house at Hamilton, Ohio.</i> An act authorizing the payment for the court-house of Hamilton, in the State of Ohio. (Obsolete.) April 26, 1816.....	306
<i>Claims to Land in the Illinois Territory.</i> An act making further provision for settling claims to land in the territory of Illinois. April 27, 1816.....	307
<i>Sale of Land at the Lower Rapids of Sandusky River.</i> An act providing for the sale of the tract of land at the lower rapids of Sandusky river. (Obsolete.) April 27, 1816..	308
<i>Salaries of Certain Officers continued.</i> An act continuing the salaries of certain officers of government. (Obsolete.) April 27, 1816.....	309
<i>Employment of the Militia.</i> An act for the payment of the militia, in the case therein mentioned. April 27, 1816.....	310
<i>Duties on Imports and Tonnage.</i> An act to regulate the duties on imports and tonnage. (Obsolete.) April 27, 1816.....	310
<i>Compensation of Collectors of Duties and Internal Taxes, &c.</i> An act to fix the commissions of the collectors of the direct tax and internal duties, and to revive and continue in force "An act further to provide for the collection of duties on imports and tonnage." April 27, 1816.....	315
<i>Repairing of Roads in Tennessee, &c.</i> An act making appropriations for repairing certain roads therein described. (Obsolete.) April 27, 1816.....	315
<i>Distribution of Prize Money among the Captors of the Algerine Vessels.</i> An act providing for the distribution of one hundred thousand dollars among the captors of the Algerine vessels captured and restored to the Dey of Algiers. (Obsolete.) April 27, 1816..	315
<i>Light-houses.</i> An act making appropriations for rebuilding light-houses, and for completing the plan of lighting them according to the improvements of Winslow Lewis, for placing beacons and buoys, for preserving Little Gull Island, and for surveying the coast of the United States. (Obsolete.) April 27, 1816.....	316
<i>Light-houses.</i> An act to authorize the building of three light-houses, viz., one on Race Point, one on Point Gammon, and one on the Island of Petite Manon, in the State of Massachusetts. (Obsolete.) April 27, 1816.....	316

	Page
<i>Sale of forfeited Lands.</i> An act to authorize the sale of lands forfeited to the United States, in the district of Jeffersonville, at the land-office in the said district. (Obsolete.) April 27, 1816.....	317
<i>Lost Military Land Warrants and Discharges for faithful Services.</i> An act providing for cases of lost military land warrants, and discharges for faithful services. (Obsolete.) April 27, 1816.....	317
<i>District Judge of the southern District of New York.</i> An act providing an additional compensation to the district judge of the southern district of New York. (Obsolete.) April 27, 1816.....	318
<i>Levy Court of Alexandria to lay a Tax for building a Jail and Court-house.</i> An act to enable the Levy Court of the county of Alexandria to lay a tax for the purpose of defraying the expense of erecting a jail and court-house. (Obsolete.) April 27, 1816...	318
<i>A Road to be made in the Illinois Territory.</i> An act to authorize the surveying and making a road in the territory of Illinois. April 27, 1816.....	318
<i>Sale of Land at the Foot of the Rapids at Miami of the Lakes.</i> An act providing for the sale of the tract of land at the British fort of the Miami of the Lakes, at the foot of the rapids, and for other purposes. (Obsolete.) April 27, 1816.....	319
<i>Annual Appropriation for arming, &c., the Militia.</i> An act concerning the annual sum appropriated for arming and equipping the militia. (Obsolete.) April 29, 1816.....	320
<i>Duties on Licenses to Retailers of Wines, &c., reduced.</i> An act for reducing the duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise. (Repealed.) April 29, 1816.....	320
<i>Navy of the United States. Provision for building Ships and Vessels of War, &c.</i> An act for the gradual increase of the navy of the United States. (Obsolete.) April 29, 1816...	321
<i>Currency of Foreign Coins regulated.</i> An act regulating the currency within the United States, of the gold coins of Great Britain, France, Portugal, and Spain, and the crowns of France and five franc pieces. (Obsolete.) April 29, 1816.....	322
<i>An Accountant of the War Department to be appointed, &c.</i> An act supplementary to an act making alterations in the Treasury and War Departments, passed the eighth day of May, 1792. (Repealed.) April 29, 1816.....	322
<i>A Land District north of Kaskaskia, Illinois Territory, established.</i> An act to establish a land district in Illinois territory, north of the district of Kaskaskia. April 29, 1816....	323
<i>Compensation of the Superintendents of the Manufactory of Arms at Springfield and Harper's Ferry increased.</i> An act to increase the compensation of the superintendents of the manufactories of arms at Springfield and Harper's Ferry. April 29, 1816.....	323
<i>The Judges of the Circuit Court and the Attorney of the District of Columbia authorized to prepare a Code of Jurisprudence.</i> An act authorizing the judges of the Circuit Court and the attorney for the District of Columbia, to prepare a code of jurisprudence for the said district. (Obsolete.) April 29, 1816.....	323
<i>Payment authorized for Prisoners captured by private armed Vessels.</i> An act authorizing payment for prisoners captured by private armed vessels. (Obsolete.) April 29, 1816.	323
<i>Compensation of the Commissioners, Clerk, and Translator of the Board for Land Claims in the Territory of Orleans.</i> An act for settling the compensation of the commissioners, clerk, and translator of the board for land claims in the eastern and western districts of the territory of Orleans, now State of Louisiana. (Obsolete.) April 29, 1816....	324
<i>Appropriations for the Improvement of the public Squares in Washington, and Appointment of a Commissioner of public Buildings.</i> An act making an appropriation for enclosing and improving the public square near the Capitol; and to abolish the office of commissioners of the public buildings, and of superintendent, and for the appointment of one commissioner for the public buildings. April 29, 1816.....	324
<i>Appointment of a Surveyor of Public Lands in the Territories of Illinois and Missouri.</i> An act to provide for the appointment of a surveyor of the public lands in the territories of Illinois and Missouri. April 29, 1816.....	325
<i>Appropriations for carrying into Effect a Treaty with the Cherokee Indians.</i> An act making appropriations for carrying into effect a treaty between the United States and the Cherokee tribe of Indians, concluded at Washington, on the twenty-second day of March, one thousand eight hundred and sixteen. April 29, 1816.....	326
<i>Sale of the Public Lands in Ohio, formerly set apart for Refugees from Canada and Nova Scotia.</i> An act providing for the sale of certain lands in the State of Ohio, formerly set apart for refugees from Canada and Nova Scotia. April 29, 1816.....	326

	Page
<i>Courts in the Illinois Territory.</i> An act supplemental to the act entitled "An act regulating and defining the duties of the judges of the territory of Illinois," and for vesting in the courts of the territory of Indiana a jurisdiction in chancery cases, arising in the said territory. (Obsolete.) April 29, 1816.....	327
<i>Territory of Missouri.</i> An act to alter certain parts of the act providing for the government of the territory of Missouri. (Obsolete.) April 29, 1816.....	328
<i>Land Claims in the State of Louisiana and Territory of Missouri.</i> An act for the confirmation of certain claims to land in the western district of the State of Louisiana, and in the territory of Missouri. (Obsolete.) April 29, 1816.....	328
<i>Appropriations for the Military Establishment.</i> An act making appropriations for the support of the military establishment for the year 1816. April 29, 1816.....	330
<i>Public Lands in Louisiana and Missouri.</i> An act concerning pre-emption rights given in the purchase of lands to certain settlers in the State of Louisiana, and the territory of Missouri and Illinois. April 29, 1816.....	330
<i>The Consent of Congress given to Acts of South Carolina and Georgia.</i> An act declaring the consent of Congress to acts of the State of South Carolina, authorizing the city council of Charleston to impose and collect a duty on the tonnage of vessels from foreign ports; and to acts of the State of Georgia, authorizing the imposition and collection of a duty on the tonnage of vessels in the port of Savannah and St. Mary's. April 29, 1816.....	331
<i>Survey of Military Bounty Lands.</i> An act to authorize the survey of two millions of acres of the public lands, in lieu of that quantity heretofore authorized to be surveyed, in the territory of Michigan, as military bounty lands. April 29, 1816.....	332
<i>Trade and Intercourse with the Indian Tribes.</i> An act supplementary to the act passed the thirtieth of March, one thousand eight hundred and two, to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers. April 29, 1816.....	332
<i>Increase of the Salary of the Register of the Treasury.</i> An act to increase the salary of the register of the treasury. April 30, 1816.....	333
<i>Compensation of the Officers of Congress.</i> An act fixing the compensation of the secretary of the Senate and clerk of the House of Representatives, and making provision for the clerks employed in their offices. (Expired.) April 30, 1816.....	334
<i>Compensation of the Chaplains of Congress.</i> An act fixing the compensation of the chaplains of Congress. April 30, 1816.....	334
<i>Post-roads.</i> An act to establish post-roads. April 30, 1816.....	334
<i>Drawback on Spirits distilled within the United States.</i> An act allowing drawback of duties on spirits distilled, and sugars refined within the United States, and for other purposes. April 30, 1816.....	338
<i>Appropriations for the Year 1816.</i> An act making further appropriations for the year one thousand eight hundred and sixteen. (Obsolete.) April 30, 1816.....	340

RESOLUTIONS.

1. Directing a copy of the documents, printed by a resolve of Congress, on the 27th of December, 1813, to be transmitted to each of the judges of the Supreme Court. Feb. 6, 1816..... 341
2. Requesting the President to present medals to Captain Stewart and the officers of the frigate Constellation. Feb. 22, 1816..... 341
3. Requesting the President to present medals to Captain James Biddle, and the officers of the sloop of war Hornet. Feb. 22, 1816..... 341
4. For printing the laws relative to naturalization. April 16, 1816..... 341
5. Requiring the Secretary of State to compile and print, once in every two years, a register of all officers and agents, civil, military, and naval, in the services of the United States. April 27, 1816..... 342
6. Authorizing the President of the United States to employ a skilful assistant in the corps of engineers. April 29, 1816..... 342
7. Relative to the more effectual collection of the public revenue. April 30, 1816..... 343

STATUTE II.—1817.

<i>Duties on Imports and Tonnage.</i> An act supplementary to an act to regulate the duties on imports and tonnage. Jan. 14, 1817.....	344
<i>Laws relating to the Public Lands.</i> An act to authorize a new edition of the collection of laws respecting the public lands. (Obsolete.) Jan. 20, 1817.....	344
<i>Appropriation for the Army in 1817.</i> An act making a partial appropriation for the subsistence of the army during the year one thousand eight hundred and seventeen. (Obsolete.) Jan. 22, 1817.....	345
<i>Compensation of the Members of Congress.</i> 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. Feb. 6, 1817.....	345
<i>The Chairman of any Standing Committee of Congress authorized to administer Oaths, &c.</i> An act to extend the provisions of the act to authorize certain officers and other persons to administer oaths, approved May third, one thousand seven hundred and ninety-eight. Feb. 8, 1817.....	345
<i>The Authority given to the President to increase the Pay of Officers, &c., of the Navy, revoked.</i> 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." (Obsolete.) Feb. 22, 1817.....	345
<i>The Public Lands, when sold, may be divided into Half Sections and Quarter Sections.</i> An act providing for the division of certain quarter sections, in future sales of the public lands. Feb. 22, 1817.....	346
<i>Parts of the Reservations of the public Grounds may be sold in Lots.</i> An act authorizing the sale of certain grounds belonging to the United States in the City of Washington. (Obsolete.) Feb. 24, 1817.....	346
<i>Entry of Vessels at the Port of New Orleans.</i> 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. (Obsolete.) March 1, 1817.....	347
<i>Reservation of Public Lands for the Supply of Timber for the Navy.</i> An act making reservation of certain public lands to supply timber for naval purposes. March 1, 1817.....	347
<i>The People of the western Part of Mississippi authorized to form a State Government.</i> An act to enable the people of the western part of 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. March 1, 1817.....	348
<i>Security to be given by Pursers in the Navy.</i> An act supplementary to an act entitled "An act concerning the naval establishment." March 1, 1817.....	350
<i>Franking Privilege given to James Madison.</i> An act freeing from postage all letters and packets to and from James Madison. (Obsolete.) March 1, 1817.....	350
<i>Ransom of American Captives.</i> An act relating to the ransom of American captives of the late war. (Obsolete.) March 1, 1817.....	350
<i>Commissions of Bail.</i> 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." March 1, 1817.....	350
<i>Regulation of Importations into the United States.</i> An act concerning the navigation of the United States. March 1, 1817.....	351
<i>Appropriations for the Support of Government in 1817.</i> An act making appropriations for the support of government for the year one thousand eight hundred and seventeen. (Obsolete.) March 3, 1817.....	352
<i>Prisoners of War. Repeal of the Act of 1812.</i> 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. (Obsolete.) March 3, 1817.....	358
<i>Appropriation for the Military Establishment in 1817.</i> An act making provision for the support of the military establishment for the year one thousand eight hundred and seventeen. (Obsolete.) March 3, 1817.....	359
<i>Payment to Georgia equal to the Amount of certain Mississippi Stock.</i> 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. (Obsolete.) March 3, 1817.....	359

<i>A Light-house in Massachusetts.</i> An act for erecting a light-house on the west chop of Holmes's Hole Harbour, in the State of Massachusetts. March 3, 1817.....	360
<i>Duties of Commissioners of Loans transferred to the Bank of the United States.</i> An act transferring the duties of commissioner of loans to the Bank of the United States, and abolishing the office of commissioner of loans. March 3, 1817.....	360
<i>Trade in Plaster of Paris.</i> An act to regulate the trade in plaster of Paris. (Obsolete.) March 3, 1817.....	361
<i>The Papers of Foreign Vessels to be deposited with the Consuls of their respective Nations.</i> An act authorizing the deposit of the papers of foreign vessels with the consul of their respective nations. March 3, 1817.....	362
<i>Furnishing the House of the President of the United States.</i> An act to provide for furnishing the house of the President of the United States. (Obsolete.) March 3, 1817.....	362
<i>Regulation of the Election of Delegates from the Territories.</i> An act further to regulate the territories of the United States, and their electing delegates to Congress. March 3, 1817.....	363
<i>Trading Houses with the Indians.</i> An act to continue in force an act entitled "An act for establishing trading houses with the Indian tribes." March 3, 1817.....	363
<i>Post-roads.</i> An act to alter and establish certain post-roads. (Obsolete.) March 3, 1817.	363
<i>Provisions for the prompt Settlement of public Accounts.</i> An act to provide for the prompt settlement of public accounts. March 3, 1817.....	366
<i>Compensation to certain Collectors of the Customs.</i> An act respecting the compensation of the collectors therein mentioned. (Obsolete.) March 3, 1817.....	368
<i>Additional Tonnage Duty on certain Foreign Vessels.</i> 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." (Obsolete.) March 3, 1817.....	369
<i>Regulation of the Calculation of ad valorem Duties.</i> An act supplementary to "An act to regulate the duties on imports and tonnage." (Obsolete.) March 3, 1817.....	369
<i>Pensions.</i> 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. (Obsolete.) March 3, 1817.....	369
<i>Remission of the Duties on certain Stills.</i> An act authorizing the Secretary of the Treasury to remit the duties therein mentioned. (Obsolete.) March 3, 1817.....	369
<i>Direct Taxes. Payment to be made to the State of Georgia.</i> 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. (Obsolete.) March 3, 1817.....	370
<i>Prohibition of fitting out Vessels to be employed against Nations with whom the United States are friendly.</i> An act more effectually to preserve the neutral relations of the United States. (Repealed.) March 3, 1817.....	370
<i>A Territory established in the eastern Part of Mississippi.</i> An act to establish a separate territorial government for the eastern part of the Mississippi territory. (Obsolete.) March 3, 1817.....	371
<i>Pensions.</i> 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.....	373
<i>Lands set apart for the Cultivation of the Vine and the Olive.</i> An act to set apart and dispose of certain public lands, for the encouragement of the cultivation of the vine and olive. March 3, 1817.....	374
<i>Public Lands.</i> 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. March 3, 1817.....	375
<i>Reports of the Decisions of the Supreme Court.</i> An act to provide for reports of the decisions of the Supreme Court. March 3, 1817.....	376
<i>Peace Establishment of the Marine Corps.</i> An act to fix the peace establishment of the marine corps. (Obsolete.) March 3, 1817.....	376
<i>A Road to be opened from Reynoldsburg to the Chickasaw old Town.</i> An act making an appropriation for opening and cutting out a road therein described. (Obsolete.) March 3, 1817.....	377

	Page
<i>Alien Duties to be repaid on certain British Vessels.</i> An act to authorize the Secretary of the Treasury to cause repayments to be made of certain alien duties. (Obsolete.) March 3, 1817.....	377
<i>Repeal of Act relating to the Issuing of Treasury Notes.</i> An act to repeal so much of any acts now in force as authorizes a sum of money, or an issue of treasury notes. (Obsolete.) March 3, 1817.....	377
<i>Appropriations for the Expenses of the Army and Militia during the Late War.</i> An act making additional appropriations to defray the expenses of the army and militia during the late war with Great Britain. (Obsolete.) March 3, 1817.....	378
<i>Redemption of the Public Debt.</i> An act to provide for the redemption of the public debt. (Obsolete.) March 3, 1817.....	379
<i>Public Lands.</i> An act making provisions 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. March 3, 1817.....	380
<i>Appropriations for the Support of the Navy in 1817.</i> An act making appropriations for the support of the navy of the United States, for the year one thousand eight hundred and seventeen. (Obsolete.) March 3, 1817.....	382
<i>Indians or others committing Crimes in Indian Territories, &c.</i> An act to provide for the punishment of crimes and offences committed within the Indian boundaries. March 3, 1817.....	383
<i>Incorporation of certain Banks in the District of Columbia.</i> 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. March 3, 1817.....	383
<i>Repairs of public Buildings.</i> An act making further provision for repairing the public buildings and improving the public square. (Obsolete.) March 3, 1817.....	389
<i>The President restrained from making Transfers of Appropriations.</i> 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." March 3, 1817.....	390
<i>Further Time allowed for Entries of Donation Right in the District of Detroit.</i> An act allowing further time for entering donation rights to lands in the district of Detroit. March 3, 1817.....	390
<i>Laws of the United States in Force in Indiana.</i> An act to provide for the due execution of the laws of the United States within the State of Indiana. March 3, 1817.....	390
<i>Columbia Turnpike Company.</i> An act to authorize the extension of the Columbia turnpike road within the District of Columbia. March 3, 1817.....	391
<i>Courts of the United States in New York.</i> An act respecting the District Court of the United States in the northern district of New York. (Expired.) March 3, 1817.....	392
<i>Direct Taxes.</i> An act respecting the assessment and collection of the direct tax. (Obsolete.) March 3, 1817.....	392
<i>Appropriations for Indian Treaties.</i> An act making appropriations for carrying into effect certain Indian treaties, and for other purposes. March 3, 1817.....	393
<i>Public Lands.</i> An act to continue in force an act entitled "An act relating to settlers on lands of the United States." (Expired.) March 3, 1817.....	393
<i>Canadian Volunteers.</i> 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. (Expired.) March 3, 1817.....	393
<i>Pensions.</i> An act to amend an act entitled "An act making further provision for military services during the late war, and for other purposes." (Obsolete.) March 3, 1817.....	394
<i>Money paid into the Courts of the United States. The branch banks of the United States.</i> An act supplementary to the act entitled "An act directing the disposition of money paid into the courts of the United States." March 3, 1817.....	395
<i>Suits in State Courts against Collectors to be removed to Circuit Courts of the United States. Regulations as to Steamboats, Deputies of Collectors.</i> 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. March 3, 1817.....	396

	Page
<i>Payment of Property lost during the War with Great Britain.</i> 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.....	397
<i>Publication of the Public Documents.</i> An act authorizing a subscription for the printing of the tenth volume of the public documents. March 3, 1817.....	398
<i>General Staff of the Governor of the Illinois Territory to be paid.</i> An act for the relief of certain officers. March 3, 1817.....	399
<i>Relief of Persons imprisoned for Debt.</i> An act supplementary to "An act for the relief of persons imprisoned for debts due the United States." March 3, 1817.....	399

RESOLUTIONS.

1. For admitting the State of Indiana into the Union. Dec. 11, 1816.....	399
2. To employ John Trumbull to compose and execute certain paintings. Feb. 6, 1817...	400
3. Respecting contracts for the printing of Congress. March 3, 1817.....	400

 Acts of the Fifteenth Congress of the United States.

STATUTE I.—1817, 1818.

<i>Internal Duties abolished.</i> An act to abolish internal duties. Dec. 23, 1817.....	401
<i>The Mint to be continued in Philadelphia.</i> An act further to prolong the continuance of the mint at Philadelphia. Jan. 14, 1818.....	403
<i>Compensation of Members of Congress.</i> An act allowing compensation to the members of the Senate, members of the House of Representatives of the United States, and the delegates of the territories, and repealing all other laws on that subject. Jan. 22, 1818.....	404
<i>Repairs of public Buildings.</i> An act making further provision for repairing the public buildings. (Obsolete.) Jan. 27, 1818.....	405
<i>Drawbacks on Goods from Bristol to Boston and from Boston to Bristol.</i> An act to allow the benefit of drawback on merchandise transported by land conveyance from Bristol to Boston, and from Boston to Bristol, in like manner as if the same were transported coastwise. Feb. 6, 1818.....	405
<i>Appropriations for the Military Establishment.</i> An act making appropriations for the payment of the arrearages which have been incurred for the support of the military establishment previous to the first of January, one thousand eight hundred and seventeen. (Obsolete.) Feb. 16, 1818.....	405
<i>Additional Land-offices in Missouri.</i> An act making provision for the establishment of additional land-offices in the territory of Missouri. Feb. 17, 1818.....	406
<i>Appropriations for the Military Service for the year 1818.</i> An act making appropriations for the military service of the United States for the year one thousand eight hundred and eighteen. (Obsolete.) Feb. 19, 1818.....	407
<i>District of Brunswick in Georgia.</i> An act concerning the district of Brunswick, in the State of Georgia. March 9, 1818.....	408
<i>Extension of the Time for issuing and locating Military Land Warrants.</i> An act supplementary to the act entitled "An act further extending the time for issuing and locating military land warrants, and for other purposes." (Expired.) March 9, 1818.....	408
<i>Sale of Lands in the Districts of Marietta and Vincennes.</i> An act providing for the sale of certain lands in the district of Marietta, and for the location of claims and sales of certain lands in the district of Vincennes. (Obsolete.) March 18, 1818.....	409
<i>Pensions.</i> An act to provide for certain persons engaged in the land and naval service of the United States, in the revolutionary war. March 18, 1818.....	410

	Page
<i>Appropriations for the Support of the Navy in 1818.</i> An act making appropriations for the support of the navy of the United States, for the year one thousand eight hundred and eighteen. (Obsolete.) March 18, 1818.....	411
<i>District Court in Virginia.</i> An act for altering the time for holding the District Court for the district of Virginia. March 19, 1818.....	411
<i>Military Land Warrants.</i> An act extending the time for obtaining military land warrants in certain cases. (Obsolete.) March 27, 1818.....	411
<i>Appropriations for Roads in Georgia, Alabama, and Mississippi.</i> An act in addition to "An act making appropriations for repairing certain roads therein described." (Obsolete.) March 27, 1818.....	412
<i>Addition to the Salary of Clerks in Illinois and Missouri.</i> An act allowing additional salary and clerk hire to the surveyor for the Illinois and Missouri territories, and for other purposes. (Obsolete.) April 3, 1818.....	412
<i>Execution of the Laws in the State of Mississippi.</i> An act to provide for the due execution of the laws of the United States within the State of Mississippi. April 3, 1818.....	413
<i>District Court in the District of Maine.</i> An act altering the time for holding a session of the District Court in the district of Maine. April 3, 1818.....	413
<i>Courts in the State of New York.</i> An act respecting the courts of the United States within the State of New York. April 3, 1818.....	413
<i>Erection of Public Buildings in the District of Columbia.</i> An act to provide for the erection of a Court House, Jail, and public Offices within the county of Alexandria, in the District of Columbia. April 3, 1818.....	415
<i>Flag of the United States.</i> An act to establish the flag of the United States. April 4, 1818.	415
<i>Lands in Tennessee.</i> An act supplementary to the act entitled "An act to authorize the State of Tennessee to issue grants and perfect titles to certain lands therein described, and to settle the claims to the vacant and unappropriated land within the same," passed the eighteenth of April, one thousand eight hundred and six. April 4, 1818.	416
<i>Assent to an Act of North Carolina.</i> An act declaring the assent of Congress to an act of the State of N. Carolina, for the relief of sick and disabled American seamen. April 4, 1818.	417
<i>Bounty and Allowance to fishing Vessels.</i> An act concerning the bounty or allowance to fishing vessels in certain cases. April 4, 1818.....	417
<i>Fees to Notaries in the District of Columbia.</i> An act to regulate the fees of public notaries in the county of Washington, in the District of Columbia. April 4, 1818.....	417
<i>Limitation of Claims to Lands in New Madrid, Missouri Territory.</i> An act limiting the time for claims being produced for lands authorized to be granted to the inhabitants of New Madrid. (Obsolete.) April 9, 1818.....	417
<i>Purchases of Lands in the Territory of Alabama.</i> An act concerning the territory of Alabama. (Obsolete.) April 9, 1818.....	417
<i>Appropriations for the Support of Government in 1818.</i> An act making appropriation for the support of government for the year one thousand eight hundred and eighteen. (Obsolete.) April 9, 1818.....	418
<i>Virginia Military Land Warrants.</i> An act to extend the time for locating Virginia military land warrants, and returning surveys thereon to the general land-office, and for designating the western boundary line of the Virginia military tract. (Expired.) April 11, 1818.....	423
<i>Three per Cent. of the Public Lands in Indiana to be paid to the State.</i> An act to provide for paying to the State of Indiana three per cent. of the net proceeds arising from the sales of the United States lands within the same. April 11, 1818.....	424
<i>The District of Erie to be called the District of Cuyahoga.</i> An act to change the name of the district of Erie, in the State of Ohio. April 11, 1818.....	425
<i>Payment of Interest on certain Certificates to be paid.</i> An act to authorize the payment of certain certificates. April 13, 1818.....	425
<i>Survey of the Coast of the United States.</i> An act to repeal part of the act entitled "An act to provide for surveying the coast of the United States." April 14, 1818.....	425
<i>Cumberland Road.</i> An act making further appropriations for the construction of the Cumberland road. (Obsolete.) April 14, 1818.....	426
<i>Officers of the General Staff of the Army of the United States.</i> An act regulating the staff of the army. April 14, 1818.....	426

	Page
<i>Brevet Officers—Their Pay and Emoluments.</i> An act regulating the pay and emoluments of brevet officers. April 16, 1818.....	427
<i>Pensions.</i> An act in addition to "An act giving pensions to the orphans and widows of persons slain in the public or private armed vessels of the United States." April 16, 1818.....	427
<i>Indian Agents, &c.</i> An act directing the manner of appointing Indian agents, and continuing the "Act for establishing trading houses with the Indian tribes." April 16, 1818.....	428
<i>Providing for the Constitution and Government of the State of Illinois.</i> An act to enable the people of Illinois 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. April 18, 1818.....	428
<i>A Port of Delivery at the Mouth of Slade's Creek, North Carolina, established.</i> An act to abolish the port of delivery established at the mouth of Slade's creek, in the State of North Carolina. April 18, 1818.....	431
<i>Compensations of the Officers of Congress.</i> An act fixing the compensations of the secretary of the Senate and clerk of the House of Representatives, of the clerks employed in their offices, and of the librarian. April 18, 1818.....	431
<i>Regulation of Commerce with British Ports.</i> An act concerning navigation. April 18, 1818..	432
<i>Meeting of Congress.</i> An act fixing the time for the next meeting of Congress. April 18, 1818.....	433
<i>Suspending the Forfeitures of Public Lands for Non-Payment of the Purchase Money.</i> An act to suspend, for a limited time, the sale or forfeiture of lands for failure in completing the payment thereon. (Obsolete.) April 18, 1818.....	433
<i>Ports of Delivery on Lake Ontario and at the Head of the River St. Lawrence.</i> An act to establish a port of entry and delivery at Cape Vincent, at the fork of Lake Ontario, and the head of the river St. Lawrence. April 18, 1818.....	433
<i>Regulating the Duties on imported Goods, &c.</i> An act supplementary to an act entitled "An act to regulate the collection of duties on imports and tonnage," passed the second day of March, one thousand seven hundred and ninety-nine. April 20, 1818.....	433
<i>Publication of the Laws of the United States, &c.</i> An act to provide for the publication of the laws of the United States, and for other purposes. April 20, 1818.....	439
<i>Additional Buildings to be erected for the Accommodation of the several Executive Departments.</i> An act to provide for erecting additional buildings for the accommodation of the several Executive Departments. April 20, 1818.....	441
<i>Direct Taxes and Internal Duties.</i> An act supplementary to the several acts relative to direct taxes and internal duties. April 20, 1818.....	441
<i>Militia, their Expenses to be paid, &c.</i> An act to defray the expenses of the militia when marching to places of rendezvous. April 20, 1818.....	444
<i>Relief of Volunteer mounted Cavalry.</i> An act for the relief of volunteer mounted cavalry. April 20, 1818.....	444
<i>Compensation of Clerks in the Departments of the Government.</i> An act to regulate and fix the compensation of the clerks in the different offices. April 20, 1818.....	445
<i>Breaches of the Neutrality of the United States punished.</i> An act in addition to the "Act for the punishment of certain crimes against the United States," and to repeal the acts therein mentioned. April 20, 1818.....	447
<i>Settlers on Lands of the United States.</i> An act to continue in force an act entitled "An act relating to settlers on lands of the United States." April 20, 1818.....	450
<i>Slave Trade.</i> An act in addition to "An act to prohibit the introduction (importation) of slaves into any port or place within the jurisdiction of the United States, from and after the first day of January, in the year of our Lord one thousand eight hundred and eight," and to repeal certain parts of the same. April 20, 1818.....	450
<i>Post-roads.</i> An act to establish and alter certain post-roads. April 20, 1818.....	453
<i>Salaries of the Judges of the Circuit Court of the District of Columbia.</i> An act to increase the salaries of the judges of the Circuit Court for the District of Columbia. April 20, 1818.....	457
<i>Appropriation for the Public Buildings.</i> An act making appropriation for the public buildings, and for furnishing the capitol and President's house. (Obsolete.) April 20, 1818..	458

	Page
<i>Duties on certain manufactured Articles increased.</i> An act to increase the duties on certain manufactured articles imported into the United States. (Obsolete.) April 20, 1818.	458
<i>Pay of the Militia in the Service of the United States.</i> An act to increase the pay of the militia while in actual service, and for other purposes. April 20, 1818.	459
<i>Army of the United States.</i> An act respecting the organization of the army, and for other purposes. April 20, 1818.	460
<i>Duties on Iron Bars, &c.</i> An act to increase the duties on iron bars and bolts, iron in pigs, castings, nails, and alum. (Obsolete.) April 20, 1818.	460
<i>Indian Agents.</i> An act fixing the compensation of Indian agents and factors. April 20, 1818.	461
<i>Duties on Imports and Tonnage.</i> An act to continue in force, from and after the thirtieth of June, one thousand eight hundred and nineteen, until the thirtieth of June, one thousand eight hundred and twenty-six, the fourth paragraph of the first section of the act entitled "An act to regulate the duties on imports and tonnage. (Obsolete.) April 20, 1818.	461
<i>The State of Pennsylvania divided into two judicial Districts.</i> An act to divide the State of Pennsylvania into two judicial districts. April 20, 1818.	462
<i>Appropriation for the Year 1818.</i> An act supplementary to the several acts making appropriations for the year one thousand eight hundred and eighteen. (Obsolete.) April 20, 1818.	463
<i>Discriminating Duties.</i> An act concerning tonnage and discriminating duties in certain cases. April 20, 1818.	464
<i>Statistical Annals of Seybert and Commercial Statistics of Pitkin.</i> An act authorizing a subscription for the Statistical Annals of Adam Seybert, and the purchase of Pitkin's Commercial Statistics. (Obsolete.) April 20, 1818.	464
<i>Bath and Belfast Ports of Entry.</i> An act making the port of Bath, in Massachusetts, a port of entry for ships or vessels arriving from the Cape of Good Hope, and from places beyond the same; and for establishing a collection district, whereof Belfast shall be the port of entry. April 20, 1818.	464
<i>Remission or Repayment of Duties on certain British Vessels.</i> An act to authorize the Secretary of the Treasury to repay or remit certain alien duties therein described. (Obsolete.) April 20, 1818.	465
<i>Sale of Lots of Ground in Mobile.</i> An act authorizing the disposal of certain lots of ground in the city of New Orleans, and town of Mobile. (Obsolete.) April 20, 1818.	465
<i>Compensation of Receivers and Registers of the Land-office.</i> An act for changing the compensation of receivers and registers of the land-office. April 20, 1818.	466
<i>Claims for Property lost, captured, or destroyed by the Enemy, transferred to the Third Auditor.</i> An act for transferring the claims in the office of the commissioner to the third auditor of the Treasury Department. April 20, 1818.	466
<i>Sale of Public Lands in the Alabama Territory.</i> An act respecting the surveying and sale of the public lands in the Alabama territory. April 20, 1818.	466
<i>Alabama Territory.</i> An act to alter and amend an act, approved the third day of March, one thousand eight hundred and seventeen, entitled "An act to establish a separate territorial government for the eastern part of the Mississippi territory." (Obsolete.) April 20, 1818.	468
<i>Sale of Lots in Vincennes, &c.</i> An act to adjust the claims to lots in the town of Vincennes, and for the sale of the land appropriated as a common for the use of the inhabitants of the said town. (Obsolete.) April 20, 1818.	468
<i>Wines and distilled Spirits may be deposited in public Warehouses.</i> An act providing for the deposit of wine and distilled spirits in public warehouses, and for other purposes. (Obsolete.) April 20, 1818.	469
<i>Occupation of Florida.</i> Resolution relative to the occupation of Florida by the United States. (Obsolete.) Jan. 15, 1811.	471
<i>The President authorized to take Possession of a Part of Florida.</i> An act to enable the President of the United States, under certain contingencies, to take possession of the country lying east of the river Perdido, and south of the State of Georgia and the Mississippi territory, and for other purposes. (Obsolete.) Jan. 15, 1811.	471
<i>Occupation of Florida.</i> An act concerning an act to enable the President of the United States, under certain contingencies, to take possession of the country lying east of the river Perdido, and south of the State of Georgia and the Mississippi territory, and for other purposes, and the declaration accompanying the same. (Obsolete.) March 3, 1811.	472

	Page
<i>Occupation of Florida.</i> An act authorizing the President of the United States to take possession of a tract of country lying south of the Mississippi territory and west of the river Perdido. (Obsolete.) Feb. 12, 1812.....	472

RESOLUTIONS.

1. For the admission of the State of Mississippi into the Union. Dec. 10, 1817.....	472
2. Authorizing the distribution of certain public documents. Dec. 23, 1817.....	473
3. Directing the distribution of certain laws among the members and delegates of territories of the fifteenth Congress. (Obsolete.) Dec. 23, 1817.....	473
4. Directing the procurement of certain laws. (Obsolete.) Jan. 22, 1818.....	473
5. Relative to the distribution of the late edition of the Land Laws. (Obsolete.) March 9, 1818.....	473
6. Directing the judges of the Supreme Court to be furnished with Waits' state papers. (Obsolete.) March 18, 1818.....	474
7. Authorizing the transportation of certain documents free of postage. (Obsolete.) March 19, 1818.....	474
8. Directing the publication and distribution of the journal and proceedings of the convention which formed the present constitution of the United States. (Obsolete.)..	475
9. Directing the distribution of the laws of the fourteenth Congress among the members of the fifteenth Congress. (Obsolete.) March 27, 1818.....	475
10. Directing the Secretary for the Department of State to prepare an index to the acts and resolutions of Congress, after the close of every session. April 3, 1818.....	475
11. Requesting the President of the United States to present a sword to Colonel Richard M. Johnson. April 4, 1818.....	476
12. Directing medals to be struck and, together with the thanks of Congress, presented to Major-General Harrison and Governor Shelby, and for other purposes.....	476
13. Directing the completion of the survey of the waters of the Chesapeake Bay, and for other purposes. April 20, 1818.....	476

STATUTE II.—1818, 1819.

<i>Library of Congress.</i> An act to provide for the removal of the library of Congress to the north wing of the capitol. (Obsolete.) Dec. 3, 1818.....	477
<i>Clerks in the Department of War.</i> An act to increase the number of clerks in the Department of War. (Obsolete.) Dec. 5, 1818.....	477
<i>Appropriations for 1819 and for holding Indian Treaties.</i> An act making a partial appropriation for the military service of the United States, for the year one thousand eight hundred and nineteen, and to make good a deficit in the appropriation for holding treaties with the Indians. (Obsolete.) Dec. 16, 1818.....	478
<i>Western District Court of Pennsylvania.</i> An act concerning the western District Court of Pennsylvania. Dec. 16, 1818.....	478
<i>A judicial District in western Virginia established.</i> An act to establish a judicial district in Virginia, west of the Alleghany mountains. Feb. 4, 1819.....	478
<i>Lost or destroyed Treasury Notes.</i> An act to authorize the payment, in certain cases, on account of treasury notes which have been lost and destroyed. (Obsolete.) Feb. 4, 1819.....	479
<i>Prize Money for the Capture of the Brig Transfer.</i> An act authorizing the distribution of a sum of money among the representatives of Commodore Edward Preble, and the officers and crew of the brig Syren. (Obsolete.) Feb. 4, 1819.....	480
<i>Appropriations for the Military Service for 1819.</i> An act making appropriations for the military service of the United States for the year one thousand eight hundred and nineteen. (Obsolete.) Feb. 15, 1819.....	480
<i>Jurisdiction of the Circuit Courts under the Law relating to Patents.</i> An act to extend the jurisdiction of the Circuit Courts of the United States to cases arising under the law relating to patents. Feb. 15, 1819.....	481

	Page
<i>Washington Turnpike Road.</i> An act to authorize the president and managers of the Rockville and Washington Turnpike Road Company, of the State of Maryland, to extend and make their turnpike road to or from the boundary of the city of Washington, in the District of Columbia, through the said district, to the line thereof. Feb. 15, 1819.....	482
<i>Michigan Territory. A Delegate to Congress, &c.</i> An act authorizing the election of a delegate from the Michigan territory to the Congress of the United States, and extending the right of suffrage to the citizens of said territory. Feb. 16, 1819.....	482
<i>Appropriations for the Support of the Navy for 1819.</i> An act making appropriations for the support of the navy of the United States for the year one thousand eight hundred and nineteen. (Obsolete.) Feb. 16, 1819.....	483
<i>Salaries of the Secretaries of the Departments and Judges of the Supreme Court increased.</i> An act to increase the salaries of certain officers of government. Feb. 20, 1819.....	484
<i>Public Lands. Lands of the Creek Nation.</i> An act authorizing the President of the United States to purchase the lands reserved by the act of the third of March, one thousand eight hundred and seventeen, to certain chiefs, warriors, and other Indians of the Creek Nation. Feb. 20, 1819.....	484
<i>Grant of land to the State of Mississippi.</i> An act to provide for a grant of land for the seat of government in the State of Mississippi, and for the support of a seminary of learning within the State. (Obsolete.) Feb. 20, 1819.....	485
<i>Charter of the City of Washington.</i> An act supplemental to the act entitled "An act further to amend the charter of the city of Washington." (Obsolete.) Feb. 20, 1819.....	485
<i>Drawbacks.</i> An act providing additional penalties for false entries for the benefit of drawback, or bounty on exportation. Feb. 20, 1819.....	486
<i>Military Land Warrants.</i> An act allowing further time to complete the issuing and locating of military land warrants. (Obsolete.) Feb. 24, 1819.....	487
<i>Public Accounts.</i> An act supplementary to the act entitled "An act to provide for the prompt settlement of public accounts." Feb. 24, 1819.....	487
<i>Army of the United States.</i> An act to regulate the pay of the army when employed on fatigue duties. (Obsolete.) March 2, 1819.....	488
<i>Passenger Ships and Vessels.</i> An act regulating passenger ships and vessels. March 2, 1819.....	488
<i>State of Alabama.</i> An act to enable the people of the Alabama 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. March 2, 1819.....	489
<i>Coasting Trade.</i> An act supplementary to the acts concerning the coasting trade. March 2, 1819.....	492
<i>Arkansas Territory.</i> An act establishing a separate territorial government in the southern part of the territory of Missouri. March 2, 1819.....	493
<i>Post-office.</i> An act authorizing the Postmaster-general to contract, as in other cases, for carrying the mail in steamboats, between New Orleans, in the State of Louisiana, and Louisville, in the State of Kentucky. March 2, 1819.....	496
<i>Appropriations for the Support of Government for 1819.</i> An act making appropriations for the support of government for the year one thousand eight hundred and nineteen. (Obsolete.) March 3, 1819.....	496
<i>Pensions.</i> An act extending the term of half-pay pensions to the widows and children of certain officers, seamen, and marines, who died in the public service. March 3, 1819.....	502
<i>Execution of the Laws of the United States in the State of Illinois.</i> An act to provide for the execution of the laws of the United States within the State of Illinois. March 3, 1819.....	502
<i>Washington Turnpike Company.</i> An act supplementary to the act entitled "An act to authorize and empower the president and managers of the Washington Turnpike Company of the State of Maryland, when organized, to extend and make their turnpike road to or from Georgetown, in the District of Columbia, through the said district, to the line thereof." March 3, 1819.....	503
<i>Post-roads.</i> An act to alter and establish certain post-roads. March 3, 1819.....	503

	Page
<i>Bank of the United States.</i> An act to enforce those provisions of the act entitled "An act to incorporate the subscribers to the Bank of the United States," which relate to the right of voting for directors, and other purposes. (Obsolete.) March 3, 1819.	508
<i>Public Lands.</i> An act further to suspend, for a limited time, the sale or forfeiture of lands for failure in completing the payment thereon. (Expired.) March 3, 1819.....	509
<i>Tonnage and discriminating Duties.</i> An act in addition to "An act concerning tonnage and discriminating duties in certain cases." March 3, 1819.....	510
<i>The public armed Vessels to be employed for Protection against Piracy, &c.</i> An act to protect the commerce of the United States, and to punish the crime of piracy. March 3, 1819.	510
<i>Trading Houses with the Indians.</i> An act to continue in force, for a further term, the act entitled "An act for establishing trading houses with the Indian tribes," and for other purposes. (Expired.) March 3, 1819.....	514
<i>Pensions.</i> An act regulating the payments to invalid pensioners. March 3, 1819.....	514
<i>Duties on Wines.</i> An act to regulate the duties on certain wines. (Obsolete.) March 3, 1819.....	515
<i>State of Indiana.</i> An act respecting the location of certain sections of land to be granted for the seat of government in the State of Indiana. (Obsolete.) March 3, 1819...	516
<i>Appropriations for the public Buildings, and for a Supply of Water.</i> An act making appropriations for the public buildings, for the purchase of a lot of land, and furnishing a supply of water for the use of certain public buildings. March 3, 1819.....	516
<i>Indian Tribes.</i> An act making provision for the civilization of the Indian tribes adjoining the frontier settlements. March 3, 1819.....	516
<i>Adjustment of Land Titles in Missouri.</i> An act explanatory of the act entitled "An act for the final adjustment of land titles in the State of Louisiana and territory of Missouri." March 3, 1819.....	517
<i>Appropriations to carry into Effect certain Indian Treaties.</i> An act making appropriations to carry into effect treaties concluding with several Indian tribes therein mentioned. (Obsolete.) March 3, 1819.....	517
<i>Sale of Military Sites.</i> An act authorizing the sale of certain military sites. (Obsolete.) March 3, 1819.....	520
<i>Fisheries of the United States.</i> An act in addition to, and alteration of, an act entitled "An act laying a duty on imported salt, granting a bounty on pickled fish exported, and allowances to certain vessels employed in the fisheries." March 3, 1819.....	520
<i>Land in Jefferson County, Virginia.</i> An act to authorize the Secretary of War to convey a lot or parcel of land, belonging to the United States, lying in Jefferson county, in the State of Virginia. (Obsolete.) March 3, 1819.....	521
<i>Pension Agent in Tennessee.</i> An act to authorize the Secretary of War to appoint an additional agent for paying pensioners of the United States, in the State of Tennessee. March 3, 1819.....	521
<i>Public Lands in Ohio and Indiana.</i> An act to designate the boundaries of districts, and establish land-offices for the disposal of the public lands not heretofore offered for sale in the States of Ohio and Indiana. March 3, 1819.....	521
<i>Territory of Florida.</i> An act to authorize the President of the United States to take possession of East and West Florida, and establish a temporary government therein. March 3, 1819.....	523
<i>Pensions.</i> An act concerning the allowance of pensions upon a relinquishment of bounty lands. March 3, 1819.....	524
<i>State of Illinois.</i> An act granting a donation of land to the State of Illinois, for the seat of government of said State. March 3, 1819.....	525
<i>Fire Engines, &c.</i> An act authorizing the purchase of fire engines and for building houses for the safe keeping of the same. March 3, 1819.....	525
<i>Foreign Coins.</i> An act to continue in force an act regulating the currency, within the United States, of the gold coins of Great Britain, France, Portugal, and Spain, and the crowns of France, and five franc pieces. (Expired.) March 3, 1819.....	525
<i>Correction of Errors at the Land-offices.</i> An act providing for the correction of errors in making entries of land at the land-offices. March 3, 1819.....	526
<i>Pensions.</i> An act concerning invalid pensions. March 3, 1819.....	526

	Page
<i>Land Claims in the District east of the Island of Orleans.</i> An act for adjusting the claims to land and establishing land-offices in the districts east of the island of New Orleans. March 3, 1819.....	528
<i>Slave Trade.</i> An act in addition to the act prohibiting the slave trade. March 3, 1819....	532
<i>Light-houses, Beacons, &c.</i> An act to authorize the building, erecting, and placing light-houses, beacons, and buoys in places designated in Boston, Buzzard and Chesapeake Bay, Lakes Ontario and Erie, and for other purposes. March 3, 1819.....	534
<i>Post-office.</i> An act to repeal part of an act, passed on the twenty-seventh day of February, one thousand eight hundred and thirteen, entitled "An act in addition to 'An act regulating the post-office establishment.'" March 3, 1819.....	536

RESOLUTIONS.

1. Declaring the admission of the State of Illinois into the Union. Dec. 3, 1818.....	536
2. Authorizing the transmission of certain documents free of postage. Dec. 5, 1818.	537
3. Directing a survey of certain parts of the coast of North Carolina. Jan. 19, 1819.....	537
4. For the distribution of Seybert's Statistical Annals, and directing Pitkin's Commercial Statistics to be deposited in the library. Jan. 23, 1819.....	537
5. Authorizing the transmission of the documents accompanying the report of the committee to examine into the proceedings of the Bank of the United States, free of postage. Feb. 15, 1819.	537
6. Directing the manner in which the printing of Congress shall be executed, fixing the prices thereof, and providing for the appointment of a printer or printers.....	538
7. Declaring the manner in which the vessels composing the navy of the United States shall be named. March 3, 1819.....	538

 Acts of the Sixteenth Congress of the United States.

STATUTE I.—1819, 1820.

<i>Public Documents.</i> An act authorizing the transmission of certain documents free of postage. (Obsolete.) Dec. 14, 1819.....	539
<i>Partial Appropriations for the Military Service in 1820.</i> An act making a partial appropriation for the military service of the United States for the year one thousand eight hundred and twenty. (Obsolete.) Jan. 14, 1820.....	539
<i>Additional Appropriations for the Support of the Navy in 1819.</i> An act in addition to the "Act making appropriations for the support of the navy of the United States, for the year one thousand eight hundred and nineteen." (Obsolete.) Jan. 14, 1820.....	540
<i>Compensation of Clerks.</i> An act supplementary to the act entitled "An act to regulate and fix the compensation of the clerks in the different offices," passed the twentieth of April, one thousand eight hundred and eighteen. Jan. 14, 1820.....	540
<i>District Court of the western District of Virginia.</i> An act to alter the terms of the court of the western district of Virginia. Feb. 10, 1820.....	540
<i>Appropriations for public Buildings.</i> An act making appropriations to supply the deficiency in the appropriations heretofore made for the completion of the repairs of the north and south wings of the capitol, for finishing the President's house, and the erection of two new executive offices. (Obsolete.) Feb. 10, 1820.....	541
<i>Statements of the foreign Commerce of the United States.</i> An act to provide for obtaining accurate statements of the foreign commerce of the United States. Feb. 10, 1820.....	541
<i>Duties on the Statue of Washington.</i> An act to remit the duties on a statue of George Washington. Feb. 24, 1820.....	543

	Page
<i>Charter of the City of Washington.</i> An act further to extend the charter of the city of Washington. Feb. 28, 1820.....	543
<i>Maine admitted into the Union.</i> An act for the admission of the State of Maine into the Union. March 3, 1820.....	544
<i>Trading Houses with the Indians.</i> An act to continue in force, for a further time, the act entitled "An act for establishing trading houses with the Indian tribes." (Expired.) March 4, 1820.....	544
<i>District Court in Ohio.</i> An act altering the place of holding the Circuit and District Court in the district of Ohio. March 4, 1820.....	544
<i>State of Missouri.</i> An act to authorize the people of the Missouri 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, and to prohibit slavery in certain territories. March 6, 1820.....	545
<i>Post-office. Franking Privilege.</i> An act in addition to an act entitled "An act regulating the post-office establishment." March 13, 1820.....	548
<i>Fourth Census.</i> An act to provide for taking the fourth census or enumeration of the inhabitants of the United States, and for other purposes. March 14, 1820.....	548
<i>Appropriations for the Navy for 1820.</i> An act making appropriations for the support of the navy of the United States, for the year one thousand eight hundred and twenty. (Obsolete.) March 17, 1820.....	553
<i>Public Lands in the Arkansas Territory.</i> An act to authorize the President of the United States to appoint a receiver of the public moneys, and register of the land-office for the district of Lawrence county, in the Arkansas territory. March 17, 1820.....	554
<i>Circuit Court in the District of Maine.</i> An act establishing a Circuit Court within and for the district of Maine. March 30, 1820.....	554
<i>Public Lands.</i> An act further to suspend, for a limited time, the sale or forfeiture of lands for failure in completing the payment thereof. (Expired.) March 30, 1820.....	555
<i>Representatives in Congress from Massachusetts and Maine.</i> An act for apportioning the representatives in the seventeenth Congress, to be elected in the States of Massachusetts and Maine, and for other purposes. (Obsolete.) April 7, 1820.....	555
<i>Appropriations for the Support of Government for 1820.</i> An act making appropriations for the support of government, for the year one thousand eight hundred and twenty. (Obsolete.) April 11, 1820.....	555
<i>Appropriations for the Capitol.</i> An act making further appropriations for continuing the work upon the centre building of the capitol, and other public buildings. (Obsolete.) April 11, 1820.....	562
<i>Appropriations for the Military Service for 1820.</i> An act making appropriations for the military service of the United States, for the year one thousand eight hundred and twenty. (Obsolete.) April 14, 1820.....	562
<i>Duties.</i> An act to continue in force the act passed on the twentieth day of April, one thousand eight hundred and eighteen, entitled "An act supplementary to an act entitled 'An act to regulate the collection of duties on imports and tonnage,' passed the second day of March, one thousand seven hundred and ninety-nine," and for other purposes. April 18, 1820.....	563
<i>District Court in Alabama.</i> An act to establish a District Court in the State of Alabama. April 21, 1820.....	564
<i>Laws in force in the Arkansas Territory.</i> An act relative to the Arkansas territory. April 21, 1820.....	565
<i>The Laws of Michigan Territory to be printed and distributed.</i> An act to authorize the Secretary of State to cause the laws of the Michigan territory to be printed and distributed, and for other purposes. (Obsolete.) April 24, 1820.....	565
<i>Public Lands.</i> An act making further provision for the sale of the public lands. April 24, 1820.....	566
<i>Treasury, War, and Navy Departments.</i> An act in addition to the several acts for the establishment and regulation of the Treasury, War, and Navy Departments. May 1, 1820.....	567
<i>Pensions.</i> An act in addition to an act entitled "An act to provide for certain persons engaged in the land and naval service of the United States in the revolutionary war," passed the eighteenth day of March, one thousand eight hundred and eighteen. (Obsolete.) May 1, 1820.....	569

LIST OF THE PUBLIC ACTS OF CONGRESS.

xxix

	Page
<i>Judges of the Orphans' Court of the District of Columbia.</i> An act to increase the allowances of the judges of the Orphans' Court in the counties of Washington and Alexandria. May 1, 1820.....	570
<i>Banks in the District of Columbia.</i> An act concerning the banks of the District of Columbia. (Obsolete.) May 4, 1820.....	570
<i>Medical Department of the Army.</i> An act further to regulate the medical department of the army. May 8, 1820.....	570
<i>Public Lands.</i> An act to establish additional land-offices in the States of Alabama and Illinois. May 11, 1820.....	571
<i>Public Lands in the Territory of Michigan.</i> An act to revive the powers of the commissioners for ascertaining and deciding on claims to land in the district of Detroit, and for settling the claims to land at Green Bay and Prairie des Chiens, in the territory of Michigan. May 11, 1820.....	572
<i>Settlers on Lands in the District of Vincennes.</i> An act for the relief of certain settlers in the State of Illinois who reside within the Vincennes land district. (Obsolete.) May 11, 1820.....	573
<i>Land Claims in the State of Louisiana.</i> An act supplementary to the several acts for the adjustment of land claims in the State of Louisiana. May 11, 1820.....	573
<i>Direct Taxes.</i> An act extending the time allowed for the redemption of land sold for direct taxes in certain cases. (Expired.) May 11, 1820.....	575
<i>Public Land in Ohio.</i> An act authorizing the sale of thirteen sections of land lying within the land district of Canton, in the State of Ohio. May 11, 1820.....	575
<i>Laws of the United States.</i> An act to amend the act entitled "An act to provide for the publication of the laws of the United States, and for other purposes." (Obsolete.) May 11, 1820.....	576
<i>Courts of the District of Columbia.</i> An act to alter the times of the session of the Circuit and District Courts in the District of Columbia. May 11, 1820.....	576
<i>Public Lands in the Territory of Michigan.</i> An act to annex certain lands within the territory of Michigan to the district of Detroit. May 11, 1820.....	577
<i>Discipline of the Militia.</i> An act to establish a uniform mode of discipline and field exercise for the militia of the United States. May 12, 1820.....	577
<i>Post-roads.</i> An act to alter and establish certain post-roads. May 13, 1820.....	577
<i>Meeting of Congress.</i> An act fixing the time for the next meeting of Congress. (Obsolete.) May 13, 1820.....	581
<i>Limitation of the Term of Office of certain Officers.</i> An act to limit the term of office of certain officers therein named, and for other purposes. May 15, 1820.....	582
<i>Loan of Three Millions of Dollars.</i> An act to authorize the President of the United States to borrow a sum not exceeding three millions of dollars. (Obsolete.) May 15, 1820.	582
<i>Incorporation of the City of Washington.</i> An act to incorporate the inhabitants of the city of Washington, and to repeal all acts heretofore passed for that purpose. May 15, 1820.....	583
<i>Better Organization of the Treasury Department.</i> An act providing for the better organization of the Treasury Department. May 15, 1820.....	592
<i>Five Vessels of War to be built.</i> An act authorizing the building of a certain number of small vessels of war. (Obsolete.) May 15, 1820.....	596
<i>Pensions.</i> An act to revive and continue in force an act entitled "An act to provide for persons who were disabled by known wounds received in the revolutionary war," and for other purposes. (Expired.) May 15, 1820.....	596
<i>Ports within which foreign armed Vessels may enter.</i> An act designating the ports within which, only, foreign armed vessels shall be permitted to enter. (Expired.) May 15, 1820.	597
<i>District Court in the western District of Pennsylvania, &c.</i> An act for altering the times for holding the court of the United States for the western district of Pennsylvania, and for other purposes. May 15, 1820.....	598
<i>Light-houses.</i> An act to authorize the erection of a light-house on one of the Isles of Shoals, near Portsmouth, in New Hampshire, and for other purposes. May 15, 1820.....	598

	Page
<i>Piracy.</i> An act to continue in force "An act to protect the commerce of the United States, and punish the crime of piracy," and also to make further provision for punishing the crime of piracy. May 15, 1820.....	600
<i>Public Lands.</i> An act for the relief of persons holding confirmed unlocated claims for lands in the State of Illinois. May 15, 1820.....	601
<i>Appropriations for the Support of Government.</i> An act in addition to the act entitled "An act making appropriations for the support of government for the year one thousand eight hundred and twenty," and for other purposes. (Obsolete.) May 15, 1820...	601
<i>Custom-house at New Orleans.</i> An act to provide for building an addition to the custom-house now erecting in the city of New Orleans, for the use of the District Court of the United States for the State of Louisiana. May 15, 1820.....	602
<i>The Governor of Illinois to obtain Abstracts from the Land-office.</i> An act to authorize the Governor of Illinois to obtain certain abstracts of lands from certain public offices. May 15, 1820.....	602
<i>British Vessels from the British Provinces and Islands prohibited Entry.</i> An act supplementary to an act entitled "An act concerning navigation." May 15, 1820.....	602
<i>Roads in Ohio and Indiana.</i> An act to authorize the appointment of commissioners to lay out the road therein mentioned. May 15, 1820.....	604
<i>Relief of the Inhabitants of Peoria.</i> An act for the relief of the inhabitants of the village of Peoria, in the State of Illinois. May 15, 1820.....	605
<i>A new Tonnage Duty on French Vessels.</i> An act to impose new tonnage duty on French ships and vessels. (Repealed.) May 15, 1820.....	605
<i>Survey of the Coast of North Carolina.</i> An act to provide for the expense of surveying certain parts of the coast of North Carolina, and for other purposes. May 15, 1820..	606
<i>Reports of the Decisions of the Supreme Court of the United States.</i> An act to continue in force the act entitled "An act to provide for the reports of the decisions of the Supreme Court," approved the third of March, one thousand eight hundred and seventeen. May 15, 1820.....	606
<i>Additional Naval Force to be employed.</i> An act to amend the act entitled "An act to amend the act authorizing the employment of an additional naval force." May 15, 1820..	606
<i>Appropriation for Repairs of the Post-office, &c.</i> An act to provide for repairing the roof of the general post-office, and to procure an engine for the protection of said building. May 15, 1820.....	606
<i>Clerks in the Department of War.</i> An act to increase the number of clerks in the Department of War. May 15, 1820.....	607
<i>Pre-emption of certain Lands granted to the State of Ohio.</i> An act granting to the State of Ohio the right of pre-emption to certain quarter sections of land. May 15, 1820.....	607
<i>Lands reserved for Naval Purposes.</i> An act to amend "An act making reservation of certain public lands for naval purposes," passed first March, one thousand eight hundred and seventeen. May 15, 1820.....	607
<i>Appropriations for carrying into Effect certain Indian Treaties.</i> An act making appropriations for carrying into effect the treaties concluded with the Chippewa and Kickapoo nations of Indians. May 15, 1820.....	608

RESOLUTIONS.

1. Declaring the admission of the State of Alabama into the Union. Dec. 14, 1819..... 608
2. For the further distribution of the journal of the convention which formed the Constitution of the United States. Jan. 19, 1820..... 609
3. To authorize the publication of part of the secret journal of Congress under the articles of confederation. April 21, 1820..... 609
4. For the distribution of certain copies of the journal of the convention which formed the Constitution. May 5, 1820..... 609
5. Giving the consent of Congress to a compact concluded between the States of Kentucky and Tennessee for the settlement of their boundary line. May 12, 1820.... 609

STATUTE II.—1820, 1821.

	Page
<i>District Court of Alabama.</i> An act to alter the terms of the District Court in Alabama. Nov. 27, 1820.....	610
<i>Three per cent. of the Proceeds of Public Lands in Illinois to be paid to the State.</i> An act to provide for paying to the State of Illinois three per cent. of the net proceeds arising from the sale of the public lands within the same. Dec. 12, 1820.....	610
<i>Courts in the District of Columbia.</i> An act to amend the act entitled "An act to alter the times of the sessions of the Circuit and District Courts in the District of Columbia." Dec. 29, 1820.....	611
<i>District Court in the District of Mississippi.</i> An act to alter the time of holding the District Court in the district of Mississippi. Jan. 11, 1821.....	611
<i>Partial Appropriations for the Military Service in 1821.</i> An act making a partial appropriation for the military service of the United States for the year one thousand eight hundred and twenty-one. (Obsolete.) Jan. 17, 1821.....	612
<i>Virginia Military Land Warrants.</i> An act to extend the time for locating Virginia military land warrants, and returning surveys thereon to the general land-office. Feb. 9, 1821.....	612
<i>Relief of Purchasers of Public Lands.</i> An act for the relief of the purchasers of public lands prior to the first day of July, eighteen hundred and twenty. March 2, 1821.....	612
<i>Military Peace Establishment.</i> An act to reduce and fix the military peace establishment of the United States. March 2, 1821.....	615
<i>Regulation of the Entry of Merchandise from adjacent Territories.</i> An act further to regulate the entry of merchandise imported into the United States from any adjacent territory. March 2, 1821.....	616
<i>Military Land Warrants.</i> An act extending the time for issuing and locating military land warrants to officers and soldiers of the revolutionary army. (Expired.) March 2, 1821.....	617
<i>District of Pearl River.</i> An act to establish the district of Pearl River. March 2, 1821....	617
<i>Seat of the Government of Illinois.</i> An act confirming the location of the seat of government of the State of Illinois, and for other purposes. March 2, 1821.....	618
<i>Banks in the District of Columbia.</i> An act to extend the charters of certain banks in the District of Columbia. (Obsolete.) March 2, 1821.....	618
<i>Removal of a Land-office in Arkansas.</i> An act authorizing the President of the United States to remove the land-office in the district of Lawrence county, in the territory of Arkansas. March 2, 1821.....	622
<i>Relief of the Family of Oliver H. Perry.</i> An act for the relief of the family of the late Oliver Hazard Perry, Esquire. March 2, 1821.....	622
<i>District Court in the northern District of New York.</i> An act to alter the time of holding the District Court in the northern District of New York. March 2, 1821.....	623
<i>Post-roads.</i> An act to alter and establish certain post-roads. March 3, 1821.....	623
<i>Appropriations for the Support of Government in 1821.</i> An act making appropriations for the support of government, for the year one thousand eight hundred and twenty-one. (Obsolete.) March 3, 1821.....	628
<i>Appropriations for the Military Service in 1821.</i> An act making appropriations for the military service of the United States, for the year one thousand eight hundred and twenty-one. (Obsolete.) March 3, 1821.....	633
<i>Appropriations for the Support of the Navy in 1821.</i> An act making appropriations for the support of the navy of the United States, for the year one thousand eight hundred and twenty-one. (Obsolete.) March 3, 1821.....	634
<i>Appropriations for the public Buildings.</i> An act making appropriations for the public buildings. March 3, 1821.....	635
<i>Loan to the United States.</i> An act to authorize the President of the United States to borrow a sum not exceeding five millions of dollars. March 3, 1821.....	635
<i>Establishment of a Government in Florida.</i> An act for carrying into execution the treaty between the United States and Spain, concluded at Washington, on the twenty-second day of February, one thousand eight hundred and nineteen. March 3, 1821.....	637

	Page
<i>Salaries of the Commissioners and Agents under the Treaty of Ghent.</i> An act establishing the salaries of the commissioners and agents appointed under the treaty of Ghent. (Obsolete.) March 3, 1821.....	640
<i>Debentures on the Exportation of Loaf Sugar and distilled Spirits.</i> An act to authorize the collectors of customs to pay debentures issued on the exportation of loaf sugar and spirits distilled from molasses. (Obsolete.) March 3, 1821.....	640
<i>Time for unloading Vessels of 600 Tons and upwards extended.</i> An act to extend the time for unloading vessels arriving from foreign ports, in certain cases. March 3, 1821....	640
<i>Sale of Land in Northumberland County, Virginia.</i> An act authorizing the Secretary of the Treasury of the United States to sell and convey a certain tract of land in Northumberland county, in the State of Virginia. (Obsolete.) March 3, 1821.....	641
<i>Land Warrants to the Canadian Volunteers.</i> An act to regulate the location of land warrants, and the issuing of patents, in certain cases. (Repealed.) March 3, 1821.....	641
<i>Trading Houses with the Indians.</i> An act to continue in force, for a further time, the act entitled "An act for establishing trading houses with the Indian tribes." (Repealed.) March 3, 1821.....	641
<i>French Ships.</i> An act to release French ships and vessels entering the ports of the United States prior to the thirtieth of September, one thousand eight hundred and twenty, from the operation of the act entitled "An act to impose a new tonnage duty on French ships and vessels," and for other purposes. (Obsolete.) March 3, 1821...	641
<i>Navy of the United States.</i> An act to amend the act entitled "An act for the gradual increase of the navy of the United States." March 3, 1821.....	642
<i>Port of Entry at the Town of Portland, Ohio.</i> An act to establish a port of entry in the district of Sandusky, in the State of Ohio, and for other purposes. March 3, 1821....	642
<i>Census of the Inhabitants of the United States.</i> An act to amend the act entitled "An act to provide for taking the fourth census or enumeration of the inhabitants of the United States," and for other purposes. March 3, 1821.....	643
<i>District Court of Louisiana.</i> An act to authorize the clerk of the District Court of the United States for the district of Louisiana, to appoint a deputy to aid him in the discharge of the duties of his office. March 3, 1821.....	643
<i>Proceedings in Cases in which the District Judge is interested in a Cause depending in the Court in which he is a Judge.</i> An act to amend an act entitled "An act for regulating process in the courts of the United States." March 3, 1821.....	643
<i>Light-houses.</i> An act to authorize the building of light-houses therein mentioned, and for other purposes. March 3, 1821.....	643
<i>Foreign Coins and Currency of the United States.</i> An act to continue in force an act entitled "An act regulating the currency within the United States, of the gold coins of Great Britain, France, Portugal, and Spain," passed on the twenty-ninth day of April, one thousand eight hundred and sixteen, so far as the same relates to the crowns and five franc pieces of France. March 3, 1821.....	645
<i>Compensation of Officers of Congress.</i> An act to revive and continue in force "An act fixing the compensation of the secretary of the Senate, and the clerk of the House of Representatives, of the clerks employed in their offices, and of the librarian," approved the eighteenth day of April, one thousand eight hundred and eighteen. (Obsolete.) March 3, 1821.....	645

RESOLUTIONS.

1. Providing for the admission of Missouri into the Union, on certain conditions. March 2, 1821.....	645
2. Providing for jails in certain cases, for the safe custody of persons committed under the authority of the United States. March 3, 1821.....	646
3. Authorizing the President of the United States to cause astronomical observations to be made to ascertain the longitude of the capitol in the city of Washington, from some known meridian in Europe. March 3, 1821.....	648

Acts of the Seventeenth Congress of the United States.

STATUTE I.—1821, 1822.

	Page
<i>Transmission of public Documents free of Postage.</i> An act authorizing the transmission of certain documents free of postage. (Obsolete.) Dec. 19, 1821.....	649
<i>Time for the Redemption of Lands sold for direct Taxes extended.</i> An act reviving and extending the time allowed for the redemption of land sold for direct taxes in certain cases. (Expired.) Feb. 4, 1822.....	649
<i>Pensions.</i> An act to revive and continue in force an act entitled "An act to provide for persons who were disabled by known wounds received in the revolutionary war." Feb. 4, 1822.....	650
<i>Appropriations for the Support of the Navy for 1822.</i> An act making partial appropriations for the support of the navy of the United States during the year one thousand eight hundred and twenty-two. Feb. 19, 1822.....	650
<i>Debt of the United States.</i> An act authorizing the transfer of certain certificates of the funded debt of the United States. (Obsolete.) Feb. 19, 1822.....	651
<i>Preservation of Timber in Florida for Naval Purposes.</i> An act for the preservation of the timber of the United States in Florida. Feb. 23, 1822.....	651
<i>Apportionment of Representatives in Congress according to the fourth Census.</i> An act for the apportionment of representatives among the several States according to the fourth census. March 7, 1822.....	651
<i>Appropriations for the Military Service for 1822, 1823.</i> An act making appropriations for the military service of the United States for the year one thousand eight hundred and twenty-two, and towards the service of the year one thousand eight hundred and twenty-three. (Obsolete.) March 15, 1822.....	652
<i>Provision for the Execution of the Laws of the United States in the State of Missouri, &c.</i> An act to provide for the execution of the laws of the United States within the State of Missouri, and for the establishment of a District Court therein. March 16, 1822.....	653
<i>Establishment of a Territorial Government in Florida.</i> An act for the establishment of a territorial government in Florida. March 30, 1822.....	654
<i>The State of Illinois authorized to open a Canal to connect the Illinois River with Lake Michigan.</i> An act to authorize the State of Illinois to open a canal through the public lands, to connect the Illinois river with Lake Michigan. March 30, 1822.....	659
<i>Commerce and Navigation of Florida.</i> An act concerning the commerce and navigation of Florida. March 30, 1822.....	660
<i>Lots in the City of New Orleans and Town of Mobile.</i> An act supplementary to an act entitled "An act authorizing the disposal of certain lots of public ground in the city of New Orleans and town of Mobile." March 30, 1822.....	661
<i>Process in the Courts of the United States in the State of Tennessee.</i> An act to amend the laws now in force as to the issuing original writs and final process in the Circuit Courts of the United States within the State of Tennessee. March 30, 1822.....	661
<i>District Court in Alabama.</i> An act supplementary to an act entitled "An act to alter the terms of the District Court in Alabama." April 17, 1822.....	662
<i>Port of Entry and Delivery in the District of Philadelphia.</i> An act to fix the limits of the port of entry and delivery in the district of Philadelphia. April 17, 1822.....	662
<i>District of Bristol and Warren.</i> An act to amend the act entitled "An act to establish the district of Bristol, and to annex the towns of Kittery and Berwick to the district of Portsmouth," passed February twenty-fifth, eighteen hundred and one. April 17, 1822.....	662
<i>Duties on the Sword presented to Captain Macdonough remitted.</i> An act to remit the duties on a sword imported to be presented to Captain Thomas Macdonough, of the United States navy. April 17, 1822.....	662
<i>District of Blakely established.</i> An act to establish the district of Blakely. April 17, 1822..	663
<i>Debt of the United States.</i> An act to authorize the Secretary of the Treasury to exchange a stock bearing an interest of five per cent., for certain stocks bearing an interest of six and seven per cent. April 20, 1822.....	663

	Page
<i>Assent of Congress to Acts of Maryland and Georgia.</i> An act to revive and continue in force "An act declaring the assent of Congress to certain acts of the States of Maryland and Georgia." April 20, 1822.....	665
<i>Relief of Purchasers of Public Lands.</i> An act supplementary to the act entitled "An act for the relief of the purchasers of the public lands prior to the first day of July, eighteen hundred and twenty." (Expired.) April 21, 1822.....	665
<i>District Courts in the western District of Virginia.</i> An act to alter the times of holding courts in the western district of Virginia, and for other purposes. April 26, 1822.....	666
<i>District Court of the District of Mississippi.</i> An act altering the time and place of holding the District Court in the district of Mississippi. April 26, 1822.....	667
<i>Encouragement of the Cultivation of the Vine and Olive.</i> An act supplementary to an act entitled "An act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive." April 26, 1822.....	667
<i>Public Lands in Missouri.</i> An act to perfect certain locations and sales of public lands in Missouri. (Obsolete.) April 26, 1822.....	668
<i>Appropriations for the Support of Government in 1822.</i> An act making appropriations for the support of government for the year one thousand eight hundred and twenty-two, and for other purposes. (Obsolete.) April 30, 1822.....	668
<i>Appropriations for the public Buildings.</i> An act making appropriations for the public buildings. (Obsolete.) May 1, 1822.....	673
<i>Payment to Missouri, Mississippi, and Alabama of three per cent. of the Proceeds of Public Lands.</i> An act to provide for payment to the States of Missouri, Mississippi, and Alabama three per cent. of the net proceeds arising from the sale of the public lands within the same. May 3, 1822.....	674
<i>Treasury Notes not to be received in Payment, or paid, or funded, except at the Treasury.</i> An act relating to treasury notes. May 3, 1822.....	675
<i>Relief of Officers, Volunteers, and others engaged in the Campaign against the Seminole Indians.</i> An act for the relief of the officers, volunteers, and other persons engaged in the late campaign against the Seminole Indians. May 4, 1822.....	676
<i>Appropriations for the Support of the Navy for 1822.</i> An act making appropriations for the support of the navy of the United States, for the year one thousand eight hundred and twenty-two, and for other purposes. (Obsolete.) May 4, 1822.....	676
<i>Repeal of the Act to encourage Vaccination.</i> An act to repeal the act entitled "An act to encourage vaccination." May 4, 1822.....	677
<i>District Court in New Jersey.</i> An act to alter the times of holding the District Court in the district of New Jersey. May 4, 1822.....	678
<i>Appropriations for the Expenses of Missions to the Independent Nations on the American Continent.</i> An act making an appropriation to defray the expenses of missions to the independent nations on the American continent. May 4, 1822.....	678
<i>Militia Fines vested in the State of Pennsylvania.</i> An act vesting in the State of Pennsylvania the right of the United States to all fines assessed for the non-performance of militia duty during the late war with Great Britain. May 4, 1822.....	678
<i>Trading Houses with the Indian Tribes abolished.</i> An act to abolish the United States trading establishment with the Indian tribes. May 6, 1822.....	679
<i>Public Lands and Land Districts in Mississippi and Alabama.</i> An act providing for the disposal of the public lands in the State of Mississippi, and for the better organization of the land districts in the States of Alabama and Mississippi. May 6, 1822.....	680
<i>Authority to the President to open the Ports of the United States to Vessels from the British West Indies and other Places.</i> An act in addition to the act concerning navigation, and also to authorize the appointment of deputy collectors. May 6, 1822.....	681
<i>Relief of Insolvent Debtors in the District of Columbia.</i> An act for the relief of certain insolvent debtors. May 6, 1822.....	682
<i>Regulation of Trade and Intercourse with the Indian Tribes.</i> An act to amend an act entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," approved thirtieth March, one thousand eight hundred and two. May 6, 1822.....	682
<i>Assent of Congress to Acts of the States of South Carolina and Georgia.</i> An act to continue in force "An act declaring the consent of Congress to acts of the State of South Carolina, authorizing the City Council of Charleston to impose and collect a duty on	

	Page
the tonnage of vessels from foreign ports; and to acts of the State of Georgia, authorizing the imposition and collection of a duty on the tonnage of vessels in the ports of Savannah and St. Mary." (Expired.) May 7, 1822.....	683
<i>Collection of Duties on Imports and Tonnage in Florida.</i> An act to provide for the collection of duties on imports and tonnage in Florida, and for other purposes. May 7, 1822.	684
<i>Relief of the People of Florida from certain Ordinances.</i> An act to relieve the people of Florida from the operation of certain ordinances. May 7, 1822.....	685
<i>School Lands in Indiana.</i> An act authorizing the location of certain school lands in the State of Indiana. (Obsolete.) May 7, 1822.....	686
<i>Military Peace Establishment.</i> An act to repeal the fourteenth section of "An act to reduce and fix the military peace establishment," passed the second day of March, one thousand eight hundred and twenty-one. May 7, 1822.....	686
<i>Appropriations for the Military Establishment in 1822.</i> An act making further appropriations for the military service of the United States, for the year eighteen hundred and twenty-two, and for other purposes. (Obsolete.) May 7, 1822.....	686
<i>Amendment of Acts relative to the Treasury, War, and Navy Departments.</i> An act further to amend the several acts relative to the Treasury, War, and Navy Departments. May 7, 1822.....	688
<i>Compensation to the Commissioner of public Buildings.</i> An act fixing the compensation of the commissioner of public buildings. May 7, 1822.....	689
<i>Annuities to certain Indian Tribes, &c.</i> An act to provide for annuities to the Ottawas, Patawatimas, Kickapooos, Choctaws, Kaskaskias, to Mushalatumbee, and to carry into effect the treaty of Saginaw. May 7, 1822.....	690
<i>The Corporation of the City of Washington authorized to drain and dispose of certain Grounds.</i> An act to authorize and empower the corporation of the city of Washington, in the District of Columbia, to drain the low grounds on and near the public reservations, and to improve and ornament certain parts of such reservation. May 7, 1822.....	691
<i>Compensation to Officers of the Customs, &c.</i> An act further to establish the compensation of officers of the customs and to alter certain collection districts, and for other purposes. (Obsolete.) May 7, 1822.....	693
<i>Sale of certain public Lots in Ohio.</i> An act vesting the commissioners of the counties of Wood and Sandusky, the right to certain lots in the towns of Ferrysburg and Croghansville, in the State of Ohio, for county purposes. May 7, 1822.....	696
<i>Debt of the United States.</i> An act authorizing the payment of certain certificates. May 7, 1822.....	696
<i>Surveyors-general of the United States.</i> An act requiring surveyors-general to give bond and security for the faithful disbursement of public money, and to limit the term of office. May 7, 1822.....	697
<i>Light-houses.</i> An act to authorize the building of light-houses therein mentioned, and for other purposes. May 7, 1822.....	698
<i>Claims to Lots in the Town of Mobile confirmed.</i> An act confirming claims to lots in the town of Mobile, and to land in the former province of West Florida, which claims have been reported favourably on by the commissioners appointed by the United States. May 8, 1822.....	699
<i>Land-office in Illinois.</i> An act to establish an additional land-office in the State of Illinois. May 8, 1822.....	700
<i>Land District in Illinois.</i> An act to designate the boundaries of a land district, and for the establishment of a land-office, in the State of Indiana. May 8, 1822.....	701
<i>Post-roads.</i> An act to establish certain post-roads and to discontinue others, and for other purposes. May 8, 1822.....	702
<i>Land Claims in the District east of the Island of New Orleans.</i> An act supplementary to the several acts for adjusting the claims to land, and establishing land-offices, in the districts east of the Island of New Orleans. May 8, 1822.....	707
<i>Land Claims and Titles to Land in Florida.</i> An act to ascertain the claims and titles to land within the territory of Florida. May 8, 1822.....	709

RESOLUTIONS.

I. Providing for the distribution of the secret journals and foreign correspondence of the old Congress, and of the journal of the convention which formed the Constitution of the United States. Jan. 11, 1822.....	718
--	-----

	Page
2. Providing for the distribution of the marshal's returns of the fourth census. Feb. 4, 1822.....	719
3. Directing the classification and printing of the accounts of the several manufacturing establishments and their manufactures, collected in obedience to the tenth section of the act to provide for taking a fourth census. March 30, 1822.....	719
4. Providing for the security in the transmission of letters, &c., in the public mails. April 26, 1822.....	719

STATUTE II.—1822, 1823.

<i>An additional Naval Force for the Suppression of Piracy.</i> An act authorizing an additional naval force for the suppression of piracy. Dec. 20, 1822.....	720
<i>Representatives from Alabama.</i> An act concerning the apportionment of representatives in the State of Alabama. (Obsolete.) Jan. 14, 1823.....	720
<i>Appropriations for the Support of Government in 1823.</i> An act making a partial appropriation for the support of government, for the year one thousand eight hundred and twenty-three. (Obsolete.) Jan. 14, 1823.....	721
<i>Army Supplies.</i> An act to continue the present mode of supplying the army of the United States. Jan. 23, 1823.....	721
<i>Copies of Papers relating to Public Lands to be obtained from the Departments.</i> An act to enable the proprietors of lands held by titles derived from the United States to obtain copies of papers from the proper department, and to declare the effect of such copies. Jan. 23, 1823.....	721
<i>Piracy.</i> An act in addition to an act to continue in force "An act to protect the commerce of the United States, and punish the crime of piracy," and, also, to make further provision for punishing the crime of piracy. Jan. 30, 1823.....	721
<i>Michigan Territory. Appointment of an additional Judge.</i> An act to provide for the appointment of an additional judge for the Michigan territory, and for other purposes. Jan. 30, 1823.....	722
<i>Disbursement of public Money.</i> An act concerning the disbursement of public money. Jan. 31, 1823.....	723
<i>Land Claims in the Territory of Michigan.</i> An act to revive and continue in force certain acts for the adjustment of land claims in the territory of Michigan. (Expired.) Feb. 21, 1823.....	724
<i>Judicial Districts in South Carolina.</i> An act to divide the State of South Carolina into two judicial districts. Feb. 21, 1823.....	725
<i>Mechanics' Bank of Alexandria.</i> An act to extend the charter of the Mechanics' Bank of Alexandria, in the District of Columbia. (Expired.) Feb. 21, 1823.....	726
<i>Land Claims in Louisiana.</i> An act supplementary to the several acts for the adjustment of land claims in the State of Louisiana. Feb. 28, 1823.....	727
<i>Road from Miami of the Lake to the Connecticut Western Reserve.</i> An act for laying out and making a road, from the lower rapids of the Miami of Lake Erie to the western boundary of the Connecticut Western Reserve, in the State of Ohio, agreeable to the provisions of the treaty of Brownstown. Feb. 28, 1823.....	727
<i>Cumberland Road.</i> An act appropriating moneys for the purpose of repairing the public road from Cumberland to Wheeling. Feb. 28, 1823.....	728
<i>Land Claims in Louisiana.</i> An act to revive and continue in force the seventh section of an act entitled "An act supplementary to the several acts for the adjustment of land claims in the State of Louisiana," approved the eleventh May, eighteen hundred and twenty, and for other purposes. (Expired.) Feb. 28, 1823.....	729
<i>Public Lands in Tennessee.</i> An act to repeal so much of an act, passed the eighteenth April, one thousand eight hundred and six, as limits the price of certain lands in the State of Tennessee. Feb. 28, 1823.....	729
<i>Duties on Imports and Tonnage.</i> An act supplementary to, and to amend an act, entitled "An act to regulate the collection of duties on imports and tonnage," passed second March, one thousand seven hundred and ninety-nine, and for other purposes. March 1, 1823.....	729

	Page
<i>Suspension of commercial Intercourse with certain British Ports.</i> An act to regulate the commercial intercourse between the United States and certain British colonial ports. March 1, 1823.....	740
<i>District Courts in Kentucky.</i> An act to alter the time for holding the District Court of the United States for the district of Kentucky. March 1, 1823.....	742
<i>Jurisdiction and Proceedings before Justices of the Peace in the District of Columbia.</i> An act to extend the jurisdiction of justices of the peace, in the recovery of debts, in the District of Columbia. March 1, 1823.....	743
<i>Commercial Convention with France.</i> An act for carrying into effect the convention of navigation and commerce between the United States and France, concluded at Washington on the twenty-fourth day of June, eighteen hundred and twenty-two. March 3, 1823.....	747
<i>Appropriations for the Military Service for the Year 1823.</i> An act making appropriations for the military service of the United States, for the year one thousand eight hundred and twenty-three. (Obsolete.) March 3, 1823.....	748
<i>Further Appropriations for the Military service for 1823.</i> An act making further appropriations for the military service of the United States, for the year one thousand eight hundred and twenty-three, and for other purposes. (Obsolete.) March 3, 1823....	749
<i>Florida Territory.</i> An act to amend "An act for the establishment of a territorial government in Florida," and for other purposes. March 3, 1823.....	750
<i>Claims to Lands in Florida, &c.</i> An act amending, and supplementary to, the "Act for ascertaining claims and titles to land in the territory of Florida," and to provide for the survey and disposal of the public lands in Florida. March 3, 1823.....	754
<i>Land Titles in Louisiana.</i> An act providing for the examination of the titles to land in that part of the State of Louisiana situated between the Rio Hondo and the Sabine river. March 3, 1823.....	756
<i>Appropriations for the Support of Government in 1823.</i> An act making appropriations for the support of government, for the year one thousand eight hundred and twenty-three. (Obsolete.) March 3, 1823.....	757
<i>Appropriations for the Support of the Navy in 1823.</i> An act making appropriations for the support of the navy of the United States, for the year one thousand eight hundred and twenty-three. (Obsolete.) March 3, 1823.....	763
<i>Post-roads.</i> An act to discontinue certain post-roads and to establish others. March 3, 1823.....	764
<i>Reports of the Decisions of the Supreme Court.</i> 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. (Expired.) March 3, 1823.....	768
<i>Treaty between the United States and Spain.</i> An act to carry into effect the ninth article of the treaty concluded between the United States and Spain, the twenty-second day of February, one thousand eight hundred and nineteen. March 3, 1823.....	768
<i>Territory of Michigan.</i> An act to amend the ordinance and acts of Congress for the government of the territory of Michigan, and for other purposes. (Obsolete.) March 3, 1823.....	769
<i>Public Accounts.</i> An act in addition to the act, entitled "An act for the prompt settlement of public accounts," and for the punishment of the crime of perjury. March 1, 1823.....	770
<i>Frauds on the Government of the United States.</i> An act for the punishment of frauds committed on the government of the United States. March 3, 1823.....	771
<i>Virginia Military Land Warrants.</i> An act extending the time for locating Virginia military land warrants, and returning survey thereon to the general land-office. March 1, 1823.....	772
<i>Pre-emption of certain Lands granted to the State of Alabama.</i> An act granting to the State of Alabama the right of pre-emption to certain quarter-sections of land. March 3, 1823.....	773
<i>Circuit Courts in Maine and New Hampshire.</i> An act altering the time of holding the Circuit Court in the districts of Maine and New Hampshire. March 3, 1823.....	773
<i>Courts of the United States in New York.</i> An act supplementary to "An act for the better organization of the courts of the United States within the State of New York." March 3, 1823.....	774

	Page
<i>Mint.</i> An act further to prolong the continuance of the mint at Philadelphia. (Expired.) March 3, 1823.....	776
<i>District Court in Louisiana.</i> An act for the better organization of the District Court of the United States within the State of Louisiana. March 3, 1823.....	776
<i>District Court in Vermont.</i> An act to alter the time of holding the District Court of the United States for the district of Vermont. March 3, 1823.....	776
<i>Military Land Warrants.</i> An act extending the time for issuing and locating military land warrants to officers and soldiers of the revolutionary army. (Expired.) March 3, 1823.	776
<i>The Time for the Redemption of Lands sold for direct Taxes extended.</i> An act to extend the time allowed for the redemption of land sold for direct tax in certain cases. (Expired.) March 3, 1823.....	776
<i>Militia Fines incurred in Virginia relinquished to the State of Virginia.</i> An act vesting in the State of Virginia the right of the United States to all fines assessed for non-performance of militia duty, during the late war with Great Britain, within the said state. March 3, 1823.....	777
<i>A monument to be erected over the Tomb of Elbridge Gerry.</i> An act for the erection of a monument over the tomb of Elbridge Gerry, late Vice-President of the United States. March 3, 1823.....	777
<i>Currency of the Crowns of France, and Five Franc Pieces.</i> An act to continue in force an act entitled "An act regulating the currency within the United States of the gold coins of Great Britain, France, Portugal, and Spain, and the crowns of France and five franc pieces," passed on the twenty-ninth day of April, one thousand eight hundred and sixteen, so far as the same relates to the crowns of France and five franc pieces. (Expired.) March 3, 1823.....	777
<i>Lots in Shawneetown.</i> An act to authorize the Secretary of the Treasury to remit the instalments due on certain lots in Shawneetown, in the State of Illinois. March 3, 1823.....	778
<i>Additional Land-offices in Michigan.</i> An act to establish an additional land-office in the territory of Michigan. March 3, 1823.....	778
<i>Gold Coins of Great Britain, France, Portugal and Spain receivable for Public Lands.</i> An act making the gold coins of Great Britain, France, Portugal, and Spain receivable in payment on account of public lands. March 3, 1823.....	779
<i>Repairing certain Roads for the Transportation of the Mail.</i> An act for clearing, repairing, and improving certain roads for the purpose of facilitating the transportation of the United States mail. March 3, 1823.....	779
<i>Stamps.</i> An act respecting stamps. (Expired.) March 3, 1823.....	779
<i>Light-houses and Beacons.</i> An act to authorize the building of light-houses, light-vessels, and beacons, therein mentioned, and for other purposes. March 3, 1823.....	780
<i>Relief of the Purchasers of Public Lands.</i> An act further to extend the provisions of the act, entitled "An act supplementary to an act entitled 'An act for the relief of the purchasers of the public lands prior to the first July, one thousand eight hundred and twenty.'" (Expired.) March 3, 1823.....	781
<i>Entry of Merchandise from adjacent Territories.</i> An act to amend an act, entitled "An act further to regulate the entry of merchandise imported into the United States from any adjacent territory." March 3, 1823.....	781
<i>Pensions.</i> An act supplementary to the acts to provide for certain persons engaged in the land and naval service of the United States in the revolutionary war. March 1, 1823.	782
<i>Land-offices in Ohio and Indiana.</i> An act supplementary to the act, entitled "An act to designate the boundaries of districts, and establish land-offices for the disposal of the public lands, not heretofore offered for sale, in the States of Ohio and Indiana." March 3, 1823.....	783
<i>Appropriations for Fortifications for the Year 1823.</i> An act making appropriations for certain fortifications of the United States, for the year one thousand eight hundred and twenty-three, and for other purposes. (Obsolete.) March 3, 1823.....	783
<i>Appropriations for public Buildings.</i> An act making appropriations for the public buildings. (Obsolete.) March 3, 1823.....	784
<i>Repairs of the Post-office, &c.</i> An act to authorize the postmaster-general to pay for certain repairs to the general post-office, and keep the engine house, the fire engine, and apparatus in repair. March 3, 1823.....	784

	Page
<i>Accounts for Clerk hire in the Land-offices of Illinois, Missouri, and Arkansas.</i> An act to enable the proper accounting officers of the Treasury Department to audit and settle the accounts of the surveyor of public lands in the States of Illinois and Missouri, and territory of Arkansas, for extra clerk hire in his office. (Obsolete.) March 3, 1823.....	784
<i>Circuit Court of Washington, &c.</i> An act providing for the accommodation of the Circuit Court of the United States for Washington county, in the District of Columbia, and for the preservation of the records of said court. March 3, 1823.....	785
<i>An additional Land-office in Missouri established.</i> An act to establish an additional land-office in the State of Missouri. March 3, 1823.....	785
<i>Laws of the United States.</i> An act to authorize the purchase of a number of copies of the sixth volume of the laws of the United States. March 3, 1823.....	786
<i>Claims to Lots in Peoria confirmed.</i> An act to confirm certain claims to lots in the village of Peoria, in the State of Illinois. March 3, 1823.....	786
<i>Lands granted to the State of Missouri for Education, &c.</i> An act concerning the lands to be granted to the State of Missouri, for the purpose of education, and other public uses. March 3, 1823.....	787
<i>Ransom of American Captives.</i> An act supplementary to "An act relating to the ransom of American captives of the late war." March 3, 1823.....	788
<i>National Armory on the western Waters.</i> An act to establish a national armory on the western waters. March 3, 1823.....	788
<i>Piracy.</i> An act respecting the punishment of piracy. March 3, 1823.....	789

RESOLUTIONS.

1. Requiring from the secretary of the Senate and clerk of the House of Representatives an annual statement of the expenditures from the contingent fund of the two Houses.
March 1, 1823..... 789
2. To direct the withholding of the compensation of certain prize agents. March 3, 1823. 789

THE
LAWS OF THE UNITED STATES.

ACTS OF THE THIRTEENTH CONGRESS

OF THE

UNITED STATES,

Passed at the first session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the twenty-fourth day of May, 1813, and ended the second day of August, 1813.

JAMES MADISON, President; ELBRIDGE GERRY, Vice President of the United States and President of the Senate; HENRY CLAY, Speaker of the House of Representatives.

STATUTE I.

CHAPTER I.—*An Act concerning certain streets in Georgetown.*(a)

June 14, 1813.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall and may be lawful for the proprietors of the ground to open a new street in the town of Georgetown, in the District of Columbia, beginning at the termination of three hundred and seventy-eight feet and six inches from the intersection of Washington and Bridge streets, on the east side of Washington street and south of Bridge street, and thence running parallel with Bridge street to Rock creek, of the width of sixty feet, to be called Needwood street.

Needwood street to be opened.

SEC. 2. *And be it further enacted,* That Greene street, in the said town, be opened and extended to Causeway street, in lines parallel with Washington street; and that Montgomery street, in the said town, be opened and extended from Bridge street to Needwood street, in lines parallel with Washington street.

Greene and Montgomery streets to be opened and extended.

SEC. 3. *And be it further enacted,* That the streets called and known by the names of Lovely and Wapping, and all that part of Montgomery street, south from Bridge street to Causeway street, not embraced in lines parallel with Washington street, lying between Washington street and Rock creek, in the said town, upon the opening and establishment of the said streets, between Washington street and Rock creek, be, and the same are hereby vacated; and the title to the ground over which the same now runs, shall be vested in fee simple in the proprietors of the ground over which the streets to be opened and extended by virtue of this act, shall run, in proportion to the quantity owned by each proprietor.

Certain parts of Wapping and Lovely streets vacated, and the ground re-invested in original proprietors.

APPROVED, June 14, 1813.

(a) An act to amend the charter of Georgetown, March 3, 1805, chap. 32.

STATUTE I.

CHAP. II.—*An Act for the government of persons in certain fisheries.*

June 19, 1813.

Act of July
29, 1813, chap.
35.Agreements
with fishermen
under what
sanctions to be
made.Fishermen
neglecting their
duty.Act of July
20, 1790, chap.
29, sec. 7.Conditions to
which they be-
come subject.Fishing ves-
sels to continue
liable for wages
of the hands for
six months after
sale of fish.Just accounts
of sales to be
produced,
otherwise the
vessel answer-
able.If vessel sued
the owner may
give bond.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the master or skipper of any vessel of the burthen of twenty tons or upwards, qualified according to law for carrying on the bank and other cod fisheries, bound from a port of the United States to be employed in any such fishery, at sea, shall, before proceeding on such fishing voyage, make an agreement in writing or print with every fisherman who may be employed therein, (except only an apprentice or servant of himself or owner,) and, in addition to such terms of shipment as may be agreed on, shall in such agreement express whether the same is to continue for one voyage or for the fishing season, and shall also express, that the fish or the proceeds of such fishing voyage or voyages, which may appertain to the fishermen, shall be divided among them in proportion to the quantities or number of said fish which they may respectively have caught; which agreement shall be endorsed or countersigned by the owner of such fishing vessel or his agent. And if any fisherman, having engaged himself for a voyage or for the fishing season, in any fishing vessel, and signed an agreement therefor as aforesaid, shall thereafter and while such agreement remains in force and to be performed, desert or absent himself from such vessel without leave of the master or skipper thereof, or of the owner or his agent, such deserter shall be liable to the same penalties as deserting seamen or mariners are subject to in the merchant service, and may in the like manner, and upon the like complaint and proof, be apprehended and detained; and all costs of process and commitment, if paid by the master or owner, shall be deducted out of the share of fish, or proceeds of any fishing voyage to which such deserter had or shall become entitled. And any fisherman, having engaged himself as aforesaid, who shall during such fishing voyage refuse or neglect his proper duty on board the fishing vessel, being thereto ordered or required by the master or skipper thereof, or shall otherwise resist his just commands to the hindrance or detriment of such voyage, besides being answerable for all damages arising thereby, shall forfeit to the use of the owner of such vessel his share of any public allowance which may be paid upon such voyage.

SEC. 2. *And be it further enacted,* That where an agreement or contract shall be so made and signed for a fishing voyage or for the fishing season, and any fish which may have been caught on board such vessel during the same, shall be delivered to the owner or to his agent for cure, and shall be sold by said owner or agent, such vessel shall, for the term of six months after such sale, be liable and answerable for the skipper's and every other fisherman's share of such fish, and may be proceeded against in the same form and to the same effect as any other vessel is by law liable and may be proceeded against for the wages of seamen or mariners in the merchant service. And upon such process for the value of a share or shares of the proceeds of fish delivered and sold as aforesaid it shall be incumbent on the owner or his agent to produce a just account of the sales and division of such fish according to such agreement or contract; otherwise the said vessel shall be answerable upon such process for what may be the highest value of the share or shares demanded. But in all cases the owner of such vessel or his agent, appearing to answer to such process, may offer thereupon his account of general supplies made for such fishing voyage and of other supplies therefor made to either of the demandants, and shall be allowed to produce evidence thereof in answer to their demands respectively; and judgment shall be rendered upon such process for the respective balances which upon such an inquiry shall appear: *Provided always,* That when process shall be issued against any vessel liable as aforesaid, if the owner thereof, or his

agent, will give bond to each fisherman in whose favour such process shall be instituted with sufficient security, to the satisfaction of two justices of the peace, one of whom shall be named by such owner or agent, and the other by the fisherman or fishermen pursuing such process, or if either party shall refuse, then the justice first appointed shall name his associate, with condition to answer and pay whatever sum shall be recovered by him or them on such process, there shall be an immediate discharge of such vessel: *Provided*, That nothing herein contained shall prevent any fisherman from having his action at common law for his share or shares of fish or the proceeds thereof as aforesaid.

APPROVED, June 19, 1813.

Remedy at common law to be preserved.

STATUTE I.

July 5, 1813.

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That five of the regiments which were authorized to be raised by an act in addition to the act, entitled "An act to raise an additional military force, and for other purposes," passed the twenty-ninth day of January, one thousand eight hundred and thirteen, may, at the discretion of the President of the United States, be enlisted for and during the war, unless sooner discharged, and be limited as to service to the defence of the sea board of the United States, or of such part thereof as the President may elect and determine.

SEC. 2. *And be it further enacted*, That each man recruited under the authority of this act, be allowed the same bounty in money and land as is allowed by law to men enlisted for five years or for the war, and that the officers, non-commissioned officers, musicians and privates, shall receive the same pay, clothing, subsistence and forage, be entitled to the same benefits, be subject to the same rules and regulations, and be placed in every respect on the same footing as the other regular troops of the United States.

APPROVED, July 5, 1813.

[Obsolete.]

Act of January 29, 1813, ch. 15.

Act of March 3, 1815, ch. 78.

Five of the regiments lately authorized to be raised may be enlisted for the war.

Bounty, &c. to recruits.

STATUTE I.

July 5, 1813.

CHAP. VI.—*An Act authorizing the President of the United States to cause to be built barges for the defence of the ports and harbours of the United States.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the protection of the ports and harbours of the United States, the President shall cause to be built, without delay, such number of barges as he may deem necessary, to be armed, equipped, and manned as he may direct, of a size not less than forty-five feet long, and capable of carrying heavy guns.

SEC. 2. *And be it further enacted*, That for the purpose aforesaid the sum of two hundred and fifty thousand dollars be, and the same is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated.

APPROVED, July 5, 1813.

Repealed by act of February 27, 1815, ch. 62.

A number of barges to be built.

Specific appropriation.

STATUTE I.

July 5, 1813.

CHAP. VII.—*An Act further extending the time for issuing and locating military land warrants.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be authorized to issue military land warrants to such persons as have

[Obsolete.]

Act of June 9, 1794, ch. 62.

Act of March 21, 1808, ch. 37.

Act of Dec. 19, 1809, ch. 3.

Certain military warrants may be issued by the Secretary of War.

or shall, before the first day of March, one thousand eight hundred and sixteen, produce to him satisfactory evidence of the validity of their claims; which warrants, with those heretofore issued and not yet satisfied, shall and may be located in the name of the holders or proprietors thereof, prior to the first day of October, one thousand eight hundred and sixteen, on any unlocated parts of the fifty quarter townships, and the fractional quarter townships reserved by law for original holders of military land warrants. And patents shall be granted for the land located under this act, in the same manner as is directed by former acts for granting military lands.

APPROVED, July 5, 1813.

STATUTE I.

July 13, 1813.

CHAP. VIII.—*An Act to reward the officers and crew of the sloop of war Hornet; and Lieutenant Elliott and his officers and companions.*

Prize money to the officers and crew of the Hornet, and to Lieutenant Elliott, his officers and companions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorized to have distributed as prize money to Captain James Lawrence, late of the sloop of war Hornet, his officers and crew, or their widows and children, the sum of twenty-five thousand dollars, for the capture and destruction of the British brig Peacock; and to Lieutenant Elliott, and his officers and companions, or their widows and children, the sum of twelve thousand dollars, for the capture and destruction of the British brig Detroit; and that the sum of thirty-seven thousand dollars be, and the same is hereby appropriated to the purpose aforesaid, to be paid out of any money in the Treasury not otherwise appropriated.

APPROVED, July 13, 1813.

STATUTE I.

July 13, 1813.

CHAP. IX.—*An Act freeing from postage all letters and packets to and from the superintendent general of military supplies.*

Privilege of franking to superintendent general of military supplies.

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 the superintendent general of military supplies, which relate to his official duties, shall be free from postage.

APPROVED, July 13, 1813.

STATUTE I.

July 13, 1813.

CHAP. X.—*An Act to relinquish the claims of the United States to certain goods, wares, and merchandise, captured by private armed vessels.*

[Obsolete.]
Claim of the United States to British goods relinquished in cases where they have been condemned for the benefit of the captors, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all right and claim which may have accrued to the United States, under an act, entitled "An act to prohibit the commercial intercourse between the United States and Great Britain and France and their dependencies, and for other purposes," and an act, entitled (a) "An act concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes," (a) and an act supplementary to the last mentioned act, (a) to goods, wares, and merchandise, being the property of British subjects, and shipped from the ports of the United Kingdom of Great Britain and Ireland, since the declaration of war by the United States against that

(a) Act of March 1, 1809, chap. 24.
Act of May 1, 1810, chap. 39.
Act of March 2, 1811, chap. 29.

Kingdom, which have been captured by private armed vessels of the United States, on the high and open seas, and without the territorial limits and jurisdiction of the United States, and have been libelled and claimed, by or in behalf of the owners and other persons interested in the said private armed vessels, in some court of the United States having competent jurisdiction thereof, be, and the same are hereby relinquished in all cases where such goods, wares, and merchandise, being the property of British subjects, and captured as aforesaid, shall have been or shall be condemned as prize of war, for the benefit of the captors, by the final judgment of any court of the United States, having jurisdiction as aforesaid; all suits, libels, or prosecutions instituted or commenced in behalf of the United States, for the recovery of any forfeiture or penalty, accrued by reason of an infraction of any of the three acts first above mentioned, affecting any goods, wares, or merchandise, the property of British subjects, and which have been captured as aforesaid, and libelled in behalf of the captors, shall be discontinued on payment of the costs accrued on such suits or libels, by or on behalf of the said owner or owners. But in all cases where goods, wares, and merchandise thus libelled, shall not be condemned as aforesaid for the benefit of the captors, the right and claim of the United States to the forfeiture of such goods, wares, and merchandise, shall, notwithstanding the discontinuance of the suits and libels in behalf of the said states, remain unimpaired, and such forfeitures may, after a final decision against the captors, be recovered or remitted in conformity with the provisions of the several laws now in force, in the same manner as if such suits or libels had not been discontinued; *Provided*, That nothing herein contained shall extend to or embrace any capture made by such private armed vessels in violation of the additional instructions of the President of the United States to the public and private armed vessels thereof, of the twenty-eighth day of August, in the year one thousand eight hundred and twelve, after the captor shall have been apprized thereof, or by any such private armed vessel which was in any port of the United States subsequent to the said proclamation, and prior to such capture.

Suits on behalf of the United States to be discontinued.

Where not condemned for the benefit of the captors, the rights of the United States to remain.

SEC. 2. *And be it further enacted*, That no decision which may hereafter be made by the Secretary of the Treasury, under the act, entitled "An act directing the Secretary of the Treasury to remit fines, forfeitures and penalties in certain cases," shall be held as affecting the claim of any person or persons claiming as captors any goods, wares, or merchandise, the forfeiture of which to the United States shall have been remitted by such decision.

Decision of Secretary of Treasury not to affect claims of captors, &c.
Act of Jan. 2, 1813, chap. 7.

SEC. 3. *And be it further enacted*, That all goods, wares, and merchandise, captured and libelled as aforesaid, shall pay the same duties, to be secured and collected in the same manner as is provided by the act "concerning letters of marque, prizes and prize goods," with respect to the like goods, wares, and merchandise, when captured from the enemy, and made prize of war.

Act of June 26, 1812, chap. 107.

APPROVED, July 13, 1813.

STATUTE I.

CHAP. XI.—*An Act to incorporate a company for making a certain turnpike road in the county of Alexandria.*

July 13, 1813.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That William Robinson, Charles Lee, Charles Alexander, Thomas Swan, Robert Conway and Philip Richard Fendal, be, and they are hereby appointed a board of commissioners, a majority of whom to constitute a quorum, with full power to receive and enter in such book or books as they may deem proper, by themselves or their agents, subscriptions for raising a capital stock

Commissioners appointed for receiving subscriptions, &c. &c.

of eight thousand dollars, in shares of fifty dollars each, for the purpose of opening, gravelling and improving a road in the county of Alexandria, in the District of Columbia, from the intersection of West street and Pendleton street, in the town of Alexandria, to the boundary line of the District of Columbia, in the most direct and practicable route towards Leesburg, conforming as nearly as shall be found advantageous and convenient to the present main road leading from the said intersection towards Leesburg, and through the county of Alexandria aforesaid: *Provided*, That no subscription shall be received unless the sum of five dollars be first paid into the hands of such agent or other person as the said commissioners may authorize to receive it. The times, places and manner of receiving and entering subscriptions shall be prescribed by the said commissioners, and advertised in such gazettes as they may deem expedient; and whenever one hundred shares or more shall be subscribed, the commissioners, or a majority of them, shall give notice in some newspaper printed in the said District of a time and place, to be by them appointed, for the subscribers to proceed to organize the corporation by an election of officers; and all persons who may then be or thereafter may become the proprietors of shares in the said capital stock, either as subscribers for the same or as the legal representatives, successors or assignees of such subscribers, shall become one body politic and corporate, in deed and in law, by the name and style of the "Alexandria and Leesburg Turnpike Company," and by the same name shall have perpetual succession and all the privileges belonging to a corporation; and shall be capable of taking and holding their said capital stock and the profits thereof, and of enlarging the same by new subscriptions if found necessary to fulfil the intent of this act; and of purchasing, taking and holding to them and their successors and assigns in fee simple, or for any lesser estate, all such lands, tenements and hereditaments and estate, real and personal, as shall be necessary and useful in the prosecution of their work; and of suing and being sued, of having a common seal, and of doing all and every other matter and thing concerning the subject aforesaid, which a corporation or body politic may do.

Proviso.

Annual meetings for the choice of directors, officers, &c. &c.

SEC. 2. *And be it further enacted*, That the said company shall meet on the third Monday in March in every year, at such place as shall be fixed by their by-laws, for the purpose of choosing such officers as aforesaid for the ensuing year, in manner aforesaid, and at such other times as they shall be summoned by the president and directors aforesaid; at which annual or special meetings they shall have full power and authority to do and perform any act by law allowed and pertaining to the affairs of said company; and the president and directors for the time being shall hold their offices until others shall be appointed in their places; and the said corporation shall not be deemed to be dissolved by reason of any defect of officers, but if it should happen that there should be no president or directors competent to call a meeting of the stockholders, the same may be called by any stockholder for the purpose of electing such officers, giving thirty days' notice of the time and place of such meeting, by advertisements in a newspaper printed in the District of Columbia.

Printed certificates of shares to be delivered to stockholders.

Such certificates made transferable.

SEC. 3. *And be it further enacted*, That the president and directors shall procure printed certificates for all the shares of said stock, and shall deliver one such certificate signed by the president, to each person for every share by him or her subscribed and held, which certificate shall be transferable at his or her pleasure, in person or by attorney, in the presence of the president, clerk or treasurer of said company, who shall witness the same; subject however, to all payment due or to grow due thereupon; and the assignee holding any such certificate, having caused the assignment to be entered in a book of the company to be kept for that purpose, shall be a member of said company; and for every certifi-

cate by him held shall be entitled to one share in the capital stock and estate of said company. And if any stockholder, after thirty days' public notice in a newspaper printed in the District of Columbia, of the time and place appointed for the payment of any portion or dividend of the sum subscribed in said stock, shall neglect to pay the same for the space of thirty days after the time so appointed, the share or shares on which such delinquency has taken place, may be sold at public auction, and transferred by them to any person or persons willing to purchase for such price as can be obtained; or in case any proprietor shall fail to pay any instalment which shall be duly assessed, such instalment, or any part thereof, that shall remain deficient or unpaid, may be recovered of the person or persons so failing to pay, by warrant from a justice of the peace, if the amount shall not exceed twenty dollars; and if the sum so due shall exceed twenty dollars, the same may be recovered by motion, in the name of the said company, on ten days' notice, or by action at law in the usual course of judicial proceedings, in any court of record in the District of Columbia; and in all instances where the person so failing to pay his instalment cannot be found in the said District, then recovery shall be had against him by such mode of judicial proceeding as is authorized by the laws of the country where such defaulter shall be found; and in all such warrants, motions or actions, the certificate of the clerk, or recording officer of the said company shall be conclusive evidence of the defendant's being a member of the company, and prima facie evidence of the amount due on the share or shares held by such defendant.

Stockholders, delinquent, to forfeit their first payments in certain cases.

Instalments, how recoverable, &c. &c.

SEC. 4. *And be it further enacted,* That the said president and directors shall meet at such times and places as shall be agreed upon for transacting their business; at which meetings any three members shall form a quorum, who, in the absence of the president may choose a chairman, and shall keep minutes of all their transactions fairly entered in a book; and a quorum being met, they shall have full power and authority to appoint a treasurer and all other officers necessary and convenient, and agree with and appoint all such surveyors, intendants, artists or other agents, as they shall judge necessary to carry on the intended works, and to fix their salaries, wages or compensation; to direct and order the times, manner, and proportions, when and in which the stockholders shall pay moneys due on their respective shares; to draw orders on the treasurer for all moneys due from the said company, and, generally, to do and transact all such other matters, acts, and things as by the by-laws, rules, and regulations of said company, shall be required or permitted.

President and directors to have stated meetings.

SEC. 5. *And be it further enacted,* That upon application of the said president and directors of the said company, to the circuit court of the District of Columbia, or to the judges thereof out of court, the said court, or the judges, or any two of the judges thereof out of court, shall appoint three commissioners, not interested in any of the lands through which the said road may be laid out, nor interested in the stock of the company hereby created, nor in the stock of any other turnpike company, who shall each receive from the said president, directors, and company, two dollars for every day they shall respectively be actually necessarily employed in or about the affairs of the said company. And each of the said commissioners, before he proceeds to act as such, shall take and subscribe on oath, or solemn affirmation, in the presence of a justice of the peace, that he will well, faithfully and impartially, according to the best of his skill and judgment, and without unnecessary delay, execute and perform all the duties required of him as a commissioner under the sixth section of the act of Congress, entitled "An act to incorporate a company for making certain turnpike roads in the District of Columbia;" which oaths or affirmations so subscribed and certified by the justice, in whose presence they shall be severally taken and subscribed, shall be

Commissioners for ascertaining value of land to be appointed.

Act of April 25, 1810, chap. 21.

How they are to proceed.

Duty of the commissioners last mentioned.

Duty of commissioners.

Road, how to be constructed, &c. &c.

filed in the office of the clerk of the said circuit court, and enrolled among the land records of the county of Alexandria. And the said commissioners, or any two of them, being qualified as aforesaid, shall, upon the request of the said president and directors, cause to be surveyed, laid out and ascertained described and marked, by certain metes and bounds, of the aforesaid turnpike road, described in the first section of this act, not less than sixty feet in breadth, in such routes, tracts or courses, for the same respectively as, in the best of their judgment, will combine shortness of distance with the most convenient ground, and the smallest expense of money; and for this purpose it shall be lawful for them, and such agents, assistants, servants or attendants as they may think proper to employ, to enter upon any of the lands through or near which the said road may be laid out, having first given twenty days' public notice in some public newspaper, printed in the District of Columbia, of the time and place of their entering on the said business of surveying and laying out each road respectively. And if any proprietor of any part of the lands through which the said road may be laid out, shall require compensation for so much of his or her said land as may be occupied by the said road, or shall claim damages for or on account of the opening or laying out the said road through his or her land, and if the said president and directors cannot agree with such proprietors respecting the same, then the said commissioners, at the request of either party, shall appoint a day and place to hear and decide upon such claim, and the amount of compensation and damages which such proprietor shall be entitled to receive from the said president, directors and company therefor, first giving twenty days' notice to the adverse party, his or her agent, or attorney in fact, or other legal representative, if either shall be within the District of Columbia, and if the party so notified shall fail to attend, or if the party shall be an infant under age, non compos mentis, feme covert, or absent out of the District of Columbia, and have no known agent or legal representative therein, then the said commissioners may proceed ex parte to hear and decide the same; and the award of them, or any two of them made in writing, signed by them or any two of them, shall by them be returned to the office of the clerk of the said court for the county of Alexandria, within ten days after such hearing, and a copy thereof shall, within ten days after such return, be served upon such of the parties as are resident in the District of Columbia; and if such award be not, at the session of the said circuit court, in the county of Alexandria, next after such return of the said award to the clerk's office, set aside on account of fraud or partiality in the said commissioners, or other cause deemed sufficient in the opinion of the court, the same shall be final and conclusive between the parties, and shall be recorded by the said clerk; and the sum so awarded being paid to the said clerk, for the use of the person entitled to receive the same, the said land mentioned and described in the said award, shall and may be taken and occupied as a turnpike road and public highway forever. And the said commissioners, upon completing the said survey of the said road, shall return a plat and certificate of such survey to the said clerk, and the same being accepted by the said court, shall be recorded by the said clerk, and thereupon the road so laid out shall be taken, used, and occupied as a turnpike road and public highway forever; and the said president, directors and company may thereupon proceed to enter upon the same, and shall cause at least twenty-four feet in breadth throughout the whole length thereof, to be made an artificial road of stone, gravel, or other hard substance, of sufficient depth or thickness to secure a solid and firm road, with a surface as smooth as the materials will admit, and so nearly level that it shall in no case rise or fall more than an angle of four degrees with a horizontal line, and the said road shall thereafter be kept in good and perfect repair; and wheresoever upon the said road any

bridge shall be deemed necessary, the same shall be built of sound and suitable materials. And in case either of the said commissioners should die, or refuse to act, or become incapacitated, or should be removed by the court for misconduct, the said court may appoint another in his place; and when in the opinion of the said president and directors, the said road shall be completed to the extent of twenty-four feet in breadth, the same shall be examined by the said commissioners, or any two of them; and if in the opinion of them, or any two of them, the said road should have been completed to the extent of at least twenty-four feet in breadth, according to the meaning of this act, they shall certify the same, to the said circuit court, or the judges thereof out of court, and their certificate being accepted by the said court, or any two judges thereof, and recorded, the said president and directors shall, and may thereafter erect and fix one gate and turnpike upon and across the said road, to collect the tolls hereinafter granted to the said company; and it shall be lawful for them to appoint such, and so many toll gatherers as they shall deem necessary, to collect and receive of and from all and every person and persons using the said road, the tolls and rates hereinafter mentioned, and to stop any person or persons riding, leading or driving any horses, mules, cattle, hogs, sheep, sulky, chair, chaise, phaeton, chariot, coach, cart, wagon, sleigh, sled, or any carriage of burden or pleasure, from passing through the said gate, until the said tolls shall be paid, that is to say: For every score of sheep, five cents; for every score of hogs, five cents; for every score of cattle, ten cents; and so in proportion for any greater or less number; for every horse or mule with a rider, three cents; for every stage or wagon and two horses, six cents; for either carriage last mentioned, with four horses, ten cents; for every led or driven horse or mule, one cent; for every sulky, chair, chaise or carriage of pleasure, with two wheels and one horse, five cents; for every coach, chariot, phaeton, or chaise, with four wheels and two horses, nine cents; for any of the said carriages last mentioned with four horses, eleven cents; for every other carriage of pleasure, under whatever name it may go, the like sums according to the number of wheels and horses, in proportion aforesaid; for every sled or sleigh used as a carriage of pleasure, three cents for each horse drawing the same; for every sled or sleigh used as a carriage of burden, two cents, for each horse drawing the same; for every cart or wagon, whose wheels do not exceed four inches in breadth, three cents for each horse drawing the same; for every cart or wagon, whose wheels shall exceed in breadth four inches, and not exceed seven inches, one and an half cents for every horse drawing the same; for every cart or wagon, whose wheels shall be more than seven inches in breadth, and not more than ten inches, one and a quarter cents for every horse drawing the same; for every cart or wagon, the breadth of whose wheels shall be more than ten inches, and not exceeding twelve inches, one cent for every horse drawing the same: And that all such carriages as aforesaid to be drawn by oxen, or to be drawn by part oxen, or to be drawn by mules in whole or part, two oxen shall be estimated as equal to one horse in charging all the aforesaid tolls, and every mule as equal to one horse.

Tolls, rates
of.

SEC. 6. *And be it further enacted*, That in all cases where stone, gravel, earth or sand shall be necessary for making or repairing the said road, and the said president, directors and company of Alexandria and Leesburg turnpike road cannot agree for the same, with the owner thereof, then, upon application by the said president and directors, or any person authorized by them, to any one of the judges of the said district court, he may, if he see cause, by warrant under his hand and seal, command the marshal of the said district to summon a jury of thirteen disinterested persons, qualified to serve as petit jurors in the said circuit court, to meet at the place where such materials may be, on some day, not more than ten days after

Ground to be
condemned,
&c. &c.

the date of such warrant; and to give the other party five days' notice of the said time and place, if such party be found within the district of Columbia; and if any of the said jurors should fail to attend at the said time and place, the marshal may immediately summon talesmen in the place of those who are absent, and shall administer an oath to the said jurors and talesmen, as the case may be, justly and impartially to value the said materials, and to assess the damage which the owner thereof shall sustain by the taking thereof by the said president, directors and company of the Alexandria and Leesburg turnpike road; which valuation and assessment of damages made by the said jurors, or a majority of them, shall be signed by the said marshal and the jurors, or so many of them as shall agree thereto, and be returned by the marshal to the said clerk of the said court for the county of Alexandria, to be by him recorded, and shall be conclusive between the parties; and a copy thereof shall be delivered to each of the parties who may be resident within the district; and the sum so awarded and assessed being paid to the said clerk of the said court for the use of the party entitled thereto, the said president and directors may proceed to take and carry away the said materials so valued for the purposes aforesaid; and the said president, directors and company shall pay the said marshal five dollars for his services in summoning and empannelling the said jury and taking and returning the said inquest, and two dollars to each of the jurors so sworn.

Weights which may be carried over, at what rates.

SEC. 7. *And be it further enacted*, That for the purpose of ascertaining the weight that may be drawn along the said road in any wagon, cart or other carriage of burden, it shall and may be lawful for the said president, managers and company to erect and establish scales and weights at or near the gate erected, or to be erected, in pursuance of this act, as they may think proper; and where there may seem reasonable cause to suspect that any cart, wagon or other carriage of burden carries a greater weight than is or shall be by law allowable, it shall be lawful for the toll gatherers, or other persons in their service or employment, to prevent the same from passing such gate or turnpike until such cart, wagon, or carriage of burden, shall be drawn into the fixed or erected scales, at or near any such gate or turnpike, and the weight or burden drawn therein ascertained by weighing; and if the person or persons driving or having care or charge of any such cart, wagon, or other carriage of burden, shall refuse to drive the same into any such scales for the purpose aforesaid, the person or persons so refusing shall forfeit and pay to the said president, managers, and company any sum not less than five dollars, nor more than eight dollars, to be recovered in the manner hereinafter mentioned.

Restrictions as to weights to be carried over turnpike.

SEC. 8. *And be it further enacted*, That no wagon or other carriage with four wheels, the breadth of whose wheels shall not be four inches, shall be drawn along the said road with a greater weight thereon than three tons weight; that no such carriage, the breadth of whose wheels shall not be seven inches, or being six inches or more, shall roll at least ten inches, shall be drawn along the said road with more than five tons; that no such carriage, the breadth of whose wheels shall not be ten inches or more, or being less shall not roll at least twelve inches, shall be drawn along the said road with more than eight tons; that no cart or carriage, with two wheels, the same breadth of wheels as the wagons aforesaid, shall be drawn along the said road with more than half the burden or weight aforesaid; and if any cart, wagon or carriage of burden whatsoever, shall be drawn along the said road with a greater weight than is hereby allowed, the owner or owners of such carriage, if the excess of burden shall be three hundred weight or upwards, shall forfeit and pay four times the customary tolls, for the use of the company: *Provided always*, That it shall and may be lawful for the said company by their by-laws to alter any or all the regulations herein contained respect-

Proviso.

ing the burdens or carriages to be drawn over the said road, and to substitute other regulations, if upon experiment such alterations shall be found conducive to the public good: *Provided nevertheless*, That such regulations shall not lessen the burdens of carriages above described.

SEC. 9. *And be it further enacted*, That the president and directors of the said company shall keep, or cause to be kept, fair and just accounts of all moneys to be received by them from the said commissioners first herein named, and from the stockholders or subscribers to the said undertaking on account of their several subscriptions or shares, and of all moneys by them to be expended in the prosecution of their said work; and shall once at least in every year submit such accounts to a general meeting of the stockholders, until the said road shall be completed, and until the costs, charges and expenses of effecting the same shall be fully liquidated, paid and discharged; and if upon such liquidation, or whenever the whole capital stock of the said company shall be nearly expended, it shall be found that the said capital stock will not be sufficient to complete the said road, according to the true intent and meaning of this act, it shall and may be lawful for the said stockholders, being convened according to the provisions of this act, or their by-laws and rules, to increase the amount to be paid on the shares from time to time, to such extent as shall be necessary to accomplish the work; and to demand and receive the increased amount so to be required on such shares in like manner, and under the like penalties as are herein before provided for the original payments, or as shall be provided by their by-laws.

SEC. 10. *And be it further enacted*, That the said president and directors shall also keep, or cause to be kept, just and true accounts of all moneys to be received by their several collectors of tolls, at the turnpike gate on the said road, and shall make and declare a half yearly dividend aforesaid in some newspaper printed in the District of Columbia, and at the time and place when and where the same will be paid, and cause to be paid the same immediately.

SEC. 11. *And be it further enacted*, That it shall be the duty of the said corporation to keep the said road in good repair; and if in neglect of their said duty the said corporation shall at any time suffer the said road to be out of repair, so as to be unsafe or inconvenient for passengers, the said corporation shall be liable to be presented for such neglect, before any court of competent jurisdiction, and upon conviction thereof to pay the United States a penalty not exceeding one hundred dollars, at the discretion of the court; and shall also be responsible for all damages which may be sustained by any person or persons in consequence of such want of repair, to be recovered in an action of trespass on the case, in any court competent to try the same: *Provided always, and it is further enacted*, That whenever the net proceeds of tolls collected on said road shall amount to a sum sufficient to reimburse the capital which shall be expended in the purchase of such land and making such roads, and twelve per cent. interest per annum thereon, to be ascertained by the circuit court of the United States, in and for the District of Columbia, the same shall become a free road, and tolls shall be no longer collected thereon; and the said company shall annually make returns to said circuit court of the amount of the tolls collected, and of their necessary expenses, so as to enable said circuit court to determine when said tolls shall cease.

SEC. 12. *And be it further enacted*, That if any person or persons, riding in or driving any carriage of any kind, or leading, riding, or driving any horses, sheep, hogs or any kind of cattle whatever, on said road, shall pass through any private gate, bars or fence, or over any private way or passage, or pass through any toll gate, under any pretended privilege or exemption, to which he or she or they may not be

Proviso.

Duties of president and directors, and their powers.

Accounts of receipts to be kept, and the half yearly dividends to be declared.

Road to be kept in repair, penalties, &c. &c.

When the road shall become free of toll.

Penalty for evading payment of tolls, &c. &c.

entitled, or do any act or thing, with intent to lessen or evade the tolls for passing through the gate established under this act, such person or persons, for every such offence, shall forfeit to the said president and directors, not less than three nor more than ten dollars, to be recovered before any justice of the peace, with costs, in the same manner that small debts are recoverable: *Provided*, That it shall not be lawful for the company to ask, demand or receive from or for persons living on or adjacent to the said road, who may have occasion to pass by said road, upon the ordinary business relating to their farms, so far as the limits of the same may extend on the roads, respectively, who shall not have any other convenient road or way by which they may pass, from one part to another part thereof, any toll for passing on said turnpike.

APPROVED, July 13, 1813.

STATUTE I.

July 13, 1813.

CHAP. XII.—*An Act to incorporate a company for making a certain turnpike road in the county of Washington, in the District of Columbia.*

Commissioners appointed for receiving subscriptions, &c. &c.

Direction of road.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That William Marbury, John Hoye, George Johnson, William Steuart, William Whann, Washington Bowie, John W. Bronaugh, Edgar Patterson, and John Eliason be, and they are hereby appointed a board of commissioners, a majority of whom to constitute a quorum, with full powers to receive and enter in such book or books as they may deem proper, by themselves or their agents, subscriptions for raising a capital stock of ten thousand dollars, in shares of fifty dollars each, for the purpose of opening, gravelling, and improving a road in the counties of Washington and Alexandria, in the District of Columbia, from the intersection of Falls street and Water street in the town of Georgetown, to the boundary line of the District of Columbia, in the most direct and practicable route towards Leesburg, conforming as nearly as shall be found advantageous and convenient to the present main road, leading from the said intersection towards Leesburg, and through the counties of Washington and Alexandria aforesaid: *Provided*, That no subscription shall be received, unless the sum of five dollars be first paid into the hands of such agent or other person, as the said commissioners may authorize to receive it; the times, places, and manner of receiving and entering subscriptions shall be prescribed by said commissioners, and advertised in such gazettes as they may deem expedient; and whenever one hundred shares or more shall be subscribed, the commissioners, or a majority of them, shall give notice in some newspaper, printed in the District of Columbia, of a time and place to be by them appointed, for the subscribers to proceed to organize the corporation, by an election of officers: and all persons who may then be, or thereafter may become proprietors of shares in the said capital stock, either as subscribers for the same, or as the legal representatives, successors, or assignees of such subscribers, shall become one body politic and corporate in deed and in law, by the name and style of the Georgetown and Leesburg Turnpike Company, and by the same shall have perpetual succession, and all the privileges belonging to a corporation; and shall be capable of taking and holding their said capital stock and the profits thereof, and of enlarging the same by new subscriptions, if found necessary to fulfil the intent of this act, and of purchasing, taking and holding, to them and their successors and assigns, in fee simple, or for any lesser estate, all such lands, tenements, and hereditaments, and estate real and personal, as shall be necessary and useful in the prosecution of their work, and of suing and being sued, of having a common seal, and of doing all and every other matter and thing concerning the subject aforesaid, which a corporation or body politic may do.

SEC. 2. *And be it further enacted*, That the said company shall meet on the third Monday in March, in every year, at such place as shall be fixed by their by-laws, for the purpose of choosing such officers as aforesaid for the ensuing year, in manner aforesaid, and at such other times as they shall be summoned by the president and directors aforesaid; at which annual or special meetings they shall have full power and authority to do and perform any act by law allowed, and pertaining to the affairs of said company; and the president and directors for the time being, shall hold their offices until others shall be appointed in their places; and the said corporation shall not be deemed to be dissolved by reason of any defect of officers, but if it should happen that there should be no president or directors competent to call a meeting of the stockholders, the same may be called by any stockholder, for the purpose of electing such officers, giving thirty days' notice of the time and place of such meeting, by advertisement, in a newspaper printed in the District of Columbia.

Annual meetings of the company for the choice of directors, &c. &c.

Powers of the company, and of the board of directors.

SEC. 3. *And be it further enacted*, That the president and directors shall procure printed certificates for all the shares of said stock, and shall deliver one such certificate, signed by the president, to each person for every share by him or her subscribed and held, which certificates shall be transferable at his or her pleasure in person, or by attorney, in the presence of the president, clerk, or treasurer of said company, who shall witness the same; subject, however, to all payment due, or to grow due thereupon; and the assignee holding any such certificate, having caused the assignment to be entered in a book for the company to be kept for that purpose, and having paid the clerk of said company twenty-five cents for each certificate contained in such assignment, for his services in recording the same, shall be a member of said company; and for every certificate by him held shall be entitled to one share in the capital stock and estate of said company. And if any stockholder, after thirty days' public notice in a newspaper printed in the District of Columbia, of the time and place appointed for the payment of any portion or dividend of the sum subscribed in said stock, shall neglect to pay the same for the space of thirty days after the time so appointed, the share or shares on which such delinquency has taken place, may be sold at public auction, and transferred by them to any person or persons willing to purchase for such price as can be obtained, or in case any proprietor shall fail to pay any instalment which shall be duly assessed, such instalments or any part thereof that shall remain deficient or unpaid, may be recovered of the person or persons so failing to pay, by warrant from a justice of the peace, if the amount shall not exceed twenty dollars, and if the sum so due shall exceed twenty dollars, the same be recovered by motion in the name of said company, on ten days' notice, or by action at law in the usual course of judicial proceedings, in any court of record in the District of Columbia, and in all instances where the person so failing to pay his instalment, cannot be found in the said District, then recovery shall be had against him by such mode of judicial proceeding as is authorized by the laws of the country where such defaulter shall be found; and in all such warrants, motions or actions, the certificate of the clerk of the said company shall be conclusive of the defendant's being a member of the company, and prima facie evidence of the amount due on the share or shares held by such defendant.

Regulations with respect to shares.

Meetings of the directors.

SEC. 4. *And be it further enacted*, That the said president and directors shall meet at such times and places as shall be agreed upon for transacting their business; at which meetings any three members shall form a quorum, who, in the absence of the president, may choose a chairman, and shall keep minutes of all their transactions fairly entered in a book, and a quorum being met, they shall have full power and authority to appoint a treasurer, and all other officers necessary and convenient, and

Their powers.

agree with and appoint all such surveyors, intendants, artists or other agents as they may judge necessary to carry on the intended works, and to fix their salaries, wages or compensation; to direct and order the times, manner and proportions, when and in which the stockholders shall pay moneys due on their respective shares; to draw orders on the treasurer for all moneys due from said company; and generally to do and transact all such other matters, acts and things as by the by-laws, rules and regulations of said company shall be required or permitted.

SEC. 5. *And be it further enacted*, That upon application of the said president and directors of the said company to the circuit court of the District of Columbia, or to the judges of said court, out of court, the said court or the judges, or any two of the judges thereof out of court, shall appoint three commissioners, not interested in any of the lands through which the said road may be laid out, nor interested in the stock of the company hereby created, nor in the occupancy of any mills or water works by which the said road may pass, who shall receive each from the said president and directors and company, two dollars for every day they shall respectively be actually necessarily employed in or about the affairs of said company; and each of the said commissioners, before he proceeds to act as such, shall take and subscribe an oath or solemn affirmation in the presence of a justice of the peace, that he will well, faithfully and impartially, according to the best of his skill and judgment, and without unnecessary delay, execute and perform all the duties required of him as a commissioner, under the sixth section of the act of Congress, entitled "An act to incorporate a company for making certain turnpike roads in the District of Columbia;" which oaths or affirmations so subscribed and certified by the justice, in whose presence they shall be severally taken and subscribed, shall be filed in the office of the clerk of the said circuit court, and enrolled among the land records of the county of Washington; and the said commissioners, or any two of them, being qualified as aforesaid, shall, upon the request of the said president and directors, cause to be surveyed, laid out, and ascertained, described and marked, by certain metes and bounds of the aforesaid turnpike road, described in the first section of this act, not less than sixty feet in breadth, in such routes, tracts or courses for the same respectively, as in the best of their judgment will combine shortness of distance with the most convenient ground and the smallest expense of money; and for this purpose it shall be lawful for them and such agents, assistants, servants, or attendants as they may think proper to employ, to enter upon any of the lands through or near which the said road may be laid out, having first given twenty days' public notice in some public newspaper printed in the District of Columbia, of the time and place of their entering on the said business of surveying and laying out each road respectively: and if any proprietor of any part of the lands, through which the said road may be laid out, shall require compensation for so much of his or her said land as may be occupied by the said road, or shall claim damages for or on account of the opening or laying out the said road through his or her land, and if the said president and directors cannot agree with such proprietors respecting the same, then the said commissioners at the request of either party, shall appoint a day and place to hear and decide upon such claim, and the amount of compensation and damages which such proprietor shall be entitled to receive from the said president, directors and company thereof, first giving twenty days' notice to the adverse party, his or her agent or attorney in fact, or other legal representative, if either shall be within the District of Columbia; and if the party so notified shall fail to attend, or if the party shall be an infant under age, non compos mentis, feme covert or absent out of the District of Columbia and have no agent or legal representative therein, then the said commissioners may

Commissioners to be appointed by circuit court for laying out the road, and making the other preliminary arrangements.

Act of April 25, 1810, chap. 21.

proceed ex parte to hear and decide the same; and the award of them or any two of them, made in writing signed by them or any two of them, shall by them be returned to the office of the clerk of the said court for the county of Washington, within ten days after such hearing, and a copy thereof shall within ten days after such return be served upon such of the parties as are residents in the District of Columbia; and if such award be not at the session of the said circuit court, in the county of Washington, next after such return of the said award to the clerk's office, be set aside on account of fraud or partiality in the said commissioners, or other cause deemed sufficient in the opinion of the court, the same shall be final and conclusive between the parties, and shall be recorded by the said clerk; and the sum so awarded being paid to the said clerk for the use of the person entitled to receive the same, the said land, mentioned and described in the said award, shall and may be taken and occupied as a turnpike road and public highway forever: and the said commissioners, upon completing the said survey of the said road, shall return a plat and certificate of such survey to the said clerk, and the same being accepted by the said court shall be recorded by the said clerk, and thereupon the road so laid out shall be taken, used and occupied as a turnpike road and public highway forever; and the said president, directors and company may thereupon proceed to enter upon the same, and shall cause at least twenty-four feet in breadth, throughout the whole length thereof, to be made an artificial road of stone, gravel or other hard substance, of sufficient depth or thickness to secure a solid and firm road, with the surface as smooth as the materials will admit, and so nearly level that it shall in no case rise or fall more than an angle of four degrees with a horizontal line; and the said road shall thereafter be kept in good and perfect repair; and wheresoever upon the said road any bridge shall be deemed necessary, the same shall be built of sound and suitable materials. And in case either of the said commissioners die or refuse to act, or become incapacitated, or shall be removed by the court for misconduct, the said court may appoint another in his place, and when in the opinion of the said president and directors, the said road shall be completed to the extent of twenty-four feet in breadth, the same shall be examined by the said commissioners or any two of them; and if in the opinion of them or any two of them, the said road should have been completed to the extent of at least twenty-four feet in breadth, according to the meaning of this act, they shall certify the same to the said court, or the judges thereof out of court, and their certificate being accepted by the said court or any two judges thereof, and recorded, the said president and directors shall and may thereafter erect and fix one gate and turnpike upon and across the said road, to collect the tolls hereinafter granted to the said company; and it shall be lawful for them to appoint such, and so many toll gatherers as they shall deem necessary to collect and receive of and from all and every person and persons using the said road, the tolls and rates hereinafter mentioned, and to stop any person or persons riding, leading or driving any horses, mules, cattle, hogs, sheep, sulky, chair, chaise, phaeton, chariot, coach, cart, wagon, sleigh, sled or any carriage of burden or pleasure, from passing through the said gate, until the said tolls shall be paid, that is to say: For every score of sheep, five cents; for every score of hogs, five cents; for every score of cattle, ten cents; and so in proportion for any greater or less number; for every horse or mule with a rider, three cents; for every stage or wagon and two horses, six cents; for either carriage last mentioned with four horses, ten cents; for every led or driven horse or mule, one cent; for every sulky, chair, chaise or carriage of pleasure, with two wheels and one horse, five cents; for every coach, chariot, phaeton or chaise, with four wheels and two horses, nine cents; for any of the said carriages last mentioned with four horses, eleven cents; for every other carriage

of pleasure, under whatever name it may go, the like sums according [to] the number of wheels and horses, in proportion aforesaid; for every sled or sleigh used as a carriage of pleasure, three cents for each horse drawing the same; for every sled or sleigh used as a carriage of burden, two cents for each horse drawing the same; for every cart or wagon, whose wheels do not exceed four inches in breadth, three cents for each horse drawing the same; for every cart or wagon, whose wheels shall exceed in breadth four inches, and not exceed seven inches, one and an half cents for every horse drawing the same; for every cart or wagon, whose wheels shall be more than seven inches in breadth, and not more than ten inches, one and a quarter cents for every horse drawing the same; for every cart or wagon, the breadth of whose wheels shall be more than ten inches, and not exceeding twelve inches, one cent for every horse drawing the same; and that all such carriages as aforesaid to be drawn by oxen, or to be drawn by part oxen, or to be drawn by mules in whole or part, two oxen shall be estimated as equal to one horse, in charging all the aforesaid tolls, and every mule as equal to one horse.

A jury to be summoned for condemning land and materials for the road.

SEC. 6. *And be it further enacted*, That in all cases where stone, gravel, earth, or sand, shall be necessary for making or repairing the said road, and the said president, directors, and company of Georgetown and Leesburg turnpike road cannot agree for the same, with the owner thereof, then, upon application by the said president and directors, or any person authorized by them, to any one of the judges of the said district court, he may, if he see cause, by warrant, under his hand and seal, command the marshal of the said district, to summon a jury of thirteen disinterested persons, qualified to serve as petit jurors, in the said circuit court, to meet at the place where such materials may be, on some day, not more than ten days after the date of such warrant, and to give the other party five days' notice of the said time and place, if such party be found within the District of Columbia; and if any one of the said jurors should fail to attend at the said time and place, the marshal may immediately summon talesmen in the place of those who are absent, and shall administer an oath to the said jurors and talesmen, as the case may be, justly and impartially to value the said materials and to assess the damage which the owner thereof shall sustain, by the taking thereof by the said president and directors and company of the Georgetown and Leesburg turnpike road, which valuation and assessment of damages, made by the said jurors, or a majority of them, shall be signed by the said marshal and the jurors, or so many of them as shall agree thereto, and be returned by the marshal to the said clerk of the said court for the county of Washington, to be by him recorded, and shall be conclusive between the parties; and a copy thereof shall be delivered to each of the parties who may be resident in the District of Columbia, and the sum so awarded and assessed being paid to the said clerk of the said court, for the use of the party entitled thereto, the said president and directors may proceed to take and carry away the said materials so valued, for the purposes aforesaid; and the said president, directors and company, shall pay the said marshal five dollars for his services in summoning and empannelling the said jury, and taking and returning said inquest, and two dollars to each of the jurors so sworn.

Scales may be erected for ascertaining weights to be brought over the road.

SEC. 7. *And be it further enacted*, That for the purpose of ascertaining the weight that may be drawn along the said road, in any wagon, cart, or other carriage of burden, it shall and may be lawful for the said president, directors and company, to erect and establish scales and weights, at or near the gate erected, or to be erected, in pursuance of this act, as they may think proper; and where there may seem reasonable cause to suspect that any cart, wagon, or other carriage of burden, carries a greater weight than is or shall be by law allowable, it shall be lawful for

the toll gatherers, or other persons in their service or employment to prevent the same from passing such gate or turnpike, until such cart, wagon, or carriage of burden shall be drawn into the fixed or erected scales, at or near any such gate or turnpike, and the weight or burden drawn therein ascertained by weighing; and if the person or persons driving or having care or charge of any such cart, wagon, or other carriage of burden, shall refuse to drive the same into any such scales for the purpose aforesaid, the person or persons so refusing shall forfeit and pay the said president, directors and company, any sum not less than five dollars, nor more than eight dollars, to be recovered in the manner hereinafter mentioned.

SEC. 8. *And be it further enacted,* That no wagon or other carriage with four wheels, the breadth of whose wheels shall not be four inches, shall be drawn along the said road with a greater weight thereon than three tons weight; that no such carriage, the breadth of whose wheels shall not be seven inches, or being six inches or more, shall roll at least ten inches, shall be drawn along the said road with more than five tons; that no such carriage, the breadth of whose wheels shall not be ten inches or more, or being less, shall not roll at least twelve inches, shall be drawn along the said road with more than eight tons; that no cart or carriage, with two wheels, the same breadth of wheels as the wagons aforesaid, shall be drawn along the said road with more than half the burden of weight aforesaid; and if any cart, wagon, or carriage of burden whatever, shall be drawn along the said road with a greater weight than is hereby allowed, the owner or owners of such carriage, if the excess of burden shall be three hundred weight or upwards, shall forfeit and pay four times the customary tolls, for the use of the company: *Provided always,* That it shall and may be lawful for the said company by their by-laws to alter any or all the regulations herein contained, respecting the burdens or carriages to be drawn over the said road, and to substitute other regulations, if upon experiment such alterations shall be found conducive to the public good: *Provided nevertheless,* That such regulations shall not lessen the burdens of carriages above described.

Regulations respecting weights to be brought over the road.

SEC. 9. *And be it further enacted,* That the president and directors of the said company shall keep, or cause to be kept, fair and just accounts of all moneys to be received by them from the said commissioners first herein named, and from the stockholders or subscribers to the said undertaking, on account of their several subscriptions or shares, and of all moneys by them to be expended in the prosecution of their said work, and shall once at least in every year submit such accounts to a general meeting of the stockholders, until the said road shall be completed, and until the costs, charges, and expenses of effecting the same, shall be fully liquidated, paid, and discharged; and if upon such liquidation, or whenever the whole capital stock of the said company shall be nearly expended, it shall be found that the said capital stock will not be sufficient to complete the said road, according to the true intent and meaning of this act, it shall and may be lawful for the said stockholders, being convened according to the provisions of this act, or their by-laws and rules, to increase the amount to be paid on the shares from time to time, to such extent as shall be necessary to accomplish the work, and to demand and receive the increased amount so to be required on such shares in like manner, and under the like penalties as are herein before provided for the original payments, or as shall be provided by their by-laws.

Correct accounts to be kept of receipts and expenditures.

SEC. 10. *And be it further enacted,* That the president and directors shall also keep or cause to be kept, just and true accounts of all moneys to be received by their collectors of tolls at the turnpike gate on the said road, and shall make and declare a half yearly dividend aforesaid, in some newspaper printed in the District of Columbia, and at the time and place when and where the same will be paid, and cause the same to be paid immediately.

Particular account of tolls received to be kept.

Corporation to keep the road in good repair.

SEC. 11. *And be it further enacted*, That it shall be the duty of the said corporation to keep the said road in good repair, and if by neglect of their said duty, the said corporation shall at any time suffer the said road to be out of repair, so as to be unsafe or inconvenient for passengers, the said corporation shall be liable to be presented for such neglect, before any court of competent jurisdiction, and upon conviction thereof, to pay the United States a penalty not exceeding one hundred dollars, at the discretion of court; and shall also be responsible for all damages which may be sustained by any person or persons, in consequence of such want of repair, to be recovered in an action of trespass on the case, in any court competent to try the same: *Provided always, and it is further enacted*, That whenever the net proceeds of tolls collected on said road, shall amount to a sum sufficient to reimburse the capital which shall be expended in the purchase of such land and making such roads, and twelve per cent. interest per annum thereon, to be ascertained by the circuit court of the United States, in and for the District of Columbia, the same shall become a free road, and tolls shall be no longer collected thereon; and the said company shall annually make returns to said circuit court, of the amount of the tolls collected, and of their necessary expenses, so as to enable said circuit court to determine when said tolls shall cease.

Proviso.

Penalties for evading payment of tolls.

SEC. 12. *And be it further enacted*, That if any person or persons riding in or driving any carriage of any kind, or leading, riding, or driving, any horses, sheep, hogs, or any kind of cattle whatever, on said road, shall pass through any private gate, bars, or fence, or over any private way or passage, or pass through any toll gate, under any pretended privilege or exemption to which he, she, or they, may not be entitled, or do any act or thing with intent to lessen or evade the tolls for passing through the gate established under this act, such person or persons, for every such offence, shall forfeit to the president and directors not less than three, nor more than ten dollars, to be recovered before any justice of the peace, with costs, in the same manner that small debts are recoverable: *Provided*, That it shall not be lawful for the company to ask, demand, or receive, from, or for persons living on or adjacent to the said road, who may have occasion to pass by said road upon the ordinary business relating to their farms, so far as the same may in its limits extend on the roads respectively, who shall not have any other convenient road or way by which they may pass from one part to another part thereof, any toll for passing on said turnpike.

Proviso.

APPROVED, July 13, 1813.

STATUTE I.

July 16, 1813.

CHAP. XIII.—*An Act providing for the further defence of the ports and harbours of the United States.*

President may cause hulks to be sunk for greater security of ports and harbours.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby authorized, whenever the same shall be deemed necessary for the defence and security of any of the ports and harbours of the United States, to cause to be hired or purchased, hulks, or other means of impediment to the entrance of the ships or vessels of the enemy, to be sunk with the consent of the proper authority of the state in which such port or harbour may be, and the same to be removed whenever in his opinion it may be done with safety to such ports or harbours.

Appropriation.

SEC. 2. *And be it further enacted*, That to defray any expense which may be incurred under this act, the sum of two hundred and fifty thousand dollars be, and the same is hereby appropriated, to be paid out of any moneys in the treasury not otherwise appropriated.

APPROVED, July 16, 1813.

CHAP. XIV.—*An Act concerning suits and costs in courts of the United States.*(a)

STATUTE I.

July 22, 1813.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever there shall be several actions or processes against persons who might legally be joined in one action or process, touching any demand or matter in dispute before a court of the United States or of the territories thereof,

When several actions are brought against persons who might be legally

(a) *Decisions in the Courts of the United States, on the law of Costs.*

1. The cost of printing a statement of the case for the Supreme Court, was refused to be allowed as part of the plaintiff's costs. *Jennings et al. Plaintiffs in Error v. The Brig Perseverance*, 3 Dall. 336; 1 Cond. Rep. 154.
2. On a writ of error to the High Court of Appeals of Maryland, the judgment of that court was reversed, and the judgment of the general court of Maryland was affirmed. The mandate of the Supreme Court was directed to the general court, and the costs of the Supreme Court and of the courts of Maryland were allowed to the plaintiff in error. *Clarke, Plaintiff in Error v. Harwood*, 3 Dall. 342; 1 Cond. Rep. 157.
3. Costs are not to be awarded against the United States. *The United States v. Hooe et al.* 3 Cranch, 73; 1 Cond. Rep. 458.
4. A judgment for costs, generally, includes all the costs belonging to the suit, whether prior or subsequent to the rendition of the judgment. If new costs accrue, the judgment opens to receive them. *Peyton v. Brooke*, 3 Cranch, 92; 1 Cond. Rep. 464.
5. Costs were allowed upon the dismissal of a writ of error for want of jurisdiction; the original defendant being also defendant in error. *Winchester v. Jackson et al.* 3 Cranch, 514; 1 Cond. Rep. 612.
6. Where there appeared some ground for the prosecution, costs were refused. *The United States v. La Vengeance*, 3 Dall. 297; 1 Cond. Rep. 132.
7. Where a writ of error is dismissed in the Supreme Court for want of jurisdiction, costs are not allowed. *Inglee v. Coolidge*, 2 Wheat. 363; 4 Cond. Rep. 155.
8. Each party is liable to the clerk of the Supreme Court for the fees due to him from each party, respectively. *Caldwell v. Jackson*, 7 Cranch, 276; 2 Cond. Rep. 490.
9. A copy of the record is not a part of the taxable costs of suit, to be recovered by one party against the other; but the party who requests the copy, must pay the clerk for it. *Ibid.*
10. It is undoubtedly a general rule, that no court can give a direct judgment against the United States for costs, in a suit to which they are a party, either on behalf of any suitor, or any officer of the government. But it by no means follows, from this, that they are not liable for their own costs. No direct suit can be maintained against the United States. But when an action is brought by the United States, to recover money in the hands of a party, who has a legal claim against them for costs, it would be a very rigid principle, to deny to him the right of setting up such claim in a court of justice, and turn him round to an application to Congress. If the right of the party is fixed by the existing law, there can be no necessity for an application to Congress, except for the purpose of remedy. And no such necessity can exist, when this right can properly be set up by way of defence to a suit by the United States. *U. S. v. Ringgold et al.* 8 Peters, 150.
11. The United States do not pay costs in any case. *The U. S. v. Barker*, 2 Wheat. 395; 4 Cond. Rep. 181.
12. No judgment or decree can be rendered directly against the United States for costs and expenses. *The Antelope*, 12 Wheat. 546; 6 Cond. Rep. 629.
13. The fees and compensation to the marshal, where the government is a party to the suit, and his fees or compensation are chargeable to the United States, are to be paid out of the treasury, upon a certificate of the amount, to be made by the court, or one of the judges. *Ibid.*
14. In cases of reversal, costs do not go of course; but in cases of affirmation they do. When a judgment is reversed for want of jurisdiction, it must be without costs. *Montalet v. Murray*, 4 Cranch, 46; 2 Cond. Rep. 19.
15. The court below, upon a mandamus, on reversal of its judgment, may award execution for the costs of the appellant in that court. *Riddle et al. v. Mandeville et al.* 6 Cranch, 86; 2 Cond. Rep. 307.
16. Where the court ordered the costs to be paid of a former ejection brought by the plaintiffs in the names of other persons, but for their use, before the plaintiff could prosecute a second suit in his own name for the same land; this was not a judicial decision that the right of the plaintiffs in the first suit was the same with that of the plaintiffs in the second suit. It was perfectly consistent with the justice of the case, that when the plaintiffs sued the same defendant in their own name for the same land, that they should reimburse him for the past costs to which they had subjected him, before they should be permitted to proceed further. Rules of this kind are granted by the court to meet the justice and exigencies of cases as they occur; not depending solely on the interest which those who are subjected to such rules may have in the subject matter of suits which they bring and prosecute in the names of others; but on a variety of circumstances, which, in the exercise of a sound discretion, may furnish a proper ground for their interference. *Henderson and Wife v. Griffin*, 5 Peters, 151.
17. Where several claims had been filed by the district attorney, and, before any further proceedings in the cause, Congress remitted the forfeiture, on the payment of duties, costs, and charges: *Held*, that the district attorney of Massachusetts was entitled to seventeen dollars on each claim. *The Francis*, 1 Gallis. C. C. R. 453.
18. In taxing the costs in prize causes, where there are several claims, some of which are disposed of by a final decree of condemnation, while others are suspended by appeal, the practice is to tax the costs and expenses which have accrued, specially, upon each claim so disposed of, as a separate charge against the same, and to add thereto an average proportion of the general costs and expenses which have accrued in reference to all the claims in the cause. *The Hiram and the Hero*, 2 Gallis. C. C. R. 60.
19. In prize causes, the allowance or denial of costs rests in the discretion of the court; and where

sued in one action, costs can only be recovered as in one.

Costs to be recovered only in one libel when that is sufficient.

if judgment be given for the party pursuing the same, such party shall not thereon recover the costs of more than one action or process, unless special cause for several actions or processes shall be satisfactorily shown on motion in open court.

Sec. 2. *Be it further enacted*, That whenever proceedings shall be had on several libels against any vessel and cargo which might legally be joined in one libel before a court of the United States or of the territo-

the capture, though made in good faith, is in law adjudged tortious, the claimant is entitled by the general practice of the court to such costs as have necessarily arisen in the prosecution of his claim, unless he has been guilty of such misconduct as amounts to a forfeiture of such costs. *The Ulpiano*, 1 Mason, 91.

21. When a cause is removed from a state court to the circuit court, under the act of Congress, the plaintiff is entitled to recover his costs; although he obtains a verdict for less than five hundred dollars. *Ellis v. Jarvis*, 3 Mason, 457.

22. If a witness, recognised for the defendant, is marked on the indictment, and sent to the grand jury by the district attorney, the United States, on the acquittal of the prisoner, must pay the witness his costs. *United States v. Coulter*, C. C. U. S. of Pennsylvania, April, 1803.

23. It is within the discretion of the court to permit the defendant to file a new plea; but where the effect of it would be to put the plaintiff out of court, and the cause was instituted in consequence of the act of the defendant himself, and had been long at issue before the application was made, the court would not permit it to be done, unless the defendant would pay not only the costs incurred since the filing of his first plea, but the whole costs of the action. *Anonymous*, 2 Wash. C. C. R. 270.

24. Where the plaintiff prevails in the action, the court will not, in the exercise of their discretion, tax the costs against him, where he might naturally and fairly suppose he was entitled to recover more than five hundred dollars. *Cottle v. Payne*, 3 Day, 289.

25. Costs and expenses are not matters positively limited by law, but are allowed in the exercise of a sound discretion of the court; and no appeal lies from a mere decree respecting costs and expenses. *Carter v. The American and Ocean Insurance Company*, 3 Peters, 319.

26. In Virginia, if the first ca. sa. be returned non est, the second may include the costs of issuing both. *Peyton v. Brooke*, 3 Cranch, 92; 1 Cond. Rep. 464.

27. Costs will be allowed on the dismissal of a writ of error for want of jurisdiction, if the original defendant be defendant in error. *Winchester v. Jackson et al.* 3 Cranch, 515; 1 Cond. Rep. 612.

28. A party who obtains a continuance of a cause, must pay the costs of the term. *Lessee of Patton v. Blackwell*, 2 Overt. Rep. 114.

29. The Supreme Court has no jurisdiction in a case in which the judges of the circuit court have divided in opinion, upon a motion for a rule to show cause why the taxation of the costs of the marshal on an execution should not be reversed. *Bank of the United States v. Green and others*, 6 Peters, 26.

30. The transcript of the record had been lodged by the plaintiffs in error with the clerk of the court on the 24th of October, 1835; who refused to file it or docket the cause, until the plaintiffs had given the fee bond in pursuance of the thirty-seventh rule of the court. The counsel for the plaintiffs in error moved to have the transcript filed and docketed; alleging they had done all the law required to be done in order to bring the case before the Supreme Court. On the part of the defendant in error, his counsel filed and read in open court certified copies of the writ of error, citation and appeal bond, and of the judgment of the circuit court; and having stated that the plaintiffs in error had failed to have the case docketed according to the thirtieth rule of the court, they moved to have the case docketed and dismissed. The court overruled the motion to docket and dismiss the cause; and also the motion to have the transcript filed, and the cause docketed without the fee bond being first given. These motions were overruled on the 18th of January, 1836; and the court allowed the plaintiffs in error until the 1st day of March following to give to the clerk the fee bond: on the failure so to give the same, the writ of error to be dismissed. *Owings v. Tiernan*, 10 Peters, 447.

31. If the court had jurisdiction of the cause, when the action was commenced, the repeal of the law which gave the jurisdiction, will not take away the plaintiff's right to costs. *Walker v. Smith*, 1 Wash. C. C. R. 202.

32. Where three members of the bar enter their appearance for the defendant, to suits instituted against him, and are all equally called upon, and act as the attorneys of the defendant, no warrant of attorney having been given by the defendant to either; the attorneys' fee in the bill of costs is to be equally divided among all who have acted in the case, and who have appeared to the suits. *Hurst v. Durnell*, 1 Wash. C. C. R. 438.

33. *Query*. If in an action for the violation of a patent, the plaintiff recover five hundred dollars damages, or the damages when trebled amount to that sum, the plaintiff is entitled to costs. *Kneas v. The Schuylkill Bank*, 4 Wash. C. C. R. 106.

34. The common law gave costs in no case; and the statute of Gloucester gave them only where damages were recoverable at common law. *Ibid*.

35. If the defendant do not demand security for costs within a reasonable time, it shall not be a ground for a continuance, that such security has not been given when the cause is called for trial. *Hawkins v. Wiltbank*, 4 Wash. C. C. R. 285.

36. The clerk of the circuit court for the district of Pennsylvania cannot charge in the bill of costs any compensation for the travel and attendance of the successful party, none such being allowed in the supreme court of the state. But he ought to tax one dollar and twenty-five cents a day for the attendance of each witness, and five cents a mile for their travelling to and from the court. *Sebring's Lessee v. Ward*, 4 Wash. C. C. R. 546.

37. Costs are imposed on a party asking for an amendment of the pleadings. But in a case where, from the irregularity of the practice in the courts of Pennsylvania, the error requiring amendment arose, costs were not allowed. *Lessee of Laning v. Dolph*, 4 Wash. C. C. R. 630.

ries thereof, there shall not be allowed thereon more costs than on one libel, unless special cause for libelling the vessel and cargo severally shall be satisfactorily shown as aforesaid. And in proceedings on several libels or informations against any cargo or parts of cargo or merchandise seized as forfeited for the same cause, there shall not be allowed by the court more costs than would be lawful on one libel or information, whatever may be the number of owners or consignees therein concerned: but allowance may be made on one libel or information for the costs incidental to several claims: *Provided*, That in case of a claim of any vessel or other property seized on behalf of the United States and libelled or informed against as forfeited under any of the laws thereof, if judgment shall pass in favour of the claimant, he shall be entitled to the same upon paying only his own costs.

SEC. 3. *And be it further enacted*, That whenever causes of like nature, or relative to the same question shall be pending before a court of the United States or of the territories thereof, it shall be lawful for the court to make such orders and rules concerning proceedings therein as may be conformable to the principles and usages belonging to courts for avoiding unnecessary costs or delay in the administration of justice, and accordingly causes may be consolidated as to the court shall appear reasonable. And if any attorney, proctor, or other person admitted to manage and conduct causes in a court of the United States or of the territories thereof, shall appear to have multiplied the proceedings in any cause before the court so as to increase costs unreasonably and vexatiously, such person may be required by order of court to satisfy any excess of costs so incurred.

APPROVED, July 22, 1813.

No more costs than on one libel or information for the same cause of forfeiture.

Proviso.

On a claim of property libelled, if the property is restored, the claimant shall only pay his own costs.

Causes may be consolidated, to avoid unnecessary costs or delay.

Attorney or proctor to pay excess of costs if proceedings have been multiplied unreasonably.

38. The plaintiff having recovered at law, the court directed the costs of the bill of discovery, by which the plaintiffs at law were prevented recovering, should be paid by the defendants in the bill; they being plaintiffs at law. *Lessee of Bowne v. Brown et al.* 2 Wash. C. C. R. 271.

39. The clerk of the court is a competent judge of the amount of costs which can be recovered in an action; and money paid to him is in the safe keeping of the court, and subject to its disposal. *Willings et al. v. Consequa*, 1 Peters' C. C. R. 301.

40. In a case of tort, several costs of travel, attendance, and attorney's fees will be allowed to the several defendants, whether the pleadings are joint or several. *Crosby v. Folger*, 1 Sumner's Rep. 514.

41. In case of a claim on proceeds in the custody of the court, where other parties are entitled, no costs can be allowed beyond those for which there is a specific lien, and the actual charges of court. No attorney's fees can be allowed. *The Jerusalem*, 2 Gallis. 345.

42. *Query*. If a consul, who sues for a penalty, in his own name and person, but for the benefit of the United States, is liable for costs? *Levy v. Burley*, 2 Sumner's C. C. R. 355.

43. After notice of trial, the defendant cannot move to put off the trial, until the costs of a former ejectment be paid, without notice that such a motion would be made; nor can it prevail under any circumstances, if the costs be demanded on an ejectment, which had been decided in the state court. *Den v. Bacon & Sharp*, 4 Wash. C. C. R. 578.

44. In an action for the violation of a patent right, the plaintiff having recovered a verdict for three cents damages, is not entitled to full costs under the 20th sec. of the judicial act of September 24th, 1789, ch. 20. *Kneas v. The Schuyllkill Bank*, 4 Wash. C. C. R. 100.

45. Where the plaintiff, being a non-resident, has filed security for costs, conditioned to pay them, "if the plaintiff does not prosecute his suit to effect, and does not pay the costs of the suit," in case the plaintiff succeeds, the sureties are exonerated from the payment of any costs; but the plaintiff is responsible to the officers of the court for his own costs, and the court will enforce the payment of them by attachment. *Lessee of Bowne v. Arbuckle*, 1 Peters' C. C. R. 234.

Supreme Court, January Term, 1838.

Rule of Court No. 44.

In all cases, where any suit shall be dismissed in the Supreme Court, except where the dismissal shall be for want of jurisdiction, costs shall be allowed for the defendant in error, or appellee, as the case may be, unless otherwise agreed by the parties.

In all cases of affirmances of any judgment or decree in the Supreme Court, costs shall be allowed to the defendant in error, or appellee, as the case may be, unless otherwise ordered by the court.

In all cases of reversals of any judgment or decree in the Supreme Court, except where the reversal shall be for want of jurisdiction, costs shall be allowed in the Supreme Court for the plaintiff in error, or appellant, as the case may be; unless otherwise ordered by the court.

Neither of the foregoing rules shall apply to cases where the United States are a party; but in such cases no costs shall be allowed in the Supreme Court for or against the United States.

When costs are allowed in the Supreme Court, it shall be the duty of the clerk to insert the amount thereof in the body of the mandate, or other proper process, sent to the court below; and annex to the same the bill of items taxed in detail.

STATUTE I.

July 22, 1813.

[Repealed.]
Act of January 9, 1815, ch. 21, sect. 2.

CHAP. XVI.—*An Act for the assessment and collection of direct taxes and internal duties.*(a)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of assessing and collecting direct taxes and internal duties, there shall be, and are hereby designated and established the following collection districts, to wit:

Collection districts.
New Hampshire.

The state of New Hampshire shall contain five collection districts, as follow: The first district shall consist of the county of Rockingham; the second of the county of Strafford; the third of the county of Hillsborough; the fourth of the county of Cheshire; and the fifth of the counties of Grafton and Coos.

Massachusetts.

The state of Massachusetts shall contain eighteen collection districts, as follow: The first district shall consist of the county of Washington; the second of the county of Hancock; the third of the county of Lincoln; the fourth of the county of Kennebec; the fifth of the county of Somerset; the sixth of the county of Oxford; the seventh of the county of Cumberland; the eighth of the county of York; the ninth of the county of Essex; the tenth of the county of Middlesex; the eleventh of the county of Suffolk; the twelfth of the county of Norfolk; the thirteenth of the county of Plymouth; the fourteenth of the county of Bristol; the fifteenth of the counties of Barnstable, Dukes, and Nantucket; the sixteenth of the county of Worcester; the seventeenth of the counties of Hampshire, Franklin, and Hampden; and the eighteenth of the county of Berkshire.

Vermont.

The state of Vermont shall contain six collection districts, as follow: The first shall consist of the counties of Bennington and Rutland; the second of the county of Windham; the third of the counties of Windsor and Orange; the fourth of the counties of Addison and Chittenden; the fifth of the counties of Franklin and Grand Isle; and the sixth of the counties of Caledonia, Essex, and Orleans.

The aforesaid counties, comprised in the said districts contained in the state of Vermont, shall be taken to comprehend such territory as was included in the said counties respectively, prior to the formation of the county of Jefferson in said state.

Rhode Island.

The state of Rhode Island shall contain three collection districts, as follow: The first shall consist of the counties of Newport and Bristol; the second of the county of Providence; and the third of the counties of Washington and Kent.

Connecticut.

The state of Connecticut shall contain seven collection districts, as follow: The first shall consist of the county of Litchfield; the second of the county of Fairfield; the third of the county of New Haven; the fourth of the county of Hartford; the fifth of the county of New London; the sixth of the county of Middlesex; and the seventh of the counties of Windham and Tolland.

New York.

The state of New York shall contain twenty-eight collection districts, as follow: The first shall consist of the counties of Suffolk, Queens, and Kings; the second of the city and county of New York; the third of the county of Westchester; the fourth of Dutchess county; the fifth of the counties of Orange and Rockland; the sixth of the counties of Ulster and Sullivan; the seventh of the county of Schoharie; the eighth of the county of Columbia; the ninth of the county of Rensselaer; the tenth of the county of Washington; the eleventh of the county of Saratoga; the twelfth

(a) See notes to the act of July 1798, vol. i., p. 580, for a list of all the acts of Congress relating to the assessment of lands and slaves for direct taxes.

A bond given by the collector of the internal revenue, with sureties, conditioned that the collector had accounted and would account for all taxes collected or to be collected, is not binding on the sureties as to collections previously made. *Armstrong et al. v. The United States, Peters' C. C. R. 46.*

of the counties of Essex, Clinton, and Franklin; the thirteenth of the counties of Albany and Schenectady; the fourteenth of the county of Montgomery; the fifteenth of the county of Herkimer; the sixteenth of the county of Oneida; the seventeenth of the counties of Lewis, Jefferson, and St. Lawrence; the eighteenth of the county of Otsego; the nineteenth of the county of Chenango; the twentieth of the county of Madison; the twenty-first of the counties of Tioga, Broome, and Steuben; the twenty-second of the counties of Onandago and Cortland; the twenty-third of the counties of Cayuga and Seneca; the twenty-fourth of the county of Ontario; the twenty-fifth of the counties of Genessee, Niagara, Chautaque, Cataragus, and Allegheny; the twenty-sixth of the county of Richmond; the twenty-seventh of the county of Greene; and the twenty-eighth of the county of Delaware.

Collection
districts.

The state of New Jersey shall contain six collection districts, as follow : The first shall consist of the counties of Bergen and Essex; the second of the counties of Sussex and Morris; the third of the counties of Somerset and Hunterdon; the fourth of the counties of Middlesex and Monmouth; the fifth of the counties of Burlington and Gloucester; and the sixth of the counties of Salem, Cumberland, and Cape May.

New Jersey.

The state of Pennsylvania shall contain twenty-three collection districts, as follow : The first shall consist of the city of Philadelphia; the second of the county of Philadelphia; the third of the counties of Chester and Delaware; the fourth of the county of Montgomery; the fifth of the county of Bucks; the sixth of the county of Lancaster; the seventh of the counties of York and Adams; the eighth of the counties of Northampton and Wayne; the ninth of the county of Berks; the tenth of the county of Dauphin; the eleventh of the counties of Cumberland and Franklin; the twelfth of the county of Northumberland; the thirteenth of the counties of Mifflin and Huntingdon; the fourteenth of the counties of Bedford, Somerset, and Cambria; the fifteenth of the counties of Fayette and Greene; the sixteenth of the county of Washington; the seventeenth of the counties of Allegheny and Armstrong; the eighteenth of the counties of Westmoreland and Indiana; the nineteenth of the counties of Centre, Clearfield, Potter, Jefferson, and M'Kean; the twentieth of the county of Luzerne, having the same limits as it had before the counties of Susquehannah and Bradford were laid off; the twenty-first of the counties of Lycoming and Tioga, the same having the limits as it had before the county of Bradford was laid off; the twenty-second of the counties of Mercer, Butler, and Beaver; and the twenty-third of the counties of Crawford, Venango, Erie, and Warren.

Pennsylvania.

The state of Delaware shall contain three collection districts, as follow : The first shall consist of the county of New Castle; the second of the county of Kent; and the third of the county of Sussex.

Delaware.

The state of Maryland shall contain nine collection districts, as follow : The first shall consist of the counties of Somerset, Worcester, and Dorchester; the second of the counties of Talbot, Queen Anne, and Caroline; the third of the counties of Kent, Cecil, and Hartford; the fourth of the city and county of Baltimore; the fifth of the counties of Anne Arundel and Prince George; the sixth of the counties of Calvert, St. Mary's, and Charles; the seventh of the counties of Montgomery and Frederick; the eighth of the county of Washington; and the ninth of the county of Allegheny.

Maryland.

The state of Virginia shall contain twenty-six collection districts, as follow : The first shall consist of the counties of Lee, Russell, Washington, Wythe, and Grayson; the second of the counties of Montgomery, Tazewell, Giles, Monroe, and Botetourt; the third of the counties of Greenbriar, Kanhawa, Cabell, and Mason; the fourth of the counties of Harrison, Wood, and Randolph; the fifth of the counties of Monongalia, Ohio, and Brooke; the sixth of the counties of Bath, Pendleton, Hardy,

Virginia.

Collection
districts.

and Hampshire; the seventh of the counties of Rockbridge and Augusta; the eighth of the counties of Rockingham and Shenandoah; the ninth of the counties of Frederick, Berkeley, and Jefferson; the tenth of the counties of Bedford, Patrick, Henry, and Franklin; the eleventh of the counties of Campbell, Charlotte, Pittsylvania, and Halifax; the twelfth of the counties of Mecklinburg, Lunenburg, Brunswick, and Nottaway; the thirteenth of the counties of Prince Edward, Buckingham, Cumberland, and Amelia; the fourteenth of the counties of Powhatan, Chesterfield, Dinwiddie, and Prince George; the fifteenth of the counties of Greensville, Sussex, Southampton, and Surry; the sixteenth of the counties of the Isle of Wight, Nansemond, Norfolk, and Princess Anne; the seventeenth of the counties of Elizabeth City, Warwick, York, James City, and New Kent; the eighteenth of the counties of Charles City, Henrico, Goochland, and Hanover; the nineteenth of the counties of Amherst, Nelson, Albemarle, and Fluvannah; the twentieth of the counties of Orange, Madison, and Culpepper; the twenty-first of the counties of Fauquier, Prince William, and Stafford; the twenty-second of the counties of Loudon and Fairfax; the twenty-third of the counties of Spottsylvania, Louisa, and Caroline; the twenty-fourth of the counties of King George, Westmoreland, Richmond, Northumberland, and Lancaster; the twenty-fifth of the counties of King William, King and Queen, Essex, Middlesex, Gloucester, and Mathews; and the twenty-sixth of the counties of Accomack and Northampton.

North Caro-
lina.

The state of North Carolina shall contain thirteen collection districts, as follow: The first shall consist of the counties of Currituck, Camden, Pasquotank, Perquimans, Gates, Chowan, and Hertford; the second of the counties of Bertie, Martin, Northampton, and Halifax; the third of the counties of Washington, Tyrrel, Hyde, Pitt, Edgecombe, and Beaufort; the fourth of the counties of Green, Craven, Carteret, Jones, Lenoir, Johnston, and Wayne; the fifth of the counties of Warren, Franklin, Nash, and Granville; the sixth of the counties of Onslow, New Hanover, Duplin, Sampson, Brunswick, Bladen, and Columbus; the seventh of the counties of Cumberland, Robertson, Montgomery, Richmond, Anson, and Moore; the eighth of the counties of Wake, Orange, and Person; the ninth of the counties of Rockingham, Caswell, Guilford, and Stokes; the tenth of the counties of Rowan, Randolph, and Chatham; the eleventh of the counties of Lincoln, Mecklenburg, and Cabarras; the twelfth of the counties of Buncomb, Haywood, Burke, and Rutherford; the thirteenth of the counties of Surry, Wilkes, Iredell, and Ashe.

Ohio.

The state of Ohio shall contain nine collection districts, as follow: The first shall consist of the counties of Hamilton, Butler, Warren, Clinton, and Clermont; the second of the counties of Greene, Montgomery, Preble, Miami, and Champaigne; the third of the counties of Pickaway, Franklin, Madison, Delaware, Knox, Licking, and Fairfield; the fourth of the counties of Ross, Athens, Gallia, Sciota, Adams, Highland, and Fayette; the fifth of the counties of Washington, Muskingum, Tuscarawas, and Guernsey; the sixth of the counties of Belmont and Jefferson; the seventh of the counties of Columbiana and Starke; the eighth of the counties of Trumbull and Ashtabula; and the ninth of the counties of Giauga, Cayahoga, and Portage.

Kentucky.

The state of Kentucky shall contain ten collection districts, as follow: The first district shall consist of the counties of Clark, Estill, Montgomery, Bath, Fleming, Greenup, and Floyd; the second of the counties of Fayette, Jessamine, and Woodford; the third of the counties of Scott, Harrison, Pendleton, Campbell, Boone, Gallatin, and Franklin; the fourth of the counties of Bourbon, Nicholas, Bracken, Mason, and Lewis; the fifth of the counties of Livingston, Caldwell, Christian, Breckenridge, Ohio, Grayson, Muhlenburg, Henderson, Hopkins, and Union; the sixth of the counties of Barron, Warren, Logan, Butler, and Cumberland; the

seventh of the counties of Mercer, Garrard, Madison, and Clay; the eighth of the counties of Bullitt, Jefferson, Henry, and Shelby; the ninth of the counties of Lincoln, Rockcastle, Knox, Pulaski, Wayne, Adair, and Casey; and the tenth of the counties of Hardin, Nelson, Washington, and Green.

Collection districts.

The state of South Carolina shall consist of nine collection districts, as follow: The first shall consist of the district of Charleston; the second of the districts of Colleton and Beaufort; the third of the districts of Barnwell, Orangeburg, Lexington, and Richland; the fourth of the districts of Edgefield and Abbyville; the fifth of the districts of Pendleton and Greenville; the sixth of the districts of Laurens, Newberry and Fairfield; the seventh of the districts of Spartanburg, Union, York, and Chester; the eighth of the districts of Lancaster, Sumpter, Kershaw, and Chesterfield; and the ninth of the districts of Georgetown, Horry, Marion, Marlborough, Darlington, and Williamsburgh.

South Carolina.

The state of Tennessee shall contain six collection districts, as follow: The first shall consist of the counties of Washington, Sullivan, Green, Hawkins and Carter; the second of the counties of Claiborne, Granger, Jefferson, Knox, Cocke, Sevier, and Blount; the third of the counties of Anderson, Campbell, Roan, Bledsoe, Rhea, Overton, White, Warren, and Franklin; the fourth of the counties of Smith, Jackson, Sumner, and Wilson; the fifth of the counties of Davidson, Williamson, Rutherford, Bedford, and Lincoln; and the sixth of the counties of Maury, Giles, Hickman, Humphreys, Stewart, Dixon, Montgomery, and Robertson.

Tennessee.

The state of Georgia shall contain six collection districts, as follow: The first shall consist of the counties of Chatham, Bryan, Liberty, M'Intosh, Glynn, Camden, Wayne, Effingham, Bullock, and Tatnall; the second of the counties of Scriven, Burke, Richmond, Jefferson, Washington and Montgomery; the third of the counties of Columbia, Warren, Hancock, and Greene; the fourth of the counties of Lincoln, Wilkes, Elbert, and Franklin; the fifth of the counties of Oglethorpe, Jackson, Clark, and Morgan; and the sixth of the counties of Laurens, Pulaski, Wilkinson, Telfair, Twiggs, Baldwin, Jones, Putnam, and Jasper, formerly called Randolph.

Georgia.

And the state of Louisiana shall contain four collection districts, as follow: The first shall consist of the counties of Concordia, Ouachitta, Nachitoches, and Rapides; the second of the counties of Lefourche, Opelousas, and Attakapas; the third of the counties of Orleans, German Coast, Acadia, Iberville, and Point Coupee; and the fourth of the parishes of Feliciana, East Baton Rouge, Saint Helena, and Saint Tammany.

Louisiana.

The several counties and districts heretofore enumerated, shall be held in reference to this act, to be such and with the same boundaries as they had at the time of taking the third census or enumeration of the people of the United States; and where any new county or district shall have been, or hereafter may be, formed within any state, out of any one or more of the counties or districts composing any one of the said collection districts, such new county or district shall be considered as part of such collection district; and if such new county shall have been or hereafter shall be formed out of counties lying in different collection districts, then the Secretary of the Treasury shall determine to which of such collection districts it shall belong.

SEC. 2. *And be it further enacted,* That one collector and one principal assessor shall be appointed for each of the said collection districts, who shall be a respectable freeholder and reside within the same; and if the appointment of the said collectors or any of them, shall not be made during the present session of Congress, the President of the United States shall be, and is hereby empowered to make such appointment

Collector and a principal assessor to be appointed for each.

Qualifications.

during the recess of the Senate, by granting commissions, which shall expire at the end of their next session.

Districts to be divided by the principal assessor.

Proviso, that the Secretary of the Treasury may reduce the number of assessment districts.

Oaths and affirmation of the assessors.

SEC. 3. *And be it further enacted*, That each of the principal assessors shall divide his district into a convenient number of assessment districts, within each of which he shall appoint one respectable freeholder to be assistant assessor: *Provided*, That the Secretary of the Treasury shall be, and hereby is authorized to reduce the number of assessment districts in any collection district in any state, if the number shall appear to him to be too great; and each assessor so appointed, and accepting the appointment, shall, before he enters on the duties of his appointment, take and subscribe, before some competent magistrate, or some collector to be appointed by this act (who is hereby empowered to administer the same) the following oath or affirmation, to wit: "I, A. B. do swear or affirm (as the case may be) that I will, to the best of my knowledge, skill, and judgment, diligently and faithfully execute the office and duties of assessor for (naming the assessment district) without favour or partiality, and that I will do equal right and justice, in every case in which I shall act as assessor." And a certificate of such oath or affirmation shall be delivered to the collector of the district for which such assessor shall be appointed; and every assessor, acting in the said office, without having taken the said oath or affirmation, shall forfeit and pay one hundred dollars, one moiety to the use of the United States, and the other to him who shall first sue for the same, to be recovered with costs of suit, in any court having competent jurisdiction.

Secretary of Treasury to establish necessary regulations.

SEC. 4. *And be it further enacted*, That the Secretary of the Treasury shall establish regulations suitable and necessary for carrying this act into effect; which regulations shall be binding on each assessor in the performance of the duties enjoined by or under this act; and also frame instructions for the said assessors, pursuant to which instructions, and whenever a direct tax shall be laid by the authority of the United States, the said principal assessors shall, respectively, on such day as may be fixed by law laying such a tax, direct and cause the several assistant assessors in the district, to inquire after and concerning all lands, lots of ground with their improvements, dwelling houses and slaves, made liable to taxation, under any direct tax so laid by the authority of the United States, by reference as well to any lists of assessment or collection taken under the laws of the respective states, as to any other records or documents, and by all other lawful ways and means, and to value and enumerate the said objects of taxation in the manner prescribed by this act, and in conformity with the regulations and instructions above mentioned.

Direct taxes to be laid upon the value of lands, &c. &c.

SEC. 5. *And be it further enacted*, That whenever a direct tax shall be laid by the authority of the United States, the same shall be assessed and laid on the value of all lands, lots of ground with their improvements, dwelling houses and slaves, which several articles subject to taxation, shall be enumerated and valued by the respective assessors, at the rate each of them is worth in money: *Provided however*, That all property of whatever kind, coming within any of the foregoing descriptions, and belonging to the United States or any state, or permanently or specially exempted from taxation by the laws of the state wherein the same may be situated, shall be exempted from the aforesaid enumeration and valuation, and from the direct tax aforesaid.

Proviso.

Lists of taxable property to be delivered to assistant assessors.

SEC. 6. *And be it further enacted*, That the respective assistant assessors shall, immediately after being required as aforesaid by the principal assessors, proceed through every part of their respective districts, and shall require all persons owning, possessing, or having the care or management of any lands, lots of ground, dwelling houses or slaves, lying and being within the collection district where they reside, and liable to the direct tax as aforesaid, to deliver written lists of the same, which lists shall be made in such manner as may be directed by the principal asses-

sor, and as far as practicable, conformably to those which may be required for the same purpose, under the authority of the respective states.

SEC. 7. *And be it further enacted*, That if any person as aforesaid, shall not be prepared to exhibit a written list when required, and shall consent to disclose the particulars of any and all the lands, lots of ground with their improvements, dwelling houses and slaves, taxable as aforesaid, then, and in such case, it shall be the duty of the officer to make such list, which being distinctly read and consented to, shall be received as the list of such person.

Assessors may write the lists upon the information of the persons to be taxed.

SEC. 8. *And be it further enacted*, That if any such person shall deliver or disclose to any assessor appointed in pursuance of this act, and requiring a list or lists as aforesaid, any false or fraudulent list, with intent to defeat or evade the valuation or enumeration hereby intended to be made, such person so offending, and being thereof convicted before any court having competent jurisdiction, shall be fined in a sum not exceeding five hundred dollars, nor less than one hundred dollars, at the discretion of the court, and shall pay all costs and charges of prosecution; and the valuation and enumeration required by this act, shall, in all such cases, be made as aforesaid upon lists according to the form above described, to be made out by the assessors respectively, which lists the said assessors are hereby authorized and required to make, according to the best information they can obtain, and for the purpose of making which they are hereby authorized to enter into and upon all and singular the premises respectively; and from the valuation and enumeration so made, there shall be no appeal.

Penalties for giving in fraudulent lists.

SEC. 9. *And be it further enacted*, That in case any person shall be absent from his place of residence, at the time an assessor shall call to receive the list of such person, it shall be the duty of such assessor to leave at the house or place of residence of such person, a written note or memorandum, requiring him to present to such assessor, the list or lists required by this act, within ten days from the date of such note or memorandum.

Absentees to be required in writing to furnish lists.

SEC. 10. *And be it further enacted*, That if any person, on being notified or required as aforesaid, shall refuse or neglect to give such list or lists as aforesaid, within the time required by this act, it shall be the duty of the assessor for the assessment district, within which such person shall reside, and he is hereby authorized and required to enter into, and upon the lands, dwelling houses and premises, if it be necessary, of such person so refusing or neglecting, and to make, according to the best information which he can obtain, and on his own view and information, such lists of the lands, lots of ground with their improvements, dwelling houses and slaves, owned, possessed or under the care or management of such person, as are required by this act; which lists, so made, and subscribed by such assessor, shall be taken and reputed as good and sufficient lists of the persons and property for which such person is to be taxed, for the purposes of this act; and the person so failing or neglecting, unless in case of sickness or absence from home, shall moreover forfeit and pay the sum of one hundred dollars, to be recovered for the use of the United States, with costs of suit, in any court having competent jurisdiction.

Property to be valued by assessors where the parties refuse or neglect to give in lists.

SEC. 11. *And be it further enacted*, That whenever there shall be in any assessment district, any property, lands, lots of ground, dwelling houses or slaves, not owned or possessed by, or under the care or management of any person or persons within such district, and liable to be taxed as aforesaid, and no list of which shall be transmitted to the principal assessor in the manner provided by this act, it shall be the duty of the assessor for such district, and he is hereby authorized and required to enter into and upon the real estate, if it be necessary, and take such view thereof, and of the slaves of such absent persons, of which lists are required, and to make lists of the same according to the form pre-

Property of persons not living in the districts may be assessed by assessors.

scribed by this act, which lists, being subscribed by the said assessor, shall be taken and reputed as good and sufficient lists of such property under and for the purposes of this act.

Property may be assessed in the districts where the owners reside, though the property is situated in other districts.

SEC. 12. *And be it further enacted*, That the owners, possessors, or persons having the care and management of lands, lots of ground, dwelling houses and slaves, not lying or being within the assessment district in which they reside, shall be permitted to make out and deliver the list thereof required by this act, (provided the assessment district in which the said objects of taxation lie or be is therein distinctly stated) at the time and in the manner prescribed to the assessor of the assessment district wherein such persons reside. And it shall be the duty of the assistant assessors in all such cases to transmit such lists at the time and in the manner prescribed for the transmission of the lists of the objects of taxation lying and being within their respective assessment districts to the principal assessor of their collection district, whose duty it shall be to transmit them to the principal assessor of the collection district wherein the said objects of taxation shall lie or be, immediately after the receipt thereof, and the said lists shall be valid and sufficient for the purposes of this act; and on the delivery of every such list the person making and delivering the same, shall pay to the assistant assessor one dollar, one half whereof he shall retain to his own use, and the other half thereof he shall pay over to the principal assessor of his district for the use of such principal assessor.

Lists to be taken with reference to the day or days fixed by acts of Congress.

SEC. 13. *And be it further enacted*, That the lists aforesaid shall be taken with reference to the day fixed for that purpose by the act or acts of Congress laying the tax or taxes; and the assistant assessors respectively, after collecting the said lists, shall proceed to arrange the same, and to make two general lists, the first of which shall exhibit in alphabetical order, the names of all persons liable to pay a tax under the authority of the United States, residing within the assessment district, together with the value and assessment of the objects liable to taxation within such district for which each such person is liable to pay a direct tax and whenever so required by the principal assessor; the amount of direct tax, payable by each person on such objects under the state laws imposing direct taxes; and the second list shall exhibit in alphabetical order, the names of all persons residing out of the collection district, owners of property within the district, together with the value and assessment thereof, or amount of direct tax due thereon as aforesaid. The forms of the said general lists shall be devised and prescribed by the principal assessor, and lists taken according to such form shall be made out by the assistant assessors, and delivered to the principal assessor within sixty days after the day fixed by the act of Congress requiring lists from individuals. And if any assistant assessors shall fail to perform any duty assigned by this act, within the time prescribed by his precept, warrant, or other legal instructions, not being prevented therefrom by sickness or other unavoidable accident, every such assessor shall be discharged from office, and shall moreover forfeit and pay two hundred dollars, to be recovered for the use of the United States in any court having competent jurisdiction, with costs of suit.

Appeals may be had from the valuations fixed by assessors.

SEC. 14. *And be it further enacted*, That immediately after the valuations and enumerations shall have been completed as aforesaid, the principal assessor in each collection district shall, by advertisement in some public newspaper, if any such there be in such district, and by written notifications to be publicly posted up in at least four of the most public places in each assessment district, advertise all persons concerned of the place where the said lists, valuations, and enumerations may be seen and examined; and that during twenty-five days after the publication of the notification as aforesaid, appeals will be received and determined by him relative to any erroneous or excessive valuations or enumerations by

Conditions.

the assessor. And it shall be the duty of the principal assessor in each collection district, during twenty-five days after the date of public notification to be made as aforesaid, to submit the proceedings of the assessors, and the lists by them received or taken as aforesaid, to the inspection of any or all persons who shall apply for that purpose; and the said principal assessors are hereby authorized to receive, hear, and determine, in a summary way, according to law and right, upon any and all appeals which may be exhibited against the proceedings of the said assessors: *Provided always*, That the question to be determined by the principal assessor, on an appeal respecting the valuation of property, shall be, whether the valuation complained of be or be not in a just relation or proportion to other valuations in the same assessment district. And all appeals to the principal assessors as aforesaid, shall be made in writing, and shall specify the particular cause, matter, or thing respecting which a decision is requested; and shall moreover state the ground or principle of inequality or error complained of; and the principal assessor shall have power to re-examine and equalise the valuations as shall appear just and equitable; but no valuation shall be increased without a previous notice of at least five days to the party interested to appear and object to the same, if he judge proper; which notice shall be given by a note in writing, to be left at the dwelling house of the party by such assessor as the principal assessor shall designate for that purpose.

Lists to be open for inspection.

SEC. 15. *And be it further enacted*, That whenever the quotas or portions of direct tax payable by the states respectively, shall be laid and apportioned by law on the counties or state districts, and such county or counties, state, district or districts, shall contain more than one assessment district, then and in that case, the principal assessor shall have power, on examination of the lists rendered by the assistant assessors according to the provisions of this act, to revise, adjust, and equalise the valuations of lands, lots of ground with their improvements, dwelling houses and slaves between such assessment districts, by deducting from or adding to either such a rate per centum as shall appear just and equitable.

Where counties contain more than one assessment district, then the requisite apportionments may be made.

SEC. 16. *And be it further enacted*, That immediately after hearing appeals, and adjusting and equalising the valuations according to the provisions of the preceding section, the principal assessors respectively shall make out lists containing the sums payable according to the assessments aforesaid, and according to the provisions of this act, upon every object of taxation within their respective districts, so as to raise upon the county or counties, state, district or districts, contained within the collection districts established by this act, for which they are respectively appointed, the quota of the direct tax laid by the United States, which shall have been imposed on such county or counties, state, district or districts, by the law laying such direct tax; which lists shall contain the name of each person residing within the collection district liable to pay the direct tax, or of the person residing within the said district and having the care or superintendence of property lying within the said district, which is liable to the payment of said tax, where such person or persons are known, together with the sum payable by each such person or persons aforesaid on account of the said direct tax as aforesaid. And where there is any property within any collection district, liable to the payment of the direct tax, not owned or occupied by or under the superintendence of any person resident therein, there shall be a separate list of such property, specifying the sums payable, and the names of the respective proprietors, where known.

Lists of the property taxed to be made out.

SEC. 17. *And be it further enacted*, That each of the collectors to be appointed as aforesaid, shall, within sixty days from the day on which the principal assessors shall have received the lists from the assistant assessors, be furnished by the principal assessors with one or more of the

Assessors to furnish collectors with taxable lists.

lists prepared in conformity with the preceding sections by the principal assessor, signed and certified by such assessor. And each collector on receiving a list as aforesaid, shall subscribe three receipts, one of which shall be given on a full and correct copy of such list, which list and receipt shall remain with the principal assessor and be open to the inspection of any person who may apply to inspect the same; and the other two receipts shall be given on aggregate statements of the lists aforesaid, exhibiting the gross amount of taxes to be collected in each county or state district contained in the collection district; one of which aggregate statements and receipts shall be transmitted to the Secretary, and the other to the Comptroller of the Treasury.

Bonds to be given, and to be approved of by the Comptroller of the Treasury.

SEC. 18. *And be it further enacted,* That each collector, before receiving any list as aforesaid for collection, shall give bond, with one or more good and sufficient sureties, to be approved by the Comptroller of the Treasury, in at least double the amount of the taxes assessed in the collection district for which he may be appointed; which bond shall be payable to the United States with condition for the true and faithful discharge of the duties of his office according to law, and particularly for the due collection and payment of all moneys assessed upon such district; and said bond shall be transmitted to and deposited in the office of the Comptroller of the Treasury.

Assessed taxes to remain a lien upon the estates of persons to which they belong.

SEC. 19. *And be it further enacted,* That the taxes so assessed, shall be and remain a lien upon all lands and other real estate, and all slaves of the individuals who may be assessed for the same, during two years after the time it shall become due and payable; and the said lien shall extend to each and every part of all tracts or lots of land or dwelling houses, notwithstanding the same may have been divided or alienated in part.

Collectors may appoint deputies, but held responsible for their conduct.

SEC. 20. *And be it further enacted,* That each collector shall be authorized to appoint, by an instrument of writing under his hand and seal, as many deputies as he may think proper, assigning to each such deputy, by that instrument of writing, such portion of his collection district as he may think proper; and also to revoke the powers of any deputy, giving public notice thereof in that portion of the district assigned to such deputy. And each such deputy shall have the like authority in every respect to collect the tax so assessed within the portion of the district assigned to him, which is by this act vested in the collector himself; but each collector shall in every respect, be responsible both to the United States and to individuals, as the case may be, for all moneys collected, and for every act done as deputy collector by any of his deputies, whilst acting as such: *Provided,* That nothing herein contained shall prevent any collector from collecting himself the whole or any part of the tax so assessed and payable in his district.

Proviso.

Public notice to be given of the times and places at which collectors will attend, &c. &c.

SEC. 21. *And be it further enacted,* That each of the said collectors, or his deputies, shall, within ten days after receiving his collection list, advertise in one newspaper printed in his collection district, if any there be, and by notifications to be posted up in at least four public places in his collection district, that the said tax has become due and payable, and state the times and places at which he or they will attend to receive the same, which shall be within twenty days after such notification; and with respect to persons who shall not attend, according to such notifications, it shall be the duty of each collector, in person, or by deputy, to apply once at their respective dwellings within such district, and there demand the taxes payable by such persons, which application shall be made within sixty days after the receipt of collection lists by the collectors; and if the said taxes shall not be then paid, or within twenty days thereafter, it shall be lawful for such collector and his deputies to proceed to collect the said taxes by distress and sale of the goods, chattels, or effects of the persons delinquent as aforesaid, with a commission of

eight per centum upon the said taxes to and for the use of such collector: *Provided*, That it shall not be lawful to make distress of the tools or implements of a trade or profession, beasts of the plough necessary for the cultivation of improved lands, arms or household furniture, or apparel necessary for a family.

SEC. 22. *And be it further enacted*, That whenever goods, chattels, or effects, sufficient to satisfy any tax upon dwelling houses or lands, and their improvements, owned, occupied, or superintended by persons, known and residing within the same collection district, cannot be found, the collector having first advertised the same for thirty days in a newspaper printed within the collection district, if such there be, and having posted up in at least ten public places within the same, a notification of the intended sale, thirty days previously thereto, shall proceed to sell, at public sale, so much of the said property as may be necessary to satisfy the taxes due thereon, together with an addition of twenty per centum to the said taxes. And if the property so advertised for sale, cannot be sold for the amount of the tax due thereon, with the said additional per centum thereto, the collector shall purchase the same in behalf of the United States, for the amount aforesaid: *Provided*, That the owner or superintendent of the property aforesaid, after the same shall have been as aforesaid advertised for sale, and before it shall have been actually sold, shall be allowed to pay the amount of the tax thereon, with an addition of ten per centum on the same, on the payment of which, the sale of the said property shall not take place: *Provided also*, That the owners, their heirs, executors, or administrators, or any person in their behalf, shall have liberty to redeem the lands and other property sold as aforesaid, within two years from the time of sale, upon payment to the collector, for the use of the purchaser, his heirs or assigns, of the amount paid by such purchaser with interest for the same at the rate of twenty per centum per annum; and no deed shall be given in pursuance of such sale, until the time of redemption shall have expired; and the collector shall render a distinct account of the charges incurred in offering and advertising for sale such property, and shall pay into the treasury the surplus, if any there be, of the aforesaid addition of twenty per centum, or ten per centum, as the case may be, after defraying the said charges.

SEC. 23. *And be it further enacted*, That with respect to property lying within any collection district, not owned, occupied, or superintended by some person residing therein, and on which the tax shall not have been paid to the collector within ninety days after the day on which he shall have received the collection list from the principal assessor, the collector shall transmit lists of the same to one of the collectors within the same state, to be designated for that purpose by the Secretary of the Treasury. And the collector who shall have been thus designated by the Secretary of the Treasury, shall transmit receipts for all the lists received as aforesaid, to the collector transmitting the same, and the collectors thus designated in each state by the Secretary of the Treasury, shall cause notifications of the taxes due as aforesaid, and contained in the lists thus transmitted to them, to be published for sixty days in at least one of the newspapers published in the state; and the owners of the property on which such taxes may be due, shall be permitted to pay to such collector the said tax with an addition of ten per centum thereon: *Provided*, Such payment is made within one year after the day on which the collector of the district where such property lies, had notified that the tax had become due on the same.

SEC. 24. *And be it further enacted*, That when any tax, as aforesaid, shall have remained unpaid for the term of one year as aforesaid, the collector in the state where the property lies, and who shall have been designated by the Secretary of the Treasury as aforesaid, having first advertised the same for sixty days, in at least one newspaper in the state,

Tools or implements of trade and beasts of the plough and household furniture, not to be distrained.

Property in certain cases advertised for sale to satisfy taxes to be purchased by collectors on public account.

Proviso.

Redemption of lands sold for taxes.

Property of non-residents, how to be dealt with.

Proviso.

Steps to be taken with property upon which tax is unpaid for twelve months.

shall proceed to sell at public sale, so much of the said property as may be necessary to satisfy the taxes due thereon, together with an addition of twenty per centum thereon. If the property advertised for sale cannot be sold for the amount of the tax due thereon, with the said addition thereon, the collector shall purchase the same, in behalf of the United States, for the amount aforesaid. And the collector shall render a distinct account of the charges incurred in offering and advertising for sale such property, and pay into the treasury the surplus, if any, of the aforesaid addition of ten or twenty per cent. as the case may be, after defraying the said charges.

Collectors to deposit with the clerks of the district courts of the United States correct lists of the land, &c. &c., sold under this act.

This property redeemable.

SEC. 25. *And be it further enacted*, That the collectors designated as aforesaid, by the Secretary of the Treasury, shall deposit with the clerks of the district courts of the United States, in the respective states, and within which district the property lies, correct lists of the tracts of lands or other real property sold by virtue of this act, for non-payment of taxes, together with the names of the owners or presumed owners, of the purchasers of the same at the public sales aforesaid, and of the amount paid by such purchasers for the same. The owners, their heirs, executors, or administrators, or any person in their behalf, shall have liberty to redeem the lands or other property sold as aforesaid, within two years from the time of the sale, upon payment to the clerk aforesaid, for the use of the purchaser, his heirs or assigns, of the amount paid by such purchaser for the said land or other real property, with interest for the same, at the rate of twenty per centum per annum, and of a commission of five per centum on such payment, for the use of the clerk aforesaid. The clerks shall, on application, pay to the purchasers the moneys thus paid for their use, and they shall give deeds for the lands or property aforesaid, to the purchasers entitled to the same, in all cases where the same shall not have been redeemed within two years as aforesaid, by the original owners thereof or their legal representatives; and the said clerks shall be entitled to receive from the purchaser the sum of two dollars for every such deed, to be paid on the delivery thereof to such purchasers; and in all cases where lands may be sold under this act for the payment of taxes belonging to infants, persons of insane mind, married women, or persons beyond sea, such persons shall have the term of two years, after their respective disabilities shall have been removed, or their return into the United States, to redeem lands thus sold, on their paying into the clerk's office aforesaid, the amount paid by the purchaser, together with ten per cent. per annum thereon: and on their paying to the purchaser of the land aforesaid a compensation for all improvements he may have made on the premises subsequent to his purchase, the value of which improvements to be ascertained by three or more neighbouring freeholders to be appointed by the clerk aforesaid, who on actual view of the premises shall assess the value of such improvements on their oaths, and make a return of such valuation to the clerk aforesaid immediately.

Terms of redemption.

Collectors to make monthly reports to Secretary of the Treasury.

SEC. 26. *And be it further enacted*, That the several collectors shall, at the expiration of every month after they shall respectively commence their collections, transmit to the Secretary of the Treasury, a statement of the collections made by them respectively, within the month, and pay over quarterly or sooner, if so required by the said Secretary, the moneys by them respectively collected within the said term. And each of the said collectors shall complete the collection of all sums assigned to him for collection as aforesaid, shall pay over the same into the Treasury, and shall render his final account to the Treasury Department within six months from and after the day when he shall have received the collection lists from the principal assessor: *Provided however*, That the period of one year and three months from the said day shall be allowed to the collector designated in each state as aforesaid, by the Secretary of the

Proviso.

Treasury, with respect to the taxes contained in the list transmitted to him by the other collectors as aforesaid.

SEC. 27. *And be it further enacted,* That each collector shall be charged with the whole amount of taxes by him receipted, whether contained in the lists delivered to him by the principal assessor or transmitted to him by other collectors, and he shall be allowed credit for the amount of taxes contained in the lists transmitted in the manner above provided to other collectors, and by them receipted as aforesaid; and also for the taxes of such persons as may have absconded or become insolvent, subsequent to the date of the assessment and prior to the day when the tax ought, according to the provisions of this act, to have been collected; provided it shall be proven to the satisfaction of the Comptroller of the Treasury, that due diligence was used by the collector, and that no property was left from which the tax could have been recovered; and each collector designated in each state as aforesaid by the Secretary of the Treasury, shall receive credit for the taxes due for all tracts of land, which, after being offered for sale by him in the manner aforesaid, shall or may have been purchased by him in behalf of the United States.

Collectors to be charged with amount of taxes receipted for, &c. &c.

SEC. 28. *And be it further enacted,* That if any collector shall fail either to collect or to render his account, or to pay over in the manner or within the times herein before provided, it shall be the duty of the Comptroller of the Treasury, and he is hereby authorized and required, immediately after such delinquency, to issue a warrant of distress against such delinquent collector and his sureties, directed to the marshal of the district, therein expressing the amount of the taxes imposed on the district of such collector, and the sums if any, which have been paid; and the said marshal shall, himself, or by his deputy, immediately proceed to levy and collect the sum which may remain due, by distress and sale of the goods and chattels or any personal effects of the delinquent collector; and for want of goods, chattels, or effects aforesaid, sufficient to satisfy the said warrant, the same may be levied on the person of the collector, who may be committed to prison, there to remain until discharged in due course of law; and furthermore, notwithstanding the commitment of the collector to prison as aforesaid, or if he abscond, and goods, chattels, and effects cannot be found sufficient to satisfy the said warrant, the said marshal or his deputy shall and may proceed to levy and collect the sum which may remain due, by distress and sale of the goods and chattels or any personal effects of the surety or sureties of the delinquent collectors. And the amount of the sums committed to any collector for collection as aforesaid, shall and the same are hereby declared to be a lien upon the lands and real estate of such collector and his sureties, until the same shall be discharged according to law; and for want of goods and chattels or other personal effects of such collector or his sureties, sufficient to satisfy any warrant of distress issued pursuant to the preceding section of this act, the lands and real estate of such collector and his sureties, or so much thereof as may be necessary for satisfying the said warrant, after being advertised for at least three weeks, in not less than three public places in the collection district, and in one newspaper printed in the county or district, if any there be, prior to the proposed time of sale, may and shall be sold by the marshal or his deputy; and for all lands and real estate sold in pursuance of the authority aforesaid, the conveyances of the marshals or their deputies, executed in due form of law, shall give a valid title against all persons claiming under delinquent collectors or their sureties aforesaid; and all moneys that may remain of the proceeds of such sale, after satisfying the said warrant of distress and paying the reasonable costs and charges of sale, shall be returned to the proprietor of the lands or real estate sold as aforesaid.

Remedy against delinquent collectors.

Amount of sums committed to a collector to be a lien on his land and real estate.

Penalties upon collectors for extortion or oppression.

SEC. 29. *And be it further enacted,* That each and every collector, or his deputy, who shall exercise or be guilty of any extortion or oppression, under colour of this act, or shall demand other or greater sums than shall be authorized by law, shall be liable to pay a sum not exceeding three hundred dollars, to be recovered by and for the use of the party injured, with costs of suit, in any court having competent jurisdiction; and each and every collector and his deputies shall, if required, give receipts for all sums by them collected and retained in pursuance of this act.

Compensation.

SEC. 30. *And be it further enacted,* That there shall be allowed and paid for the services performed under this act: To each principal assessor, two dollars for every day employed in hearing appeals and making out lists agreeably to the provisions of this act, and four dollars for every hundred taxable persons contained in the tax list as delivered by him to the collector: To each assistant assessor, one dollar and fifty cents for every day actually employed in collecting lists and making valuations, the number of days necessary for that purpose being certified by the principal assessor and approved by the Comptroller of the Treasury, and three dollars for every hundred taxable persons contained in the tax list as completed and delivered by him to the principal assessor: and the assessors respectively shall be allowed their necessary and reasonable charges for books and stationery used in the execution of their duties.

Specific appropriation.

SEC. 31. *And be it further enacted,* That the allowances made as aforesaid to the assessors, shall be paid at the Treasury to the principal assessors respectively; for which purpose one hundred and fifty thousand dollars, to be paid out of any moneys in the Treasury not otherwise appropriated, are hereby appropriated.

President may appoint deputy post masters to act as collectors, &c. &c. in certain cases.

SEC. 32. *And be it further enacted,* That in cases where no person can be found in any collection district, or assessment district, to serve either as collector, principal assessor, or assistant assessor respectively, the President of the United States is hereby authorized to appoint one of the deputy postmasters in such districts, to serve as collector or assessor as the case may be; and it shall be the duty of such deputy postmaster to perform, accordingly, the duties of such officer.

Separate accounts to be kept of the direct tax and internal duties.

SEC. 33. *And be it further enacted,* That whenever a direct tax shall be assessed, or internal duties laid, separate accounts of each shall be kept at the Treasury of the United States, of all moneys received from the direct tax, and from internal duties, showing upon what articles or subjects of taxation those duties accrued; also the amount of moneys paid to collectors, assessors, assistant assessors, or other officers employed in the collection thereof; distinguishing the amount of moneys received from each State, and from what tax or species of duties received; and distinguishing also the amount of moneys paid to the officers in each State; which accounts it shall be the duty of the Secretary of the Treasury annually, in the month of December, to lay before Congress.

APPROVED, July 22, 1813.

STATUTE I.

July 22, 1813.

CHAP. XVII.—*An Act to regulate the allowance of forage to officers in the army of the United States.*

Act of March 3, 1815, ch. 78. An equivalent in money to be allowed where forage is not drawn.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all officers in the military service of the United States, who are by law entitled to forage, shall receive in lieu thereof when not drawn in kind, an equivalent in money, at the rate of eight dollars per month for each horse to which they may be entitled: *Provided,* That no allowance shall be made to

any officer for more horses than he shall actually employ in the public service.

APPROVED, July 22, 1813.

STATUTE I.

CHAP. XVIII.—*An Act to establish the town of Mobile a port of entry.*

July 22, 1813.

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 August next, the town of Mobile shall be, and the same is hereby established the sole port of entry for the district, including the shores, waters, and inlets of the bay and river Mobile, and of the other rivers, creeks, inlets, and bays, emptying into the gulf of Mexico, east of the said river Mobile, and west thereof to the eastern boundary of the State of Louisiana.

Mobile shall be the sole port of entry for the district.

APPROVED, July 22, 1813.

STATUTE I.

CHAP. XXI.—*An Act laying duties on Sugar refined within the United States. (a)*

July 24, 1813.

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 January next, there be levied, collected and paid, upon all sugar which shall be refined within the United States, a duty of four cents per pound.

Repealed by act of February 1817, ch. 1.

Rate of duty four cents per pound.

SEC. 2. *And be it further enacted,* That every refiner of sugar, who shall be such immediately before and on the first day of January next, shall, on the said day, and every refiner of sugar who shall be and become such after the said day, shall, twenty days at the least previous to commencing the business of refining sugar, make true and exact entry and report in writing to the collector, appointed by virtue of the act, entitled "An act for the assessment and collection of direct taxes and internal duties," for the collection district in which shall be the house or building where he or she shall carry on or intend to carry on, the said business, of every house or building where such business shall be by him or her carried on, or intended so to be, and of every pan or boiler, together with the capacity of each, which he or she shall have or employ for the purpose of refining sugar, and shall also give bond in the sum of five thousand dollars, with condition that he or she shall and will enter, or cause to be entered in a book or paper to be kept for that purpose, all sugar which he or she shall refine or cause to be refined, and of the quantities, from day to day by him or her sent out or caused to be sent out of the house or building where the same shall have been refined, and shall, on the first day of April, July, October and January, in each year, render a just and true account of all the refined sugar which he or she shall have sent out, or caused or procured to be sent out, from the first time of his or her entry and report aforesaid, until the day which shall first ensue, of the days above mentioned, for the rendering of such account, and thenceforth successively, from the time when such account ought to have been, and up to which it shall have been last rendered, until the day next thereafter, of the days above mentioned, for the rendering of such account, producing and showing therewith the original book or paper, whereon the entries from day to day, to be made as aforesaid, have been made; and he or she shall, at the time of ren-

Refiners of sugar to make entries of the houses or where the business is to be carried on.

July 22, 1813, chap. 16.

To render an account of sugar refined quarterly.

(a) The act of Congress passed on the 24th July, 1813, imposing a duty on refined sugar, did not subject to the duty, sugar refined before that day, and put into moulds. *The United States v. Pennington, Peters' C. C. R. 113.*

In an action on a bond given in pursuance of that act, it would be sufficient for the defendant to show that the sugar sent out for sale was refined before the law was passed. *Ibid.*

Penalties.

Oath to be taken by refiners as to accounts of quantities of sugar sent out by them.

Penalty for false oath.

Refiners to render account of buildings, pans, &c. &c.

Refined sugars upon which duties have not been paid to be forfeited.

Duties payable upon bonds in nine months.

Proviso.

Drawback allowed in certain cases.

Proviso.

Notice to be given of the intention to export to authorize the payment of drawback.

dering each account, pay or secure the duties which by this act ought to be paid upon the refined sugar in the said account mentioned; and if any such refiner shall omit to make any such entry or report, he or she shall forfeit and lose every pan or boiler which he or she shall have and use for the purpose of refining sugar, and shall also forfeit the sum of five hundred dollars, to be recovered with costs of suit.

SEC. 3. *And be it further enacted*, That every such refiner shall yearly, being thereunto required by the collector aforesaid, make oath or affirmation, according to the best of his or her knowledge and belief, that the accounts which have been by him or her rendered of the quantities of refined sugar by him or her sent out, or procured or caused to be sent out of the house or building where the same shall have been manufactured, have been just and true.

SEC. 4. *And be it further enacted*, That if any person shall knowingly and with design, falsely swear or affirm touching any of the matters herein before required to be verified by oath or affirmation, he or she shall be deemed guilty of wilful and corrupt perjury.

SEC. 5. *And be it further enacted*, That every refiner of sugar shall at each time of rendering an account, as herein before required, make a true and particular report of the buildings, pans, and boilers which he or she, at any time since that of rendering his or her last account, hath used or kept, and shall then have, use or keep for carrying on the said business of refining sugar, on pain of forfeiting for each and every neglect or omission all such pans and boilers, together with the sum of five hundred dollars, to be recovered with costs of suit.

SEC. 6. *And be it further enacted*, That all refined sugar which shall have been manufactured or made within the United States in manner aforesaid, after the said first day of January next, whereof the duties aforesaid have not been duly paid or secured, according to the true intent and meaning of this act, shall, upon default being made in the paying or securing of the said duties, be forfeited, and shall and may be seized as forfeited, by the collector aforesaid or officer of the customs.

SEC. 7. *And be it further enacted*, That it shall be lawful for every such refiner of sugar, at his or her option, either to pay, upon the rendering of his or her account as aforesaid, the duties which shall thereby appear to be due and payable, with a deduction or abatement of six per cent. for prompt payment, or to give bond with one or more sureties, to the satisfaction of the collector, to whom such account shall be rendered, for the payment of the said duties, at the expiration of nine months thereafter; *Provided*, That no person whose bond for any of the said duties shall remain unpaid beyond the term allowed for the payment thereof, shall be entitled to future credit for any of the said duties, so long as such bond shall remain unpaid.

SEC. 8. *And be it further enacted*, That the duties hereby laid upon sugar refined within the United States, shall and may be drawn back upon all such of the said sugar refined within the United States after the aforesaid first day of January next, which after the said day shall be exported from the United States to any foreign port or place: *Provided*, That no drawback shall be allowed on any exportation as aforesaid, in any instance where the same shall amount to less than twelve dollars.

SEC. 9. *And be it further enacted*, That in order to entitle the exporter or exporters to the benefit of the said allowance of drawback, he, she, or they shall, previous to the putting or lading any of the said refined sugar on board of any ship or vessel for exportation, give six hours notice at the least to the proper officer of inspection of the port from which the said sugar shall be intended to be exported, of his, her, or their intention to export the same, and of the number of packages containing the same, and the respective marks thereof, and the place or places where deposited, and of the place to which, and ship or vessel in which

they or either of them shall be so intended to be exported; whereupon it shall be the duty of the said officer to inspect, by himself or deputy, the packages so notified for exportation, and the same after such inspection shall be laden on board the same ship or vessel of which notice shall have been given, and in the presence of the same officer or his deputy who shall have inspected the same, which officer, after the same shall have been so laden on board, shall certify to the collector of the customs for the district the quantity and particulars of the refined sugar so laden for exportation.

SEC. 10. *And be it further enacted*, That the said allowance shall not be made unless the said exporter or exporters shall make oath or affirmation that the said sugar so noticed for exportation and laden on board such ship or vessel is truly intended to be exported to the place whereof notice shall have been given, and is not intended to be relanded within the United States, and that he or she doth verily believe that the duties thereupon charged by this act have been duly paid or secured to be paid; and shall also give bond to the collector of the customs, with two sureties, one of whom shall be the master or other person having the command or charge of the ship or vessel, in which the said sugar shall be intended to be exported, the other such sufficient person as shall be approved by the said collector, in the full value, in the judgment of the said collector, of the sugar so intended to be exported, with condition that the said sugar (the dangers of the seas and enemies excepted) shall be really and truly exported to and landed in some port or place without the limits of the United States, and that the said sugar shall not be unshipped from on board the said ship or vessel whereupon the same shall have been laden for exportation, within the said limits, or any ports or harbours of the United States (shipwreck or other unavoidable accident excepted.)

An oath also to be taken.

Bond to be given for the landing of the goods at a foreign port.

SEC. 11. *And be it further enacted*, That the said allowance shall not be paid until nine months after the said sugar shall have been so exported: *Provided*, That whenever the owner of any ship or vessel on board of which any such sugar is laden for exportation, shall make known to the collector, previous to the departure of such ship or vessel from the port where such sugar is laden, that such ship or vessel is not going to proceed on the voyage intended, or the voyage is altered, it shall be lawful for the collector to grant a permit for relanding the same.

When drawback is payable.

Proviso.

SEC. 12. *And be it further enacted*, That if any of the said sugar, after the same shall have been shipped for exportation, shall be unshipped for any purpose whatever, either within the limits of the United States, or within four leagues of the coast thereof, or shall be relanded within the United States, from on board the ship or vessel wherein the same shall have been laden for exportation, unless the voyage shall not be proceeded on, or shall be altered as aforesaid, or unless in case of necessity or distress to save the ship and goods from perishing, which shall be immediately made known to the principal officer of the customs residing at the port nearest to which such ship or vessel shall be at the time such necessity or distress shall arise, then not only the sugar so unshipped, together with the casks, vessels, and cases containing the same, but also the ship or vessel, in or on board of which the same shall have been so shipped or laden, together with the guns, furniture, ammunition, tackle, and apparel, and also the ship, vessel, or boat into which the said sugar shall be unshipped or put, after the unshipping thereof, together with her guns, furniture, ammunition, tackle, and apparel, shall be forfeited, and may be seized by any officer of the customs or of inspection.

Penalties for reshipment of sugars in the United States.

SEC. 13. *And be it further enacted*, That the bond to be given as aforesaid, shall and may be discharged, by producing within one year

How to establish a claim

to the allow-
ance of draw-
back.

from its date (if the same shall be shipped to any part of Europe or America, and within two years, if shipped to any part of Asia or Africa; and if the delivery of the sugar, in respect to which the same shall have been given, be at any place where a consul or other agent of the United States resides) a certificate of such consul or agent, or if there be no consul or agent, then a certificate of any two known and reputable American merchants, residing at the said place, and if there be not two such merchants residing at the said place, then a certificate of any other two reputable merchants, testifying the delivery of the said sugar at the said place, which certificate shall in each case be confirmed by the oath or affirmation of the master or mate or other like officer of the vessel in which the said sugar shall have been exported, and when such certificate shall be from any other than a consul or agent, or merchants of the United States, it shall be a part of the said oath or affirmation, that there were not, upon diligent inquiry, to be found two merchants of the United States at the said place: *Provided always*, That in case of death, the oath or affirmation of the party dying shall not be deemed necessary; *And provided further*, That the said oath or affirmation, taken before the chief civil magistrate of the place of the said delivery, and certified under his hand and seal, shall be of the same validity as if taken before a person qualified to administer oaths within the United States, or such bonds shall and may be discharged upon proof that the sugar so exported was taken by enemies or perished in the sea, or destroyed by fire; the examination and proof of the same being left to the judgment of the collector of the customs, naval officer and chief officer of inspection, or any two of them, of the place from which such sugar shall have been exported. And in cases where the certificates herein directed cannot be obtained, the exporter or exporters of such sugar shall nevertheless be permitted to offer such other proof as to the delivery of the said sugar, without the limits of the United States, as he or they may have; and if the same shall be deemed sufficient by the said collector, he shall allow the same, except when the drawback to be allowed shall amount to one hundred dollars or upwards; in all which cases the proofs aforesaid shall be referred to the Comptroller of the Treasury, whose decision thereon shall be final.

Proviso.

Proviso.

Proof of land-
ing the goods.

Collectors to
collect the du-
ties, &c. &c.

Penalties.

SEC. 14. *And be it further enacted*, That it shall be the duty of the collectors aforesaid, in their respective districts, and they are hereby authorized to collect the duties imposed by this act, and to prosecute for the recovery of the same, and for the recovery of any sum or sums which may be forfeited by virtue of this act. And all fines, penalties, and forfeitures which shall be incurred by force of this act, shall and may be sued for and recovered in the name of the United States, or of the collector aforesaid, within whose district any such fine, penalty, or forfeiture shall have been incurred, by bill, plaint, or information; one moiety thereof to the use of the United States, and the other moiety thereof to the use of the person who, if a collector, shall first discover, if other than a collector, shall first inform of the cause, matter, or thing whereby any such fine, penalty, or forfeiture shall have been incurred; and where the cause of action or complaint shall arise or accrue more than fifty miles distant from the nearest place by law established for the holding of a district court within the district in which the same shall arise or accrue, such suit and recovery may be had before any court of the State holden within the said district, having jurisdiction in like cases.

Duration of
this act to Feb.
17, 1816.

SEC. 15. *And be it further enacted*, That this act shall continue in force until the termination of the war in which the United [States] are now engaged with the United Kingdom of Great Britain and Ireland, and the dependencies thereof, and for one year thereafter, and no longer.

APPROVED, July 24, 1813.

STATUTE I.

CHAP. XXII.—*An Act to establish the office of commissioner of the revenue.* (a)

July 24, 1813.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for superintending the collection of the direct tax and internal duties, laid by the authority of the United States, there shall be an officer in the Department of the Treasury, to be denominated commissioner of the revenue, who shall be charged, under the direction of the head of the Department, with preparing all the forms necessary for the assessors and collectors of the tax and duties aforesaid; with preparing, signing, and distributing all the licenses required by any law imposing any of the duties aforesaid; and with the superintendence generally, of all the officers employed in assessing and collecting the said tax and duties.

[Obsolete.]
Office of commissioner of revenue established for superintending the collection of internal taxes and duties.
Duty of Commissioner.
Act of November 22, 1814. ch. 7.

SEC. 2. *And be it further enacted,* That the said commissioner of the revenue shall likewise superintend the collection of the residue of the former direct tax and internal duties which may be still outstanding, and shall also execute the services with respect to light-houses and other objects which were usually performed by the former commissioners of the revenue.

To superintend the collection of the residue of former direct tax, &c.

SEC. 3. *And be it further enacted,* That it shall be lawful for the Secretary of the Treasury to place also the collection of the duties on imposts and tonnage under the superintendence of the said commissioner of the revenue, if, in his opinion, the public service will be promoted by transferring that duty from the comptroller to the said commissioner.

Secretary of Treasury authorized to place collection of the duties on impost, &c. &c.

SEC. 4. *And be it further enacted,* That the compensation of the said commissioner of the revenue shall be the same with that of the auditor of the Treasury; and that he shall, for the present, be allowed a number of clerks whose salaries shall not, in the whole, exceed four thousand dollars a year.

Compensation of the commissioner and clerks.

SEC. 5. *And be it further enacted,* That a sum not exceeding three thousand five hundred dollars, to be paid out of any moneys in the Treasury not otherwise appropriated, be, and the same is hereby appropriated, to pay the commissioner and salaries aforesaid, for the year one thousand eight hundred and thirteen.

Specific appropriation.

SEC. 6. *And be it further enacted,* That all letters and packets to and from the commissioner of the revenue, shall be received and conveyed by post free of postage, under the same restrictions as are provided by law with respect to other free letters and packets.

Commissioner to have the privilege of franking, &c.
act of 1810, ch. 37; act of 1814, ch. 91.

APPROVED, July 24, 1813.

STATUTE I.

CHAP. XXIII.—*An Act to continue in force for a limited time, certain acts authorizing corps of rangers for the protection of the frontier of the United States, and making appropriations for the same.*

July 24, 1813.

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 authorizing the President of the United States to raise certain companies of rangers for the protection of the frontier of the United States," passed January second, one thousand eight hundred and twelve, and also the act supplementary thereto, passed July first, one thousand eight hundred and twelve, be, and the same are hereby continued in force for one year from and after the passage hereof, and from thence to the end of the next session of Congress.

[Obsolete.]

Certain acts continued in force.
Act of Jan. 2, 1812, ch. 11.
Act of July 1, 1812, ch. 119.

SEC. 2. *And be it further enacted,* That the sum of four hundred and seventy-two thousand one hundred and forty-one dollars be, and the

Specific appropriation.

(a) By the act of December 23, 1817, chap. 1, sect. 2, the office of commissioner of the revenue was abolished.

1813, chap. 31.

For pay, forage, &c.

same is hereby appropriated, for the pay, subsistence, and forage during the year one thousand eight hundred and thirteen, of the seven companies of rangers raised or to be raised for the United States, pursuant to the above recited acts, and of the ten companies of rangers authorized by the act of the twenty-fifth of February, one thousand eight hundred and thirteen.

For the pay of the officers, non-commissioned officers, and privates of the said companies, the sum of four hundred and fifty-one thousand one hundred and eighty dollars.

For the subsistence of the officers, eleven thousand one hundred and sixty-nine dollars.

For forage, the sum of nine thousand seven hundred and ninety-two dollars. The said sums to be paid out of any moneys in the Treasury not otherwise appropriated.

APPROVED, July 24, 1813.

STATUTE I.

July 24, 1813.

CHAP. XXIV.—*An Act laying duties on carriages for the conveyance of persons. (a)*

Repealed by act of December 23, 1817, ch. 1. Rate of duties on carriages.

Carriages chiefly employed in husbandry, &c. not to be charged with the duty.

Upon what species of carriages duties to be paid.

Carriages to be entered. Regulations in relation thereto.

Act of July 22, 1813, ch. 16.

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 December next, there shall be levied, collected, and paid the following yearly rates and duties upon all carriages for the conveyance of persons, which shall be kept by or for any person, for his or her own use, or to be let out for hire, or for the conveyance of passengers, to wit: for and upon every coach, the yearly sum of twenty dollars; for and upon every chariot and postchaise, the yearly sum of seventeen dollars; for and upon every phaeton and on every coachee having pannel work in the upper division thereof, the yearly sum of ten dollars; for and upon every other four wheel carriage hanging on steel or iron springs, the yearly sum of seven dollars; for and upon every four wheel carriage hanging upon wooden springs and on every two wheel carriage hanging on steel or iron springs, the yearly sum of four dollars; and for and upon every other four or two wheel carriage the yearly sum of two dollars: *Provided always,* That nothing herein contained shall be construed to charge with a duty, any carriage usually and chiefly employed in husbandry, or for the transportation or carrying of goods, wares, merchandise, produce, or commodities.

SEC. 2. *And be it further enacted,* That the duties aforesaid shall be levied and collected upon all carriages usually and chiefly employed for the conveyance of persons, by whatever name or description the same have been or shall hereafter be known and called. And in cases of doubt, any carriage shall be deemed to belong to that class to which the same shall bear the greatest resemblance, and shall be subject to duty accordingly.

SEC. 3. *And be it further enacted,* That every person having or keeping a carriage or carriages, upon which a duty or duties shall be payable, according to this act, shall yearly and in every year in the month of January, make and subscribe a true and exact entry of each and every such carriage, therein specifying distinctly, each carriage owned or kept by him or her, for his or her use, or for hire, with the description and denomination thereof, and the rate of duty to which each and every such carriage is liable: which entry shall be lodged with the collector appointed by virtue of the act, entitled "An act for the assessment and collection of direct taxes and internal duties," for the district in which such owner or person liable for the payment of such duty shall reside. And that it shall be the duty of the collectors aforesaid to attend within the month of January in each year, at one or more of the most public

(a) See act of December 15, 1814, chap. 12.

and convenient places in each county within their respective districts, and to give public notice at least ten days previous to such day, of the time and place of such attendance, and to receive such entry, made in the manner before directed, at such place, or at any other where he may happen to be, within the said month of January, and on tender and payment being made of the duty or duties therein mentioned, to grant a certificate for each and every carriage mentioned in such entry, therein specifying the name of the owner, the description and denomination of the carriage, and the sum paid, with the time when, and the period for which such duty shall be so paid: And the forms of the certificates to be so granted shall be prescribed by the Treasury Department; and such certificates or the acknowledgments of the collector aforesaid by a credit in his public accounts, shall be the only evidence to be exhibited and admitted, that any duty imposed by this act has been discharged: *Provided nevertheless*, That no certificate shall be deemed of validity any longer than while the carriage for which the said certificate was granted, is owned by the person mentioned in such certificate, unless such certificate shall be produced to the collector by whom it was granted, and an entry shall be thereon made, specifying the name of the then owner of such carriage, and the time when he or she became possessed of the same.

Proviso.

SEC. 4. *And be it further enacted*, That any and all persons who shall commence the having or keeping of any carriage subject to duties after the month of December, shall and may at any time during the month in which they shall so commence the having or keeping of such carriage, make like entry in manner before prescribed; and on payment of such proportion of the duties laid by this act on such carriage, as the time at which he shall commence the keeping of such carriage to the end of the month of December then next ensuing shall bear to the whole year, shall be entitled to and may demand like certificates, subject nevertheless, to the conditions before and hereinafter provided.

Duties to be paid according to the proportions of the year in which they shall be used.

SEC. 5. *And be it further enacted*, That any person having or keeping any carriage subject to duty, who shall make an untrue or defective entry, to evade the whole or any part of the duty justly and truly payable according to this act, shall lose the sum paid pursuant to such untrue or defective entry; and where such untrue or defective entry hath been made, or where no entry shall be made, or where there shall be a neglect of payment after entry, such person shall moreover in addition thereto, at any time thereafter, on personal application and demand, at the house, dwelling, or usual place of abode of such person, by the proper collector, be liable, and shall pay the duties by this act imposed, with a further sum, for the benefit of such officer, of twenty-five per centum; which duties, with the said addition, shall be collected by distress and sale of the goods and chattels of the person by whom the same shall be due and payable: *Provided always*, That such application and demand, shall not be made until sixty days after the day on which any duty shall commence: and if entry and payment shall be made within the said sixty days, the owner of the carriage shall be exempted from the payment of the said sum of twenty-five per centum.

Penalties for making untrue and false entries.

Proviso.

SEC. 6. *And be it further enacted*, That in all cases where any duty shall be collected pursuant to this act, whether by distress or otherwise, certificates shall be granted for each carriage in manner as before prescribed.

In what cases certificates to be granted.

SEC. 7. *And be it further enacted*, That this act shall continue in force until the termination of the war in which the United States are now engaged with the United Kingdom of Great Britain and Ireland, and the dependencies thereof, and for one year thereafter, and no longer.

Duration of this act.

APPROVED, July 24, 1813.

VOL. III.—6

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STATUTE I.

July 24, 1813.

CHAP. XXV.—*An Act laying duties on licenses to distillers of spirituous liquors.* (a)

Act of Dec. 21, 1814, ch. 15.
 Repealed by act of Dec. 23, 1817, ch. 1.

Licenses to be duly taken out for using stills or implements in lieu of stills.

July 22, 1813, ch. 16.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person who, on the first day of January next, shall be the owner of any still or stills or other implements in lieu of stills, used for the purpose of distilling spirituous liquors, or who shall have such still or stills, or implements as aforesaid, under his superintendence, either as agent for the owner or on his own account, shall before the said day, and every person who after the said day shall use or intend to use any still or stills, or implements as aforesaid, either as owner, agent, or otherwise, shall, before he shall begin to use such still or stills, or other implements in lieu thereof, for the purpose of distilling spirituous liquors, apply for and obtain from the collector appointed by virtue of the act, entitled "An act for the assessment and collection of direct taxes and internal duties," for the collection district in which such person resides (or to the deputy of such collector duly authorized) a license for using the said still or stills, or other implements as aforesaid; which licenses respectively shall be granted at the option of the proprietor or possessor of such still or stills for any or either of the terms mentioned in this act, upon the payment in money by such proprietor or possessor of the duties payable on the said license or licenses according to the provisions of this act, if the said duties shall not exceed five dollars; and if they shall exceed five dollars, on such proprietor or possessor executing and delivering to the collector or to his deputy as aforesaid, a bond with one or more sureties to the satisfaction of such collector or deputy, conditioned for the payment of said duties at the end of four months after the expiration of the term for which such license or licenses respectively shall have been granted. And the said bond shall be taken in the name of the United States of America, and in such form as shall be prescribed by the Treasury Department. And if any person shall, after the said first day of January next, use or cause to be used any still or stills, or other implements as aforesaid, in distilling spirituous liquors, or shall be the owner of, or have under his superintendence, either as agent or otherwise, any still or stills, or other implements as aforesaid, which shall after the said day have been used as aforesaid, without having a license therefor as aforesaid, continuing in force for the whole time during which the said still or stills, or implements as aforesaid, shall have been thus used, every such person shall forfeit and pay the sum of one hundred dollars, together with double the amount of duties which would have been payable for the term during which such still or stills, or implements as aforesaid, shall be thus used, had the said still or stills, or implements aforesaid, been entered according to the provisions of this act, to be recovered with costs of suit.

SEC. 2. *And be it further enacted,* That the licenses aforesaid shall and may be granted for and during the following terms or periods, and on the payment or securing of payment as aforesaid of the duties undermentioned, namely:

For a still or stills employed in distilling spirits from domestic materials, for a license for the employment thereof for and during the term of two weeks, nine cents for each gallon of the capacity of every such still, including the head thereof; for a license for and during the term of one

For what periods licenses to be granted, and rates of duties.

(a) A rectifier of spirits, distilled from domestic materials, is not a distiller of spirituous liquors within the meaning of the act of Congress of 24th July, 1813. *United States v. Tenbroek, Peters' C. C. R. 180.*

The act of Congress of 24th July, 1813, imposing a duty according to the capacity of the still, on all stills employed in distilling spirits from domestic or foreign materials, and inflicting a penalty of one hundred dollars, and double duties, for using any still or stills, or implements in distilling spirituous liquors, without first obtaining a license, does not extend to the rectification or purification of spirits already distilled. *United States v. Tenbroek, 2 Wheat. 248; 4 Cond. Rep. 109.*

month, eighteen cents, for each gallon of its capacity as aforesaid; for a license for and during the term of two months, thirty-two cents for each gallon of its capacity as aforesaid; for a license for and during the term of three months, forty-two cents for each gallon of its capacity as aforesaid; for a license for and during the term of four months, fifty-two cents for each gallon of its capacity as aforesaid; for a license for and during the term of six months, seventy cents for each gallon of its capacity as aforesaid; for a license for one year, one hundred and eight cents for each gallon of its capacity as aforesaid: *Provided*, That there shall be paid upon each still employed wholly in the distillation of roots, but one half the rates of duties above mentioned, according to the capacity of such still.

One half the duties to be paid on stills employed for the distillation of roots.

For a still or stills employed in distilling spirits from foreign materials, for a license for the employment thereof for and during the term of one month, twenty-five cents for each gallon of the capacity of every such still including the head thereof; for a license for and during the term of three months, sixty cents for each gallon of its capacity as aforesaid; for a license for and during the term of six months, one hundred and five cents for each gallon of its capacity as aforesaid; for a license for one year, one hundred and thirty-five cents for each gallon of its capacity as aforesaid.

Rate of duty on stills for foreign materials.

And for every boiler, however constructed, employed for the purpose of generating steam in those distilleries where wooden or other vessels are used instead of metal stills, and the action of steam is substituted to the immediate application of fire to the materials from which the spirituous liquors are distilled, for a license for the employment thereof, double the amount on each gallon of the capacity of the said boiler including the head thereof, which would be payable for the said license if granted for the same term and for the employment on the same materials of a still or stills to the contents of which, being the materials from whence the spirituous liquors are drawn, an immediate application of fire during the process of distillation is made.

Distillation by steam.

SEC. 3. *And be it further enacted*, That it shall be the duty of the collectors, within their respective districts, to grant licenses for distilling, which licenses shall be marked with a mark directing the rate of duty thereupon, and shall be signed by the commissioner of the revenue, and being countersigned by the collector who shall issue the same or cause the same to be issued, shall be granted to any person who shall desire the same, upon application in writing and upon payment or securing of payment as aforesaid, of the sum or duty payable by this act upon each license requested.

Collectors to grant licenses.

SEC. 4. *And be it further enacted*, That the application in writing, to be made by any person applying for a license for distilling as aforesaid, shall state the place of distilling, the number and contents of the still or stills, boiler or boilers, and whether intended to distil spirituous liquors from foreign or domestic materials. And every person making a false statement in either of the said particulars, or who shall distil spirituous liquors from materials other than those stated in the application aforesaid, as well as the owner or superintendent of any distillery, still, or stills, with respect to which such false statement shall have been made, or which shall be thus unlawfully employed, shall forfeit and pay the sum of one hundred and fifty dollars, to be recovered with costs of suit.

Places of distilling and other particulars to be stated in applications for licenses.

Penalties.

SEC. 5. *And be it further enacted*, That every such collector or his deputy duly authorized under his hand and seal, shall be authorized to apply at all reasonable times for admittance into any distillery or place where any still or stills are kept or used within his collection district for the purpose of examining and measuring the said still or stills, boiler or boilers. And every owner of such distillery, still, or stills, or person

Collectors may apply for admittance into distilleries, &c. &c.

having the care, superintendence, or management of the same, who shall refuse to admit such officer as aforesaid, or to suffer him to examine and measure the said still or stills, boiler or boilers, shall for every such refusal, forfeit and pay the sum of five hundred dollars.

Collectors authorized to collect the duties.

SEC. 6. *And be it further enacted*, That it shall be the duty of the collectors aforesaid, in their respective districts, and they are hereby authorized to collect the duties imposed by this act, and to prosecute for the recovery of the same, and for the recovery of any sum or sums which may be forfeited by virtue of this act. And all fines, penalties, and forfeitures, which shall be incurred by force of this act, shall and may be sued for and recovered in the name of the United States, or of the collector within whose district any such fine, penalty, or forfeiture, shall have been incurred, by bill, plaint, or information, one moiety thereof to the use of the United States, and the other moiety thereof to the use of the person, who if a collector shall first discover, if other than a collector shall first inform of the cause, matter, or thing, whereby any such fine, penalty, or forfeiture, shall have been incurred, and where the cause of action or complaint shall arise or accrue more than fifty miles distant from the nearest place by law established for the holding of a district court within the district in which the same shall arise or accrue, such suit and recovery may be had before any court of the state, holden within the said district, having jurisdiction in like cases.

Continuance of this act.

SEC. 7. *And be it further enacted*, That this act shall continue in force until the termination of the war in which the United States are now engaged with Great Britain and Ireland and their dependencies, and for one year thereafter, and no longer.

APPROVED, July 24, 1813.

STATUTE I.

July 24, 1813.

CHAP. XXVI.—*An Act laying duties on sales at auction of merchandise and of ships and vessels.*

Repealed by act of Dec. 23, 1817, ch. 1.

Act of Dec. 23, 1814, ch. 16.

Duties payable on sales at auction of merchandise, &c. &c.

Goods sold under execution, or in bankruptcy, &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 January next, there shall be levied, collected, and paid, for the use of the United States, upon all sales by way of auction, as hereinafter described, which shall be made within the United States, the respective rates and duties following, to wit: The sum of one dollar for every hundred dollars of the purchase money arising by sale at auction of goods, wares, and merchandise; and the sum of twenty-five cents for every hundred dollars of the purchase money arising by sale at auction of ships or vessels; and at the same rate for any greater or lesser sum, except as hereinafter excepted; the said respective rates and duties to be paid by the auctioneer or person making such sales at auction, out of the moneys arising from each and every such sale: *Provided always*, That nothing in this act contained shall extend to any sale or sales by auction of goods, wares, and merchandise, made pursuant to or in execution of any rule, order, decree, sentence or judgment of any court of the United States or either of them, or made in virtue or by force of any distress for rent, or other cause for which a distress is allowed by law; or made in consequence of any bankruptcy or insolvency, pursuant to any law concerning bankruptcies or insolvencies; or made in consequence of any general assignment of property and effects for the benefit of creditors; or made by or on behalf of executors or administrators; or made pursuant to the directions of any law of the United States, or either of them, touching the collection of any tax or duty, or disposal by auction of public property of the United States or of any state; nor to any such sale or sales by auction of ships, their tackle, apparel, and furniture, or

the cargoes thereof, which shall be wrecked or stranded within the United States, and sold for the benefit of the insurers or proprietors thereof.

SEC. 2. *And be it further enacted,* That no person after the first day of January next, shall exercise the trade or business of an auctioneer, by the selling of any goods, wares, and merchandise whatsoever by auction, or any other mode of sale, whereby the best or highest bidder is deemed to be the purchaser, unless such person shall have a license or other special authority continuing in force pursuant to some law of a state, or issued pursuant to the directions of this act, on pain of forfeiting for every such sale at auction the sum of four hundred dollars, together with the sums or duties payable by this act upon the goods, wares, and merchandise so sold: *Provided, however,* That nothing herein contained, shall be construed to require a license for the sale at auction of any estate, goods, chattels, or other thing, which by this act are not made liable to duty or exempted from duty.

SEC. 3. *And be it further enacted,* That every person who, before the said first day of January next, shall have a license or special authority, pursuant to any law of any state, for exercising the said trade or business of an auctioneer, shall, before or upon the said day, and every person who, after the said day, shall have such special license or authority, shall, within thirty days after the obtaining or receiving of the same, give notice thereof in writing, under his hand, to the collector appointed by virtue of the act, entitled "An act for the assessment and collection of direct taxes and internal duties," for the district where such person shall carry on or intend to carry on the said trade or business of an auctioneer, specifying in such notice the date or commencement of such license or other special authority, the term for which the same was granted or given, by whom, and by what law of a state the same was granted or given; and shall also give bond to the United States in a sum not less than one thousand nor more than three thousand dollars, at the discretion of the collector to be taken by the collector to whom the notice aforesaid shall be given, with condition that he will, on the first day of April, July, October, and January in each year, while he shall continue to exercise the said trade or business, render to the person or persons who, on behalf of the United States, shall be authorized to receive the same, a true and particular account in writing of the moneys or sums for which any goods, wares, and merchandise, made liable to duty by this act, have been sold at every sale at auction by him made, and of the several articles, lots, and parcels which shall have [been] sold, the price of each article, lot, or parcel, in every such sale, by whom bought, that is to say: first from the date of such bond until such of the aforesaid days as shall accrue next thereafter, and thenceforth from the day to which an account shall have been last rendered until such of the said days as shall next thereafter ensue, and so on in succession, from one of the said days to another, so long as he shall continue to exercise his said trade or business, and also shall pay all such sums of money as shall be due to the United States, upon the said sales, according to the true intent and meaning of this act, which sums he is hereby authorized and directed to retain out of the produce of each sale made as aforesaid. And a like notice and bond shall be given in like manner, as often as any such license or special authorities shall have expired and been renewed. And if any person shall, after the said first day of January next, by virtue or colour of any such license or special authority as aforesaid, make any sale or sales at auction without having given bond as aforesaid, within the time for that purpose prescribed, or without renewing such bond upon the expiration and renewal of any such license or special authority, he shall forfeit and pay, for every such sale by him made, the sum of four hundred dollars, together with the sums or duties payable by this act upon the goods, wares, and merchandise so sold.

No duties on cargoes of vessels wrecked.

Auctioneers to have and pay for licenses.

Proviso.

Auctioneers appointed by the states to render quarterly accounts to persons designated to receive them, of dutiable articles.

July 22, 1813,
ch. 16.

Collectors to grant licenses, &c.

Proviso.

Proviso.

Auctioneers may retain in their hands such sums as are due upon the goods sold by them.

Auctioneers to settle their accounts, &c. &c. with collectors.

Books to be kept, and may be inspected.

Collectors may cause auctioneers' bonds to be given up in certain cases.

Per centage of duties allow-

SEC. 4. *And be it further enacted*, That the several collectors aforesaid may, within their respective districts, and upon request of any person or persons desirous thereof, shall grant licenses without fee or reward for a term not exceeding one year, at one time, to exercise the trade or business of an auctioneer; and such licenses, upon like request, may and shall from time to time renew: *Provided, however*, That no such license shall be granted or renewed, until the person or persons requesting the same shall have become bound to the United States, with one or more sureties to the satisfaction of the collector of whom such license shall be requested, in the sum of not more than three thousand nor less than one thousand dollars, at the discretion of the collector, with like condition as is herein before prescribed for persons having licenses by virtue of some law of a state: *And provided further*, That no such license shall be granted to carry on the said trade or business in any city, town, or county of any state, in respect to which provision hath been made by any law of such state, for the allowing and regulating of the said trade and business therein.

SEC. 5. *And be it further enacted*, That every person who shall have a license from a collector as aforesaid, continuing in force, shall and may retain, in order to the payment of the duties hereby imposed, all such sum and sums of money as shall be due and payable upon any goods, wares and merchandise by him sold at auction as aforesaid, according to the true intent and meaning of this act.

SEC. 6. *And be it further enacted*, That the accounts to be rendered and duties to be from time to time paid as aforesaid, by any auctioneer, shall be rendered and paid to the collector aforesaid, within whose district such auctioneer shall exercise his said trade or business, or to his deputy duly appointed under his hand and seal, and such auctioneer shall make oath or affirmation according to the best of his knowledge and belief to the truth of every account which he shall render before the officer or person to whom such account shall be rendered, and who is hereby authorized to administer the said oath or affirmation, in default of which such account shall not be deemed to be duly rendered, according to the condition of the bond of such auctioneer; and to the end that such accounts may be accurately kept and rendered, it is hereby made the duty of every auctioneer to enter, from day to day, as often as any sale shall be made, in a book, or on a paper to be kept by him for that purpose, the amount and particulars of the respective sales by him made; which book or paper shall at all reasonable times, upon request made, be submitted for examination to the collector aforesaid, within whose district such auctioneer shall be, on pain of forfeiting, for every refusal to comply with such request, the sum of five hundred dollars.

SEC. 7. *And be it further enacted*, That if it shall appear to the satisfaction of the collector, within whose district he shall be, that an auctioneer hath acted agreeably to the condition of the bond which he shall have given, and to the directions of this act, during the time to which his said bond shall relate, the same having expired, then and in every such case, the said collector shall cause such bond to be delivered up; but in case no such account shall be delivered as herein before mentioned, or if it shall appear that any such account was not truly made, or that the party hath acted in any other respect, contrary to the true intent and meaning of his bond and of this act, it shall be the duty of such collector as aforesaid, to cause such bond to be prosecuted according to law; and in case of a verdict or judgment against the defendant, he shall afterwards, upon every sale by him of any goods, wares and merchandise at auction, be liable to all the penalties which may be incurred by this act, for acting as an auctioneer without license.

SEC. 8. *And be it further enacted*, That every auctioneer, out of the proceeds of the duties which he shall retain and pay as aforesaid, shall

be allowed a commission of one per centum upon the amount thereof, for his trouble in and about the same.

SEC. 9. *And be it further enacted*, That if any person shall wilfully swear or affirm falsely, touching any matter herein before required to be verified by oath or affirmation, he shall suffer the pains and penalties which by law are prescribed for wilful and corrupt perjury, and if an officer, shall forfeit his office and be incapable of afterwards holding any office under the United States.

SEC. 10. *And be it further enacted*, That it shall be the duty of the collectors aforesaid in their respective districts, and they are hereby authorized to collect the duties imposed by this act, and to prosecute for the recovery of the same, and for the recovery of any sum or sums which may be forfeited by virtue of this act.

And all fines, penalties, and forfeitures which shall be incurred by force of this act, shall and may be sued for and recovered in the name of the United States, or of the collector within whose district any such fine penalty, or forfeiture shall have been incurred, by bill, plaint, or information, one moiety thereof to the use of the United States, and the other moiety thereof to the use of the person who, if a collector, shall first discover, if other than a collector shall first inform of the cause, matter, or thing whereby any such fine, penalty, or forfeiture shall have been incurred, and where the cause of action or complaint shall arise or accrue more than fifty miles distant from the nearest place by law established for the holding of a district court within the district in which the same shall arise or accrue, such suit and recovery may be had before any court of the state, holden within the said district, having jurisdiction in like cases.

SEC. 11. *And be it further enacted*, That this act shall continue in force until the termination of the war in which the United States are now engaged with the United Kingdom of Great Britain and Ireland, and the dependencies thereof, and for one year thereafter, and no longer.

APPROVED, July 24, 1813.

ed to auctioneers.

Penalty for false oaths under this act.

Collectors to collect the duties in their districts under this act.

And institute suits for penalties.

Continuance of this act to Feb. 17, 1816.

STATUTE I.

July 26, 1813.

CHAP. XXVII.—*An Act to authorize the raising a corps of sea fencibles.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorized to raise for such term as he may think proper, not exceeding one year, as many companies of sea fencibles as he may deem necessary, not exceeding ten, who may be employed as well on land as on water, for the defence of the ports and harbours of the United States.

Repealed by act of February 27, 1815, ch. 64. President may raise a certain number of sea fencibles.

SEC. 2. *And be it further enacted*, That each of the said companies of sea fencibles shall consist of one captain, one first, one second, and one third lieutenant, one boatswain, six gunners, six quarter gunners, and ninety men.

Of whom to consist.

SEC. 3. *And be it further enacted*, That the commissioned officers shall receive the same pay and rations as officers of the same grade in the army of the United States; that the boatswains, gunners, quarter gunners, and men shall receive the same pay and rations as warrant officers of the same grade and able seamen receive in the service of the United States.

Compensations.

SEC. 4. *And be it further enacted*, That the officers, warrant officers, boatswains, and men raised pursuant to this act, shall be entitled to the like compensation in case of disability incurred by wounds or otherwise in the service of the United States, as officers, warrant officers, and seamen in the present naval establishment, and shall be subject to the rules and articles which have been or may hereafter be established by law, for the government of the army of the United States.

Compensations in case of disability.

Continuance of this act during the war.

SEC. 5. *And be it further enacted*, That this act shall be and continue in force during the present war between the United States of America and their territories, and the United Kingdom of Great Britain and Ireland, and the dependencies thereof.

President may appoint officers in recess of the Senate.

SEC. 6. *And be it further enacted*, That in the recess of the Senate, the President of the United States is hereby authorized to appoint all the officers proper to be appointed under this act, which appointments shall be submitted to the Senate at their next session for their advice and consent.

Appropriation.

SEC. 7. *And be it further enacted*, That the sum of two hundred thousand dollars be, and the same is hereby appropriated to carry this act into effect, to be paid out of any money in the Treasury not otherwise appropriated.

APPROVED, July 26, 1813.

STATUTE I.

July 26, 1813.

[Obsolete.]
Appropriation not exceeding \$9,500.

CHAP. XXIX.—*An Act making an appropriation for finishing the Senate Chamber and repairing the roof of the north wing of the Capitol.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a sum not exceeding nine thousand five hundred dollars be, and the same is hereby appropriated, to be applied under the direction of the President of the United States, to finishing the Senate Chamber, and repairing the roof of the north wing of the Capitol; which sum shall be paid out of any money in the Treasury not otherwise appropriated.

APPROVED, July 26, 1813.

STATUTE I.

July 26, 1813.

[Obsolete.]
Appropriation not exceeding \$14,000.

CHAP. XXX.—*An Act to provide for the accommodation of the household of the President of the United States.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorized to cause to be sold, such part of the furniture and equipage belonging to his household, as may be decayed and out of repair, and that the sum of fourteen thousand dollars, together with the proceeds of such sales, be appropriated for the accommodation of the household of the President of the United States, to be laid out at his discretion and under his direction.

APPROVED, July 26, 1813.

STATUTE I.

July 27, 1813.

Congress to meet on the first Monday of December, 1813.

CHAP. XXXI.—*An Act fixing the time for the next meeting of Congress.*

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

APPROVED, July 27, 1813.

STATUTE I.

July 28, 1813.

Message of the President of July 12, 1813, to

CHAP. XXXIII. *An Act to authorize the transportation of certain documents free of postage.*

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

Congress, the Secretary of the Senate, and Clerk of the House of Representatives be, and they are hereby respectively authorized to transmit, free of postage, the message of the President of the United States of the twelfth day of July, one thousand eight hundred and thirteen, and the documents accompanying the same, printed by order of the Senate and by order of the House of Representatives, and the report of the Committee of Foreign Relations on the same, printed by order of the House of Representatives, to any post office within the United States and the territories thereof to which they may direct, any law to the contrary notwithstanding.

APPROVED, July 28, 1813.

be transmitted free of postage, by members of Congress, &c.

STATUTE I.

CHAP. XXXV.—*An Act laying a duty on imported salt; granting a bounty on pickled fish exported, and allowances to certain vessels employed in the fisheries. (a)*

July 29, 1813.

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 January next, a duty of twenty cents per bushel shall be laid, imposed, and collected, upon all salt imported from any foreign

Duty upon salt.

(a) *Fisheries.* The acts of Congress relating to ships and vessels and persons employed in the fisheries, are: An act for registering and clearing vessels, regulating the coasting trade, and for other purposes, (obsolete,) September 1, 1789, chap. 11, sect. 22, 23, vol. i. 60, 61.

An act concerning certain fisheries of the United States, and for the regulation and government of the fishermen employed therein, (expired,) February 16, 1792, chap. 6, vol. i. 229.

An act for enrolling and licensing ships or vessels to be employed in the coasting trade and fisheries, and for regulating the same, February 1793, chap. 8, vol. i. 305.

Acts respecting the bounty on the fisheries.

An act imposing duties on tonnage, July 20, 1789, (obsolete,) chap. 2, sect. 2—27.

An act to regulate the collection of the duties imposed by law on the tonnage of ships and vessels, and on goods, wares and merchandise, imported into the United States, (repealed,) July 31, 1789, chap. 5, sect. 33—46.

An act for raising a further sum of money for the protection of the frontiers and for other purposes therein mentioned, (obsolete,) May 2, 1792, chap. 27, sect. 6, 7, vol. i. 260.

An act laying an additional duty on salt imported into the United States, (repealed,) July 8, 1797, chap. 15, sect. 2, vol. i. 533.

An act to regulate the collection of duties on imports and tonnage, March 2, 1799, chap. 22, sect. 83, vol. i. 692.

An act repealing the acts laying duties on salt, and continuing in force for a further time, the first section of the act entitled "An act further to protect the commerce and seamen of the United States, against the Barbary powers," (expired,) March 3, 1807, chap. 30, sect. 2.

An act laying a duty on imported salt, granting a bounty on pickled fish exported, and allowances to certain vessels employed in the fisheries, July 29, 1813, chap. 35.

An act to continue in force "An act laying a duty on imported salt, granting a bounty on pickled fish exported, and allowances to certain vessels employed in the fisheries," Feb. 9, 1816, chap. 14.

An act concerning the navigation of the United States, March 1, 1817, chap. 31, sect. 3.

An act concerning the bounty or allowance to fishing vessels in certain cases, April 4, 1818, chap. 35.

An act in addition to, and alteration of, an act entitled "An act laying a duty on imported salt, granting a bounty on pickled fish exported, and allowances to certain vessels employed in the fisheries," March 3, 1819, chap. 88.

Regulation of seamen engaged in the fisheries.

An act to continue in force "An act concerning certain fisheries in the United States, and for the regulation and government of fishermen employed therein," and for other purposes, April 12, 1800, chap. 22.

An act to authorize the licensing of vessels to be employed in the mackerel fishery, 24th May, 1823, chap. 119.

An act to authorize surveyors, under the direction of the Secretary of the Treasury, to enrol and license ships or vessels to be employed in the coasting trade or fisheries, Feb. 11, 1830, chap. 8.

An act concerning vessels employed in the whale fishery, March 3, 1831, chap. 149.

An act for the government of persons in certain fisheries, June 19, 1813, chap. 2.

The fifth and sixth sections of the act of July 29, 1813, and the act of March 3, 1819, relating to the bounty on all such vessels or boats employed on the Bank and other cod fisheries, as shall be employed at sea for the term of four months, include within their terms all vessels engaged in the cod fisheries, without limitation or specification as to the length of their fares, or the nature of their fisheries. The Schooner Harriet, Boynton and others, claimants, 1 Story's C. C. R. 251.

Where a vessel was enrolled and licensed for the fisheries, and without an oath having been taken by all the owners to the ownership as prescribed by the statutes of 1813 and 1819, and fraud or deceit

port or place into the United States. In calculating the said duty, every fifty-six pounds of salt shall be computed as equal to one bushel. And the said duty shall be collected in the same manner, and under the same regulations as other duties laid on the importation of foreign goods, wares, and merchandise, into the United States; *Provided*, That drawback shall in no case be allowed, and the term of credit for the payment of duties shall be nine months.

Proviso.

Bounty on pickled fish.

Proviso.

Inspection laws.

Oath of the exporter.

SEC. 2. *And be it further enacted*, That on all pickled fish of the fisheries of the United States, exported therefrom subsequent to the last day of December, one thousand eight hundred and fourteen, there shall be allowed and paid a bounty of twenty cents per barrel, to be paid by the collector of the district from which the same shall be so exported, without any deduction or abatement; *Provided always*, That in order to entitle the exporter or exporters of such pickled fish to the benefit of such bounty or allowance, the said exporter or exporters shall make entry with the collector and naval officer of the district from whence the said pickled fish are intended to be exported; and shall specify in such entry the names of the master and vessel in which, and the place where such fish are intended to be exported, together with the particular quantity; and proof shall be made to the satisfaction of the collector of the district from which such pickled fish are intended to be exported, and of the naval officer thereof, if any, that the same are of the fisheries of the United States; and no entry shall be received as aforesaid, of any pickled fish which have not been inspected and marked pursuant to the inspection laws of the respective states where inspection laws are in force, in regard to any pickled fish, and the casks containing such fish shall be branded with the words "for bounty," with the name of the inspector or packer, the species and quality of the fish contained therein, and the name of the port of exportation; and the collector of such district shall, together with the naval officer, where there is one, grant an order or permit for an inspector to examine the pickled fish as expressed in such entry, and if they correspond therewith, and the said officer is fully satisfied that they are of the fisheries of the United States, to lade the same agreeably to such entry, on board the ship or vessel therein expressed; which lading shall be performed under the superintendence of the officer examining the same, who shall make returns of the quantity and quality of pickled fish so laden on board, in virtue of such order or permit, to the officer or officers granting the same. And the said exporter or exporters, when the lading is completed, and after returns thereof have

were charged in procuring the bounty allowed by law to such vessels; it was held that it must be satisfactorily proved by the United States, that the omission by the owners who did not take the oath was through fraud and deceit, and not through mistake, in order to render the vessel liable to forfeiture. *Ibid.*

Where a certificate made by the agent of the owner of the particular times of the sailing and returning of a vessel engaged in the cod fisheries was discovered to be incorrect and false after the payment of the bounties, it was held that if the incorrectness and falsity were by mistake, there was no forfeiture under the acts of 1813 and 1819, but if by fraud and deceit there was. *Ibid.*

By the act of February 18, 1793, no registered ship or vessel can, while she remains registered, engage in the whale fishery, but she must surrender her register, and be enrolled and licensed for the fisheries. *United States v. Rogers*, 3 Sumner, C. C. R. 342.

The forfeiture of a fishing vessel, under the act of July 29, 1813, for fraudulently obtaining the fishing bounty, does not attach on the improvident payment of the bounty to a vessel not entitled to it, but to the act of fraud and deceit in obtaining it. *The Boat Swallow*, Ware's D. C. R. 21.

If a vessel be in fact entitled to the bounty, and fraud and deceit are employed in obtaining it, she will be subject to forfeiture. *Ibid.*

The forfeiture provided by the act of July 29, 1813, for fraudulently obtaining the bounty allowed to fishing vessels, attaches only when there are fraud and deceit in obtaining it. *The Harriet*, Ware's D. C. R. 343.

If the certificate, stating the days which the vessel was employed, and certified by the oath of the owners, is proved to be false, it is prima facie evidence, but not conclusive of fraud and deceit. The owner is not precluded from showing that the errors of the certificate arose from an innocent mistake. *Ibid.*

If the errors in the certificate are proved to have arisen from mistake without fraud, the owner may, to avoid a forfeiture, show that the vessel was employed on other days than those named in the certificate. *Ibid.*

been made as above directed, shall make oath or affirmation, that the pickled fish expressed in such entry, and then actually laden on board the ship or vessel as therein expressed, are truly and bona fide of the fisheries of the United States, that they are truly intended to be exported as therein specified, and are not intended to be relanded within the limits of the United States; and shall also give bond in double the amount of the bounty or allowance to be received, with one or more sureties to the satisfaction of the collector of the port or place from which the said pickled fish are intended to be exported, conditioned that the same shall be landed and left at some foreign port or place without the limits aforesaid; which bonds shall be cancelled at the same periods and in like manner as is provided in respect to bonds given on the exportation of goods, wares, and merchandise, entitled to drawback of duties; *Provided always*, That the said bounty or allowance shall not be paid until at least six months after the exportation of such pickled fish, to be computed from the date of the bond, and until the exporter or exporters thereof shall produce to the collector with whom such outward entry is made, such certificates or other satisfactory proof of the landing of the same as aforesaid, as is made necessary for cancelling the bonds given on the exportation of goods entitled to drawback; *And provided also*, That the bounty or allowance as aforesaid, shall not be paid unless the same shall amount to ten dollars at least upon each entry.

SEC. 3. *And be it further enacted*, That no bounty, drawback, or allowance, shall be made under the authority of this act, unless it shall be proved to the satisfaction of the collector that the pickled fish for which the bounty, drawback, or allowance, shall be claimed, was wholly cured with foreign salt, and on which a duty shall have been secured or paid.

SEC. 4. *And be it further enacted*, That if any pickled fish shall be falsely or fraudulently entered with intent to obtain the bounty or allowance on their exportation as here provided, when the said fish are not entitled to the same, the said fish or the value thereof, to be recovered of the person making such false entry, shall be forfeited.

SEC. 5. *And be it further enacted*, That from and after the last day of December, one thousand eight hundred and fourteen, there shall be paid on the last day of December, annually, to the owner of every vessel or his agent, by the collector of the district where such vessel may belong, that shall be qualified agreeably to law for carrying on the bank and other cod fisheries, and that shall actually have been employed therein at sea for the term of four months, at the least, of the fishing season next preceding, which season is accounted to be from the last day of February to the last day of November in every year, for each and every ton of such vessel's burthen according to her admeasurement as licensed or enrolled, if of twenty tons and not exceeding thirty tons, two dollars and forty cents; and if above thirty tons four dollars; of which allowance aforesaid three-eighth parts shall accrue and belong to the owner of such fishing vessel, and the other five-eighths thereof shall be divided by him, his agent, or lawful representative, to and among the several fishermen, who shall have been employed in such vessel during the season aforesaid, or a part thereof, as the case may be, in such proportions as the fish they shall respectively have taken may bear to the whole quantity of fish taken on board such vessel during such season: *Provided*, That the allowance aforesaid on any one vessel for one season, shall not exceed two hundred and seventy-two dollars.

SEC. 6. *And be it further enacted*, That from and after the last day of December, one thousand eight hundred and fourteen, there shall also be paid on the last day of December annually, to the owner of every fishing boat or vessel of more than five tons and less than twenty tons, or

Act of March 2, 1799, ch. 22.

Bond to be given.

Bounty not to be paid until six months after exportation.

Proviso.

Allowance of bounty or drawback.

Penalties for falsely entering pickled fish to obtain the bounty.

Allowance to be made to owners, &c. &c. of fishing vessels.

Proviso.

Tonnage allowance to be made to owners of fishing vessels.

Allowance to be made only to vessels employed for four months at least. Quantity of fish to be landed to entitle to bounty.

Act of March 2, 1799, ch. 22.

Owners of fishing vessels to exhibit certain papers before receiving allowance authorized.

No vessels entitled to the authorized allowance but upon certain conditions.

Act of June 19, 1813, ch. 2.

Penalty for false oaths.

Act of September 24, 1789, ch. 20, sec. 18.

Continuance of this act to February 17, 1816.

to his agent or lawful representative, by the collector of the district where such boat or vessel may belong, the sum of one dollar and sixty cents upon every ton admeasurement of such boat or vessel, which allowance shall be accounted for as part of the proceeds of the fares of said boat or vessel, and shall accordingly be so divided among all persons interested therein: *Provided, however,* That this allowance shall be made only to such boats or vessels as shall have been actually employed at sea in the cod fishery for the term of four months at the least of the preceding season: *And provided also,* That such boat or vessel shall have landed in the course of said preceding season, a quantity of fish not less than twelve quintals for every ton of her admeasurement; the said quantity of fish to be ascertained when dried and cured fit for exportation, and according to the weight thereof as the same shall weigh at the time of delivery when actually sold, which account of the weight, with the original adjustment and settlement of the fare or fares among the owners and fishermen, together with a written account of the length, breadth, and depth of said boat or vessel, and the time she has actually been employed in the fishery in the preceding season, shall in all cases be produced and sworn or affirmed to before the said collector of the district, in order to entitle the owner, his agent, or lawful representative to receive the allowances aforesaid. And if at any time within one year after payment of such allowance it shall appear that any fraud or deceit has been practised in obtaining the same, the boat or vessel upon which such allowance shall have been paid, if found within the district aforesaid, shall be forfeited, otherwise the owner or owners having practised such fraud or deceit, shall forfeit and pay one hundred dollars, to be sued for, recovered, and distributed in the same manner as forfeitures and penalties are to be sued for, recovered, and distributed for any breach of the act, entitled "An act to regulate the collection of duties on imports and tonnage."

SEC. 7. *And be it further enacted,* That the owner or owners of every fishing vessel of twenty tons and upwards, his or their agent or lawful representative, shall, previous to receiving the allowance made by this act, produce to the collector who is authorized to pay the same, the original agreement or agreements which may have been made with the fishermen employed on board such vessel as is herein before required, and also a certificate, to be by him or them subscribed, therein mentioning the particular days on which such vessel sailed and returned on the several voyages or fares she may have made in the preceding fishing season, to the truth of which he or they shall swear or affirm before the collector aforesaid.

SEC. 8. *And be it further enacted,* That no ship or vessel of twenty tons or upwards, employed as aforesaid, shall be entitled to the allowance granted by this act, unless the skipper or master thereof shall, before he proceeds on any fishing voyage, make an agreement in writing or in print, with every fisherman employed therein according to the provisions of the act, entitled "An act for the government of persons in certain fisheries."

SEC. 9. *And be it further enacted,* That any person who shall make any false declaration in any oath or affirmation required by this act, being duly convicted thereof in any court of the United States having jurisdiction of such offence, shall be deemed guilty of wilful and corrupt perjury and shall be punished accordingly.

SEC. 10. *And be it further enacted,* That this act shall continue in force until the termination of the war in which the United States are now engaged with the United Kingdom of Great Britain and Ireland, and the dependencies thereof, and for one year thereafter and no longer.

APPROVED, July 29, 1813.

STATUTE I.

CHAP. XXXVI.—*An Act supplementary to the acts heretofore passed on the subject of an uniform rule of naturalization. (a)*

July 30, 1813.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That persons resident within the United States, or the territories thereof, on the eighteenth day of June, in the year one thousand eight hundred and twelve, who had before that day made a declaration according to law, of their intentions to become citizens of the United States, or who by the existing laws of the United States, were on that day entitled to become citizens, without making such declaration, may be admitted to become citizens thereof, notwithstanding they shall be alien enemies at the times and in the manner prescribed by the laws heretofore passed on that subject: *Provided,* That nothing herein contained shall be taken or construed to interfere with or prevent the apprehension and removal, agreeably to law, of any alien enemy at any time previous to the actual naturalization of such alien.

Persons authorized to become citizens who were resident in the United States on the 18th June, 1812, and who had made a declaration of their intention to become citizens of the United States.

Proviso.

APPROVED, July 30, 1813.

STATUTE I.

CHAP. XXXVII.—*An Act to lay and collect a direct tax within the United States. (b)*

August 2, 1813.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a direct tax of three millions of dollars shall be and is hereby laid upon the United States, and apportioned to the states respectively, in the manner following:

Act of July 22, 1813, ch. 13.

To the state of New Hampshire, ninety-six thousand seven hundred ninety-three dollars and thirty-seven cents.

Apportionment. New Hampshire.

To the state of Massachusetts, three hundred sixteen thousand two hundred seventy dollars and ninety-eight cents.

Massachusetts.

To the state of Rhode Island, thirty-four thousand seven hundred two dollars and eighteen cents.

Rhode Island.

To the state of Connecticut, one hundred eighteen thousand one hundred sixty-seven dollars and seventy-one cents.

Connecticut.

To the state of Vermont, ninety-eight thousand three hundred forty-three dollars and seventy-one cents.

Vermont.

To the state of New York, four hundred thirty thousand one hundred forty-one dollars and sixty-two cents.

New York.

To the state of New Jersey, one hundred eight thousand eight hundred seventy-one dollars and eighty-three cents.

New Jersey.

To the state of Pennsylvania, three hundred sixty-five thousand four hundred seventy-nine dollars and sixteen cents.

Pennsylvania.

To the state of Delaware, thirty-two thousand forty-six dollars and twenty-five cents.

Delaware.

To the state of Maryland, one hundred fifty-one thousand six hundred twenty-three dollars and ninety-four cents.

Maryland.

To the state of Virginia, three hundred sixty-nine thousand eighteen dollars and forty-four cents.

Virginia.

To the state of Kentucky, one hundred sixty-eight thousand nine hundred twenty-eight dollars and seventy-six cents.

Kentucky.

To the state of Ohio, one hundred four thousand one hundred fifty dollars and fourteen cents.

Ohio.

To the state of North Carolina, two hundred twenty thousand two hundred thirty-eight dollars and twenty-eight cents.

North Carolina.

To the state of Tennessee, one hundred ten thousand eighty-six dollars and fifty-five cents.

Tennessee.

(a) Notes of the naturalization acts, vol. i. 103.

(b) See notes of acts relating to the assessment of lands for the direct taxes, and the acts for the collection of direct taxes, vol. i. 580.

- South Carolina. To the state of South Carolina, one hundred fifty-one thousand nine hundred five dollars and forty-eight cents.
- Georgia. To the state of Georgia, ninety-four thousand nine hundred thirty-six dollars and forty-nine cents.
- Louisiana. And to the state of Louisiana, twenty-eight thousand two hundred ninety-five dollars and eleven cents.
- County and district apportionment. SEC. 2. *And be it further enacted*, That the quotas or portions payable by the states respectively shall be laid and apportioned on the several counties and state districts of the said states, as defined with respect to the boundaries of the said counties and state districts by an act, entitled "An act for the assessment and collection of direct taxes and internal duties," in the manner following:
- July 22, 1813, ch. 14. *In the State of New Hampshire.*—On the county of Rockingham, twenty-five thousand two hundred ninety-eight dollars and eighty-nine cents.
- New Hampshire. On the county of Strafford, seventeen thousand six hundred ninety-eight dollars and sixty-six cents.
- On the county of Hillsborough, twenty thousand two hundred nineteen dollars and sixteen cents.
- On the county of Cheshire, nineteen thousand three hundred eighteen dollars and three cents.
- On the county of Grafton, eleven thousand nine hundred ten dollars and forty-three cents.
- On the county of Coos, two thousand three hundred forty-eight dollars and twenty cents.
- Massachusetts. *In the State of Massachusetts.*—On the county of Washington, two thousand six hundred twenty-three dollars and fifty-nine cents.
- On the county of Hancock, nine thousand one hundred ninety dollars and sixty-five cents.
- On the county of Lincoln, thirteen thousand six hundred seventy-two dollars.
- On the county of Kennebeck, nine thousand six hundred ninety-six dollars and fifty-two cents.
- On the county of Sommerset, three thousand five hundred four dollars and sixty-three cents.
- On the county of Oxford, five thousand five hundred fifty-nine dollars and sixty cents.
- On the county of Cumberland, fifteen thousand seven hundred eighty-seven dollars and ninety-nine cents.
- On the county of York, fourteen thousand one hundred seventy-five dollars and three cents.
- On the county of Essex, forty-one thousand six hundred forty-three dollars and one cent.
- On the county of Middlesex, twenty-six thousand four hundred thirty-three dollars and forty-five cents.
- On the county of Suffolk, forty-three thousand six hundred seventy-six dollars and eighty-three cents.
- On the county of Norfolk, fifteen thousand six hundred twenty-nine dollars and eighty-eight cents.
- On the county of Plymouth, fourteen thousand four hundred seventy-eight dollars and sixty-seven cents.
- On the county of Bristol, fourteen thousand four hundred sixty-nine dollars and sixteen cents.
- On the county of Barnstable, six thousand five hundred fifty-three dollars.
- On the county of Dukes, one thousand one hundred seventy-three dollars and thirty-three cents.
- On the county of Nantucket, four thousand nine hundred twenty-four dollars and thirty-one cents.

On the county of Worcester, thirty thousand one hundred seventy-one dollars and seventy-one cents.

On the counties of Hampshire, Franklin, and Hampden, twenty-nine thousand six hundred thirty-four dollars and five cents.

And on the county of Berkshire, thirteen thousand two hundred seventy-three dollars and fifty-seven cents.

In the State of Vermont.—On the county of Windham, eleven thousand eight hundred sixty-seven dollars and eighty-five cents.

On the county of Windsor, fifteen thousand five hundred forty-two dollars and thirty-two cents.

On the county of Orange, eleven thousand seven hundred eighty-four dollars and five cents.

On the county of Caledonia, seven thousand six hundred forty-three dollars and eighty-four cents.

On the county of Orleans, two thousand one hundred twenty-eight dollars and ten cents.

On the county of Essex, one thousand one hundred ninety-seven dollars and ninety-six cents.

On the county of Bennington, eight thousand three hundred ninety dollars and twelve cents.

On the county of Rutland, fourteen thousand thirty-six dollars and eighty-nine cents.

On the county of Addison, ten thousand seventy-nine dollars and eleven cents.

On the county of Grand Isle, one thousand five hundred fifty-three dollars and thirty-seven cents.

On the county of Franklin, five thousand eight hundred ninety dollars and forty cents.

And on the county of Chittenden, eight thousand two hundred twenty-nine dollars and seventy cents.

In the State of Rhode Island.—On the county of Providence, fourteen thousand five hundred sixty dollars.

On the county of Newport, eight thousand fifty-six dollars.

On the county of Washington, five thousand three hundred ninety-four dollars.

On the county of Kent, four thousand two hundred ninety-five dollars.

On the county of Bristol, two thousand three hundred ninety-five dollars and eighteen cents.

In the State of Connecticut.—On the county of Litchfield, nineteen thousand sixty-five dollars seventy-two cents.

On the county of Fairfield, eighteen thousand eight hundred ten dollars and fifty-six cents.

On the county of New-Haven, sixteen thousand seven hundred twenty-three dollars and ten cents.

On the county of Hartford, nineteen thousand six hundred three dollars and two cents.

On the county of New London, thirteen thousand three hundred ninety-two dollars and four cents.

On the county of Middlesex, nine thousand sixty-four dollars and twenty cents.

On the county of Windham, fourteen thousand five hundred twenty-four dollars and thirty-eight cents.

And on the county of Tolland, six thousand nine hundred eighty-four dollars and sixty-nine cents.

In the State of New York.—On the county of Suffolk, nine thousand thirty dollars.

On Queens county, nine thousand two hundred fifty dollars.

On Kings county, six thousand nine hundred thirty dollars.

Apportionment as to counties.

Vermont.

Rhode Island.

Connecticut.

New York.

Apportionment as to counties.

On the city and county of New York, one hundred nine thousand two hundred thirty dollars.

On the county of West Chester, thirteen thousand one hundred twenty dollars.

On the county of Dutchess, twenty-four thousand one hundred forty dollars.

On the county of Orange, fifteen thousand dollars.

On the county of Rockland, two thousand six hundred eighty dollars.

On the county of Ulster, ten thousand six hundred seventy dollars.

On the county of Sullivan, two thousand four hundred fifty dollars.

On the county of Schoharie, five thousand six hundred ninety dollars.

On the county of Columbia, fourteen thousand six hundred dollars.

On the county of Renselaer, fifteen thousand one hundred ninety dollars.

On the county of Washington, fifteen thousand six hundred fifty-one dollars and sixty-two cents

On the county of Saratoga, nine thousand eight hundred thirty dollars.

On the county of Essex, two thousand seven hundred dollars.

On the county of Clinton, two thousand two hundred eighty dollars.

On the county of Franklin, seven hundred seventy dollars.

On the county of Albany, nineteen thousand four hundred twenty dollars.

On the county of Schenectady, four thousand one hundred dollars.

On the county of Montgomery, sixteen thousand four hundred twenty dollars.

On the county of Herkimer, seven thousand ninety dollars.

On the county of Oneida, thirteen thousand three hundred dollars.

On the county of Lewis, one thousand nine hundred sixty dollars.

On the county of Jefferson, four thousand six hundred ten dollars.

On the county of St. Lawrence, three thousand dollars.

On the county of Otsego, eleven thousand six hundred ninety dollars.

On the county of Chenango, six thousand one hundred twenty dollars.

On the county of Madison, seven thousand four hundred thirty dollars.

On the county of Tioga, one thousand nine hundred thirty dollars.

On the county of Broome, one thousand nine hundred ninety dollars.

On the county of Steuben, one thousand seven hundred seventy dollars.

On the county of Onandago, seven thousand eight hundred sixty dollars.

On the county of Cortland, two thousand one hundred seventy dollars.

On the county of Cayuga, nine thousand two hundred ninety dollars.

On the county of Seneca, five thousand dollars.

On the county of Ontario, fourteen thousand two hundred seventy dollars.

On the county of Genessee, four thousand eighty dollars.

On the county of Niagara, three thousand one hundred ninety dollars.

On the county of Allegheny, four hundred seventy dollars.

On the county of Richmond, two thousand two hundred twenty dollars.

On the county of Greene, seven thousand eight hundred fifty dollars.

And on the county of Delaware, five thousand four hundred ninety dollars.

New Jersey.

In the State of New Jersey.—On the county of Bergen, seven thousand twenty-seven dollars and thirty cents.

On the county of Essex, nine thousand nine hundred nine dollars and eight cents.

On the county of Sommerset, seven thousand two hundred thirty-three dollars and twenty-eight cents.

On the county of Middlesex, nine thousand one hundred eighty-two dollars and fifty-two cents.

On the county of Sussex, eleven thousand twenty-two dollars and seventy-three cents.

Apportionment as to counties.

On the county of Morris, eight thousand eight hundred eighteen dollars and twenty-nine cents.

On the county of Hunterdon, twelve thousand two hundred fifty-one dollars and seventy-eight cents.

On the county of Burlington, eleven thousand nine hundred twenty-nine dollars and thirty-six cents.

On the county of Gloucester, eight thousand eight hundred twenty-three dollars and sixty-three cents.

On the county of Monmouth, ten thousand two hundred four dollars and twelve cents.

On the county of Cumberland, four thousand three hundred fifty-seven dollars and sixteen cents.

On the county of Salem, six thousand five hundred twenty-eight dollars and seventeen cents.

On the county of Cape May, one thousand five hundred eighty-four dollars and forty-one cents.

In the State of Pennsylvania.—On the city of Philadelphia, seventy-nine thousand five hundred dollars.

Pennsylvania.

On the county of Philadelphia, thirty-eight thousand two hundred thirty dollars.

On the county of Chester, eighteen thousand two hundred seventy dollars.

On the county of Delaware, seven thousand sixty dollars.

On the county of Montgomery, fifteen thousand three hundred dollars.

On the county of Bucks, sixteen thousand six hundred dollars.

On the county of Lancaster, thirty-seven thousand four hundred dollars.

On the county of York, eleven thousand five hundred forty dollars.

On the county of Adams, five thousand four hundred fifty dollars.

On the county of Northampton, eleven thousand one hundred forty dollars.

On the county of Wayne, two thousand six hundred forty dollars.

On the county of Berks, twenty-one thousand five hundred fifty dollars.

On the county of Dauphin, seventeen thousand six hundred fifty dollars.

On the county of Cumberland, ten thousand three hundred dollars.

On the county of Franklin, nine thousand dollars.

On the county of Northumberland, seven thousand five hundred eighty dollars.

On the county of Mifflin, three thousand five hundred dollars.

On the county of Huntingdon, three thousand seventy dollars.

On the county of Bedford, two thousand six hundred ten dollars.

On the county of Sommerset, two thousand dollars.

On the county of Cambria, four hundred dollars.

On the county of Fayette, four thousand five hundred dollars.

On the county of Greene, two thousand one hundred thirty dollars.

On the county of Washington, six thousand nine hundred twenty dollars.

On the county of Allegheny, five thousand two hundred ten dollars.

On the county of Armstrong, one thousand two hundred fifty dollars.

On the county of Westmoreland, five thousand four hundred forty dollars.

On the counties of Indiana and Jefferson, one thousand three hundred twenty dollars.

On the county of Centre, three thousand one hundred fifty dollars.

On the counties of Clearfield, Potter and M'Kean, three hundred dollars.

On the county of Luzerne, having the same limits as before the for-

Apportionment as to counties.

mation of the counties of Susquehannah and Bradford, two thousand seven hundred twenty dollars.

On the county of Lycoming, having the same limits as before the formation of the county of Bradford, two thousand five hundred dollars.

On the county of Tioga, three hundred eighty-nine dollars and sixteen cents.

On the county of Mercer, one thousand seven hundred ten dollars.

On the county of Butler, one thousand five hundred dollars.

On the county of Beaver, two thousand five hundred ten dollars.

On the county of Crawford, one thousand two hundred sixty dollars.

On the counties of Venango and Warren, eight hundred dollars.

On the county of Erie, seven hundred eighty dollars.

Delaware.

In the State of Delaware.—On the county of New Castle, twelve thousand two hundred eight dollars and eight cents.

On the county of Kent, ten thousand six hundred eighty-two dollars and seven cents.

And on the county of Sussex, nine thousand one hundred fifty-six dollars and six cents.

Maryland.

In the State of Maryland.—On the county of Sommerset, five thousand five hundred forty dollars.

On the county of Worcester, four thousand nine hundred ten dollars.

On the county of Dorchester, five thousand five hundred ten dollars.

On the county of Talbot, four thousand one hundred forty dollars.

On the county of Queen Anne, five thousand six hundred thirty dollars.

On the county of Caroline, two thousand two hundred fifty dollars.

On the county of Kent, four thousand two hundred thirteen dollars and ninety-four cents.

On the county of Cecil, five thousand nine hundred fifty dollars.

On the county of Hartford, five thousand three hundred fifty dollars.

On the city and county of Baltimore, forty-eight thousand six hundred seventy dollars.

On the county of Anne Arundle, nine thousand eight hundred ten dollars.

On the county of Prince George, seven thousand six hundred ninety dollars.

On the county of Calvert, two thousand four hundred ten dollars.

On the county of St. Mary, three thousand nine hundred fifty dollars.

On the county of Charles, six thousand seven hundred forty dollars.

On the county of Montgomery, five thousand one hundred ten dollars.

On the county of Frederick, fourteen thousand one hundred seventy dollars.

On the county of Washington, seven thousand three hundred seventy dollars.

And on the county of Allegheny, two thousand two hundred ten dollars.

Virginia.

In the State of Virginia.—On the county of Lee, three hundred forty-seven dollars and fifty cents.

On the county of Washington, one thousand eight hundred ninety-four dollars and fifty cents.

On the county of Grayson, two hundred thirty-three dollars and fifty cents.

On the county of Russell, one thousand three hundred thirty-six dollars.

On the county of Wythe, one thousand five hundred thirty-eight dollars and fifty cents.

On the county of Tazewell, one thousand two hundred sixty-seven dollars.

On the county of Botetourt, three thousand one hundred fourteen dollars and fifty cents.

On the county of Montgomery, one thousand three hundred twelve dollars and fifty cents.

On the county of Giles, five hundred forty dollars and fifty cents.

On the county of Monroe, one thousand thirty dollars and fifty cents.

On the county of Green Briar, one thousand six hundred fifty dollars and forty-four cents.

On the county of Kenhawa, two thousand one hundred sixty-seven dollars and fifty cents.

On the county of Cabell, one thousand five hundred forty-six dollars and fifty cents.

On the county of Mason, one thousand one hundred thirty dollars and fifty cents.

On the county of Randolph, five thousand four hundred sixty-five dollars and fifty cents.

On the county of Harrison, two thousand six hundred seventy-two dollars and fifty cents.

On the county of Wood, one thousand three hundred thirty-eight dollars and fifty cents.

On the county of Monongalia, two thousand nine hundred ninety-two dollars and fifty cents.

On the county of Ohio, one thousand nine hundred seven dollars and fifty cents.

On the county of Brooke, one thousand one hundred ninety-five dollars and fifty cents.

On the county of Bath, two thousand three hundred five dollars and fifty cents.

On the county of Pendleton, one thousand four hundred twenty-eight dollars and fifty cents.

On the county of Hardy, two thousand one hundred twenty-six dollars and fifty cents.

On the county of Hampshire, three thousand seven hundred ninety-five dollars and fifty cents.

On the county of Rockbridge, three thousand three hundred ninety-one dollars and fifty cents.

On the county of Augusta, six thousand seven hundred thirty-nine dollars and fifty cents.

On the county of Rockingham, six thousand one hundred sixty-two dollars and fifty cents.

On the county of Shenandoah, five thousand nine hundred seventy-eight dollars and fifty cents.

On the county of Frederick, eleven thousand eight hundred seventy-six dollars and fifty cents.

On the county of Berkley and on the county of Jefferson, thirteen thousand twenty-two dollars and fifty cents.

On the county of Bedford, five thousand two hundred thirty-three dollars and fifty cents.

On the county of Patrick, seven hundred seventy dollars and fifty cents.

On the county of Henry, one thousand three hundred four dollars and fifty cents.

On the county of Franklin, two thousand four dollars and fifty cents.

On the county of Campbell, three thousand eight hundred fifty-two dollars and fifty cents.

On the county of Charlotte, four thousand ninety dollars and fifty cents.

On the county of Pittsylvania, four thousand three hundred sixty-three dollars and fifty cents.

On the county of Halifax, six thousand seven hundred eighty-six dollars and fifty cents.

Apportionment as to counties.

On the county of Mecklenberg, six thousand eight hundred sixty-six dollars and fifty cents.

On the county of Lunenburg, three thousand eight hundred twenty-one dollars and fifty cents.

On the county of Brunswick, four thousand eight hundred seventy-nine dollars and fifty cents.

On the county of Nottoway, four thousand three hundred twenty-two dollars and fifty cents.

On the county of Prince Edward, four thousand four hundred fourteen dollars and fifty cents.

On the county of Buckingham, five thousand seven hundred forty-one dollars and fifty cents.

On the county of Cumberland, four thousand seven hundred fifteen dollars and fifty cents.

On the county of Amelia, five thousand two dollars and fifty cents.

On the county of Powhatan, three thousand eight hundred ninety-nine dollars and fifty cents.

On the county of Chesterfield, six thousand four hundred forty dollars and fifty cents.

On the county of Dinwiddie and town of Petersburg, eight thousand one hundred ninety-two dollars and fifty cents.

On the county of Prince George, two thousand nine hundred eighty-eight dollars and fifty cents.

On the county of Greenville, two thousand six hundred thirty-five dollars and fifty cents.

On the county of Sussex, three thousand nine hundred forty-five dollars and fifty cents.

On the county of Southampton, four thousand six hundred fifty-six dollars and fifty cents.

On the county of Surry, two thousand two hundred forty-four dollars and fifty cents.

On the county of Isle of Wight, two thousand six hundred eighty-eight dollars and fifty cents.

On the county of Nansemond, three thousand two hundred three dollars and fifty cents.

On the county and borough of Norfolk, nine thousand eight hundred fifty-seven dollars and fifty cents.

On the county of Princess Anne, two thousand four hundred seventeen dollars and fifty cents.

On the county of Elizabeth City, eight hundred thirty-nine dollars and fifty cents.

On the county of Warwick, eight hundred fifty-five dollars and fifty cents.

On the county of York, one thousand three hundred seventy-three dollars and fifty cents.

On the county of James City, one thousand five hundred twenty-five dollars and fifty cents.

On the county of New Kent, two thousand six hundred eighty-seven dollars and fifty cents.

On the county of Charles City, two thousand one hundred fifty-four dollars and fifty cents.

On the county of Henrico, eight thousand fifty dollars and fifty cents.

On the county of Goochland, four thousand five hundred fifty-five dollars and fifty cents.

On the county of Hanover, six thousand forty-nine dollars and fifty cents.

On the county of Amherst and on the county of Nelson, nine thousand five hundred thirteen dollars.

On the county of Albemarle, nine thousand four hundred ninety-seven dollars and fifty cents.

On the county of Fluvannah, two thousand one hundred thirty-one dollars and fifty cents.

On the county of Orange, five thousand two hundred six dollars and fifty cents.

On the county of Madison, four thousand two hundred forty-seven dollars and fifty cents.

On the county of Culpepper, eight thousand six hundred ninety-two dollars and fifty cents.

On the county of Fauquier, eight thousand nine hundred forty dollars and fifty cents.

On the county of Prince William, five thousand two hundred fifty-one dollars and fifty cents.

On the county of Stafford, three thousand five hundred seventy-nine dollars and fifty cents.

On the county of Loudon, eight thousand one hundred thirty dollars and fifty cents.

On the county of Fairfax, six thousand three hundred fifty-four dollars and fifty cents.

On the county of Spotsylvania, six thousand two hundred sixty-two dollars and fifty cents.

On the county of Louisa, four thousand four hundred twenty-five dollars and fifty cents.

On the county of Caroline, seven thousand one hundred four dollars and fifty cents.

On the county of King George, two thousand seven hundred thirty-six dollars and fifty cents.

On the county of Westmoreland, three thousand five hundred fourteen dollars and fifty cents.

On the county of Richmond, two thousand six hundred twenty-four dollars and fifty cents.

On the county of Northumberland, three thousand sixteen dollars and fifty cents.

On the county of Lancaster, one thousand nine hundred fifty-four dollars and fifty cents.

On the county of King William, three thousand four hundred fifty-four dollars and fifty cents.

On the county of King and Queen, two thousand eight hundred sixty dollars and fifty cents.

On the county of Essex, three thousand three hundred thirty-six dollars and fifty cents.

On the county of Middlesex, one thousand nine hundred forty-one dollars and fifty cents.

On the county of Gloucester, three thousand three hundred ninety-seven dollars and fifty cents.

On the county of Matthews, one thousand six hundred eleven dollars and fifty cents.

On the county of Accomac, five thousand one hundred thirty-nine dollars and fifty cents.

And on the county of Northampton, three thousand one hundred seven dollars and fifty cents.

In the State of North Carolina.—On the county of Currituck, two thousand two hundred four dollars and eighty-six cents. North Carolina.

On the county of Camden, two thousand four hundred sixty-two dollars and ninety-five cents.

On the county of Pasquotank, three thousand four hundred ninety-three dollars and ninety-six cents.

On the county of Perquimans, two thousand one hundred seventy dollars and eighty-five cents.

Apportionment as to counties.

On the county of Gates, two thousand one hundred thirty-four dollars and twenty cents.

On the county of Chowan, two thousand six hundred forty-two dollars and seventy cents.

On the county of Hartford, two thousand nine hundred fifty-six dollars and thirteen cents.

On the county of Bertie, five thousand two hundred sixty-seven dollars and twenty-seven cents.

On the county of Martin, two thousand three hundred thirty-five dollars and twelve cents.

On the county of Northampton, six thousand seven hundred sixty dollars and eighty-eight cents.

On the county of Halifax, seven thousand seven hundred twenty dollars and ninety-seven cents.

On the county of Washington, one thousand eight hundred fifty dollars.

On the county of Tyrrel, one thousand three hundred ninety-one dollars and forty-eight cents.

On the county of Hyde, two thousand three hundred eighty-six dollars and sixty-five cents.

On the county of Pitt three thousand four hundred ninety-six dollars and forty-two cents.

On the county of Edgecombe, six thousand sixty-six dollars and eighty-nine cents.

On the county of Beaufort, two thousand eight hundred twenty-four dollars and sixty-five cents.

On the county of Green, one thousand six hundred forty-five dollars and ninety-four cents.

On the county of Craven, five thousand five hundred fifty-seven dollars, and sixty-five cents.

On the county of Carteret, one thousand three hundred seventy-three dollars and twelve cents.

On the county of Jones, two thousand two hundred thirty-three dollars seventy-nine cents.

On the county of Lenoir, two thousand one hundred seventy-eight dollars and ninety cents.

On the county of Johnson, three thousand two hundred sixty-three dollars and fifteen cents.

On the county of Wayne, three thousand thirty-four dollars and thirty-five cents.

On the county of Warren, five thousand five hundred twenty-five dollars and thirty-three cents.

On the county of Franklin, four thousand five hundred seventy-six dollars and ninety-five cents.

On the county of Nash, two thousand nine hundred eighty-eight dollars and thirty-three cents.

On the county of Granville, six thousand four hundred forty-four dollars and thirty-nine cents.

On the county of Onslow, two thousand two hundred thirty-four dollars and eleven cents.

On the county of New Hanover, six thousand six hundred ninety dollars and eleven cents.

On the county of Duplin, three thousand two hundred thirty-seven dollars and seventy-one cents.

On the county of Sampson, two thousand nine hundred fifty-one dollars and thirty-nine cents.

On the county of Brunswick, one thousand nine hundred eighty-three dollars and sixty-eight cents.

On the county of Bladen, two thousand seven hundred two dollars and eighty-three cents.

On the county of Columbus, one thousand two hundred thirty-five dollars and fifteen cents.

On the county of Cumberland, five thousand six hundred thirty-eight dollars and eighty-four cents.

On the county of Robeson, three thousand three hundred twenty-three dollars and fourteen cents.

On the county of Montgomery, two thousand eight hundred seventy-five dollars and three cents.

On the county of Richmond, two thousand three hundred eighty-three dollars and thirty-nine cents.

On the county of Anson, two thousand seven hundred ninety-two dollars and twenty-seven cents.

On the county of Moore, two thousand three hundred ninety-seven dollars and ninety-two cents.

On the county of Orange, seven thousand three hundred sixty-six dollars and fifty cents.

On the county of Wake, six thousand four hundred forty-three dollars and fifty-four cents.

On the county of Person, two thousand eight hundred fifty-one dollars and fifty-seven cents.

On the county of Rockingham, three thousand nine hundred sixty-two dollars and forty-seven cents.

On the county of Caswell, four thousand sixty-seven dollars and ninety-nine cents.

On the county of Guilford, four thousand four hundred ninety-one dollars and sixty-six cents.

On the county of Stokes, three thousand eight hundred forty-two dollars and thirty-eight cents.

On the county of Rowan, eight thousand eight hundred seventy-two dollars and thirteen cents.

On the county of Randolph, two thousand seven hundred sixty-four dollars and ninety-five cents.

On the county of Chatham, four thousand three hundred thirty-seven dollars and eighty-three cents.

On the county of Lincoln, five thousand six hundred fifty-two dollars and sixty-five cents.

On the county of Mecklenburg, five thousand four hundred sixty-three dollars and sixty-three cents.

On the county of Cabarrus, two thousand six hundred forty-five dollars and seventy cents.

On the county of Buncome, two thousand eight hundred sixty dollars and forty-eight cents.

On the county of Haywood, eight hundred six dollars and eighteen cents.

On the county of Burke, two thousand seven hundred sixty-four dollars and ninety-two cents.

On the county of Rutherford, three thousand nine hundred seventeen dollars and fifty-three cents.

On the county of Surry, three thousand three hundred ninety-seven dollars and eighty-one cents.

On the county of Wilkes, one thousand eight hundred seven dollars and twenty-eight cents.

On the county of Ashe, seven hundred twenty-four dollars and thirty-four cents.

And on the county of Iredell, three thousand eight hundred twelve dollars and sixty-one cents.

Apportionment as to counties. Ohio.

In the State of Ohio.—On the county of Ross, three thousand eight hundred seventeen dollars and forty-nine cents.

On the county of Highland, eight hundred seventy-five dollars and twenty-one cents.

On the county of Clinton, four hundred ninety-one dollars and thirty-one cents.

On the county of Madison, four hundred one dollars and thirty-seven cents.

On the county of Champaign, eight hundred twelve dollars and sixty-one cents.

On the county of Green, one thousand five hundred seventeen dollars and fourteen cents.

On the county of Delaware, six hundred ninety one dollars and seventy-two cents.

On the county of Franklin, one thousand five hundred seventy-three dollars and ninety cents.

On the county of Tuscarawas, four hundred five dollars and eighty-eight cents.

On the county of Knox, four hundred dollars and thirty-two cents.

On the counties of Columbiana and Stark, two thousand six hundred eighty-seven dollars and forty-two cents.

On the county of Jefferson, one thousand nine hundred eighty-eight dollars and forty-two cents.

On the county of Warren, two thousand ninety-nine dollars and fourteen cents.

On the county of Scioto, four hundred twelve dollars and twenty-seven cents.

On the county of Licking, seven hundred eighty-nine dollars and thirteen cents.

On the county of Guernsey, two hundred thirty-seven dollars and forty-four cents.

On the county of Montgomery, one thousand five hundred fifty-six dollars and one cent.

On the county of Washington, one thousand seven hundred forty-two dollars and nine cents.

On the county of Muskingum, one thousand five hundred forty-seven dollars and forty-eight cents.

On the county of Pickaway, one thousand two hundred two dollars and eighty-five cents.

On the county of Belmont, one thousand one hundred seventy-one dollars and forty-one cents.

On the county of Adams, one thousand four hundred thirty-three dollars and forty-one cents.

On the county of Clermont, one thousand six hundred ninety-seven dollars and eighty-eight cents.

On the county of Hamilton, two thousand eight hundred seventy-five dollars and seventy-nine cents.

On the county of Miami, four hundred twenty-one dollars and ten cents.

On the county of Preble, three hundred twenty-six dollars and fifty-two cents.

On the county of Butler, one thousand three hundred fifty-seven dollars and twelve cents.

On the county of Athens, two hundred seventy-two dollars and three cents.

On the county of Gallia, five hundred two dollars and fifty-seven cents.

On the county of Portage, one thousand four hundred sixty-four dollars and sixty-five cents.

On the county of Geauga, eight hundred fifty-two dollars and twenty-cents.

On the county of Cayahoga, five hundred eighteen dollars and fifty-four cents.

On the county of Trumbull, including Ashtabula, two thousand two hundred seventy dollars and four cents.

On the county of Fairfield, one thousand nine hundred twenty-four dollars and sixty-one cents.

And on the county of Fayette, two hundred eighty-three dollars and fifteen cents.

Which several quotas on the counties of the state of Ohio, are exclusively of the taxes on lands lying in the said counties respectively, and owned by persons not residing in the state.

And on lands owned by persons not residing in the state, sixty-one thousand five hundred twenty-nine dollars and ninety-one cents.

In the State of Kentucky.—On the county of Clarke, four thousand eight hundred sixteen dollars and eighty-three cents.

On the county of Estill, three hundred fifty-four dollars and twelve cents.

On the county of Montgomery, two thousand six hundred fifty-eight dollars and ninety-five cents.

On the county of Bath, one thousand two hundred twelve dollars and ninety-two cents.

On the county of Fleming, two thousand four hundred forty-eight dollars and eighty-nine cents.

On the county of Greenup, eight hundred seventy-four dollars and ninety-six cents.

On the county of Floyd, six hundred sixty-five dollars and sixty cents.

On the county of Fayette, fourteen thousand five hundred eighty-five dollars and twenty-eight cents.

On the county of Jessamine, three thousand three hundred five dollars and ninety-seven cents.

On the county of Woodford, four thousand seven hundred seven dollars and thirty cents.

On the county of Scott, four thousand four hundred forty-nine dollars and thirty-seven cents.

On the county of Harrison, two thousand nine hundred forty-three dollars and ten cents.

On the county of Pendleton, seven hundred twenty-one dollars and sixty cents.

On the county of Campbell, one thousand three hundred fifty-nine dollars and forty-four cents.

On the county of Boone, one thousand eighty-nine dollars and thirty-one cents.

On the county of Gallatin, one thousand one hundred forty-six dollars and three cents.

On the county of Franklin, four thousand six hundred ninety-one dollars and sixteen cents.

On the county of Bourbon, seven thousand one hundred seventy-four dollars and twenty-six cents.

On the county of Nicholas, one thousand three hundred twenty-five dollars and seventy cents.

On the county of Mason, five thousand three hundred eleven dollars and nine cents.

On the county of Bracken, one thousand two hundred thirty-five dollars and three cents.

On the county of Lewis, six hundred fifty-seven dollars and sixty-four cents.

Apportionment as to counties.

Kentucky.

Apportionment as to counties.

On the county of Livingston, one thousand three hundred sixty-one dollars and eighty-nine cents.

On the county of Caldwell, one thousand three hundred ninety-seven dollars and fifty-eight cents.

On the county of Christian, three thousand four hundred seventy-six dollars and one cent.

On the county of Breckenridge, nine hundred seventy-two dollars and eleven cents.

On the county of Ohio, one thousand two hundred sixty-three dollars and twenty-five cents.

On the county of Grayson, five hundred twenty dollars.

On the county of Muhlenberg, one thousand two hundred thirty-six dollars and sixty cents.

On the county of Henderson, one thousand three hundred two dollars and ninety-six cents.

On the county of Hopkins, nine hundred sixteen dollars and ninety cents.

On the county of Union, seven hundred six dollars and ninety-one cents.

On the county of Barren, three thousand three hundred forty-four dollars and twelve cents.

On the county of Warren, three thousand one hundred one dollars and nine cents.

On the county of Logan, four thousand two hundred twelve dollars and ninety-one cents.

On the county of Butler, five hundred ninety-two dollars and thirty-three cents.

On the county of Cumberland, one thousand seven hundred two dollars and six cents.

On the county of Mercer, five thousand eight hundred eighty-five dollars and fifty-four cents.

On the county of Garrard, three thousand four hundred twenty-three dollars and thirty cents.

On the county of Madison, four thousand nine hundred thirty-three dollars and fifty-six cents.

On the county of Clay, five hundred twenty-two dollars and thirty-seven cents.

On the county of Bullitt, one thousand nineteen dollars and forty-three cents.

On the county of Jefferson, eight thousand six hundred thirty-five dollars and eighty-eight cents.

On the county of Henry, two thousand three dollars and seventy-one cents.

On the county of Shelby, five thousand four hundred thirty-one dollars and ten cents.

On the county of Lincoln, three thousand eight hundred fifty-two dollars and sixty-eight cents.

On the county of Rockcastle, five hundred sixty dollars and fifty-five cents.

On the county of Knox, one thousand three hundred eighteen dollars and twenty-two cents.

On the county of Pulaski, one thousand two hundred sixty-two dollars and eighty-two cents.

On the county of Wayne, one thousand three hundred forty-three dollars and six cents.

On the county of Adair, one thousand eight hundred eight dollars and sixty-eight cents.

On the county of Casey, seven hundred one dollars and twenty cents.

On the county of Hardin, two thousand three hundred eighty-three dollars and fifty-six cents.

On the county of Nelson, five thousand one hundred four dollars and ninety-eight cents.

On the county of Washington, three thousand eight hundred fifty-eight dollars and forty cents.

And on the county of Greene, two thousand five hundred forty-four dollars and ninety-four cents.

Which several quotas on the counties of the State of Kentucky are exclusively of the taxes on lands lying in the said counties respectively, and owned by persons not residing within the state.

And on lands owned by persons not residing in the state, eighteen thousand four hundred ninety-three dollars and fifty-one cents.

The assessment on and distribution among the said lands of which sum, shall be made, any provision in any law to the contrary notwithstanding, by the assessor of that district in the said state, which includes the town of Frankfort, from the list of said lands, as entered for payment of taxes with the auditor of public accounts of the State of Kentucky, in the year one thousand eight hundred and eleven, and from such other information as he may be able to obtain; and on failure to pay the said tax in the manner provided by the laws of the United States, the sale of the said lands being previously advertised according to the said laws, shall be made by the collector of that district, which includes the said town, at the capital therein.

In the State of South Carolina.—On the district of Charleston, forty-seven thousand five hundred and eighty dollars.

Apportionment as to counties.

South Carolina.

On the district of Colleton, twelve thousand nine hundred eighty-nine dollars and twenty-seven cents.

On the district of Beaufort, fifteen thousand four hundred twenty dollars and seventy-three cents.

On the district of Barnwell, two thousand seven hundred and fifty dollars.

On the district of Orangeburgh, four thousand six hundred and fifty dollars.

On the district of Lexington, two thousand and fifty dollars.

On the district of Richland, three thousand seven hundred dollars.

On the district of Edgefield, five thousand five hundred and seventy dollars.

On the district of Abbeville, four thousand nine hundred dollars.

On the district of Pendleton, two thousand one hundred and seventy dollars.

On the district of Greenville, one thousand four hundred five dollars and forty-eight cents.

On the district of Spartanburg, two thousand two hundred and seventy dollars.

On the district of Union, one thousand seven hundred and fifty dollars.

On the district of York, one thousand five hundred and sixty dollars.

On the district of Chester, one thousand eight hundred and seventy dollars.

On the district of Laurens, two thousand two hundred and fifty dollars.

On the district of Newberry, two thousand two hundred and eighty dollars.

On the district of Fairfield, two thousand eight hundred dollars.

On the district of Lancaster, nine hundred and eighty dollars.

On the district of Kershaw, three thousand eight hundred and fifty dollars.

On the district of Sumter, six thousand and thirty dollars.

On the district of Chesterfield, one thousand nine hundred and seventy dollars.

On the district of Darlington, two thousand one hundred and thirty dollars.

Apportionment as to counties.

On the district of Georgetown, eleven thousand two hundred and eighty dollars.

On the district of Horry, one thousand and sixty dollars.

On the district of Marion, three thousand and ten dollars.

On the district of Williamsburg, two thousand three hundred dollars.

And on the district of Marlborough, one thousand three hundred and thirty dollars.

Tennessee.

In the State of Tennessee.—On the county of Washington, two thousand four hundred ninety-two dollars.

On the county of Sullivan, two thousand two hundred five dollars.

On the county of Greene, three thousand one hundred twenty-seven dollars.

On the county of Hawkins, two thousand four hundred sixty-one dollars.

On the county of Carter, one thousand three hundred forty-nine dollars.

On the county of Cooke, one thousand six hundred fifty-nine dollars.

On the county of Knox, three thousand two hundred [dollars] seventy-five cents.

On the county of Jefferson, two thousand three hundred fifty-three dollars and seventeen cents.

On the county of Sevier, one thousand four hundred eighty dollars.

On the county of Blount, two thousand eight hundred forty-six dollars.

On the county of Grainger, two thousand and sixty dollars.

On the county of Claiborne, one thousand five hundred and forty-five dollars.

On the county of Anderson, one thousand two hundred seventy-five dollars.

On the county of Campbell, eight hundred fifty-nine dollars.

On the county of Roan, one thousand seven hundred ninety-seven dollars.

On the county of Bledsoe, one thousand and forty-nine dollars.

On the county of Rhea, eight hundred and six dollars.

On the county of Smith, five thousand six hundred twenty-six dollars.

On the county of Jackson, two thousand six hundred nine dollars.

On the county of Overton, two thousand seven hundred twenty-five dollars.

On the county of White, one thousand nine hundred forty-four dollars.

On the county of Warren, two thousand seven hundred sixty-five dollars.

On the county of Franklin, two thousand seven hundred sixty-seven dollars.

On the county of Bedford, three thousand nine hundred eighty-one dollars.

On the county of Lincoln, two thousand nine hundred forty-eight dollars.

On the county of Sumner, six thousand six hundred sixty dollars.

On the county of Davidson, seven thousand five hundred thirty-nine dollars.

On the county of Williamson, six thousand three hundred fifty-three dollars.

On the county of Rutherford, four thousand nine hundred fifty-eight dollars.

On the county of Wilson, five thousand seven hundred seventy-three dollars.

On the county of Maury, five thousand and three dollars.

On the county of Giles, two thousand one hundred ninety-six dollars.

On the county of Hickman, one thousand two hundred forty-seven dollars.

On the county of Humphries, seven hundred and thirty dollars.

On the county of Stewart, two thousand fifty-eight dollars and thirty-eight cents.

Apportionment as to counties.

On the county of Dixon, two thousand one hundred eighty-one dollars.

On the county of Montgomery, three thousand eight hundred seventy-four dollars.

And on the county of Robertson, three thousand five hundred eleven dollars.

In the State of Georgia.—On the county of Chatham, nineteen thousand three hundred fifteen dollars and thirty-five cents.

Georgia.

On the county of Bryan, nine hundred fifty-one dollars and seventy-five cents.

On the county of Liberty, three thousand fifty-eight dollars and fourteen cents.

On the county of M'Intosh, one thousand six hundred seventy-eight dollars and forty-eight cents.

On the county of Glynn, one thousand seven hundred eighty-four dollars and twenty-three cents.

On the county of Camden, one thousand six hundred sixty-seven dollars and forty-one cents.

On the county of Wayne, two hundred fifty-two dollars and eight cents.

On the county of Effingham, eight hundred forty-six dollars.

On the county of Bullock, six hundred forty-one dollars and eighty-eight cents.

On the county of Tatnall, four hundred seventy dollars and ninety-six cents.

On the county of Scriven, one thousand three hundred fifty dollars and sixteen cents.

On the county of Burke, three thousand six hundred one dollars and sixty-seven cents.

On the county of Richmond, six thousand eight hundred four dollars and eighty-nine cents.

On the county of Jefferson, two thousand one hundred eighty-eight dollars and seventy-eight cents.

On the county of Washington, two thousand five hundred sixty-five dollars and five cents.

On the county of Montgomery, six hundred seventy dollars and sixteen cents.

On the county of Columbia, three thousand seven hundred sixty-six dollars and forty-two cents.

On the county of Warren, two thousand three hundred thirty-five dollars and eleven cents.

On the county of Hancock, four thousand nineteen dollars and seventy-three cents.

On the county of Green, three thousand seven hundred twelve dollars and thirty-two cents.

On the county of Lincoln, one thousand four hundred seventy-three dollars and twelve cents.

On the county of Wilkes, four thousand six hundred eighty-two dollars and fifty-one cents.

On the county of Elbert, three thousand two hundred ninety-five dollars and forty-seven cents.

On the county of Franklin, one thousand six hundred forty-seven dollars and seventy-two cents.

On the county of Ogelthorp, three thousand seven hundred eight dollars and sixty-three cents.

On the county of Jackson, one thousand nine hundred sixty-seven dollars and forty-four cents.

On the county of Clark, two thousand twenty-four dollars and one cent.

Apportionment as to counties.

On the county of Morgan, two thousand twenty-one dollars and fifty-five cents.

On the county of Laurens, four hundred seventy-five dollars and eighty-eight cents.

On the county of Pulaski, six hundred and sixty-four dollars.

On the county of Wilkinson, including the county of Telfair, five hundred sixty-nine dollars and thirty-three cents.

On the county of Twiggs, eight hundred eighty-six dollars and fifty-eight cents.

On the county of Baldwin, three thousand ten dollars and nineteen cents.

On the county of Jones, one thousand five hundred seventy dollars and twenty-seven cents.

On the county of Putnam, two thousand seven hundred fifty dollars and seventy-three cents.

And on the county of Randolph, now called Jasper, two thousand five hundred eight dollars and forty-nine cents.

Louisiana.

In the State of Louisiana.—On the parish of Orleans, ten thousand six hundred fifty-seven dollars fifty-five cents.

On the parish of St. Bernard two hundred thirty-six dollars forty cents.

On the parish of Plaquemine, three hundred seventy-five dollars fifteen cents.

On the parish of St. Charles, one thousand one hundred sixty-seven dollars seventy-seven cents.

On the parish of St. John the Baptist, eight hundred nine dollars ninety cents.

On the parish of Ascension, six hundred thirty-seven dollars eighty-six cents.

On the parish of Assumption, four hundred and ninety-four dollars forty-five cents.

On the parish of La Fourche, interior, four hundred fifty-two dollars.

On the parish of Iberville, five hundred eighty dollars fifty cents.

On the parish of West Baton Rouge, three hundred eighty-five dollars fifty-one cents.

On the parish of Feliciana, one thousand three hundred eighty-three dollars forty-one cents.

On the parish of East Baton Rouge, one thousand one hundred fifty-four dollars.

On the parish of St. Helena, three hundred fifty-one dollars ten cents.

On the parish of St. Tammany, two hundred thirty-six dollars forty cents.

On the parish of Point Coupee, one thousand seven hundred ninety-nine dollars twenty-two cents.

On the parish of Concordia, five hundred eighty dollars eighty-two cents.

On the parish of Warren, one hundred ninety-one dollars sixty cents.

On the parish of Ouachita, eight hundred thirty-one dollars seventy cents.

On the parish of Rapides one thousand nine dollars forty-eight cents.

On the parish of Avoyelles, two hundred fourteen dollars eighty-eight cents.

On the parish of Catahoula, one hundred forty-one dollars eighty cents.

On the parish of Natchitoches, one thousand seventy-nine dollars forty-five cents.

On the parish of St. Landrey, one thousand two hundred one dollars four cents.

On the parish of St. Martin, one thousand three dollars eighteen cents.

And on the parish of St. Mary, five hundred eighty-nine dollars fifteen cents.

SEC. 3. *And be it further enacted*, That the amount of taxes which by virtue of the provisions of the act for the assessment and collection of direct taxes and internal duties, and of this act, should be laid and collected on non-residents' lands, so called, in the states of Kentucky and Ohio shall be ascertained and levied in the same manner and at the same rates respectively, as they were by the laws of those states in the year eighteen hundred and eleven: and lands in that year entered for taxation as non-residents' lands, which since that time may have been sold and transferred to residents, or where the owners of such lands may have become residents, and have had their lands entered for taxation, as residents, the tax on the same shall be collected as the tax on non-residents' lands: *Provided*, In all cases where sales and transfers shall have been made as aforesaid, or where non-residents have become residents, if they reside on the lands formerly entered as non-residents' lands, they shall have notice from the collector, as in other cases of residents. And if the amount thus laid, shall in either of the said states exceed or fall short of the amount fixed by this act as the quota to be laid on non-residents' lands in said states respectively, the difference shall, in the next ensuing direct tax laid by the authority of the United States, be deducted from or added to the quota of such state, as the case may be.

SEC. 4. *And be it further enacted*, That the said tax shall be assessed and collected in the manner provided, and by the officers to be appointed under and by virtue of the act aforesaid, entitled "An act for the assessment and collection of direct taxes and internal duties:" *Provided*, That there shall be appointed in the state of Ohio six additional collectors, who shall collect the tax due from non-resident proprietors of lands in the said state, shall have the same districts assigned them by the Secretary of the Treasury, reside at the same places which are or may be designated for similar officers under the state authority, and in other respects shall be under the same rules and regulations, be subject to the same penalties and forfeitures as are provided by the above recited act.

SEC. 5. *And be it further enacted*, That the principal assessors shall issue their precepts to the assistant assessors for the purpose of carrying into effect this act on the first day of February next, and the assessments shall have reference to that day.

SEC. 6. *And be it further enacted*, That each state may vary, by an act of its legislature, the respective quotas imposed by this act on its several counties or districts, so as more equally and equitably to apportion the tax hereby imposed; and the tax laid by this act shall be levied and collected in conformity with such alterations and variations, as if the same made part of this act, provided that an authenticated copy thereof be deposited in the office of the Secretary of the Treasury prior to the first of April next; in which case it shall be the duty of the said Secretary to give notice thereof to the proper principal collectors in such state.

SEC. 7. *And be it further enacted*, That each state may pay its quota into the Treasury of the United States, and thereon shall be entitled to a deduction of fifteen per centum if paid before the tenth day of February next, and of ten per centum if paid before the first day of May, in the same year: *Provided*, That notice of the intention of making such payment be given to the Secretary of the Treasury one month prior to such payment; and in case of payment so made he shall give notice thereof to the principal assessors and collectors of such state; and no further proceedings shall thereafter be had under this act in such state.

SEC. 8. *And be it further enacted*, That if either the states of Ohio or Louisiana shall pay its quota according to the provisions of the preceding section, the legislature thereof shall be, and they are hereby authorized and empowered to collect of all the purchasers of public lands, under any law of the United States, a just and equal proportion of the

Taxes on lands of non-residents in Kentucky and Ohio.

Residents' lands transferred by non-residents, in certain cases how to be taxed

Proviso.

How the taxes are to be assessed and collected.

Act of July 22, 1813, ch. 16.

Additional collectors in Ohio.

Principal assessors to issue precepts to their assistants to carry this act into effect.—When.

States to vary, if they please, the district and county apportionments of tax.

States may pay their respective quotas and be entitled to certain deductions. Proviso.

Act of January 17, 1814, ch. 4.

The states of Ohio and Louisiana may collect of purchasers of United States' lands an equal propor-

tion of the tax of the states respectively.

quota of said states respectively, the compact between the United States and the said states to the contrary notwithstanding.

APPROVED, August 2, 1813.

STATUTE I.

August 2, 1813.

CHAP. XXXIX.—*An Act laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise.*

Act of Dec. 23, 1814, chap. 16, sect. 3.

Repealed by act of Dec. 23, 1817, chap. 1.

Who are to be considered retailers under this act.

This act not to extend to physicians, &c.

Retailers to procure licenses on or before the first day of January, 1814.

Act of July 22, 1813, ch. 16.

Penalty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person who shall deal in the selling of any goods, wares, or merchandise, except such as are of the growth, produce, or manufacture of the United States, and except such as are sold by the importer thereof in the original cask, case, box, or package wherein the same shall have been imported, shall be deemed to be, and hereby is declared to be a retail dealer in merchandise within the meaning of this act; that every person who shall deal in the selling of wines in a less quantity or in less quantities at one time than thirty gallons, except the importer in the original cask, case, box, or package wherein the same shall have been imported, shall be deemed to be, and hereby is declared to be a retail dealer in wines, within the meaning of this act; and that every person who shall deal in the selling of any distilled spirituous liquors in less quantities than twenty gallons at one time, shall be deemed to be, and hereby is declared to be a retail dealer in distilled spirituous liquors. *Provided, always,* That nothing herein contained shall be construed to extend to physicians, apothecaries, surgeons, or chemists, as to any wines or spirituous liquors which they may use in the preparation or making up of medicines for sick, lame, or diseased persons only; or to the sale of domestic spirits sold in quantities not less than five gallons at the place where the same shall have been distilled, and by the person or persons to whom a license for distilling the same shall have been granted agreeably to the laws of the United States.

SEC. 2. *And be it further enacted,* That every person who, on the first day of January next, shall be a retail dealer in wines, distilled spirituous liquors, or merchandise as above described or defined, shall, before the said day, and every person who after the said day shall become or intend to become such retail dealer as aforesaid shall, before he shall begin to sell by retail as aforesaid, any wine, distilled spirituous liquors, or merchandise, apply for and obtain from the collector appointed by virtue of the act, entitled "An act for the assessment and collection of direct taxes and internal duties," for the collection district in which such person resides, one or more licenses, as the case may be, for carrying on the business of selling by retail as aforesaid; which licenses respectively shall be granted for the term of one year upon the payment for each license respectively of the duty by this act laid on such license, and shall be renewed yearly upon the payment of the like sum for each license. And if any person shall, after the said day, deal in the selling of wines, distilled spirituous liquors, or merchandise by retail as above described and defined, without having a license therefor as aforesaid continuing in force, such person shall, in addition to the payment of the duty forfeit and pay the sum of one hundred and fifty dollars, to be recovered with costs of suit. And no such license shall be sufficient for the selling of wines, distilled spirituous liquors, or merchandise as aforesaid by retail at more than one place at the same time; but any person who by colour of such license shall sell any wines, distilled spirituous liquors, or merchandise as aforesaid at more than one place at the same time shall be deemed to be in respect to such of the said articles as he or she shall so sell at more than one place at the same time, a retail dealer therein as the case may be, without license, and shall forfeit and pay the like sum

of one hundred and fifty dollars, in addition to the payment of the duty, to be recovered with costs of suit.

SEC. 3. *And be it further enacted*, That it shall be the duty of the collectors aforesaid within their respective districts to grant licenses for retailing, which licenses shall be marked, with a mark denoting the rate of the duty thereupon, and shall be signed by the commissioner of the revenue, and being countersigned by the collector, who shall issue the same, or cause the same to be issued, shall be granted to any person who shall desire the same upon application in writing, and upon payment of the sum or duty payable by this act upon each license requested: *Provided always*, That no license shall be granted to any person to sell wines, distilled spirituous liquors, or merchandise as aforesaid who is prohibited to sell the same by any state.

Collectors to grant licenses for retailing upon payment of duty.

Proviso.

SEC. 4. *And be it further enacted*, That the following duties shall be paid on the licenses above mentioned, viz:

Rates of duty payable for retailers' licenses.

On retailers of merchandise, including wines and spirits, if in cities, towns or villages, containing, within the limits of one mile square, more than one hundred families, twenty-five dollars; of wines alone, twenty dollars; of spirits alone, twenty dollars; of domestic spirits alone, fifteen dollars; of merchandise other than wines and spirits, fifteen dollars.

If any other place than cities, towns, or villages containing within the limits of one mile square more than one hundred families; on retailers of merchandise, including wines and spirits, fifteen dollars; of wines and spirits, fifteen dollars; of spirits alone, twelve dollars; of domestic spirits alone, ten dollars; of merchandise other than wines and spirits, ten dollars.

SEC. 5. *And be it further enacted*, That it shall be the duty of the collectors aforesaid, in their respective districts, and they are hereby authorized to collect the duties imposed by this act, and to prosecute for the recovery of the same, and for the recovery of any sum or sums which may be forfeited by virtue of this act. And all fines, penalties, and forfeitures, which shall be incurred by force of this act, shall and may be sued for and recovered in the name of the United States, or of the collector within whose district any such fine, penalty, or forfeiture shall have been incurred, by bill, plaint, or information, one moiety thereof to the use of the United States, and the other moiety thereof to the use of the person who, if a collector shall first discover, if other than a collector shall first inform of the cause, matter, or thing whereby any such fine, penalty, or forfeiture shall have been incurred; and where the cause of action or complaint shall arise or accrue more than fifty miles distant from the nearest place by law established for the holding of a district court within the district in which the same shall arise or accrue, such suit and recovery may be had before any court of the state holden within the said district, having jurisdiction in like cases.

Duty of collectors to collect the duties imposed by this act.

SEC. 6. *And be it further enacted*, That this act shall continue in force until the termination of the war in which the United States are now engaged with the United Kingdom of Great Britain and Ireland and the dependencies thereof, for one year thereafter and no longer.

Duration of this act—until Feb. 17, 1816.

APPROVED, August 2, 1813.

STATUTE I.

CHAP. XL.—*An Act to provide for the widows and orphans of militia slain, and for militia disabled in the service of the United States.*

August 2, 1813.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any commissioned officer of the militia, or of any volunteer corps, shall while in the service of the United States die by reason of any wound received in actual service of the United States, and leave a widow, or if no widow, a child or

Representatives of volunteer or militia officers slain in actual service entitled to pen-

sion for five years.

Proviso.

Officers, non-commissioned officers, musicians, or privates disabled in actual service, placed on pension list.

April 10, 1806, chap. 25.

Limitation of the amounts of pensions.

Proviso.

Commencement of this act.

Repeal of part of a former act.

Act of February 6, 1812, ch. 21.

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, for and during the term of five years; but in case of the death or intermarriage of such widow, before the expiration of the said term of five years, the half pay for the remainder of the time shall go to the child or children of such deceased officer: *Provided always*, That such half pay shall cease on the death of such child or children.

SEC. 2. *And be it further enacted*, That if any officer, non-commissioned officer, musician, or private of the militia, or of any volunteer corps, shall be disabled by known wounds received in the actual service of the United States, while in the line of his duty, he shall upon substantiating his claim in the manner described by an act, entitled "An act to provide for persons who were disabled by known wounds received in the revolutionary war," passed the tenth day of April, one thousand eight hundred and six, be placed on the list of invalids of the United States, at such rate of pension, and under such regulations as are provided by the said act, or as may hereafter be provided by law: *Provided always*, That the compensation to be allowed for such wounds or disabilities, to a commissioned officer shall not exceed for the highest rate of disability half the monthly pay of such officer at the time of his being wounded or disabled, and that no officer shall receive more than the half pay of a lieutenant colonel; and that the rate of compensation to non-commissioned officers, musicians, and privates, shall not exceed five dollars per month: *And provided also*, That all inferior disabilities shall entitle the persons so disabled, to receive an allowance proportionate to the highest disability.

SEC. 3. *And be it further enacted*, That the provisions of this act shall be construed to have effect from and after the eighteenth day of June, one thousand eight hundred and twelve.

SEC. 4. *And be it further enacted*, That the sixth section of an act, entitled "An act authorizing the President of the United States to accept and organize certain volunteer military corps," passed the sixth day of February, one thousand eight hundred and twelve, be and the same is hereby repealed.

APPROVED, August 2, 1813.

STATUTE I.

August 2, 1813.

[Obsolete.]

Act of February 25, 1813, ch. 31, explained.

CHAP. XLI.—*An Act explanatory of an act, entitled "An act to raise ten additional companies of Rangers."*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each of the ten companies authorized by the act, entitled "An act to raise ten additional companies of rangers," shall consist of one captain, one first, one second, one third lieutenant, one ensign, five sergeants, six corporals, and ninety privates.

APPROVED, August 2, 1813.

STATUTE I.

August 2, 1813.

[Obsolete.]

The President to appoint officers of the five regiments in the recess of the Senate.

CHAP. XLV.—*An act to authorize the appointment by the President of certain officers during the recess of the Senate. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the President of the United States, in the recess of the Senate, to appoint such of the officers of the five regiments authorized by the

(a) Act of January 29, 1813, chap. 15. Act of July 5, 1813, chap. 4.

act, entitled "An act in addition to the act, entitled 'An act to raise an additional military force, and for other purposes,'" and the act supplementary thereto, passed the fifth day of July, one thousand eight hundred and thirteen, as may not be appointed during the present session; which appointments shall be submitted to the Senate at their next session for their advice and consent.

APPROVED, August 2, 1813.

Act of January 29, 1813, ch. 15.
Act of July 5, 1813, ch. 4.

STATUTE I.

CHAP. XLVIII.—*An Act authorizing the sale of sundry lots, the property of the United States, in the borough of Pittsburg.*

August 2, 1813.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorized, to cause to be sold certain lots of ground in the borough of Pittsburg, in the State of Pennsylvania, being the property of the United States, and the same on which fort Fayette now stands, the proceeds whereof are hereby appropriated, under the direction of the President, to the erection of arsenals, armories, and laboratories.

The President to cause lots in the borough of Pittsburg to be sold.

APPROVED, August 2, 1813.

STATUTE I.

CHAP. XLIX.—*An Act for reducing the duties payable on prize goods captured by the private armed vessels of the United States.*

August 2, 1813.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on all goods, wares, and merchandise captured from the enemy, and made good and lawful prize of war, by any private armed ship or vessel of the United States, having a commission for making captures upon the enemy, or letters of marque and reprisal, and brought in to the United States or their territories, there shall be allowed a deduction of thirty-three and one third per cent. on the amount of duties at present imposed by law.

[Obsolete.]

Reduction of duties on prize goods.

APPROVED, August 2, 1813.

STATUTE I.

CHAP. L.—*An Act supplementary to the act, entitled "An act for the better regulation of the Ordnance."*

August 2, 1813.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the present number allowed by law, as many deputy commissaries of ordnance may be appointed, not exceeding five, as the President of the United States shall deem necessary to the public service, who shall be entitled to the same rank, pay, emoluments, rations, and forage, as are provided by the act to which this is a supplement.

[Obsolete.]

Act of May 14, 1812, ch. 83.

Deputy commissaries of ordnance to be appointed, not exceeding five.

APPROVED, August 2, 1813.

STATUTE I.

CHAP. LI.—*An Act authorizing a loan for a sum not exceeding seven millions five hundred thousand dollars.*

August 2, 1813.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorized to borrow, on the credit of the United States, a sum not exceeding seven millions five hundred thousand dollars, to be applied in addition to the moneys now in the

[Obsolete.]

President authorized to borrow 7,500,000 dollars.

Treasury, or which may be received from other sources, to defray any expenses which have been or which may be authorized for the service of the years one thousand eight hundred and thirteen and one thousand eight hundred and fourteen, and for which appropriations have been or may be made by law during those years: *Provided*, That no engagement or contract shall be entered into which shall preclude the United States from reimbursing any sum or sums thus borrowed, at any time after the expiration of twelve years, from the first day of January next.

Proviso.

Secretary of the Treasury to cause to be constituted certificates of stock for the sum borrowed by virtue of this act.

Proviso.

No sale to be made at a less rate than eighty-eight dollars for one hundred dollars.

The Secretary of the Treasury may employ agents to receive subscriptions.

Compensation not to exceed one quarter of one per cent.

Appropriation of 8,000,000 dollars for the payment of the interest and reimbursement of this loan.

Commissioners of the sinking fund to pay the interest, and to repay the principal.

Banks in District of Colum-

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury, with the approbation of the President of the United States be, and he is hereby authorized to cause to be constituted certificates of stock, signed by the Register of the Treasury, or by a commissioner of loans, for the sum to be borrowed by this act, or for any part thereof, and the same to be sold: *Provided*, That no such certificate shall be sold at a rate less than eighty-eight per centum, or eighty-eight dollars in money for one hundred dollars in stock. And the Secretary of the Treasury shall cause to be laid before Congress, on the first Monday in February, one thousand eight hundred and fourteen, or as soon thereafter as Congress may be in session, an account of all the moneys obtained by the sale of the certificates of stock in manner aforesaid, together with a statement of the rate at which the same may have been sold.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby authorized, with the approbation of the President of the United States, to employ an agent or agents for the purpose of obtaining subscriptions to the loan authorized by this act, or of selling any part of the stock created by virtue thereof. A commission not exceeding one quarter of one per cent. on the amount thus sold, or for which subscriptions shall have been thus obtained, may, by the Secretary of the Treasury, be allowed to such agent or agents; and a sum not exceeding twenty-two thousand dollars, to be paid out of any moneys in the treasury not otherwise appropriated, is hereby appropriated for paying the amount of such commission or commissions as may be thus allowed, and also for defraying the expenses of printing and issuing the subscription certificates, and certificates of stock, and other expenses incident to the receiving of subscriptions, and completing the loan authorized by this act.

SEC. 4. *And be it further enacted*, That so much of the funds constituting the annual appropriation of eight millions of dollars for the payment of the principal and interest of the public debt of the United States, as may be wanted for that purpose, after satisfying the sums necessary for the payment of the interest and such part of the principal of said debt as the United States are now pledged annually to pay or reimburse, is hereby pledged and appropriated for the payment of the interest, and for the reimbursement of the principal of the stock which may be created by virtue of this act. It shall accordingly be the duty of the commissioners of the sinking fund to cause to be applied and paid out of the said fund, yearly, such sum and sums as may be annually wanted to discharge the interest accruing on the said stock, and to reimburse the principal as the same shall become due and may be discharged in conformity with the terms of the loan; and they are further authorized to apply from time to time such sum or sums, out of the said fund, as they may think proper, towards redeeming by purchase, and at a price not above par, the principal of the said stock or any part thereof. And the faith of the United States is hereby pledged to establish sufficient revenues for making up any deficiency that may hereafter take place in the funds hereby appropriated for paying the said interest, and principal sums, or any of them in manner aforesaid.

SEC. 5. *And be it further enacted*, That it shall be lawful for any of the banks in the District of Columbia to lend any part of the sum au-

thorized to be borrowed by virtue of this act, any thing in any of their charters of incorporation to the contrary notwithstanding.

APPROVED, August 2, 1813.

bia may lend the money, or any part of it.

STATUTE I.

CHAP. LIII.—*An Act laying duties on notes of banks, bankers, and certain companies; on notes, bonds, and obligations discounted by banks, bankers, and certain companies; and on bills of exchange of certain descriptions.*

August 2, 1813.

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 December next, there shall be levied, collected, and paid throughout the United States, the several stamp duties following, viz: For every skin or piece of vellum, or parchment, or sheet, or piece of paper, upon which shall be written or printed any or either of the instruments of writing following, to wit:

December 10, 1814, chap. 11.

Duties on stamps.

On any promissory note or notes payable either to bearer or order, issued by any of the banks or companies, who issue and discount notes, bonds, or obligations, either incorporated or not incorporated, which now are or may hereafter be established in the United States, or by any banker or bankers, according to the following scale, viz:

If not exceeding one dollar, one cent.

If above one dollar, and not exceeding two dollars, two cents.

If above two and not exceeding three dollars, three cents.

If above three and not exceeding five dollars, five cents.

If above five and not exceeding ten dollars, ten cents.

If above ten and not exceeding twenty dollars, twenty cents.

If above twenty and not exceeding fifty dollars, fifty cents.

If above fifty and not exceeding one hundred dollars, one dollar.

If above one hundred and not exceeding five hundred dollars, five dollars.

If above five hundred and not exceeding one thousand dollars, ten dollars.

If above one thousand dollars, fifty dollars.

On any bond, obligation, or promissory note or notes not issued by any bank, companies, or banker as aforesaid, discounted by any such bank, companies, or banker, and on any foreign or inland bill or bills of exchange above fifty dollars, and having one or more endorsers, according to the following scale, viz:

If not exceeding one hundred dollars, five cents.

If above one hundred and not exceeding two hundred dollars, ten cents.

If above two hundred and not exceeding five hundred dollars, twenty-five cents.

If above five hundred and not exceeding one thousand dollars, fifty cents.

If above one thousand and not exceeding fifteen hundred dollars, seventy-five cents.

If above fifteen hundred and not exceeding two thousand dollars, one dollar.

If above two thousand and not exceeding three thousand dollars, one dollar and fifty cents.

If above three thousand and not exceeding four thousand dollars, two dollars.

If above four thousand and not exceeding five thousand dollars, two dollars and fifty cents.

If above five thousand and not exceeding seven thousand dollars, three dollars and fifty cents.

If above seven thousand and not exceeding eight thousand dollars, four dollars.

Public notes and drafts not to be charged with duties.

Compositions may be made with banks.

How the duties are to be levied, &c. &c.

Act of July 22, 1813, ch. 16.

Commissioner of the revenue to cause marks and stamps to be provided.

Vellum, parchment, or paper to be sent to the office of commissioner of revenue and stamped.

Penalties for violating this law.

If above eight thousand dollars, five dollars: *Provided*, That nothing herein contained shall be construed to charge with a duty or to require to be stamped any Treasury or other note or notes issued for the use or benefit of the United States, in pursuance of any act of Congress, or to any draft or bill drawn by the Treasurer of the United States, or any check payable at sight upon any bank, company, or banker as aforesaid, or to charge with a duty any second or other copy of a set of exchange.

SEC. 2. *And be it further enacted*, That in respect to any stamp on any of the notes of the banks or companies aforesaid, now established or which may hereafter be established within the United States, it shall be lawful for the Secretary of the Treasury to agree to an annual composition in lieu of such stamp duty, with any of the said banks or companies, of one and a half per centum on the amount of the annual dividend made by such banks to their stockholders respectively.

SEC. 3. *And be it further enacted*, That the several duties aforesaid shall be levied, collected, received, and accounted for, by and under the immediate direction and management of the collectors appointed under the act, entitled "An act for the assessment and collection of direct taxes and internal duties," within their respective districts, subject to the superintendence, control, and direction of the Treasury Department, according to the respective authorities and duties of the officers thereof.

SEC. 4. *And be it further enacted*, That it shall be the duty of the commissioner of the revenue to cause to be provided so many marks and stamps differing from each other, as shall correspond with the several rates of duty aforesaid; that is to say, one mark or stamp for each distinct rate of duty; with which marks and stamps respectively shall be marked or stamped all vellum, parchment, or paper, upon which shall be written or printed all or any of the several instruments, writings, matters, and things hereinbefore enumerated and charged, according to the nature and description of each of the said instruments, writings, matters, and things as are hereinbefore specified and described; which said several marks and stamps shall be notified by a public notification or advertisement, to be issued by the commissioner of the revenue, and inserted in at least one newspaper printed in each state, and for not less than three months before the said last day of December next, to the end that all persons may have due notice thereof; and which said marks and stamps, or any of them, shall or may be altered or renewed from time to time as the said commissioner of the revenue shall think fit, so that like public notification thereof be made, for a term not less than three months before such new stamps or marks shall begin to be used.

SEC. 5. *And be it further enacted*, That when any person or persons shall deposit any vellum, parchment, or paper at the office of any collector aforesaid, accompanying the same with a list which shall specify the number and denomination of the stamps or marks which are to be thereto affixed, it shall be the duty of the said collector to transmit the same to the office of the commissioner of the revenue, where such paper, parchment, and vellum, shall be properly marked or stamped, and forthwith sent back to the said collector, who shall thereupon collect the duties, and deliver the vellum, parchment, and paper, pursuant to the order of the person from whom it was received.

SEC. 6. *And be it further enacted*, That if any person or persons shall write or print, or cause to be written or printed upon any unstamped vellum, parchment, or paper, (with intent fraudulently to evade the duties imposed by this act,) any of the matters and things for which the said vellum, parchment, or paper is hereby charged to pay any duty, or shall write or print, or cause to be written or printed, any matter or thing upon any vellum, parchment, or paper that shall be marked or stamped for any lower duty than the duty by this act payable; or shall write or print or cause to be written or printed on vellum, parchment, or paper duly stamp-

ed any matters or things in respect whereof a duty is payable as aforesaid, at a distance from the stamps or marks impressed upon the said vellum, parchment, or paper, with intent again to use the said stamp, vellum, parchment, or paper, or with intent fraudulently to evade the duties imposed by this act; or shall write or print or cause to be written or printed any matters or things in respect whereof a duty is payable on any piece of stamped vellum, parchment, or paper whereon there shall have been before written or printed any other matter or thing in respect whereof a duty is payable by this act, before such vellum, parchment, or paper shall have been again duly marked or stamped according to this act, such person so offending shall for every such offence forfeit the sum of one hundred dollars; and in case any clerk, officer, or person who, in respect of any public office or employment, is or shall be authorized or instructed to make, write, or print any instruments or writings by this act charged to pay a duty as aforesaid, shall be guilty of any fraud, or practice to defraud or deprive the United States of any duty by this act payable, by making, writing, or printing any such instrument or writing, or causing the same to be made, written, or printed upon vellum, parchment, or paper, not marked or stamped according to this act, (or upon vellum, parchment, or paper marked or stamped with any mark or stamp which he shall know to be counterfeited,) or by writing or printing any such instrument or other writing upon vellum, parchment, or paper that shall be marked or stamped for a lower duty as aforesaid, every such clerk, officer, or person so guilty, and being thereof lawfully convicted, shall, instead of the penalty aforesaid, forfeit and pay the sum of five hundred dollars; and, if an officer of the United States, shall, in addition thereto, forfeit his office, and be disabled to hold or enjoy the same for the future.

SEC. 7. *And be it further enacted,* That no instrument or writing whatsoever, charged by this act with the payment of a duty as aforesaid, shall be pleaded or given in evidence in any court, or admitted in any court to be available in law or equity, unless the same shall be stamped or marked as aforesaid: *Provided,* That if any such instrument or writing shall have been written or printed upon vellum, parchment, or paper, not marked or stamped according to this act, or upon vellum, parchment, or paper marked or stamped for a lower duty than ought to be paid upon the same, then and in such case, it shall be lawful for the person or persons holding such instrument or writing, to pay to the collector within whose collection district such person or persons shall reside, the duty chargeable by law on such instrument or writing, together with ten dollars in addition thereto, which duty and additional sum of ten dollars such collector is hereby authorized and required to receive, and without fee or reward to endorse a receipt therefor under his hand, upon some part of such instrument or writing, after which endorsement and not otherwise, such instrument or writing shall be to all intents and purposes as valid and available, as if the same had been or were stamped or marked, as by this act required. The sums thus received by each collector in virtue of this section shall be accounted for and paid over in the same manner as other moneys received for stamp duties, and in such form and under such regulations as shall be prescribed by the Treasury Department. And if any persons with intent to defraud the United States of any sum of moneys, directed to be paid by this act, shall counterfeit or forge, or cause or procure to be counterfeited or forged, any receipt or endorsement provided for and directed by this section, or shall utter, pass away, vend or offer in evidence in any court of justice, any such forged or counterfeit receipt or endorsement, knowing the same to be forged or counterfeit, then every person so offending and being thereof convicted in due form of law, shall be adjudged to be guilty of a misdemeanor, and shall be subject to be fined in any sum not exceeding one

Penalties for violating this law.

All instruments of writing referred to in this act, to be available as evidence, must be stamped.

Proviso, that stamps may be put on instruments which have not been stamped, and ten dollars additional to be paid.

Penalties.

thousand dollars, and to be imprisoned for any term not exceeding seven years.

Banks which shall not have made compositions not to issue notes but upon stamped paper.

SEC. 8. *And be it further enacted*, That from and after the last day of December next, no bank or companies aforesaid now established, or which shall be hereafter established, which shall not have compounded for the duty hereby required, shall issue any bank bill or promissory note, unless upon paper duly stamped and whereon the respective duties shall have been paid; and if the officer of any such bank, or any person or persons employed therein shall thereafter issue any bill or note not duly stamped as aforesaid, he or they shall forfeit and pay a fine equal to the value of the bill or note so issued.

Oath to be taken by persons employed in marking or stamping.

SEC. 9. *And be it further enacted*, That every person who shall be employed for the marking or stamping of vellum, parchment, or paper, as aforesaid, before his acting in the marking or stamping of the said vellum, parchment, or paper, shall take the following oath or affirmation: "I [insert here the name of the person] do solemnly swear [or affirm as the case may be] that I will, according to the best of my knowledge and skill, faithfully, honestly, and carefully execute the trust reposed in me, and will truly mark or stamp all vellum, parchment, or paper, which I shall be required or directed to mark or stamp, and will render a true and exact account thereof, to the proper officer or officers."

Collectors to execute and fulfil the orders of the Treasury Department.

SEC. 10. *And be it further enacted*, That the said collectors shall, from time to time, for the better execution of their several duties and trusts, observe and execute such directions as they respectively shall from time to time receive from the Department of the Treasury; which Department shall take care that the several parts of the United States shall from time to time be sufficiently furnished with vellum, parchment, and paper, stamped or marked as aforesaid, so that the citizens thereof may have it in their election to buy the same of the officers or persons to be employed in and about the execution of this act at the usual or most common rates above the said duty, or to bring their own vellum, parchment, or paper to be marked or stamped as aforesaid.

Collectors to furnish stamped paper, &c. &c. to persons applying with a deduction of part of duties.

SEC. 11. *And be it further enacted*, That whenever any person, other than officers employed in collecting the revenue of the United States, shall apply to any collector aforesaid at the office of such collector for the purchase at one time, of any quantity of vellum, parchment, or paper, stamped and marked in the manner aforesaid, the whole amount of the duties on which quantity shall be ten dollars or upwards, such collector shall be, and hereby is authorized and required, to deliver to such person such quantity of vellum, parchment, or paper stamped as aforesaid, the said person paying down the amount of the said duties, after deducting therefrom seven and one half per centum on such amount, which deduction the said collector is hereby authorized and required to allow.

Secretary of the Treasury to furnish the paper required by this act.

SEC. 12. *And be it further enacted*, That all the paper wanted for the purposes of this act, excepting paper for bank notes, shall be furnished at the expense of the United States by the Secretary of the Treasury, who is hereby authorized to employ annually a sufficient sum for that purpose, which sum, as well as an annual sum of twenty thousand dollars for defraying the expenses of dies and of stamping the paper, shall be paid out of any moneys in the Treasury, not otherwise appropriated.

Collectors to receive the duties, &c. &c. in their respective districts.

SEC. 13. *And be it further enacted*, That it shall be the duty of the collectors aforesaid, in their respective districts, and they are hereby authorized to collect the duties imposed by this act, and to prosecute for the recovery of the same, and for the recovery of any sum or sums which may be forfeited by virtue of this act. And all fines, penalties, and forfeitures, which shall be incurred by force of this act, shall and may be sued for and recovered in the name of the United States, or of the collector aforesaid within whose district any such fine, penalty, or

forfeiture shall have been incurred, by bill, plaint, or information, one moiety thereof to the use of the United States, and the other moiety thereof to the use of the person who, if a collector aforesaid, shall first discover, if other than a collector aforesaid, shall first inform of the cause, matter, or thing, whereby any such fine, penalty, or forfeiture shall have been incurred; and where the cause of action or complaint shall arise or accrue more than fifty miles distant from the nearest place by law established for the holding of a district court within the district in which the same shall arise or accrue, such suit and recovery may be had before any court of the state, holden within the said district, having jurisdiction in like cases.

SEC. 14. *And be it further enacted*, That this act shall continue in force until the termination of the war in which the United States are now engaged with the United Kingdom of Great Britain and Ireland and the dependencies thereof, and for one year thereafter, and no longer.

Duration of this act to 17th February, 1816.

APPROVED, August 2, 1813.

STATUTE I.

CHAP. LIV.—*An Act making additional appropriations for the support of government during the year one thousand eight hundred and thirteen.*

August 2, 1813.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the sums appropriated by the act making appropriations for the support of government for the year one thousand eight hundred and thirteen, the following sums be, and they are hereby respectively appropriated, that is to say :

For expenses of intercourse with foreign nations, in addition to the sum heretofore appropriated, the sum of thirty-eight thousand five hundred dollars.

Specific appropriations.

For the relief and protection of American seamen, in addition to the sums heretofore appropriated, the sum of forty thousand dollars.

For fitting up four rooms in the building purchased by the United States, where the general post office is held, for the use of the superintendent general of military supplies, two thousand thirty-nine dollars and twelve and a half cents.

For books, stationery, furniture, wood, and other contingent expenses, the sum of one thousand dollars.

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

APPROVED, August 2, 1813.

STATUTE I.

CHAP. LV.—*An Act allowing a bounty to the owners, officers, and crews of the private armed vessels of the United States.*

August 2, 1813.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a bounty of twenty-five dollars be paid to the owners, officers, and crews of the private armed vessels of the United States, commissioned as letter of marque, for each and every prisoner by them captured and brought into port, and delivered to an agent authorized to receive them in any port of the United States; and the Secretary of the Treasury is hereby authorized and required to pay or cause to be paid to such owners, officers, and crews of private armed vessels commissioned as aforesaid, or their agent, the aforesaid bounty for each prisoner, captured and delivered as aforesaid.

Act of March 19, 1814, ch. 27.

Bounty to officers and crews of private armed vessels for prisoners taken by them, and brought into port.

SEC. 2. *And be it further enacted*, That the sum of fifty thousand dollars out of any money in the Treasury not otherwise appropriated, be, and the same is hereby appropriated.

Specific appropriation.

APPROVED, August 2, 1813.

VOL. III.—11

STATUTE I.

August 2, 1813.

[Obsolete.]

Collectors charged with the collection of internal duties.

Act of July 22, 1813, ch. 16.

Several territories of the United States and District of Columbia, to be divided, for the collection of internal duties.

Proviso.

Proviso.

Usual regulations to be observed in the collection of internal duties in the several territories of the United States.

Collectors to give bonds, &c. &c.

CHAP. LVI.—*An Act making further provision for the collection of internal duties, and for the appointment and compensation of assessors.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the collectors appointed under the act, entitled "An act for the assessment and collection of direct taxes and internal duties," shall be charged under the direction and superintendence of the Treasury Department, with the collection in their several districts, as defined in the said act, of the duties on sales at auction of merchandise, and of ships and vessels; on sugar refined within the United States; on carriages for the conveyance of persons; on licenses to retail dealers in wines, spirituous liquors, and foreign merchandise; on licenses to distillers of spirituous liquors; and on notes of banks, bankers, and certain companies; on notes, bonds, and obligations discounted by banks, bankers, and certain companies, and on bills of exchange of certain descriptions; and the bonds which the said collectors under the aforesaid act are required to give for the true and faithful discharge of their offices shall be deemed to extend to, and include the due collection and payment over of the moneys arising within their respective districts from the several duties above recited; and in case of failure in the said due collection and payment, the said bonds shall be deemed to be forfeited to the United States, and may be sued and judgment recovered thereupon in the manner pointed out by this act.

SEC. 2. *And be it further enacted,* That the President of the United States be, and he is hereby authorized to divide respectively the several territories of the United States and the District of Columbia into convenient districts for the purpose of collecting the internal duties above specified, and to nominate and by and with the advice and consent of the Senate appoint a collector for every such district: *Provided,* That any of the said territories, as well as the said District of Columbia, may, if the President shall think it proper, be erected into one collection district only: *And provided also,* That if the appointment of the said collectors, or any of them shall not be made during the present session of Congress, the President shall be, and is hereby empowered to make such appointment during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

SEC. 3. *And be it further enacted,* That the several duties laid by the acts, entitled "An act laying duties on sales at auction of merchandise, and of ships and vessels;" (a) "An act laying duties on sugar refined within the United States;" "An act laying duties on carriages for the conveyance of persons;" "An act laying duties on licenses to retail dealers in wines, spirituous liquors, and foreign merchandise;" "An act laying duties on licenses to distillers of spirituous liquors;" and "An act laying duties on notes of banks, bankers, and certain companies; on notes, bonds, and obligations discounted by banks, bankers, and certain companies, and on bills of exchange of certain descriptions," shall be laid and collected in the several territories of the United States and in the District of Columbia in the same manner and under the same penalties as is provided by the said acts respectively; which said acts shall to all intents and purposes, and in every respect and particular, apply and extend to the several territories of the United States, and to the District of Columbia.

SEC. 4. *And be it further enacted,* That each of the collectors thus appointed within the several territories of the United States, and the District of Columbia, and each collector appointed in any state, which

(a) July 24, 1813, chap. 21.
 July 24, 1813, chap. 26.
 July 24, 1813, chap. 24.
 August 2, 1813, chap. 39.
 August 2, 1813, chap. 33.

shall under the provisions of the act, entitled "An act to lay and collect a direct tax within the United States," pay its quota into the Treasury of the United States, whereby the collection by the several collectors of the quotas of the said direct tax imposed upon the several counties or districts of such state, shall become unnecessary, shall, within three months after being thereto required, give a bond with sureties, to be approved by the Comptroller of the Treasury, for the true and faithful execution of his office, and settlement of his accounts according to law, in a sum not less than three thousand dollars; which bond shall be filed in the office of the Comptroller of the Treasury, to be by him put in suit for the benefit of the United States, upon any breach of the conditions thereof.

August 2,
1813, ch. 57.

SEC. 5. *And be it further enacted,* That if any collector of internal duties within the United States or the territories thereof, shall neglect or refuse for more than three months to make up and render to the proper officer his accounts of all duties, collected or secured, pursuant to such forms as may be prescribed according to law, or to verify such accounts on oath or affirmation, if thereto required, or to pay over the moneys which shall have been collected, his bond shall be deemed forfeited, and judgment thereon shall and may be taken at the return term, on motion to be made in open court by the attorney of the United States, unless sufficient cause to the contrary be shown to and allowed by the court: *Provided always,* That the writ or process in such case shall have been executed at least fourteen days before the return day thereof.

Penalty for not rendering and duly settling accounts.

Proviso.

SEC. 6. *And be it further enacted,* That the amount of all debts due to the United States by any collector of internal duties, whether secured by bond or otherwise, shall, and hereby is declared to be a lien upon the lands and real estate of such collector, and of his sureties, if he shall have given bond, from the time when a suit shall be instituted for recovering the same; and for want of goods and chattels or other personal effects of such collector or his sureties, to satisfy any judgment which shall or may be recovered against them respectively, such lands and real estates may be sold at public auction, after being advertised for at least three weeks in not less than three public places within the collection district, and in one newspaper printed in the county, if any there be, at least six weeks prior to the time of sale; and for all lands or real estate sold in pursuance of the authority aforesaid, the conveyances of the marshals, or their deputies, executed in due form of law, shall give a valid title against all persons claiming under such collector or his sureties respectively.

Amount of debts due to the United States by collectors to be a lien upon their estate.

SEC. 7. *And be it further enacted,* That there shall be allowed to the collectors of direct tax and internal duties the following commissions on the moneys received and accounted for by them, viz: On the moneys arising from the direct tax in each and every collection district, where the quota of such district shall not exceed ten thousand dollars, eight per cent.; where the quota shall exceed ten thousand dollars, and shall not exceed fifteen thousand dollars, seven per cent.; where the quota shall exceed fifteen thousand dollars, and shall not exceed twenty thousand dollars, six per cent.; where the quota shall exceed twenty thousand dollars, and shall not exceed thirty thousand dollars, five per cent.; where the quota shall exceed thirty thousand dollars, and shall not exceed fifty thousand dollars, four per cent.; where the quota shall exceed fifty thousand dollars, three per cent.; and on moneys arising from internal duties, six per cent.; *Provided,* That the commissions herein allowed for the collection of the direct tax and internal duties, shall in no case exceed four thousand dollars to any collector.

Commissions &c. &c. to the collectors.

Proviso.

SEC. 8. *And be it further enacted,* That it shall be lawful for the President of the United States to apportion and distribute annually a sum

A certain sum, by way of extra

compensation, to be distributed amongst collectors.

Proviso.

Fees for measuring stills, &c. &c.

Collectors may appoint deputies—how.

Accurate accounts to be kept by collectors of their emoluments.

President may appoint temporarily assessors during recess of Senate.

July 22, 1813, chap. 16.

President may augment within certain limits, compensation of assessors.

not exceeding in the whole twenty-five thousand dollars among such collectors as for the execution of the public service it shall appear to him necessary so to compensate, in addition to the other emoluments to which they are entitled: *Provided*, That no such allowance or distribution shall exceed two hundred and fifty dollars to any one collector, nor shall be made to any collector whose gross emoluments, other than this allowance, shall amount to one thousand dollars a year; nor shall, when added to the other gross emoluments of such collector, exceed one thousand dollars a year.

SEC. 9. *And be it further enacted*, That there shall be allowed to each collector for measuring according to law, each still or boiler employed for the purpose of distillation, being under the capacity of one hundred gallons, sixty cents; and for each still or boiler as aforesaid, of the capacity of one hundred gallons or more, seventy-five cents. And the necessary expenses of procuring books, stationery, printed forms, certificates, and other documents necessary for the collection of the internal revenues and direct tax, shall and may be allowed to the collectors in the settlement of their accounts.

SEC. 10. *And be it further enacted*, That each collector shall be authorized to appoint, by an instrument or instruments under his hand, as many deputies within his collection district, to be by him paid and compensated for their services, as he may deem proper, whose acts officially and legally performed shall be as valid and available in every respect as if performed by the collector himself.

SEC. 11. *And be it further enacted*, That it shall be the duty of the collectors to keep accurate accounts of their official emoluments and expenditures, and the same, after being verified on oath or affirmation, to transmit annually on the last day of December, or within forty days thereafter, under a penalty of one hundred dollars to the commissioner of the revenue; and abstracts of the same shall be annually laid before Congress by the Secretary of the Treasury.

SEC. 12. *And be it further enacted*, That if the appointment of the principal assessors authorized by the act, entitled "An act for the assessment and collection of direct taxes and internal duties," or of any of them, shall not be made during the present session of Congress, the President of the United States shall be, and he is hereby empowered to make such appointment during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

SEC. 13. *And be it further enacted*; That the President of the United States shall be, and he is hereby authorized, to augment, in cases where he may find it necessary, the compensations fixed by the act aforesaid, for the principal and assistant assessors, so, however, as that no principal assessor shall in any such case receive more than three hundred dollars, and no assistant assessor more than one hundred and fifty dollars.

APPROVED, August 2, 1813.

STATUTE I.

August 2, 1813.

CHAP. LVII.—*An Act to prohibit the use of licenses or passes granted by the authority of the government of the United Kingdom of Great Britain and Ireland.*

Repealed by act of March 3, 1815, chap. 84, sec. 3.

Penalty for using or disposing of British licenses.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any citizen or inhabitant of the United States, or the territories thereof, who shall obtain or use either directly or indirectly, a license, pass, or other instrument granted by the government of the United Kingdom of Great Britain and Ireland, or by any officer or agent thereof, for the protection of any ship, vessel, or merchandise on the high seas or elsewhere, or for the admission of any ship, vessel, or merchandise into any port or place whatever; and any

citizen or inhabitant as aforesaid, who shall be either directly or indirectly concerned or assisting in obtaining, using, granting, or selling any such license, pass, or instrument, shall, upon conviction, for every such offence, forfeit a sum equal to twice the value of any such ship, vessel, and merchandise, and shall moreover be adjudged guilty of a misdemeanor, and shall be fined in a sum not exceeding five thousand nor less than one thousand dollars; and any ship, vessel, or merchandise, owned in whole or in part by any citizen or inhabitant of the United States, or of the territories thereof, which shall, five days after the promulgation of this act in the nearest port, be found in the waters or within the jurisdiction of the United States, having or using a license, pass, or other instrument as aforesaid, shall be forfeited, the one half to the use of the United States, and the other half to any person or persons who shall give information thereof, and produce or procure evidence of the fact; the duties, if any, which may be payable on the importation of such merchandise, being previously paid or deducted from the proceeds of such forfeiture: *Provided, however,* That the claim of any such person or persons, as derived from this act, shall not be admitted to bar, defeat, or affect any forfeiture accrued to the United States, or to any other person, which shall have been incurred by reason of an infraction of any other law of the United States.

Proviso.

SEC. 2. *And be it further enacted,* That any ship or vessel of the United States sailing under, or found on the high seas using a license, pass, or instrument, as described in the preceding section of this act, shall be considered and held as sailing under the flag of the government of the United Kingdom of Great Britain and Ireland; and it shall be lawful for the commanders of the public and private armed ships and vessels of the United States and the territories thereof, to stop and examine any ship or vessel of the United States or their territories, on the high seas or elsewhere, which there may be reasonable ground to suspect is sailing under the protection of, or using any such license, pass, or other instrument as aforesaid; and if upon examination it shall appear that such ship or vessel is sailing under the protection of, or using any such license, pass, or other instrument, it shall be the duty of such commanders, and of each of them, to seize every such ship or vessel, and send the same to any port in the United States or the territories thereof; and every such ship or vessel, so found sailing under the protection of, or using any such license, pass, or other instrument as aforesaid, shall, upon due proof thereof, before any court of the United States or the territories thereof, having competent jurisdiction, be condemned, together with the cargo, and be forfeited to the sole use of the officers and crew of such public or private armed ship or vessel; and all forfeitures which shall accrue and be recovered in pursuance of this section, shall be distributed according to the rules prescribed by the existing laws, in cases of prizes made from the enemy: *Provided,* That nothing contained in this act, shall be so construed as to prevent the acceptance or use of a passport or any other paper authorized by the government of the United States, or the acceptance or use of a passport granted by the commander of any ship of war of the enemy to any ship or vessel of the United States, which may have been captured and given up for the purpose of carrying persons captured by the enemy to the United States.

Vessels sailing with such licenses to be considered as British.

Proviso.

SEC. 3. *And be it further enacted,* That every ship or vessel belonging wholly, or in part, to a citizen or citizens, inhabitant or inhabitants of the United States, which shall depart or clear out from any port or place within the jurisdiction of the United States, after the promulgation of this act at such port or place, shall be subject to the operation of the same; and that every ship or vessel owned as aforesaid, if the same be in any part of Europe, of the Mediterranean, or the western coast of Africa, or between the same and the United States, at the passage of this

Vessels within the jurisdiction of the United States sailing after the promulgation of this act, and arriving in the United States from certain

latitudes, to be subject to the operation of this act.

Proviso.

Proviso.

act, after the first day of November next; and if at any port or place to the east of the Cape of Good Hope, or between the same and the United States, after the first day of January next; and if in either case such vessel arrive in the United States previous to the said periods respectively, then, after her arrival, shall in like manner be subject to the operation of this act: *Provided*, That if any such ship or vessel be, in either of the foregoing cases, delayed by stress of weather or other unavoidable accident, from returning to the United States within the periods above stated, the same shall not be subject to the operation of this act, until a sufficient time shall have elapsed after a knowledge thereof, for her return to the United States: *And provided also*, That nothing herein contained shall be so construed as to arrest or stay any prosecution or judicial proceeding now pending in any court of the United States or the territories thereof, instituted against any citizen or inhabitant of the United States, for using, or against any ship or vessel belonging wholly or in part to any citizen or citizens, inhabitant or inhabitants of the United States, for sailing under the protection of a license or pass granted by the authority of the government of the United Kingdom of Great Britain and Ireland, or by any person or persons acting under the authority of the same.

APPROVED, August 2, 1813.

STATUTE I.

August 2, 1813.

[Obsolete.]
Act of February 13, 1813, chap. 22.
Construction to be put upon a former act regulating pensions, &c. &c.

CHAP. LVIII.—*An Act to amend and explain the act regulating pensions to persons on board private armed ships.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act regulating pensions to persons on board private armed ships shall be construed to authorize the Secretary of the Navy to place on the pension list under the restrictions and regulations of the said act any officer, seaman, or marine belonging to any private armed ship or vessel of the United States, bearing a commission of letter of marque, who shall have been wounded or otherwise disabled in the line of their duty as officers, seamen, or marines of such private armed ship or vessel.

APPROVED, August 2, 1813.

STATUTE I.

August 2, 1813.

[Obsolete.]
Further time allowed for filing certain land claims.

Notices to be recorded.

Claims to be barred on failure, if founded on any act of Congress.

CHAP. LIX.—*An Act giving further time for registering claims to lands in the late district of Arkansas, in the territory of Missouri, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person or persons claiming lands in the late district of Arkansas, in the territory of Missouri, who are actual settlers on the land which they claim, and whose claims have not been heretofore filed with the recorder of land titles for the territory of Missouri, shall be allowed until the first day of January next, to deliver notices in writing and the written evidence of their claims to the recorder of land titles in the territory aforesaid; and the notices and evidences so delivered within the time limited by this act, shall be recorded in the same manner, and on payment of the same fees, as if the same had been delivered before the first day of July, one thousand eight hundred and eight; but the right of such persons as shall neglect so doing, within the time limited by this act, shall, so far as they are derived from or founded on any act of Congress, ever after be barred and become void, and the evidences of their claims never after admitted as evidence in any claim of the United States, against any grant derived from the United States.

SEC. 2. *And be it further enacted*, That the recorder of land titles

for the territory of Missouri, shall have the same powers and perform the same duties in every respect in relation to the claims that may be filed according to the preceding section, as the board of commissioners for ascertaining and adjusting claims to lands in the district of Louisiana would have had or should have performed, if such notice had been filed and such evidence delivered before the first day of July, one thousand eight hundred and eight, except that his decisions shall be subject to the revision of Congress.

SEC. 3. *And be it further enacted*, That it shall be the duty of the said recorder of land titles, to make to the commissioner of the general land office a report of all claims filed with said recorder, with the substance of the evidence in support thereof; and also his opinion, and such remarks respecting the claims as he may think proper to make; which report, together with a list of the claims which in the opinion of the said recorder ought to be confirmed, shall be laid by the commissioner of the general land office before Congress for their determination.

SEC. 4. *And be it further enacted*, That the said recorder shall be allowed fifty cents for each claim on which a decision shall be made, whether such decision shall be in favour or against the claims, which allowance shall be in full for his services under this act.

SEC. 5. *And be it further enacted*, That in every case where notice of the claim shall have been filed under former laws, and in which no testimony shall have been produced, the claimants shall be allowed until the first day of July, one thousand eight hundred and fourteen, to produce to said recorder testimony in support of such claims; and the said recorder shall in relation to such claims have the same powers and perform the said duties as are required of him on claims filed under this act.

Recorder of land titles for the territory of Missouri, to have power to settle and adjust land claims, &c. &c.

Recorder to make reports to commissioner of the general land office.

Fees to recorder, which shall be in full for his services.

Where notice shall have been filed under former laws, claimants to have further time.

APPROVED, August 2, 1813.

ACTS OF THE THIRTEENTH CONGRESS

OF THE

UNITED STATES,

Passed at the second session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the sixth of December, 1813, and ended the eighteenth day of April, 1814.

JAMES MADISON, President; ELBRIDGE GERRY, Vice President of the United States and President of the Senate; J. B. VARNUM, President of the Senate, pro tempore, from the 17th of December to the 23th day of January; JOHN GAILLARD, President of the Senate, pro tempore, on the 18th of April; HENRY CLAY, Speaker of the House of Representatives until the 17th of January, 1814; LANGDON CHEVES, Speaker of the House of Representatives from the 25th of January, 1814.

STATUTE II.

Dec. 17, 1813. CHAP. I.—*An Act laying an embargo on all ships and vessels in the ports and harbours of the United States. (a)*

Repealed by act of April 14, 1814, ch. 56.

An embargo laid, with certain exceptions. President may cause the necessary instructions to be given for carrying it into effect.

Nothing in this act to prevent the departure of foreign vessels with provisions, naval and military stores, and whose officers and crews belong to nations in amity with the United States.

Foreign public armed ships not to be subject to this embargo.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an embargo be, and hereby is laid on all ships and vessels in the ports and places within the limits or jurisdiction of the United States and the territories thereof, cleared or not cleared; and that no clearance be furnished to any ship or vessel, except vessels in ballast, with their necessary sea stores, under the immediate direction of the President of the United States; and that the President be authorized to give such instructions to the officers of the revenue, and of the navy, and of the private armed vessels and revenue cutters of the United States, as shall appear best adapted for carrying the same into full effect: Provided, That nothing herein contained shall be construed to prevent the departure of any foreign ship or vessel, in ballast, with her necessary sea stores, and with the goods, wares, and merchandise, other than provisions, military and naval stores, on board of such foreign ship or vessel when notified of this act, whose officers and crews shall consist wholly of such foreigners as did belong to nations in amity with the United States at the time of the arrival of said ship or vessel in the United States, and which shall not have nor take on board for the voyage any citizen of the United States, except such as may produce a passport therefor, to be furnished under the authority and direction of the President of the United States. And all public armed vessels possessing public commissions from any foreign power are not to be considered as liable to the embargo laid by this act.

SEC. 2. *And be it further enacted, That if any person or persons*

(a) See notes to act of December 22, 1807, chap. 5, "An act laying an embargo on all ships and vessels in the ports and harbours of the United States."

shall put, place, or load on board any ship, vessel, boat, or water craft, or into any cart, wagon, sled, or other carriage or vehicle, or in any other manner attempt to convey any specie, goods, wares, merchandise, produce, provisions, naval or military stores, or any kind of live stock, with intent to export, transport, or convey the same without the United States or the territories thereof, to any foreign place, kingdom, or country, or with intent to convey the same on board any foreign ship or vessel within or without the limits of the United States, or with the intent in any other manner to evade the provisions of this act, all such specie, goods, wares, merchandise, produce, provisions, naval or military stores, live stock, and also the ship, vessel, boat, water craft, cart, wagon, sled, or other carriage or vehicle, on board, or on or in which the same may be so put, placed, or loaded as aforesaid, and also all horses, mules, and oxen, used or employed in conveying the same, shall be forfeited, and the person or persons so putting, placing, or loading the same as aforesaid, and also the aiders and abettors therein, shall, upon conviction, be adjudged guilty of a high misdemeanor, and fined a sum, by the court before which the conviction is had, equal to four times the value of such specie, goods, wares, merchandise, produce, provisions, naval or military stores, or live stock: *Provided however*, That this section shall not be construed to extend to any person or persons not being the owner or owners of such specie, goods, wares, merchandise, produce, provisions, naval or military stores, who shall first inform and make complaint to the collector of the district of any such offence committed within the same district; and any informer or informers, not being the owner or owners aforesaid, upon conviction of the offenders, shall be entitled to one-half of the fine aforesaid, when the same shall be received by the United States, and shall be entitled to a certificate for that purpose from the court before whom the conviction shall be had.

SEC. 3. *And be it further enacted*, That the owner or owners, consignee or factor of any ship, vessel, or boat, which may, at the time when notice of this act shall be received at the several custom houses respectively, be laden in whole or in part, shall, on notice given by the collector, either discharge such cargo or give bond with two or more sufficient sureties, in double the value of such vessel and cargo, not to proceed on the intended voyage or trip, until permitted to do so, agreeably to the provisions of this act; and if the cargo shall not be discharged within ten days, or the bond given as aforesaid, the ship, vessel, or boat and cargo shall be wholly forfeited. And the several collectors are authorized in the meanwhile, and until the cargoes shall have been discharged, or the bond given as aforesaid, to take possession of such vessels, and to take such other measures as may be necessary to prevent their departure.

SEC. 4. *And be it further enacted*, That the President of the United States may authorize the collectors of the customs (when in his opinion it can be done without danger of the embargo being violated, and under such limitations as he may deem expedient) to grant permission to vessels or boats, whose employment has uniformly been confined to the navigation of bays, sounds, rivers, or lakes, within the jurisdiction of the United States, or the territories thereof, to take on board at any time such articles of domestic or foreign growth as may be designated in such permission, bond with one or more sufficient sureties being previously given to the United States by the owner, owners, consignee, or factors of such vessel or boat, and by the master thereof, in an amount equal to three hundred dollars for each ton of the said vessel or boat, that such vessel or boat shall not, during the time limited in the condition of the bond, depart from any district of the United States without having previously obtained a clearance, nor until the master or commander shall have delivered to the collector or surveyor of the port of departure, a manifest of the whole cargo on board, that the said vessel or boat shall not during the time

Specie, &c. &c. put on board any vessel, &c. &c. to be sent without the limits of the United States and the vessels, &c. &c. with the cargoes, wholly forfeited.

Additional penalties.

proviso, that the section shall not extend to persons, &c. who shall first inform the collector, &c.

After notice of this act, vessels loaded to be discharged of their cargoes or give bonds not to depart, &c. &c.

Collectors may take possession of the vessels in the mean time.

President may authorize collectors to permit coasting vessels to take on board articles of domestic growth, &c. &c. upon bond, &c. &c.

Bond to be given.

above mentioned proceed to any other port or place than that mentioned in her clearance, nor put any article on board of any other vessel or boat, or be employed in any foreign trade; and that on every voyage or trip, the whole of the cargo shall be landed in a port or place of the United States or the territories thereof, within the bay, sound, rivers or lakes to which the navigation of such vessel is confined, and the burthen of proof of the landing the whole of any such cargo in a port or place of the United States or the territories thereof, within the bay, sound, rivers, or lakes to which the navigation of such vessel or boat is confined, or in the port or place mentioned in her clearance, shall in case of any suit or prosecution instituted on such bond for a breach of the conditions thereof, lie upon the owner or owners, consignee or factors of such vessel or boat, or the master thereof, as the case may be: *Provided*, Such prosecution or suit be instituted within two years after such breach shall have been committed.

Proof of fact of landing to lie on the owner, factor, consignee and master of the vessel.

Penalties for taking prohibited articles on board vessels.

Who are to be reputed owners of vessels committing breaches of this law.

Proviso.

On granting new register, bond to be given.

Nothing in this act to extend to vessels sold bona fide before notice.

Proviso.

Owners of licensed fishing vessels to give bonds not to proceed to foreign places, and that they will return with their fishing fare to the United States.

SEC. 5. *And be it further enacted*, That if any vessel or boat, not having received a permission, and a bond not having been first given in the manner provided for in the next preceding section, shall take on board any article or articles prohibited by this act, such vessel or boat, together with her cargo, shall be wholly forfeited, and the owner or owners, agent, freighter or factors, master or commander of such vessel or boat, shall moreover severally forfeit and pay a sum equal to the value of the vessel or boat, and of the cargo put on board the same.

SEC. 6. *And be it further enacted*, That the person or persons, whose names do or may appear as owner or owners of any ship or vessel either on the certificate of registry, enrolment, or license of any such ship or vessel, or if neither registered or licensed, on the last clearance or custom house documents issued before the passing of this act for such ship or vessel, shall be reputed as the true owner or owners of such ship or vessel, and be liable to the payment of all penalties which may be incurred by the owners of such ship or vessel, by reason of any violation of any of the provisions of this act: *Provided always*, That nothing in this section contained shall be construed to release any other person or persons from the payment of any penalty incurred by virtue of this act. And in case of any new register or license being granted during the continuance of this act, or in case of the sale of any ship or vessel neither registered or licensed, a bond with one or more sureties to the United States shall, previous to the granting any such new register or license, or to recognising the sale of such vessel not registered or licensed, be required by the collector, in an amount equal to three hundred dollars of each ton of such ship or vessel, that such ship or vessel shall not, during the continuance of this act, contravene or infringe any of the provisions thereof: *Provided*, That nothing herein contained shall be construed to extend to the owner or owners of any ship or vessel who shall have made a bona fide sale of such ship or vessel, in any port or harbour of the United States, before notice of this act at such port or harbour respectively, nor to the owner or owners of any ship or vessel, in any foreign port or place, who shall have made a bona fide sale thereof before notice of this act: *And provided, also*, That such bond shall not release the owners and master of such ship or vessel, or any other person from the obligation of giving every other bond required by this act.

SEC. 7. *And be it further enacted*, That the owner or owners of all vessels licensed for fisheries, or those bound on a whaling voyage, and having no other cargo than necessary sea stores, salt, and the usual fishing tackling and apparel, shall give a general bond in four times the value of the vessel and cargo, that they will not, during the continuance of this act, proceed to any foreign port or place, and will return with their fishing fare to some port or place within the United States.

SEC. 8. *And be it further enacted*, That if any ship or vessel shall

during the continuance of this act, depart from any port of the United States, without a clearance or permit, or if any ship or vessel shall, contrary to the provisions of this act, proceed to a foreign port or place, or trade with or put on board of any other ship or vessel any article or articles prohibited by this act, such ship or vessels, goods, wares, merchandise, produce, provisions, naval or military stores shall be wholly forfeited; and if the same shall not be seized, the owner or owners, agent, freighter or factors of any such ship or vessel shall, for every such offence, forfeit and pay a sum equal to double the value of the ship or vessel and cargo, and shall never thereafter be allowed a credit for duties on any goods, wares, and merchandise imported by him or them into any of the ports of the United States; and the master or commander of such ship or vessel, as well as all other persons who shall knowingly be concerned in any such violations of this act, shall each respectively forfeit and pay a sum not exceeding twenty thousand dollars for every such offence, whether the vessel be seized and condemned or not; and shall be imprisoned for a term not less than six calendar months, nor exceeding one year; and the oath or affirmation of any master or commander knowingly offending against the provisions of this section, shall ever thereafter be inadmissible before any collector of the customs of the United States.

SEC. 9. *And be it further enacted,* That if any foreign ship or vessel shall, during the continuance of this act, take on board any specie, goods, wares, merchandise, produce, provisions, naval or military stores, other than the provisions and sea stores necessary for the voyage, such ship or vessel, and the specie and cargo on board shall be wholly forfeited, and may be seized and condemned in any court of the United States having competent jurisdiction; and every person concerned in such unlawful shipment, shall forfeit and pay a sum not exceeding twenty thousand dollars for every such offence.

SEC. 10. *And be it further enacted,* That the collectors of all the districts of the United States and the territories thereof, shall, and they are hereby authorized to take into their custody, any specie, goods, wares, merchandise, produce, provisions, naval or military stores, or live stock, found on board of any ship or vessel, boat or other water craft, when there is reason to believe that they are intended for exportation, or when in vessels, carts, wagons, sleighs, or any other carriage, or in any manner apparently on their way towards the territories of a foreign nation, or the vicinity thereof, or towards a place whence such articles are intended to be exported, or placed in the possession of the enemies of the United States; and not to permit such articles to be removed until bond, with sufficient sureties, shall have been given for the landing or delivery of the same in some place of the United States, whence, in the opinion of the collector, there shall not be any danger of such articles being exported or placed in the possession of the enemies of the United States.

SEC. 11. *And be it further enacted,* That the powers given to the collectors by this act, to refuse permission to put any cargo on board any vessel, boat, or other water craft, to detain any vessel, or to take into their custody any articles for the purpose of preventing violations of the embargo, shall be exercised in conformity with such instructions as the President may give, and such rules as he may prescribe for that purpose, made in pursuance of the powers aforesaid; which instructions and rules the collectors shall be bound to obey. And if any action or suit be brought against any collector or other person acting under the directions of, and in pursuance of this act, he may plead the general issue, and give this act and the instructions and regulations of the President in evidence for his justification and defence. And any person aggrieved by the acts of any collector, in either of the cases aforesaid, may file his petition before the district court of the district wherein the collector

Penalty in forfeiture of vessel, for departing from any port in the United States without regular clearance, in putting on board any prohibited articles, or in proceeding to a foreign port.

Further penalties.

Forfeiture by the master or commander of vessels violating the law.

Foreign vessels prohibited from taking on board any specie or other merchandise under forfeiture of vessel, &c. &c.

Collectors may take into their custody articles really or apparently destined for the enemy.

Discretionary powers given to the collectors under this act, to be exercised conformably with the President's instructions.

In case of an action against any person acting under the directions of, and in pursuance of this act, the general issue may be

pleaded, and the President's instructions, and this act be given in evidence.

President empowered to employ such part of the naval or land forces of the United States to carry this act into effect, as he may judge necessary.

The vessels of the United States may seize on vessels violating act.

Penalties and forfeitures how to be prosecuted and distributed.

Act of April 23, 1800, ch. 33.

Act of June 26, 1812, ch. 107.

Act of March 2, 1799, ch. 22.

Act of March 3, 1797, ch. 13.

Act of Feb. 11, 1800, ch. 6.

The time during which this act is to be in operation not to be computed with respect to drawbacks.

resides, stating the facts of his case, and thereupon, after due notice given to the district attorney and the collector, the said court may summarily hear and adjudge thereupon, as law and justice may require; and the judgment of said court, and the reason and facts whereon it is grounded, shall be filed among the records of said court; and if restoration of the property detained or taken in custody, or permission to load as aforesaid shall be decreed, it shall be upon the party's giving such bond with sureties, as is or shall be required to be taken in similar cases by the collector, and not otherwise; but if the said court shall adjudge against such petition, the collector shall be entitled to treble costs, which shall be taxed for him, and execution awarded accordingly by the court.

SEC. 12. *And be it further enacted*, That it shall be lawful for the President of the United States, or such other person as he shall have empowered for that purpose, to employ such part of the land or naval forces or militia of the United States, or of the territories thereof, as may be judged necessary, in conformity with the provisions of this act, for the purpose of preventing the illegal departure of any ship or vessel, or of detaining, taking possession of, and keeping in custody, any ship or vessel, or of taking into custody and guarding any specie, goods, wares, merchandise, produce, provisions, naval or military stores, or live stock, and also for the purpose of preventing and suppressing any armed or riotous assemblage of persons resisting the custom house officers in the exercise of their duties, or in any manner opposing the execution of this act, or otherwise violating or assisting and abetting violations of the same.

SEC. 13. *And be it further enacted*, That it shall be lawful for the public and private armed vessels of the United States to capture and seize on the high seas or elsewhere any ship or vessel which shall have violated any of the provisions of this act, and to send the same into any port of the United States for adjudication.

SEC. 14. *And be it further enacted*, That all penalties and forfeitures incurred by force of this act, may be prosecuted, sued for, and recovered by action of debt or by indictment or information, as the case may require, and if recovered in consequence of any seizure made by the commander of any public armed vessel of the United States, shall be distributed according to the rules prescribed by the act, entitled "An act for the government of the navy of the United States," and if in consequence of any seizure made by any private armed vessel of the United States, shall be distributed according to the rules prescribed by the act, entitled "An act concerning letters of marque, prizes, and prize goods," and the act in addition thereto; and if otherwise, shall be distributed and accounted for, in the manner prescribed by the act, entitled "An act to regulate the collection of duties on imports and tonnage," passed the second day of March, one thousand seven hundred and ninety-nine, and may be mitigated or remitted in the manner prescribed by the act, entitled "An act to provide for mitigating or remitting forfeitures, penalties, and disabilities, accruing in certain cases therein mentioned," passed the third day of March, one thousand seven hundred ninety-seven, and made perpetual by an act passed the eleventh day of February, one thousand eight hundred; and any officer or other person, entitled to a part or share of any of the fines, penalties, or forfeitures aforesaid, may, if necessary, be a witness on the trial therefor, but in such case he shall not receive any part or share of the said fine, penalty, or forfeiture, but the part or share to which he would otherwise be entitled shall belong to the United States.

SEC. 15. *And be it further enacted*, That the time during which this act shall continue in force, shall not be computed as making part of the term of twelve calendar months, during which goods, wares, or merchandise imported into the United States must be exported in order to be entitled to a drawback of the duties paid on the importation thereof.

SEC. 16. *And be it further enacted*, That nothing in this act contained, shall prevent the sailing of any private armed vessel duly commissioned by any foreign power in amity with the United States, nor of any vessel of the United States duly commissioned by virtue of an act, entitled "An act concerning letters of marque, prizes, and prize goods," passed on the twenty-sixth day of June, one thousand eight hundred and twelve: *Provided always nevertheless*, That it shall be lawful for, and the duty of all officers of the customs and revenue officers of the United States, and they are hereby enjoined, to examine, search, and effectually ascertain, the amount and kind of articles all such vessels about sailing may have on board, so as to prevent their taking any cargo or other lading than the stores, provisions, armament, furniture, and equipment, generally proper and necessary for such vessels.

SEC. 17. *And be it further enacted*, That whenever it shall appear, on report made to any collector of the customs, by any officer of the customs, revenue officer, or other person, that any private armed vessel has on board any article or articles whatever, goods, wares, merchandise, or cargo of any description, intended for trade or traffic with the enemies of the United States, either directly or intermediately through any neutral or other person or persons, or for exportation, it shall be the duty of the said collector, and he is hereby authorized, to seize all such articles, goods, wares, merchandise, and cargo of every description, and to have the same landed forthwith, to be proceeded against as forfeited to the United States.

SEC. 18. *And be it further enacted*, That in all such cases it shall be the duty of the district attorney of the United States, for the district within which the said proceedings shall take place, to proceed in due form of law for the condemnation and forfeiture of the said articles to the use of the United States.

SEC. 19. *And be it further enacted*, That in all cases of condemnation as aforesaid, the captain or other commanding officer, and each and every of the owners of such private armed vessels, shall be fined in a sum not exceeding one thousand dollars each.

SEC. 20. *And be it further enacted*, That this act shall be in force from and after the passing thereof, until the first day of January, in the year of our Lord one thousand eight hundred and fifteen, unless a cessation of hostilities between the United States and Great Britain and Ireland and their dependencies, shall take place before that day; in which event, or in any other event that shall, in the opinion of the President, render the termination of the embargo hereby imposed compatible with the public interest, the President of the United States is hereby authorized to declare by proclamation, that this act is to cease and have no effect.

APPROVED, December 17, 1813.

Foreign armed vessels not affected by this act, nor those of the United States.

Act of June 26, 1812, ch. 107.

Proviso.

Collectors may seize such articles as are put on board private armed vessels contrary to this act.

Made the duty of the local district attorney to institute legal proceedings accordingly.

Additional fines upon the captains or commanders of such private armed vessels.

Continuance of this act.

STATUTE II.

CHAP. II.—*An act making certain partial appropriations for the year one thousand eight hundred and fourteen.*

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

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

January 11, 1814.

[Obsolete.] Appropriation of one million five hundred thousand dollars.

Compensation to the Senate and House of Representatives.

Contingent expenses of the Senate and the House of Representatives.

Navy.

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

Towards defraying the contingent expenses of the Senate, during the year one thousand eight hundred and fourteen, three thousand dollars:

Towards defraying the expenses of the navy of the United States, for the year one thousand eight hundred and fourteen, the sum of one million of dollars.

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

APPROVED, January 11, 1814.

STATUTE II.

Jan. 17, 1814.

[Obsolete.]

Where the legislature of a state shall not meet before January 1, 1814, such state to be allowed until February to make payment of the quota of the state of the direct tax.

CHAP. IV.—*An Act to amend the seventh section of the act, entitled "An act to lay and collect a direct tax within the United States."*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in every case where the legislature of a state shall not convene prior to the first day of January, one thousand eight hundred and fourteen, no notice of the assumption of the quota of such state of the direct tax shall be deemed necessary; and such state shall be allowed until the twentieth of February next for making payment, and shall receive thereon the same deduction as if such payment had been made on the tenth day of February.

APPROVED, January 17, 1814.

STATUTE II.

January 25, 1814.

[Obsolete.]

Permission given to the inhabitants of Nantucket island to hold an intercourse with the main on certain conditions.

CHAP. V.—*An act authorizing the President of the United States to grant certain permissions to the inhabitants of the island of Nantucket.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That during the continuance of the act laying an embargo on all ships and vessels in the ports and harbours of the United States, it shall be lawful for the President of the United States, and he is hereby authorized and empowered, when in his opinion the public interest shall not forbid it, to grant permission, on application made therefor, to any inhabitant or inhabitants of the island of Nantucket, to employ any ship, vessel, or boat, for the purpose of conveying from the main land to said island, fuel, provisions and other necessaries for the subsistence of the inhabitants thereof, and of carrying from Nantucket to the main land, in the ship, vessel, or boat, oil, spermaceti candles and fish, under such regulations and restrictions, and with such security as are required by the fourth section of the act "laying an embargo on all ships and vessels in the ports and harbours of the United States."

APPROVED, January 25, 1814.

STATUTE II.

January 27, 1814.

[Obsolete.]

Act of March 3, 1815, ch. 78.

CHAP. VII.—*An act making further provision for filling the ranks of the regular army, encouraging enlistments, and authorizing the re-enlistments, for longer periods, of men whose terms of service are about to expire.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to complete the present military establishment to the full number authorized by law with the greatest possible despatch, there shall be paid to each effective able-bodied man who shall after the first day of February next be

enlisted into the army of the United States, to serve for the term of five years, or during the war, at his election, in lieu of the bounty in money and of the three months' pay at the expiration of the service now allowed by law, the sum of one hundred and twenty-four dollars; fifty dollars of which to be paid at the time the recruit is enlisted, fifty dollars when he shall be mustered and have joined some military corps for service, and twenty-four dollars when he shall be discharged from service; and the wife and children, and, if he leave no wife or children, the parents of such non-commissioned officer and soldier enlisted as herein before stated, who may be killed in action, or die in the service of the United States, shall be allowed and paid the said sum of twenty-four dollars; and after the said first day of February next, so much of the fourth section of the act, entitled "An act for the more perfect organization of the army of the United States," passed the twentieth day of January, one thousand eight hundred and thirteen, as allows to each able-bodied man enlisted into the service of the United States, in the manner therein stated, an advance of twenty-four dollars on account of his pay, shall be, and the same is hereby repealed.

SEC. 2. *And be it further enacted*, That the sum of eight dollars shall be paid to any non-commissioned officer, soldier, or citizen, who shall, after the first day of February next, furnish and procure to be enlisted, according to law, an able-bodied man, to serve for the term of five years, or during the war.

SEC. 3. *And be it further enacted*, That every non-commissioned officer, musician, and private, who has been recruited in the regular army of the United States, under the authority of the act of the eighth of April, one thousand eight hundred and twelve, entitled "An act in addition to the act, entitled 'An act to raise an additional military force,' passed January eleventh, one thousand eight hundred and twelve," may be re-enlisted for the term of five years, or during the war; and that every non-commissioned officer, musician, and private, recruited under authority of the act of the twenty-ninth of January, one thousand eight hundred and thirteen, entitled "An act, in addition to the act, entitled 'An act to raise an additional military force, and for other purposes,'" may be re-enlisted for five years, or during the war.

SEC. 4. *And be it further enacted*, That the non-commissioned officers, musicians, and privates, re-enlisted under the authority of the preceding section, shall be entitled to the bounty allowed by this act to recruits for five years or for the war.

APPROVED, January 27, 1814.

Sum to be paid to recruits, be \$124.

When paid.

Representatives of persons killed or dying in the service of the United States, how provided for.
Act of January 20, 1813, ch. 12.

Non-commissioned officers, soldiers and citizens to be entitled to eight dollars for every recruit procured, &c.

Soldiers enlisted into the regular army of the United States, may re-enlist for five years, or during the war.

Act of April 8, 1812, ch. 53.
Act of Jan. 29, 1813, ch. 15.

Such recruits entitled to the bounty allowed by this act.

STATUTE II.

CHAP. VIII.—*An Act for the appointment of an additional judge for the Missouri territory, and for other purposes.*

Jan. 27, 1814.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be appointed an additional judge for the Missouri territory, who shall hold his office for the term of four years, unless sooner removed, shall reside at or near the village of Arkansaw, and who shall possess and exercise within the limits of the late district of Arkansaw, as fixed and established while the same was a part of the territory of Louisiana, or as the limits shall be established by the general assembly of the Missouri territory, the jurisdiction now possessed and exercised in said district, by the court of common pleas, as well as that possessed and exercised by the superior court within the said district, and to the exclusion of the original jurisdiction of the said court of common pleas and superior court within the same: *Provided always*, That the said superior court, or any judge thereof, in pursuance of the laws now in force in said territory, or of

Additional judge for the Missouri territory to be appointed to reside at or near Arkansaw.

Writs of error to the court es-

published by
this act.

By what rules
judgments of
the court estab-
lished by this
act, may be re-
versed by the
superior court.

No writ of
error to operate
as a superse-
deas, but upon
certain condi-
tions.

Judge to be
appointed un-
der this act, to
appoint a clerk,
&c. &c.

Semi-annual
terms of the
court to be held
at Arkansaw.

Proviso.

Salary, &c.
&c. of the judge.
Act of June
4, 1812, ch. 95,
sect. 12.

any laws hereafter to be made for the purpose, shall have full power and authority to issue writs of error to the court established by this act; and said superior court shall have cognizance thereof, and also of all appeals for error in law in all causes in which appeals are by law allowed from the courts of common pleas to said superior court.

SEC. 2. *And be it further enacted*, That the said superior court is hereby authorized, upon the reversal of a judgment of the courts established by this act, to render such judgment as the said court ought to have rendered, except where the reversal is in favour of the plaintiff in the original suit, and the debt or damages to be assessed are uncertain, in which case the cause shall be remanded for a final determination.

SEC. 3. *And be it further enacted*, That no writ of error shall operate as a *superseadeas*, unless the plaintiff in error shall give security, to be approved of by a judge of the superior court, to prosecute his writ to effect and pay the condemnation money and all costs, or otherwise abide the judgment which may be rendered on such writ of error.

SEC. 4. *And be it further enacted*, That the judge to be appointed by virtue of this act shall appoint a clerk of said court, who shall be commissioned by the governor, and hold his office during the temporary government of said territory, unless sooner removed by said judge.

SEC. 5. *And be it further enacted*, That the said court established by this act shall hold two terms in each and every year in the said village of Arkansaw, to commence on the first Mondays in April and September annually, and shall continue in session until all the business before it shall be disposed of: *Provided always*, That the general assembly of the said territory shall have power to alter the times and place of holding the said court.

SEC. 6. *And be it further enacted*, That the judge to be appointed by virtue of this act, shall receive the same salary, and payable in the same manner which is established by law for judges of the said superior court in the said territory of Missouri.

APPROVED, January 27, 1814.

STATUTE II.

Jan. 28, 1814.

[Obsolete.]

Fourteen reg-
iments of in-
fantry enlisted
for one year
may be enlisted
for the term of
five years or the
war.

Bounty, pay,
and emolu-
ments, in mo-
ney and land.

CHAP. IX.—*An Act authorizing the President of the United States to cause certain regiments therein mentioned to be enlisted for five years, or during the war.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he hereby is authorized and empowered to cause to be enlisted for the term of five years, or during the war, the fourteen regiments of infantry which are now by law authorized to be enlisted for the term of one year, or such number of them, or of the troops composing the same, as in his opinion will best promote the public service.

SEC. 2. *And be it further enacted*, That each man enlisted under the authority of this act, shall be allowed the same bounty in money and land as is now by law allowed to men enlisted for five years or during the war, and that the officers, non-commissioned officers, musicians, and privates, shall receive the same pay, clothing, subsistence, and forage, be entitled to the same benefits, be subject to the same rules and regulations, and be placed in every respect on the same footing as the other regular troops of the United States.

APPROVED, January 28, 1814.

STATUTE II.

Feb. 10, 1814.

[Obsolete.]

CHAP. XI.—*An Act to raise three regiments of riflemen.*

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

diately raised such number of regiments of riflemen, not exceeding three, as in the opinion of the President will best promote the military service, to serve for five years, or during the war, unless sooner discharged.

SEC. 2. *And be it further enacted*, That each regiment shall consist of one colonel, one lieutenant colonel, two majors, one adjutant, one paymaster, one quartermaster, one surgeon, one surgeon's mate, one serjeant-major, one quartermaster's serjeant, two principal musicians, and ten companies.

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

SEC. 4. *And be it further enacted*, That each man recruited under the authority of this act be allowed the same bounty in land and money as is allowed by law to men enlisted for five years, or during the war, and that the officers, non-commissioned officers, musicians, and privates, shall receive the same pay, clothing, subsistence, and forage, be entitled to the same provisions for wounds or disabilities, the same benefits and allowances, and be placed in every respect on the same footing as the other regular troops of the United States.

SEC. 5. *And be it further enacted*, That each company of the regiment of riflemen authorized to be raised by the act of April twelfth, one thousand eight hundred and eight, shall consist of ninety privates.

APPROVED, February 10, 1814.

Certain number of regiments of riflemen authorized.

Component parts of each regiment.

Of each company.

Bounty, pay, emoluments, &c., &c. of the officers and men.

Number of privates in each company.

STATUTE II.

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

Feb. 19, 1814.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person, who, prior to the first day of April, one thousand eight hundred and ten, had purchased any tract or tracts of land of the United States not exceeding in the whole six hundred and forty acres, unless the tract purchased be a fractional section or sections, or fractional sections classed with an entire section, at any of the land offices, and whose lands have not already been actually sold or reverted to the United States for non-payment of part of the purchase money, shall be allowed the further time of three years, from and after the expiration of the present period already given by law, for completing the payment of the said purchase money; which further term of three years shall be allowed only on the following conditions: First, that all arrears of interest on the purchase money shall have been paid on or before the time shall have expired for completing the payment of the purchase money: *Provided*, That in all cases in which the time for completing the payment of the purchase money may have expired or shall expire before the first day of June next, the interest may be paid on or before that day. Second, that the residue of the sum due on account of the principal of such purchase shall be paid with interest thereon in three equal annual payments, as follows, viz: one third of the said residue with the interest which may be due thereon within one year; another third of the said residue with the interest which may be due thereon, within two years; and the remaining third of the said residue with the interest due thereon within three years, after the expiration of the time for completing the payment on account of such purchase according to former laws. And in case of failure in paying either the arrears of interest or any of the three instalments of principal with the accruing interest, at the time and times above mentioned, the tract of land shall be forthwith advertised and offered for sale in the manner and on the terms directed by law, in case of lands not paid for within the limited term, and

Further time given to purchasers of land.

Act of March 3, 1813, ch. 25.

Conditions.

Proviso, in cases where the time for completing the payments shall have expired, or shall expire upon June 1, 1814.

The benefit of this act not to extend to purchasers of land northwest of the Ohio, prior to April 1, 1809.

STATUTE II.

Feb. 24, 1814.

[Expired.]

Act of Feb. 25, 1813, ch. 31, continued in force for one year.

shall revert in like manner, if the sum due with interest be not at such sale bidden and paid: *Provided*, That the benefit of this act shall not extend to any person or persons on account of any purchase of any tract or tracts of land made at any of the land offices, northwest of the river Ohio, prior to the first day of April, one thousand eight hundred and nine.

APPROVED, February 19, 1814.

CHAP. XV.—*An act to continue in force an act to raise ten additional companies of rangers.*

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 to raise ten additional companies of rangers,” passed the twenty-fifth day of February, one thousand eight hundred and thirteen, be and the same is hereby continued in force for one year from and after the date of the passage of this act.

APPROVED, February 24, 1814.

STATUTE II.

Feb. 24, 1814.

[Obsolete.]

Services of certain volunteers may be accepted by the President.

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

Act of July 6, 1812, ch. 138.

Volunteers to engage to serve five years.

Their bounty, pay, and emoluments.

Act of March 30, 1814, ch. 37, sec. 21.

CHAP. XVI.—*An act to authorize the President to receive into service certain volunteer corps.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorized to receive into the service of the United States such proportion of the volunteers authorized by the act of sixth February, one thousand eight hundred and twelve, and the act supplementary thereto, of the sixth July, one thousand eight hundred and twelve, and accepted under the authority of said acts, as in his judgment the public service may require: *Provided*, That the volunteers so received shall engage to serve for five years or during the war, unless sooner discharged.

SEC. 2. *And be it further enacted*, That the volunteers which shall be taken into service under the authority of the preceding section, shall be entitled to the same bounty, pay, rations, clothing, forage, and emoluments of every kind, and to the same benefits and allowances as the regular troops of the United States.

SEC. 3. *And be it further enacted*, That the officers of corps of volunteers which shall be taken into service, shall rank according to grade and the dates of their commissions or appointments with other officers of the army.

APPROVED, February 24, 1814.

STATUTE II.

March 4, 1814.

[Obsolete.]

President authorized to grant permission to vessels loaded in whole or in part, in certain cases, to return to the districts to which they belong.

Act of Dec. 17, 1813, ch. 1.

CHAP. XVII.—*An act to provide for the return to their own districts of vessels detained by the embargo in districts other than those where they are respectively owned or belong.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the President of the United States to authorize the collectors of the customs to grant permission to ships or vessels of the United States, which, at the time when the masters thereof received notice of the act passed on the seventeenth day of December last, “laying an embargo on all ships and vessels in the ports and harbours of the United States,” were in a district other than that where the said ships or vessels were owned or belonged, to return to the district where the owner or owners of such ships or vessels reside, in ballast, or with the cargoes other than provi-

sions, naval and military stores, which were on board the same when the masters received notice of the act as aforesaid: *Provided*, That no such permission shall be granted until the owner or master of such ship or vessel, together with one or more sufficient sureties, shall have given bond in four times the value of such vessel, and of the cargo if any there be on board, conditioned that the said ship or vessel shall not proceed to any other port or place than that mentioned in her clearance, nor put any article on board of any other vessel or boat during the voyage. And if such ship or vessel shall proceed to any foreign port or place, or put any article on board of any other vessel or boat during the voyage, or be guilty of any other act contrary to the provisions of the act before mentioned, "laying an embargo on all ships and vessels in the ports and harbours of the United States," or contrary to the provisions of this act, the said ship or vessel, her tackle and apparel shall be forfeited, and the master shall moreover forfeit and pay a sum not exceeding twenty thousand dollars, and shall be imprisoned for a term not less than six months nor exceeding one year.

Act of Dec.
17, 1813, ch. 1.

SEC. 2. *And be it further enacted*, That the master of every vessel receiving a permission under this act shall, before the departure of the same from port, make out under oath, and deliver to the collector of the district, a list of the seamen on board the same, the whole of which shall be landed at the port or place to which the vessel is permitted to proceed, under penalty of five hundred dollars, to be recovered of the master of such vessel before any court of the United States having competent jurisdiction, for every seaman which shall not be thus landed, except death or other unavoidable casualty shall prevent the same. And no vessel receiving such permission shall take on board a number of seamen more than sufficient to navigate the same, of the sufficiency of which number the collector shall be the judge, and shall be authorized to refuse a clearance and permission to depart, if the number of seamen on board shall exceed that which may in his opinion be necessary. No passengers shall be transported in such vessel, other than the owner, supercargo, or agent for the same, or for the cargo, if any there be on board.

Equipment of
such vessels, as
to seamen.

SEC. 3. *And be it further enacted*, That no ship or vessel shall be entitled to the benefit of this act unless the permission hereby authorized to be granted shall be applied for within three months after the passage thereof.

Limitation of
time in which
permission may
be obtained.

SEC. 4. *And be it further enacted*, That the President of the United States may instruct the collectors of the customs, under such restrictions and limitations as he may deem proper, to clear out for any district within the United States or the territories thereof, any vessels wholly employed in the transportation of military or naval stores, provisions, or other articles on public account; and if any such vessel, after the delivery of such public property at any port or place within the United States or the territories thereof, shall cease to be employed in the transportation of public property as aforesaid, such vessel may be permitted to return to the port or place of lading, or proceed in ballast only to the district to which such vessel may belong, any thing in the "Act laying an embargo on all ships and vessels in the ports and harbours of the United States," passed during the present session of congress, to the contrary notwithstanding.

President may
permit vessels
employed in the
transportation
of the public
property, to
clear out for any
district in the
United States,
and to return to
those to which
they belong.

Act of Dec.
17, 1813, ch. 1.

APPROVED, March 4, 1814.

STATUTE II.

March 4, 1814.

[Obsolete.]

A sum not exceeding 5,000,000 dollars in treasury notes, to be prepared, &c. &c.

Additional 5,000,000 dollars in treasury notes may be issued, but to be considered as part of the sum authorized to be borrowed.

Where, when, and terms on which to be reimbursed.

By whom to be signed.

Compensation to the persons appointed to sign them.

Notes to be countersigned.

CHAP. XVIII.—*An act to authorize the issuing of treasury notes for the service of the year one thousand eight hundred and fourteen. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorized to cause treasury notes, for a sum not exceeding five millions of dollars, to be prepared, signed, and issued, in the manner hereinafter provided.

SEC. 2. *And be it further enacted,* That the President of the United States be, and he is hereby authorized to cause treasury notes for a further and additional sum not exceeding in the whole five millions of dollars, or such part thereof as he shall deem expedient, to be prepared, signed, and issued, in the manner hereinafter provided: but the amount of money borrowed or obtained for the notes which may be issued by virtue of this section, shall be deemed and held to be in part of the sum which may be authorized to be borrowed by virtue of any act authorizing a loan which may be passed during the present session of Congress.

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

SEC. 4. *And be it further enacted,* That the said treasury notes shall be respectively signed in behalf of the United States by persons to be appointed for that purpose by the President of the United States, two of which persons shall sign each note, and shall each receive as a compensation for that service, at the rate of one dollar and twenty-five cents for every hundred notes thus signed by them respectively: and the said notes shall likewise be countersigned by the commissioner of loans for that state where the notes may respectively be made payable, or by the register of the treasury, if made payable in the District of Columbia, or by a person to be appointed for that purpose by the President of the United States, if made payable in a state for which there is no commissioner of loans; which person or persons thus appointed shall also receive as a compensation for that service at the rate of one dollar and twenty-five cents for every hundred notes thus signed by him or them respectively.

(a) *Treasury Notes.* An act to authorize the issuing of Treasury Notes, June 30, 1812, ch. 111.

An act authorizing the issuing of Treasury Notes for the service of the year one thousand eight hundred and thirteen, Feb. 25, 1813, chap. 27.

An act to authorize the issuing of Treasury Notes for the service of the year one thousand eight hundred and fourteen, March 4, 1814, chap. 18.

An act supplemental to the acts authorizing a loan of the several sums of twenty-five millions of dollars, and three millions of dollars, December 26, 1814, chap. 17.

An act to authorize the issuing of Treasury Notes for the service of the year one thousand eight hundred and fifteen, February 24, 1815, chap. 56.

An act to authorize the payment in certain cases on account of Treasury Notes which have been lost or destroyed, February 4, 1819, ch. 13.

An act relating to Treasury Notes, May 3, 1822, chap. 47.

An act to authorize the issuing of Treasury Notes, October 12, 1837, chap. 2.

An act to authorize the issuing of Treasury Notes to meet the current expenses of the government, May 21, 1838, chap. 82.

An act to revise and extend "An act to authorize the issuing of Treasury Notes to meet the current expenses of the government, approved the twenty-first of May, 1838," March 2, 1839, chap. 36.

An act to authorize an issue of Treasury Notes, January 31, 1842, chap. 2.

An act for the extension of the loan of eighteen hundred and forty-one, and for an addition of five millions thereto, and for allowing interest on Treasury Notes due, April 15, 1842, chap. 14.

An act to limit the sale of public stocks at par, and to authorize the issuing of Treasury Notes, in lieu thereof to a certain amount, August 31, 1842, chap. 287.

An act to authorize the re-issue of Treasury Notes, and for other purposes, March 3, 1843, ch. 81.

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

Secretary of the Treasury may cause such treasury notes to be issued for supplies, &c. &c.

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

Agents to be appointed to dispose of treasury notes.

Their compensation.

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

How to be transferred and assigned.

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

Treasury notes to be taken in payment for all public dues.

SEC. 9. *And be it further enacted*, That any person making payment to the United States in the said treasury notes, into the hands of any collector, receiver of public moneys, or other public officer or agent, shall, on books kept according to such forms as shall be prescribed by the Secretary of the Treasury, give duplicate certificates of the number and respective amount of principal and interest of each and every treasury note thus paid by such person; and every collector, receiver of public moneys, or other public officer or agent, who shall thus receive any of the said treasury notes in payment, shall, on payment of the same into the treasury or into one of the banks where the public moneys are or may be deposited, receive credit both for the principal and for the interest computed as aforesaid, which, on the day of such last mentioned payment, shall appear due on the note or notes thus paid in; and he shall be charged for the interest accrued on such note or notes from the day on which the same shall have been received by him, in payment as aforesaid to the day on which the same shall be paid by him as aforesaid: *Provided always*, That no such charge or deduction shall be made with respect to any bank into which payments as aforesaid may be made to the United States, either by individuals, or by collectors, receivers, or other public officers or agents, and which shall receive the same as specie, and give

Agents to have credit for all sums paid into the treasury, &c. &c. in treasury notes, &c. &c.

No charge or deduction shall be made to any bank or individuals who shall receive the

notes as specie and give credit to the treasurer of the United States.

Commissioners of sinking fund to cause treasury notes to be reimbursed and interest paid, &c. &c.

Appropriations for reimbursement of principal and payment of interest of notes.

Further appropriation for this object.

Money to be paid over to commissioners of the sinking fund.

Appropriation to defray expenses of issuing treasury notes.

Penalties for forging or passing forged treasury notes.

credit to the Treasurer of the United States for the amount thereof, including the interest accrued and due on such notes on the day on which the same shall have been thus paid into such bank on account of the United States.

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

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

SEC. 12. *And be it further enacted,* That if any person shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged or counterfeited, or willingly aid or assist in falsely making, forging, or counterfeiting any note, in imitation of, or purporting to be, a treasury note as aforesaid; or shall falsely alter, or cause or procure to be falsely altered, or willingly aid or assist in falsely altering any treasury note, issued as aforesaid; or shall pass, utter, or publish, or attempt to pass, utter, or publish as true, any false, forged, or counterfeited note, purporting to be a treasury note as aforesaid, knowing the same to be falsely made, forged, or counterfeited; or shall pass, utter, or publish, or attempt to pass, utter, or publish as true, any falsely altered treasury note, issued as aforesaid, knowing the same to be falsely altered, every such person shall be deemed and adjudged guilty of felony, and being thereof convicted by due course of law, shall be sentenced to be imprisoned and kept to hard labour for a period not less than three years, nor more than ten years, and be fined in a sum not exceeding five thousand dollars. (a)

APPROVED, March 4, 1814.

(a) *Decisions of the Courts of the United States upon Treasury Notes.*—Treasury notes are on their face payable in one year with interest up to the day when due; but if not then paid by the government, the interest does not stop, but continues until paid; and may be required by the holder in the same manner as interest might be claimed on a private contract of a like nature. *Thorndike v. The United States, 2 Mason's C. C. R. 1.*

The defendant was indicted for receiving Treasury notes of the United States, stolen from the United States mail. A Treasury note was offered in evidence. The court, on a division of opinion

STATUTE II.

CHAP. XIX.—*An Act to establish the mode of laying off the territory of Indiana into districts, for the election of its members of the legislative council.*

March 4, 1814.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the House of Representatives of the Indiana territory be, and it is hereby empowered, from time to time, to lay off the said territory into five districts for the election of the members of the legislative council of the territory aforesaid.

Indiana territory to be laid off into electoral districts.

SEC. 2. *And be it further enacted,* That the districts established by Governor Harrison, in the year of our Lord one thousand eight hundred and nine, shall remain, as the lawfully authorized districts for the election of the members of the legislative council of said territory, until the House of Representatives thereof shall have exercised the power vested in that body by the first section of this act.

Those already laid off to remain as the authorized ones till others are established.

APPROVED, March 4, 1814.

STATUTE II.

CHAP. XX.—*An Act giving pensions to the orphans and widows of persons slain in the public or private armed vessels of the United States.*(a)

March 4, 1814.

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 serving on board of any private armed ship or vessel bearing a commission of letter of marque, shall die, or shall have died since the eighteenth day of June, in the year of our Lord one thousand eight hundred and twelve, by reason of a wound received in the line of his duty, leaving a widow, or if no widow, a child or children under sixteen years of age, such widow, or if no widow, such child or children shall be placed on the pension list by the Secretary of the Navy, who shall allow to such widow, child or children, half the monthly pension to which the rank of the deceased would have entitled him for the highest rate of disability, under "An act regulating pensions to persons on board private armed ships;" 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 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 the half-pay shall cease on the death of such child or children. And the several pensions hereby directed shall be paid by direction of the Secretary of the Navy out of the fund provided by the seventeenth section of an act, entitled "An act concerning letters of marque, prizes and prize goods," and from no other.

Regulations concerning pensions to persons on board private armed vessels.

Act of Feb. 13, 1813, ch. 22.

Proviso.

Act of June 26, 1812, ch. 107.

Widows and children of seamen serving in the public vessels of the U. States provided for.

SEC. 2. *And be it further enacted,* That if any seaman or marine belonging to the navy of the United States shall die, or if any officer, seaman or marine belonging to the navy of the United States, shall have died, since the eighteenth day of June, in the year of our Lord one thousand eight hundred and twelve, by reason of a wound received in the line of his duty, leaving a widow, or if no widow, a child or children

from the Circuit Court of Virginia, held, that Treasury notes, issued by authority of the act of Congress of October 12, 1838, are promissory notes within the meaning of the act of Congress of March 3, 1825, regulating the Post-office department. *United States v. Hardyman*, 13 Peters, 176.

Treasury notes, issued under the act of Congress of 1814, ch. 18, being by their terms receivable in payment of duties, taxes, and land debts, due to the United States, for the principal and interest due thereon, are a good tender, and may be pleaded as such to such debts. *Thorndike v. The United States*, 2 Mason's C. C. R. 1.

(a) Act of Feb. 3, 1813, chap. 22. Act of March 3, 1817, chap. 60. Act of April 16, 1818, chap. 60. Act of March 3, 1819, chap. 123. Act of April 9, 1824, chap. 34. Act of May 26, 1824, chap. 187. Act of July 4, 1836, chap. 362. Act of March 3, 1837, chap. 40. Act of July 7, 1838, chap. 189. Act of June 19, 1840, chap. 38. Act of August 23, 1842, chap. 191. Act of March 3, 1843, chap. 102. Act of April 30, 1844, chap. 13.

Proviso.

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 4, 1814.

STATUTE II.

March 9, 1814.

[Obsolete.]

Specific appropriation for building floating batteries.

CHAP. XXI.—*An Act authorizing the President of the United States to cause to be built, equipped and employed, one or more floating batteries for the defence of the waters 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 sum of five hundred thousand dollars be, and the same is hereby appropriated for the purpose of building, equipping, and putting into service, one or more floating batteries of such magnitude and construction as shall appear to the President of the United States best adapted to attack, repel, or destroy any of the ships of the enemy which may approach the shores or enter the waters of the United States; and that the sum hereby appropriated shall be paid out of any moneys in the treasury not otherwise appropriated.

APPROVED, March 9, 1814.

STATUTE II.

March 19, 1814.

[Obsolete.]

Specific appropriations.

Act of Jan. 11, 1814, ch. 2.

Specific appropriations.

CHAP. XXV.—*An Act making appropriations for the support of the military establishment of the United States, for the year one thousand eight hundred and fourteen.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for defraying the expenses of the military establishment of the United States, including the volunteers and militia in their actual service, for the year one thousand eight hundred and fourteen, for ordnance, fortifications and the Indian department, the following sums, including the sum of one million five hundred thousand dollars already appropriated by the first section of the act, entitled "An act making certain partial appropriations for the year one thousand eight hundred and fourteen," be, and the same are hereby respectively appropriated, that is to say:

For the pay of the army of the United States, including the private servants kept by officers, and for the pay of the volunteers and militia in the actual service of the United States, seven millions nine hundred and sixty-five thousand three hundred and sixty dollars.

For forage to officers, two hundred and sixty-four thousand five hundred and seventy-six dollars.

For subsistence of the army, and of volunteers and militia, four million nine hundred and seventeen thousand four hundred and seventy dollars.

For camp and field equipage, four hundred and sixty thousand dollars.

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

For bounties and premiums, two million five hundred and forty thousand dollars.

For clothing, two million thirty-six thousand dollars.

For the Quarter-master's department, three million five hundred thousand dollars.

For ordnance and ordnance stores, including arsenals, magazines, and armories, seven hundred thousand dollars.

For fortifications, five hundred thousand dollars.

For contingencies, seven hundred thousand dollars.

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

SEC. 2. *And be it further enacted*, That the several appropriations herein before made shall be paid out of any moneys in the Treasury not otherwise appropriated.

APPROVED, March 19, 1814.

STATUTE II.

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

March 19, 1814.

[Obsolete.]

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 fourteen, the following sums, including the sum of one million of dollars already appropriated by the act, entitled "An act making certain partial appropriations for the year one thousand eight hundred and fourteen," be, and the same hereby are respectively appropriated, that is to say:

Act of Jan. 11, 1814, ch. 2.

For pay and subsistence of the officers, and pay of the seamen, two million five hundred and seventy-nine thousand three hundred and forty-one dollars.

Specific appropriations.

For provisions, one million four hundred and thirty-nine thousand nine hundred and two dollars and fifty-two cents.

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

For repairs of vessels, one million five hundred thousand dollars.

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

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

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

For pay and subsistence of the marine corps, two hundred and eighty-two thousand two hundred and seventy-nine dollars and fifty cents.

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

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

For contingent expenses for the same, forty-six thousand dollars.

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

APPROVED, March 19, 1814.

STATUTE II.

CHAP. XXVII.—*An Act in addition to an act, entitled "An Act allowing a bounty to the owners, officers and crews of the private armed vessels of the United States."*

March 19, 1814.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in lieu of the bounty now allowed by law, the sum of one hundred dollars be paid to the owners, officers and crews of the private armed vessels of the United States,

Aug. 2, 1813, ch. 55.

The sum of 100 dollars to be paid out of

the treasury to privateers-men for each prisoner taken by them.

Bounty to be paid by the Secretary of the Treasury.

Specific appropriation of \$200,000.

commissioned as letters of marque, for each and every prisoner by them captured and delivered to an agent authorized to receive him in any port of the United States, or of a power at war with Great Britain, or delivered at any station within the dominions of the king of Great Britain established for the exchange of prisoners of war, whereby such prisoner shall be actually placed and allowed by the government of the kingdom of Great Britain and Ireland, in the account of prisoners to the credit of the United States. And the Secretary of the Treasury is hereby authorized and required to pay, or cause to be paid, to such owners, officers and crews of private armed vessels commissioned as aforesaid, or their agents, the aforesaid sum for each prisoner captured and delivered as aforesaid.

SEC. 2. *And be it further enacted,* That, for the purposes aforesaid, the sum of two hundred thousand dollars, out of any money in the treasury not otherwise appropriated, be, and the same is hereby appropriated.

APPROVED, March 19, 1814.

STATUTE II.

March 24, 1814.

[Obsolete.]

Specific appropriations.

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the expenditure of the civil list in the present year, including the contingent expenses of the several departments and offices; for the compensation of the several loan officers and their clerks, and for books and stationery for the same; for the payment of annuities and grants; for the support of the mint establishment; for the expense of intercourse with foreign nations; for the support of light-houses, beacons, buoys, and public piers; for defraying the expenses of surveying the public lands, and for satisfying certain miscellaneous claims, the following sums be, and the same are hereby respectively appropriated, that is to say:

For compensation granted by law to the members of the Senate and House of Representatives, their officers and attendants, two hundred and fifty-two thousand two hundred and fifty-five dollars.

For the expense of fire-wood, stationery, printing, and all other contingent expenses of the two Houses of Congress, fifty-two thousand dollars.

For the expenses of the library of Congress, including the Librarian's allowance for the year one thousand eight hundred and fourteen, eight hundred dollars.

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

For compensation to the Secretary of State, clerks, and persons employed in that department, including a clerk on old records, and a clerk and messenger in the patent office, fifteen thousand nine hundred and thirty-eight dollars.

For additional compensation to the clerks in said department, not exceeding fifteen per centum on the sum allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes," one thousand and seventy-two dollars and fifty cents.

For the incidental and contingent expenses of the said department, including the expense of printing and distributing ten thousand four hundred copies of the laws of the first and second session of the thirteenth Congress, and printing the laws in newspapers, twenty thousand two hundred and fifty dollars.

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

Act of April 21, 1806, ch. 41.

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

Specific appropriations.

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

Act of April 21, 1806, ch. 41.

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

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

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

For compensation to the Treasurer, clerks, and persons employed in his office, including the sum of one thousand dollars for compensation to his clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six, seven thousand two hundred and twenty-seven dollars and forty-five cents.

Act of April 21, 1806, ch. 41.

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

For compensation to the Commissioner of the General Land-office, clerks, and persons employed in his office, twelve thousand four hundred and ten dollars.

For expense of stationery and printing, and contingent expenses of the General Land-office, three thousand seven hundred dollars.

For compensation to the Commissioner of the Revenue, clerks, and persons employed in his office, nine thousand four hundred and ten dollars.

For expense of stationery and printing, and contingent expenses of the revenue office, including the sum of five thousand three hundred and twenty-five dollars seventy-three cents, the amount of expenditures for these objects during the year one thousand eight hundred and thirteen, for which no appropriation has been made, nine thousand nine hundred and seventy-eight dollars and thirty-six cents.

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

For additional compensation to the clerks in the treasury department, not exceeding fifteen per centum on the sum allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes;" six thousand six hundred and thirty-four dollars and nine cents.

Act of April 21, 1806, ch. 41.

For compensation to the Messenger of the Register's Office, for stamping and arranging ships' registers, ninety dollars.

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

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

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

For compensation to a superintendent and two watchmen, employed to secure the buildings and records of the Treasury department during the year one thousand eight hundred and fourteen, including expenses and repairs of two fire engines, buckets and lanterns, one thousand one hundred dollars.

Specific ap-
propriations.

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

For compensation to the Secretary of the Commissioners of the Sinking Fund, two hundred and fifty dollars.

Act of April
21, 1806, ch. 41.

For compensation to the Secretary of War, clerks, and persons employed in his office, including the sum of three thousand nine hundred and sixty dollars, in addition to the sum allowed by the act of April twenty-first, one thousand eight hundred and six, fifteen thousand two hundred and ten dollars.

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

Act of April
21, 1806, ch. 41.

For compensation to the Accountant of the War department, clerks, and persons employed in his office, including the sum of fifteen thousand dollars for clerk-hire, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six, twenty-five thousand nine hundred and ten dollars.

For contingent expenses in the office of the Accountant of the War department, one thousand dollars.

Act of April
21, 1806, ch. 41.

For additional compensation to the clerks in the War Department, not exceeding fifteen per centum on the sum allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes," two thousand two hundred and twenty-six dollars.

For compensation to the clerks and messenger in the office of the Paymaster of the Army, nine thousand five hundred dollars.

For compensation to the Superintendent General of Military Supplies, clerks, and persons employed in his office, ten thousand four hundred and ten dollars.

For contingent expenses in the office of the Superintendent General of Military Supplies, five hundred dollars.

For compensation to the clerks in the Adjutant and Inspector General's Office, one thousand five hundred dollars.

Act of April
21, 1806, ch. 41.

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

For contingent expenses in the office of the Secretary of the Navy, two thousand five hundred dollars.

Act of April
21, 1806, ch. 41.

For compensation to the Accountant of the Navy, clerks, and persons employed in his office, including seven hundred and fifty dollars for a deficiency in the appropriation for the year one thousand eight hundred and thirteen, and a further sum of three thousand dollars in addition to the sum allowed by the act of April twenty-first, one thousand eight hundred and six, fourteen thousand one hundred and sixty dollars.

For contingent expenses in the office of the Accountant of the Navy, one thousand dollars.

Act of April
21, 1806, ch. 41.

For additional compensation to the clerks in the Navy Department, not exceeding fifteen per centum on the sum allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes," one thousand nine hundred and thirty-five dollars.

For compensation to the Postmaster General, Assistant Postmasters General, clerks, and persons employed in the general post office, including one thousand two hundred and three dollars and twenty-five cents, for deficiencies in the appropriations for the years one thousand eight hundred and twelve, and one thousand eight hundred and thirteen, and the sum of five thousand seven hundred and fifty-five dollars, in addition

to the sum allowed for the compensation of clerks by the act of April twenty-first, one thousand eight hundred and six, twenty-three thousand one hundred and sixty-three dollars and twenty-five cents.

Specific ap-
propriations.
Act of April
21, 1806, ch. 41.

For contingent expenses of the General Post-office, two thousand eight hundred dollars.

For additional compensation to the clerks employed in the General Post-office, not exceeding fifteen per centum on the sum allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes," one thousand four hundred and one dollar and seventy-five cents.

Act of April
21, 1806, ch. 41.

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

For compensation to the clerks of the Commissioners of Loans, including a sum of two thousand dollars in addition to the amount heretofore allowed by law, and for allowance to certain loan officers, in lieu of clerk-hire, and to defray the authorized expenses of the several loan offices, seventeen thousand dollars.

For compensation to the Surveyor-General and his clerks, three thousand two hundred dollars.

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

For compensation to the officers of the Mint, viz :

The Director, two thousand dollars.

The Treasurer, one thousand two hundred dollars.

The Assayer, one thousand five hundred dollars.

The Chief Coiner, one thousand five hundred dollars.

The Melter and Refiner, one thousand five hundred dollars.

The Engraver, one thousand two hundred dollars.

One clerk at seven hundred dollars.

One clerk at five hundred dollars.

For wages to the persons employed in the different operations of the Mint, including the sum of one thousand dollars allowed to an assistant coiner, and die forger, and six hundred dollars allowed to an assistant engraver, eight thousand five hundred dollars.

For repairs of furnaces, cost of iron and machinery, rents, and other contingent expenses of the Mint, three thousand seven hundred dollars.

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

For compensation to the Governor, Judges, and Secretary of the Mississippi territory, nine thousand dollars.

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

For compensation to the Governor, Judges, and Secretary of the Indiana territory, six thousand six hundred dollars.

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

For compensation to the Governor, Judges, and Secretary of the Michigan territory, six thousand six hundred dollars.

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

For compensation to the Governor, Judges, and Secretary of the Missouri territory, seven thousand eight hundred dollars.

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

For compensation to the Governor, Judges, and Secretary of the Illinois territory, six thousand six hundred dollars.

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

Specific appropriations.

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

For compensation granted by law to the Chief Justice, the Associate Judges, and District Judges of the United States, including the Chief Justice and Associate Judges of the District of Columbia, and the Attorney General, sixty-two thousand dollars.

For like compensations granted to the several District Attorneys of the United States, including those of the several territories, four thousand six hundred and fifty dollars.

For like compensations granted to the several Marshals for the Districts of Maine, New Hampshire, Vermont, New Jersey, North Carolina, Kentucky, Ohio, East and West Tennessee, and of the several territories of the United States, three thousand two hundred dollars.

For defraying the expenses of the Supreme, Circuit and District Courts of the United States, including the District of Columbia, and of jurors and witnesses, in aid of the funds arising from fines, 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.

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 invalid pensioners of the United States, ninety-eight thousand dollars.

For the maintenance and support of light-houses, beacons, buoys, and public piers, stakeages of channels, bars and shoals, including repairs and improvements, and contingent expenses, sixty-nine thousand one hundred dollars and twenty-eight cents.

For the following objects, being the balances of former appropriations, for the same purposes, 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 Look-out, in North Carolina, twenty thousand dollars.

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

For building a light-house on the south point of Sapelo island, in Georgia, and placing buoys and beacons on Dobay bar and Beach point, four thousand four hundred and ninety-four dollars and eighty-one cents.

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

For erecting two lights on Lake Erie, viz : on or near Bird island, and on or near Presque Isle, four thousand dollars.

For placing two beacons and buoys at or near the entrance of the harbour of New Haven, in Connecticut, one hundred dollars.

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

For placing buoys at or near the main bar and new inlet bar off Cape Fear, in North Carolina, two thousand dollars.

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

For completing the fitting up of all the light-houses with Winslow Lewis's improvements, in addition to the sums heretofore appropriated for that purpose, forty thousand dollars.

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

For the support and safe-keeping of prisoners of war, four hundred thousand dollars.

For the contingent expenses of government, twenty thousand dollars.

For the expense of printing one thousand copies of the digest of manufactures, pursuant to a resolution of the House of Representatives of the ninth of July, one thousand eight hundred and thirteen, one thousand two hundred and fifty dollars.

Specific appropriations.

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

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

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

Forexpenses of intercourse with the Barbary Powers, ten thousand dollars.

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

For expenses of agents at Paris and Copenhagen in relation to prize causes and captures of American vessels, four thousand dollars.

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

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

Out of what fund to be paid.

Act of Aug. 4, 1790, ch. 34.

APPROVED, March 24, 1814.

STATUTE II.

CHAP. XXIX.—*An act to authorize a loan for a sum not exceeding twenty-five millions of dollars.*

March 24, 1814.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorized to borrow, on the credit of the United States, a sum not exceeding twenty-five millions of dollars, to be applied, in addition to the moneys now in the treasury, or which may be received from other sources, to defray any expenses which have been, or during the present year may be authorized by law, and for which appropriations have been, or during the present year may be made by law: *Provided*, That no engagement or contract shall be entered into which shall preclude the United States from reimbursing any sum or sums thus borrowed at any time after the expiration of twelve years from the last day of December next.

Act of Dec. 26, 1814, ch. 17. Loan authorized.

For what purposes.

Proviso.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury, with the approbation of the President of the United States, be, and he is hereby authorized to cause to be constituted certificates of stock, signed by the Register of the Treasury, or by a Commissioner of Loans, for the sum to be borrowed by this act, or for any part thereof, and the same to be sold. And the Secretary of the Treasury shall lay before Congress, during the first week in the month of February, one thousand eight hundred and fifteen, an account of all the moneys obtained by the sale of the certificates of stock in manner aforesaid, together with a statement of the rate at which the same may have been sold.

Secretary of the Treasury to cause certificates of stock to be issued for the sum obtained by loan. An account to be rendered by him of this amount.

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

Secretary of the Treasury to employ agents for procuring subscriptions, &c. Their commissions.

Specific appropriations.

Funds pledged for the reimbursement of principal and payment of interest.

Lawful for banks in Columbia to lend any part of sum required.

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

SEC. 4. *And be it further enacted*, That so much of the funds constituting the annual appropriation of eight millions of dollars for the payment of the principal and interest of the public debt of the United States, as may be wanted for that purpose, after satisfying the sums necessary for the payment of the interest and such part of the principal of said debt as the United States are now pledged annually to pay or reimburse, is hereby pledged and appropriated for the payment of the interest, and for the reimbursement of the principal of the stock which may be created by virtue of this act. It shall accordingly be the duty of the Commissioners of the Sinking Fund to cause to be applied and paid out of the said fund, yearly, such sum and sums as may be annually wanted to discharge the interest accruing on the said stock, and to reimburse the principal as the same become due, and may be discharged in conformity with the terms of the loan; and they are further authorized to apply, from time to time, such sum or sums out of the said fund, as they may think proper, towards redeeming, by purchase and at a price not above par, the principal of the said stock, or any part thereof. And the faith of the United States is hereby pledged to establish sufficient revenues for making good any deficiency that may hereafter take place in the funds hereby appropriated for paying the said interest and principal sums, or any of them, in manner aforesaid.

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

APPROVED. March 24, 1814.

STATUTE II.

March 24, 1814.

CHAP. XXXI.—*An Act to alter the time for holding the District Courts of the United States for the Virginia district.* (a)

Act of March 23, 1804, ch. 31.

Time of the sessions of the court altered in the Virginia district.

This change not to affect the pleadings.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That instead of the time heretofore prescribed by law for the sessions of the District Court of the United States for the Virginia district, the said court shall hereafter commence its sessions on the following days in each year, that is to say; on the twelfth day of April, and on the fifteenth day of October, in the city of Richmond, and on the first day of May, and on the first day of November, in the borough of Norfolk.

SEC. 2. *And be it further enacted*, That the said court, at its sessions to be commenced by virtue of this act, on the twelfth day of April next, in the city of Richmond, and on the first day of May next, in Norfolk, shall have the same right, power, and jurisdiction over all actions, suits, process, notices, pleadings and recognisances, and of all other proceedings of what nature or kind soever, civil or criminal, as the said court might or could possess and lawfully exercise, if the sessions of the said court, instead of being commenced on the said twelfth day of April next, and the said first day of May next, should have been commenced on the days heretofore prescribed.

Process returnable according to the change.

SEC. 3. *And be it further enacted*, That from and after the passing of this act, all actions, suits, process, notices, pleadings and recognisances, and all other proceedings of what nature or kind soever, civil or

(a) See notes to the act of February 4, 1819, ch. 12.

criminal, returnable to or having day in the said court during the session thereof, shall be returnable to and have day in the sessions of the said court as prescribed by this act.

SEC. 4. *And be it further enacted*, That if at any time the day prescribed by this act for commencing a session of the said court shall be a Sunday, the said court shall commence and hold its sessions on the following day.

APPROVED, March 24, 1814.

CHAP. XXXII.—*An Act to amend the act, entitled "An act laying duties on sales at auction of merchandise and of ships and vessels."*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the condition of the bond required to be given by every auctioneer by the third section of the act, entitled "An act laying duties on sales at auction of merchandise and of ships and vessels," passed the twenty-fourth day of July, one thousand eight hundred and thirteen, shall be, that the said auctioneer shall render the quarterly account, in writing, required of him by said act, within twenty days after the first day of April, July, October and January, in each year, and that in the said quarterly return shall be stated the aggregate amount of goods, wares, merchandise and effects, liable to duty, sold by him on each day during the quarter, with the date of each sale, any thing in the said act contained to the contrary notwithstanding.

APPROVED, March 24, 1814.

CHAP. XXXVI.—*An Act concerning Shawneetown.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a tract of land not exceeding two sections, in the Illinois territory, adjoining Shawneetown, shall, under the directions of the Surveyor General, be laid off into town lots, streets, and avenues, and out-lots, in the same manner, under the same restrictions, as are prescribed by the sixth section of the act entitled "An act providing for the sale of certain lands in the Indiana territory, and for other purposes," approved the thirtieth day of April, one thousand eight hundred and ten. And it shall be the duty of the Surveyor General, or the person by him authorized to carry this act into effect, to select the two sections so as to extend the said town to the high lands in the rear of the town as it is now laid out.

SEC. 2. *And be it further enacted*, That the lots in said town shall be offered for sale at the same time, and on the same terms and conditions as are provided by the sixth section of the before recited act.

APPROVED, March 28, 1814.

CHAP. XXXVII.—*An Act for the better organizing, paying, and supplying the army 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 first, second, and third regiments of artillery be formed into one corps, and organized into twelve battalions, as follows, to wit: six lieutenant colonels, six majors, twelve adjutants, twelve quarter-masters, and forty-eight companies.

SEC. 2. *And be it further enacted*, That each company shall consist of one captain, one first lieutenant, two second lieutenants, one third lieutenant, five serjeants, one quarter-master's serjeant, eight corporals, four musicians, and one hundred privates.

SEC. 3. *And be it further enacted*, That the President be authorized to assign one of the two second lieutenants hereby provided for each company, as a conductor of artillery for said company, whose duty it shall be

STATUTE II.

March 24, 1814,

[Obsolete.]

Act of July 24, 1813, ch. 26.
Condition of bonds given by auctioneers.

STATUTE II.

March 28, 1814.

A town to be laid off.

Act of April 30, 1810, ch. 35.

Lots to be offered for sale.

STATUTE II.

March 30, 1814.

[Obsolete.]

Act of March 3, 1815, ch. 78.
Certain regiments composing a corps to be formed into battalions.
Component parts of companies.

Particular duties assigned to one of the lieutenants.

tenants of each company.

Their extra pay.

Two regiments of light dragoons formed into one.

Component parts of each troop.

Officers of the corps of artillery and light dragoons, their pay.

Additional rations to subalterns of corps.

Allowances of blankets, &c. &c.

President to prescribe the kind and amount of clothing.

Regulations concerning waiters to the officers, &c.

Further regulations.

President may appoint assistant apothecaries.

Their pay, &c.

Promotions, how to be made.

Act of June 26, 1812, ch. 108.

to receipt and account for all ammunition, implements, and cannon, furnished by the ordnance department for said company, and to do and perform such other services as the war department may direct; and that for the performance of these services they be allowed each ten dollars extra pay per month.

SEC. 4. *And be it further enacted*, That in lieu of the two regiments of light dragoons now in service, there shall be organized one regiment, to consist of one colonel, one lieutenant colonel, two majors, one adjutant, one quartermaster, one surgeon, two surgeon's-mates, one serjeant-major, one quartermaster-serjeant, one principal musician, one principal farrier, and eight troops.

SEC. 5. *And be it further enacted*, That each troop shall consist of one captain, one first lieutenant, one second lieutenant, one third lieutenant, one cornet, five serjeants, eight corporals, one riding master, one master of the sword, two trumpeters or buglers, one farrier, one blacksmith, one saddler, and ninety-six privates.

SEC. 6. *And be it further enacted*, That the officers of the corps of artillery, and the regiment of light artillery, shall severally receive the same pay as is now provided by law for the light dragoons in the service of the United States; and the subalterns of all other corps shall be allowed one ration in addition to the pay authorized by existing laws.

SEC. 7. *And be it further enacted*, That there shall be allowed annually to each non-commissioned officer, musician and private in the corps of sea-fencibles one blanket, one knapsack and one canteen.

SEC. 8. *And be it further enacted*, That the President of the United States be, and he hereby is authorized to prescribe the quantity and kind of clothing to be issued annually to the troops of the United States.

SEC. 9. *And be it further enacted*, That from and after the first day of June next, the officers of the army shall be entitled to waiters agreeable to grade, as follows: a major general, four waiters; a brigadier general, three; a colonel, two; the physician and surgeon general, two; a lieutenant colonel, major, and hospital surgeon, each, one; the officers of each company, three; every commissioned officer who holds a staff appointment which gives the rank of captain, or any higher grade, one; and to every company officer who commands a separate post or detachment, one; any law or regulation heretofore existing to the contrary notwithstanding.

SEC. 10. *And be it further enacted*, That no officer shall be permitted to employ as a servant any soldier from the line of the army, and that the servants of officers, not exceeding the number allowed by the preceding section, shall be mustered with some corps of the army, and that on the muster rolls formed in consequence thereof payments shall be made in money to the officers employing them in lieu of wages, subsistence and clothing, by the paymasters of the several corps or districts where such servants are mustered, at the rate allowed to privates of infantry, which shall be published to the army annually, by the Secretary for the department of war.

SEC. 11. *And be it further enacted*, That the President of the United States be authorized to appoint so many assistant apothecaries as the service may, in his judgment, require; each of whom shall receive the same pay and emoluments as a regimental surgeon's mate.

SEC. 12. *And be it further enacted*, That from and after the passing of this act, promotions may be made through the whole army in its several lines of light artillery, light dragoons, artillery, infantry, and riflemen respectively; and that the relative rank of officers of the same grade, belonging to regiments or corps already authorized, or which may be engaged to serve for five years, or during the war, be equalized and settled by the war department, agreeably to established rules; and that so much of the act, entitled "An act for the more perfect organization of the

army of the United States," passed the twenty-sixth of June, one thousand eight hundred and twelve, as comes within the purview and meaning of this act, be, and the same is hereby repealed.

SEC. 13. *And be it further enacted*, That for the purpose of avoiding unnecessary expenses in the military establishment, the President of the United States be, and he is hereby authorized, in case of failure in filling the rank and file of any regiment or regiments, to consolidate such deficient regiment or regiments, and discharge all supernumerary officers: *Provided*, That officers so discharged shall be allowed, in addition to the mileage already authorized by law, three months' pay to each.

Deficient regiments may be consolidated.

Proviso.

SEC. 14. *And be it further enacted*, That every non-commissioned officer and private of the army, or officer, non-commissioned officer, and private of any militia or volunteer corps, in the service of the United States, who has been, or who may be captured by the enemy, shall be entitled to receive during his captivity, notwithstanding the expiration of his term of service, the same pay, subsistence, and allowance to which he may be entitled whilst in the actual service of the United States: *Provided*, That nothing herein contained shall be construed to entitle any prisoner of war, of the militia, to the pay and compensation herein provided after the date of his parole, other than the travelling expenses allowed by law.

Pay of non-commissioned officers, &c. &c. of the army and officers of militia not affected by their captivity.

Proviso.

SEC. 15. *And be it further enacted*, That the five regiments which, by the first section of an act, entitled "An act to amend the act in addition to the act, entitled 'An act to raise an additional military force, and for other purposes,'" were authorized to be enlisted, at the discretion of the President of the United States, for and during the war, may be enlisted, at the option of the recruit, for five years, or for and during the war, unless sooner discharged; the provisions of the said act to the contrary notwithstanding.

Five regiments now authorized may be enlisted for five years or during the war.

Act of July 5, 1813, ch. 4.

SEC. 16. *And be it further enacted*, That the commissary general of ordnance may employ in his department, besides blacksmiths and wheelwrights, other mechanics, such as the public service may require, who shall, together with the said blacksmiths and wheelwrights, be mustered under the general denomination of artificers; and such artificers, being hereafter, or having been heretofore enlisted to serve for the term of five years, or during the war, shall be entitled to the same annual allowance of clothing as is or may be provided for the soldiers of the army.

Commissary general of ordnance may employ all needful aid in his department.

SEC. 17. *And be it further enacted*, That the labourers who may be hereafter enlisted to serve in the ordnance department, for the term of five years, or during the war, shall be entitled to a bounty of twenty-five dollars in money, and the same annual allowance of clothing as is or may be provided for the soldiers of the army.

Bounty and clothing to labourers in that department.

SEC. 18. *And be it further enacted*, That the physician and the surgeon general of the army be entitled to two rations per day and forage for two horses; and that in addition to their pay, as at present established by law, the regimental surgeons and regimental surgeons' mates be entitled to fifteen dollars per month each.

Allowance in rations to the medical staff, and increase of pay to part.

SEC. 19. *And be it further enacted*, That the aids-de-camp of major generals shall be taken from the captains and subalterns of the line; and the aids-de-camp of brigadier generals from the subalterns of the line; and that it shall not be lawful to take more than one aid-de-camp from a regiment.

Aids-de-camp of major generals, &c. &c. from what part of the army to be drawn.

SEC. 20. *And be it further enacted*, That in no case shall the district paymasters or quartermasters of any grade be taken from the line of the army.

District pay and quartermasters.

SEC. 21. *And be it further enacted*, That the officers of the volunteer corps, authorized by the act of the twenty-fourth day of February, one thousand eight hundred and fourteen, be entitled to promotion in the line of the army; and that the President of the United States, with the ad-

Officers of volunteer corps may be promoted in the line of the army.

Act of Feb. 24,
1814, ch. 15.

vice and consent of the Senate, be authorized to make all necessary appointments, and to fill all vacancies, which may happen in the same.

APPROVED, March 30, 1814.

STATUTE II.
March 30, 1814.

Release of the title of the United States to a certain lot of ground in favour of the corporation of the city of New York authorized.

CHAP. XXXVIII.—*An Act authorizing the President of the United States to exchange a certain parcel of land in the city of New York, for other lands in the same city or its vicinity.*

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, in case the same can, in his opinion, be done without disadvantage to the United States, to grant and release to the mayor, aldermen, and commonalty of the city of New York, and their successors forever, all the right, title, and interest of the United States in and to a certain lot or parcel of land lying in the said city of New York, and being that parcel of land first described in a deed bearing date the sixth day of May, one thousand eight hundred and eight, signed by Daniel D. Tompkins, John Broome, John Lansing, James Kent, and Dewitt Clinton, acting as commissioners under the authority of the state of New York, for the purpose of granting to the United States the use and jurisdiction of three several parcels of land therein described: *Provided,* That there be conveyed in fee simple to the United States, in exchange for the same, other land necessary or proper to be occupied for the safety and defence of the city of New York, and which may be equally advantageous to the United States; and in case the lands to be conveyed in exchange to the United States shall be of less value than the land, with its improvements, hereby authorized to be conveyed to the mayor, aldermen, and commonalty, the difference in value may be paid to the United States in money; the respective valuation to be ascertained in such manner and form as the President of the United States may direct.

PROVISO.

APPROVED, March 30, 1814.

STATUTE II.
March 31, 1814.

Supplementary act, Jan. 23, 1815, ch. 24.

CHAP. XXXIX.—*An act providing for the indemnification of certain claimants of public lands in the Mississippi territory.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person or persons claiming public lands in the Mississippi territory, south of the State of Tennessee and west of the State of Georgia, under the act, or pretended act of the State of Georgia, entitled "An act supplementary to an act, entitled 'An act for appropriating a part of the unlocated territory of this state for the payment of the late state troops and other purposes therein mentioned, declaring the right of this state to the unappropriated territory thereof, for the protection and support of the frontiers of this state and for other purposes,'" passed January the seventh, one thousand seven hundred and ninety-five, who have exhibited the evidence of their claims to the Secretary of State, for the purpose of having the same recorded in books in his office, conformable to the act of congress, passed the third day of March, one thousand eight hundred and three, entitled "An act regulating the grants of lands, and providing for the disposal of the lands of the United States, south of the state of Tennessee," shall be allowed until the first Monday of January next, to deposit in the office of the Secretary of State of the United States, a sufficient legal release of all such claim or claims to the United States, and an assignment and transfer to the United States of their right and claim to any sum or sums of money which by them, or the persons from whom they or any of them have derived their claims, were deposited or paid into the treasury of the State of Georgia, as the consideration of the purchase of the land for which their release of claim is deposit-

Conditions of indemnification.

Act of March 3, 1803, ch. 27.

ed as aforesaid; and also, a power to sue, in the name of such claimant, for any sum or sums of money assigned as aforesaid, and which shall have been unlawfully or fraudulently withdrawn from the treasury of the State of Georgia, such release, assignment, transfer, and power, to take effect on the indemnification of such claimants being made conformably to the provisions of this act.

SEC. 2. *And be it further enacted*, That the Secretary of State, the Secretary of the Treasury, and the Attorney General of the United States (for the time being) shall be, and they are hereby constituted and appointed a Board of Commissioners, to meet in the city of Washington, on the first Monday of January next; and as soon as may be practicable thereafter, they or any two of them, are hereby fully authorized and required to adjudge and determine upon the sufficiency of the releases and assignments and powers to be executed and deposited in the office of the Secretary of State in conformity with the foregoing section; and also to adjudge and finally determine upon all controversies arising from such claims so released as aforesaid, which may be found to conflict with, and to be adverse to, each other; and also to adjudge and determine upon all such claims under the aforesaid act, or pretended act of the State of Georgia, as may be found to have accrued to the United States by operation of law: *Provided*, That it shall be the duty of the said commissioners to cause to be published for the period of three months before the said meeting, at least once a week, in all the public newspapers in which the acts of Congress are by authority published, notice of the purposes and of the time and place of such meeting.

SEC. 3. *And be it further enacted*, That as soon as the said commissioners shall have made report to the President of the United States of the sufficiency of such releases and assignments, to the amount of at least nine-tenths of the whole lands claimed by virtue of the sales made by the Legislature of the State of Georgia to the respective companies hereafter enumerated, exclusive of such claims to the said lands as shall have vested in the United States by the operation of law, and shall have certified to him the names of the claimants, whose claims they have finally adjudged and allowed, and the respective and relative proportions on which they are entitled to the indemnity under and by virtue of this act, the President shall be and he hereby is authorized and required to cause to be issued from the treasury of the United States, to such claimants respectively, (of convenient amount for circulation) certificates of stock, not bearing interest, and expressing on their face, that the same are payable out of the first moneys in the treasury of the United States, arising from the sale of public lands in the Mississippi territory, after the money due to the state of Georgia and the expenses of surveying such lands have been satisfied.

To the persons claiming in the name of, or under the Upper Mississippi Company, including such share or shares as may be found to have vested in the United States and for which the United States are to be considered entitled to the respective proportions for the same, (and exclusive of all claims usually denominated in the former report of the commissioners aforesaid *citizens' claims*) a sum not exceeding in the whole three hundred and fifty thousand dollars.

To the persons claiming in the name of, or under the Tennessee Company, under the foregoing terms and restrictions, a sum not exceeding in the whole six hundred thousand dollars.

To the persons claiming in the name of, or under the Georgia Mississippi Company, under the like terms and restrictions, a sum not exceeding in the whole one million five hundred and fifty thousand dollars.

To the persons claiming in the name of, or under the Georgia Company, under the like terms and restrictions, a sum not exceeding in the whole two millions two hundred and fifty thousand dollars.

To the persons claiming under citizens' rights, including such share

Commissioners to ascertain and decide upon conflicting claims.

Act of Jan. 23, 1814, ch. 24.

Certificates of stock to be issued upon report of the board of commissioners.

Upper Mississippi Company.

Tennessee Company

Georgia Mississippi Company.

Georgia Company.

Citizens' rights.

or shares as have already accrued to the United States by operation of law, or by the provisions of this act, and to which the United States are to be considered entitled to the respective proportions for the same, a sum not exceeding in the whole two hundred and fifty thousand dollars:

Proviso.

Provided, That any person having claim under either of the said companies, and entitled to indemnity by virtue of this act, shall receive such indemnity only in proportion to the amount of such claims: *And provided also*,

Proviso.

That no claim shall be allowed, or any indemnification made therefor, to any person or persons who have voluntarily surrendered the evidence of their claims to the said lands under the act of Georgia of the thirteenth of February, one thousand seven hundred and ninety-six, or under any subsequent act of the said state, and which at the time of the surrender would have vested the title in such claimants had the title from Georgia been valid, or who have received the money deposited as the consideration of the purchase of said land thus surrendered; but all such lands shall be deemed and taken to be vested in the United States, exonerated, and discharged from all such claims without any further surrender or release whatever, and the dividends to be made to claimants who shall be entitled to the benefits of this act shall be lessened in proportion to the claim so surrendered or withdrawn: *And provided also*,

Proviso.

That no person or persons, nor the agent or trustee of any person or persons, shall be entitled to the benefits of this act, who, by himself, herself, or themselves, or by his, her, or their agent, or by any person or persons with privity and consent of him, her or them, shall have taken, received, or withdrawn from the Treasury of the State of Georgia any sum or sums of money, which had been paid and deposited as the consideration of the purchase of any of the aforesaid lands, which person or persons at the time of the taking, receiving or withdrawing of the said money, was or were not the bona fide claimant or claimants of the lands for the purchase of which the said money had been deposited: but all and every the share or shares of such person or persons so fraudulently drawing the money as aforesaid, as may be found to have been claimed by such person or persons, at the time of recording in the office of the Secretary of State the evidences of their claim or claims shall be vested in the United States, and the dividends to be made to the claimants entitled to the benefits of this act shall be lessened in proportion thereto: *And provided also*,

Proviso.

That each and every person before receiving the certificates of stock aforesaid, shall, after the two foregoing provisos have been read to him, take and subscribe the following oath, viz: "I, A. B., do solemnly swear, or affirm, as the case may be, that I have not, nor has any person for whose interest I now act, either as agent or trustee, or as executor, administrator, or heir at law, done and performed any act, which by the tenor of the two provisos I have heard read to me, would disqualify me from receiving the indemnity afforded by the provisions of this act."

Certificates of stock made receivable for public lands in Mississippi territory.

Proviso.

SEC. 4. *And be it further enacted*, That the said certificates of stock shall be receivable in payment of the public lands, to be sold after the date of such certificates, in the Mississippi territory: *Provided*, That on every hundred dollars to be paid for such land, ninety-five dollars shall be receivable in said certificates, and five dollars in cash: *Provided*, That no person or persons making payment for lands in certificates authorized to be issued by this act, shall be entitled to the discount for prompt payment now allowed by law to purchasers of public lands.

Consideration money to be paid to the state of Georgia.

SEC. 5. *And be it further enacted*, That from and after such sufficient releases from the claimants to the United States shall be lodged in the office of Secretary of State, as is hereinbefore provided in this act, all such sum or sums of money remaining in the possession of the State of Georgia, which may have been deposited as the consideration of the purchase of the said lands, together with such interest, if any there be, as may have accrued thereon, shall be set over and paid by the said com-

missioners to the state of Georgia, in part payment of the one million two hundred and fifty thousand dollars, stipulated to be paid by the articles of agreement and cession between the United States and the state of Georgia.

SEC. 6. *And be it further enacted*, That if any person or persons, in pursuance of the act of the state of Georgia, of the thirteenth of February, one thousand seven hundred and ninety-six, or of any subsequent act, shall have taken, received, or withdrawn from the treasury of the state of Georgia, any sum or sums of money which had been paid or deposited as the consideration of the purchase of any of the aforesaid lands, which person or persons at the time of receiving or withdrawing said sum or sums of money as aforesaid, were not the bona fide claimants of the lands for the purchase of which said money had been paid or deposited: or if such person or persons had not, at the time the legal title vested in them, supposing the title of Georgia to have been valid, every such person or persons who shall have taken, received or withdrawn the money as aforesaid, shall be deemed and adjudged to have had and received the same to and for the use of the United States, and shall be and hereby are declared to be holden and liable to refund and pay to the United States, or to the treasury of the state of Georgia for the use of the United States, all such sum or sums of money so had and received as aforesaid, with legal interest from the time she or they so received the same. And the aforesaid commissioners shall be and they are hereby further authorized and directed to examine into and investigate all cases coming within the purview of this section, and to claim such sum or sums of money to be paid to the United States as to them shall appear just and reasonable, and in case of refusal to pay the same, to direct suits to be commenced for the recovery of the same, in such form and manner as shall be thought most advisable, making plaintiff or complainant, as they shall think best, either the United States, the claimants who shall have transferred to the United States their right of action against the aforesaid persons, or the state of Georgia as bailee of the money so taken, received, and withdrawn from the treasury of the said state: *Provided*, That if it should be thought advisable to institute the suits for the recovery of the moneys aforesaid in the name of the state of Georgia, or of its proper officers, the consent thereto from the proper authority of the state of Georgia shall be first had and obtained: *And provided also*, That the said suits shall be conducted at the proper expense of the United States.

Persons who withdraw money from the treasury of Georgia to be barred.

Proviso.

Proviso.

SEC. 7. *And be it further enacted*, That the President of the United States be, and he hereby is authorized to apply to the Governor of the State of Georgia, for all such vouchers and testimony within archives or treasury of the said state as may be necessary for carrying into effect the provisions of this act.

Vouchers to be obtained from the state of Georgia.

SEC. 8. *And be it further enacted*, That whenever the legal estate in any of the said lands (supposing the said act of the Legislature of the State of Georgia of the seventh of January, seventeen hundred and ninety-five, had been valid and effectual) shall be vested in any person or persons who, at the time of the passing of this act, shall be under the age of twenty-one years, it shall be lawful for the guardian or guardians of such person or persons, appointed in pursuance of the laws of the respective states in which such person or persons shall reside, to execute for and in behalf of such person or persons, and deposit in the office of the Secretary of State of the United States the release, assignment, and power mentioned in the first section of this act; which said release, assignment, and power, so executed and deposited as aforesaid, are hereby declared to be good and effectual to all intents and purposes, and that in case of femes-covert claiming lands under the act, or pretended act of the state of Georgia aforesaid, passed the seventh of January, seventeen hundred

Cases of persons under age, &c. &c. provided for.

and ninety-five, it shall be lawful for the husband and wife to join in the execution of the release, assignment, and transfer mentioned in the first section of this act, and that such release, assignment, and transfer shall be good and effectual as to the interest of such wife: *Provided*, That the release, assignment, and transfer, executed as aforesaid, shall be acknowledged before a judge or justice of a court of record, and shall have the attestation of such judge or justice, certifying that, on the separate examination of the wife, she had acknowledged that she had freely and voluntarily executed the same.

Proviso.

Persons refusing to compromise to be barred from any claim.

SEC. 9. *And be it further enacted*, That if any person or persons claiming lands under the aforesaid act, or pretended act, of the state of Georgia, passed January seventh, seventeen hundred and ninety-five, shall neglect or refuse to compromise and make settlement of all such claim or claims, in conformity with the provisions of this act, the United States shall be, and hereby are declared to be, exonerated and discharged from all such claim or claims, and the same shall be forever barred; and no evidence of any such claim or claims shall be admitted to be pleaded or allowed to be given in evidence in any court whatever against any grant derived from the United States.

APPROVED, March 31, 1814.

STATUTE II.
April 9, 1814.

CHAP. XLVII.—*An Act making Elizabeth city the port of entry and delivery for the district of Camden, in the State of North Carolina.*

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 June next, the port of entry and delivery established by law at Plankbridge, on Sawyer's creek, for the district of Camden, in the state of North Carolina, shall be abolished, and the town of Elizabeth city, on Pasquotank river, shall be the port of entry and delivery for the said district; and the collector for the said district shall, from the said first day of June, keep his office at the town of Elizabeth city aforesaid.

APPROVED, April 9, 1814.

STATUTE II.
April 9, 1814.

CHAP. XLIX.—*An Act for the better organization of the courts of the United States within the State of New York.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the more convenient transaction of business in the courts of the United States within the state of New York, the said state shall be and the same is hereby divided into two districts, in manner following, to wit: the counties of Rensselaer, Albany, Schenectady, Schoharie and Delaware, together with all that part of the said state lying south of the said above mentioned counties, shall compose one district, to be called the southern district of New York; and all the remaining part of the said state shall compose another district, to be called the northern district of New York; and that the terms of the district court in the said southern district shall be held in the city of New York, at the several times at which they are now by law directed to be held in the said city; and that the terms of the said court in the said northern district shall be held at the several times and places at which they are now by law directed to be held in that part of the state of New York included in the said northern district, except that the term of the said court now holden at Geneva, shall hereafter be held at the village of Canandaigua.

SEC. 2. *And be it further enacted*, That Matthias B. Tallmadge, one of the district judges of the district of New York, be, and he is hereby assigned as the judge to hold the said district court in the said northern district of New York, and to do and perform all the duties appertaining to his office

Two districts formed; the first to be called the southern.

The second, the northern district.

Terms of the said court, where and when holden.

Judge Tallmadge assigned for the northern and Judge Van Ness for the southern district.

within the said northern district; and that William P. Van Ness, the remaining district judge of the district of New York, be, and he is hereby assigned as the judge to hold the said court in the said southern district of New York, and to do and perform all the duties appertaining to his said office within the said southern district. And it is hereby also made the duty of the judge of the said southern district to hold the several district courts hereinbefore directed to be holden in the said northern district, in case of the inability, on account of sickness or absence, of the said Matthias B. Tallmadge to hold the same.

Judge Van Ness to hold the court for the northern district, in certain cases.

SEC. 3. *And be it further enacted*, That the circuit court of the United States shall be held in and for the said southern district of New York, at the city of New York, at the times and in the manner now directed by law to be held in and for the district of New York; and that the district court in the said northern district of New York shall, besides the ordinary jurisdiction of a district court, have jurisdiction of all causes, except of appeals and writs of error cognizable by law in a circuit court, and shall proceed therein in the same manner as a circuit court; and writs of error shall lie from decisions therein to the circuit court in the said southern district of New York, in the same manner as from other district courts to their respective circuit courts.

Circuit court to be held for the southern district in New York.

Jurisdiction of northern district court.

APPROVED, April 9, 1814.

STATUTE II.

CHAP. LII.—*An Act for the final adjustment of land titles in the State of Louisiana and territory of Missouri.*

April 12, 1814.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person or persons, or the legal representatives of any person or persons claiming lands in the state of Louisiana, or the territory of Missouri, by virtue of any incomplete French or Spanish grant or concession, or any warrant or order of survey, which was granted prior to the twentieth of December, one thousand eight hundred and three, for lands lying within that part of the state of Louisiana which composed the late territory of Orleans, or which was granted for lands lying within the territory of Missouri, before the tenth day of March, one thousand eight hundred and four, and where the claimant, or the person under whom he claims, were resident in the province of Louisiana at the respective times aforesaid, or at the time the said concession, warrant, or order of survey was granted, and whose claims have been filed with the proper register or recorder of land titles according to law, and are embraced in the report of the commissioners, or register, or recorder, for the district within which the lands claimed do lie, in every case where it shall appear by the said report of the commissioners, register, or recorder, that the concession, warrant, or order of survey, under which the claim is made, contains a special location, or had been actually located or surveyed within the late territory of Orleans before the twentieth day of December, one thousand eight hundred and three, or actually located or surveyed within the territory of Missouri, before the tenth day of March, one thousand eight hundred and four, by a surveyor duly authorized by the government making such grant, such persons shall be, and they are hereby, confirmed in their claims: *Provided*, That no claim shall be confirmed by this section which shall have been adjudged by either of the boards of commissioners, or a register or receiver of public moneys, or a recorder acting as such, to be antedated or otherwise fraudulent: nor any one to claim a greater quantity of land than the number of acres contained in one league square; nor the claim of any person, in his own right, who has received, in his own right, a donation grant from the United States, in said state or territory: *And provided also*, That no confirmation made by this section shall affect the rights of any person claiming the

Act of April 29, 1816, ch. 159.

Certain claimants confirmed in their titles or claims.

Proviso.

Proviso.

same lands or any part thereof, whose claim has been confirmed by a board of commissioners for ascertaining and adjusting claims to land in said state or territory, nor preclude a judicial decision between private claimants in such interfering claims.

Certain other claims confirmed.

SEC. 2. *And be it further enacted*, That every person or persons claiming lands in the said state or territory, by right of donation under any former laws, whose claims are contained in the report of any of the boards of commissioners, or the report of the register and receiver of public moneys, or of the recorder of land titles, made or hereafter to be made under existing laws, and which claims shall appear by the said reports not to have been confirmed, merely because the tracts claimed were not inhabited on the twentieth of December, one thousand eight hundred and three, such person or persons shall be and they are hereby confirmed in their respective claims: *Provided*, That in every other respect such claims shall be embraced by the provisions, and conform to the limitations and restrictions, prescribed by former laws for granting the right of donations in the said state and territory.

Proviso.

The proper registers of land offices and recorders of land titles to give the necessary certificates.

SEC. 3. *And be it further enacted*, That it shall be the duty of the several registers of the land offices, and of the recorder of land titles in the state or territory aforesaid, with whom the claims in their respective districts have been entered, which are confirmed by this act, in all cases where the land has not been surveyed according to law, to make out, for the principal deputy surveyor of the district in which the land lies, an order of survey for each tract of land confirmed under this act, with a proper description of the tracts to be surveyed, wherein the quantity, locality, boundaries, and connexion, when practicable, with each other, and the tracts which have been heretofore confirmed, shall be stated; and on the return of the plat of survey, or where an order of survey is not necessary, the said register or recorder of land titles shall, on application for that purpose, make out for each claimant, entitled thereto by the provisions of this act, a certificate of confirmation, directed to the Commissioner of the General Land Office, and if [it] shall appear to the satisfaction of said commissioner, that such certificate shall have been fairly obtained according to the true intent and meaning of this act, then and in that case patents shall be granted in like manner as is provided by law for the other lands of the United States. And the said register or recorder shall be entitled to receive from the person applying therefor, where he shall have previously issued an order of survey, for such order of survey and certificate, the sum of one dollar and fifty cents, and for each certificate without an order of survey, the sum of one dollar.

Made the duty of the principal deputy surveyor to survey the lands designated by the orders of survey.

SEC. 4. *And be it further enacted*, That it shall be the duty of the principal deputy surveyor, on receiving an order of survey from the register or recorder of land titles, and the surveying fees from the claimant, which shall not exceed three dollars for every mile to be surveyed and marked, to survey or cause to be surveyed, under the direction of the surveyor general, or surveyor of the lands south of the state of Tennessee, the several tracts of land confirmed by this act; and the said principal deputy surveyor shall make return of the surveys in separate plats to the register or recorder of the district within which the land lies, and also transmit to the surveyor general, or surveyor of the lands south of the state of Tennessee, as the case may be, a plat or plats of the surveys directed to be made by this section, who shall respectively transmit copies thereof to the commissioner of the General Land Office.

Actual settlers entitled to the pre-emption.

SEC. 5. *And be it further enacted*, That every person, and the legal representatives of every person, who has actually inhabited and cultivated a tract of land lying in that part of the state of Louisiana which composed the late territory of Orleans, or in the territory of Missouri, which tract is not rightfully claimed by any other person, and who shall not

have removed from said state or territory, shall be entitled to the right of pre-emption in the purchase thereof, under the same restrictions, conditions, provisions and regulations, in every respect as is directed by the act, entitled "An act giving the right of pre-emption in the purchase of lands, to certain settlers in the Illinois territory," passed February fifth, one thousand eight hundred and thirteen.

Act of Feb. 5, 1813, ch. 20.

APPROVED, April 12, 1814.

STATUTE II.

CHAP. LVI.—*An Act to repeal an act, entitled "An act laying an embargo on all ships and vessels in the ports and harbours of the United States," and so much of any act or acts as prohibit the importation of goods, wares and merchandise of the growth, produce, or manufacture of Great Britain or Ireland, or of any of the colonies or dependencies thereof, or of any place or country in the actual possession of Great Britain.*

April 14, 1814.

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 laying an embargo on all ships and vessels in the ports and harbours of the United States," passed on the seventeenth day of December, one thousand eight hundred and thirteen, be, and the same is hereby repealed: *Provided,* That all penalties and forfeitures which have been incurred under the said act, shall be recovered and distributed, and may be mitigated or remitted, in like manner as if the said act had continued in full force and virtue.

Repealing clause.

Act of Dec. 17, 1813, ch. 1.

Proviso.

SEC. 2. *And be it further enacted,* That so much of any act or acts as prohibits the importation of goods, wares or merchandise, of the growth, produce, or manufacture of Great Britain or Ireland, or of any of the colonies or dependencies thereof, or of any place or country in the actual possession of Great Britain, and so much of any act or acts as prohibits importation into the United States or the territories thereof, in neutral ships or vessels, from any port or place situated in Great Britain or Ireland, or in any of the colonies or dependencies of Great Britain, be, and the same is hereby repealed: *Provided,* That all fines, penalties and forfeitures incurred by virtue of the said act or acts shall be recovered and distributed, and may be mitigated or remitted, in like manner as if the same had continued in full force and virtue: *And provided also* That nothing herein contained shall be construed to authorize or permit the importation of goods, wares or merchandise, or of any article, the property of, or belonging at the time of such importation, to the enemy or enemies of the United States.

Repeal of non-importation acts.

Proviso.

APPROVED, April 14, 1814.

STATUTE II.

CHAP. LVII.—*An Act declaring the assent of Congress to an act of the General Assembly of the State of Tennessee, therein mentioned.*

April 14, 1814.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the assent of Congress is hereby given and declared to an act of the general assembly of the state of Tennessee, entitled "An act to provide for the more equal and equitable apportionment of the direct tax, laid upon the state of Tennessee by an act of the Congress of the United States at the last session, among the counties in this state:" *Provided,* That if all the principal assessors shall not have been appointed prior to the first day of February last past, that then, and in that case, the principal assessors, in the respective assessment districts, shall suspend the delivery of the tax lists to the respective collectors for one month after the time allowed for the last appointed assessor to complete the assessments and make out his tax lists, to be delivered to the collector; during which time of one month, it shall be the duty of the several principal assessors to comply with the provisions of the above described act of the general assembly of the state of Tennessee.

Assent of Congress given.

Proviso.

Principal assessor last mentioned, to give notice to other principal assessors, by publication, of time of meeting.

SEC. 2. *And be it further enacted*, That it shall be the duty of the principal assessor last appointed, to give at least one month's notice to the other principal assessors, by publication in the newspapers published at Nashville, Knoxville, and Hawkins court-house, of the time of meeting at the seat of government of said state to make the appointments aforesaid, which time of meeting shall be at least twenty days before the period at which the principal assessor last appointed will be required to deliver his tax lists to his principal collector.

If all the assessors do not attend at the place appointed, those appointed to make the apportionment.

SEC. 3. *And be it further enacted*, That if all the principal assessors should not attend at the time notified as aforesaid, that then, and in that case, those that do attend shall proceed to make an apportionment for their respective districts, by making the quota of each county bear the same proportion to the aggregate amount of the direct tax already apportioned among the several counties of their respective districts, by the act of Congress passed at the last session, that the assessed value of the property of each county bears to the aggregate amount of the assessed value of the property of all the counties in the districts of those who do attend.

Provision in case any of the assessors appointed do not perform the duties of the office.

SEC. 4. *And be it further enacted*, That if any one or more of the principal assessors shall fail to attend and perform the duties enjoined by the provisions of this act, and the act of the state of Tennessee, which is herein referred to, that then, and in that case, such principal assessor or assessors shall immediately afterwards proceed to make out tax lists, and the tax shall be collected in their respective districts in the same manner as if this act had not been passed.

APPROVED, April 14, 1814.

STATUTE II.

April 16, 1814.

CHAP. LVIII.—*An Act authorizing an augmentation of the marine corps, and for other purposes. (a)*

Act of March 3, 1817, ch. 65.
Marine corps authorized to be augmented.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorized to cause the marine corps, in the service of the United States, to be augmented by the appointment and enlistment of not exceeding one major, fourteen captains, twelve first lieutenants, twenty second lieutenants, sixty-one sergeants, forty-two drums and fifes, and six hundred and ninety-six privates, who shall be respectively allowed the same pay, bounty, clothing and rations, and shall be employed under the same rules and regulations to which the said marine corps are or shall be entitled and subject.

The staff to be taken from the captains and subalterns.

SEC. 2. *And be it further enacted*, That the adjutant, paymaster and quartermaster of the marine corps, may be taken either from the line of captains or subalterns, and the said officers shall respectively receive thirty dollars per month, in addition to their pay in the line, in full of all emoluments.

Their pay.

President authorized to confer brevet rank in certain cases.

SEC. 3. *And be it further enacted*, That the President of the United States be, and he is hereby authorized to confer brevet rank on such officers of the marine corps as shall distinguish themselves by gallant actions or meritorious conduct, or who shall have served ten years in any one grade: *Provided*, That nothing herein contained shall be so construed as to entitle officers so brevetted to any additional pay or emoluments, except when commanding separate stations or detachments, when they shall be entitled to and receive the same pay and emoluments which officers of the same grades are now or hereafter may be allowed by law.

Proviso.

Act of April 16, 1818, ch. 59.
Act of June 30, 1834, ch. 132.

President may appoint the offi-

SEC. 4. *And be it further enacted*, That it shall be lawful for the President of the United States, in the recess of the Senate, to appoint any

(a) See notes of acts relating to the marine corps, vol. i. 594.

of the officers authorized by this act; which appointments shall be submitted to the Senate at their next session, for their advice and consent. cers in the recess of the Senate.

SEC. 5. *And be it further enacted*, That it shall be lawful for the President of the United States, in the recess of the Senate, to appoint all or any of the officers of the navy authorized by existing laws; which appointments shall be submitted to the Senate at their next session, for their advice and consent. And of the navy.

APPROVED, April 16, 1814.

STATUTE II.

CHAP. LIX.—*An Act authorizing the appointment of certain officers for the flotilla service.* April 16, 1814.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorized, by and with the advice and consent of the Senate, to appoint four captains and twelve lieutenants to be employed in the flotilla service of the United States, without rank in the navy, but with the same relative rank and authority in the flotilla service as officers of the same grade are entitled to in the navy of the United States. [Obsolete]
Officers to be appointed.

SEC. 2. *And be it further enacted*, That the said captains shall receive the pay and subsistence of a captain in the navy commanding a ship of twenty and under thirty-two guns, and the lieutenants the same pay and subsistence as officers of the same rank are entitled to in the navy of the United States, and shall be governed by the rules and regulations provided for the government of the navy. Their rank.
Pay and emoluments.

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

APPROVED, April 16, 1814.

STATUTE II.

CHAP. LX.—*An Act to revive and continue in force "An act declaring the assent of Congress to certain acts of the States of Maryland and Georgia."* April 16, 1814.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act which passed the seventeenth day of March, in the year one thousand eight hundred, entitled "An act declaring the assent of Congress to certain acts of the states of Maryland and Georgia," be, and the same is hereby revived and continued in force until the third day of March, one thousand eight hundred and twenty-two: *Provided*, That nothing herein contained shall authorize the demand of a duty on tonnage, on vessels propelled by steam, employed in the transportation of passengers. Act of March 17, 1800, ch. 15, continued in force until March 3, 1822.

APPROVED, April 16, 1814.

STATUTE II.

CHAP. LXI.—*An Act confirming certain claims to land in the Illinois territory, and providing for their location.* April 16, 1814.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the decisions made by the commissioners (appointed in pursuance of the act, entitled "An act for the revision of former confirmations, and for confirming certain claims to land in the district of Kaskaskia," passed the twentieth day of February, one thousand eight hundred and twelve) where such decisions were in favor of the claims, and where the commissioners have reported specially and have not rejected the claims; all such claims as entered in their report to the Secretary of the Treasury, bearing date the fourth day of January, one thousand eight hundred and thirteen, shall be and the same are hereby confirmed. Act of Feb. 20, 1812, ch. 22.
Act of April 26, 1816, ch. 101.
Act of Feb. 27, 1815, ch. 63.

Claims transmitted by Michael Jones confirmed.

SEC. 2. *And be it further enacted,* That all the claims contained in a list transmitted to the Secretary of the Treasury by Michael Jones, one of the commissioners aforesaid, bearing date the eighteenth day of January, one thousand eight hundred and thirteen, shall be and the same hereby are confirmed: *Provided,* That any person who may have received a militia right, shall not receive in addition thereto more than three hundred acres of land by virtue of this section; and it shall be the duty of the Commissioner of the General Land Office to enter the list aforesaid of record in his office: *And provided also,* That nothing in this act shall prevent or bar a judicial decision between persons claiming the same original title or claim.

Proviso.

Proviso.

Boundaries of reservation to satisfy unlocated claims.

SEC. 3. *And be it further enacted,* That all that tract of land included within the following boundary, viz: beginning at the township line nearest to and above the mouth of Big Muddy river, on the Mississippi river; thence east to the Meridian line running from the mouth of the Ohio river, thence north with the said meridian line to the north boundary lines of township number five, north; thence west to the Mississippi river, thence down the same to the beginning, shall be, and the same hereby is reserved and set apart to satisfy the unlocated claims of persons to land within the Illinois territory confirmed to them heretofore or by this act.

Actual settlers entitled to pre-emption.

SEC. 4. *And be it further enacted,* That any person or persons residing within the tract reserved by this act, and who had actually cultivated or improved any tract of land therein, before the fifth day of February, one thousand eight hundred and thirteen, not rightfully claimed by any other person, shall be entitled to a pre-emption in the purchase of such tract of land including the improvement; *Provided,* That the purchaser shall not enter less than one quarter section or more than one section; and any person claiming a pre-emption in the purchase under this act, who may be the owner of any unlocated confirmed claim which may be located within the tract aforesaid, shall be and is hereby authorized to deliver to the receiver of public money for the district within which the land lies, the evidences of his or their claim, which shall be received as payment for the quantity of land such person or persons would have been entitled to locate by virtue thereof; and in all cases where the land purchased shall not be completely paid for by the evidences of confirmed claims, the residue of the land shall be paid for at the same price, in the same manner, under the same restrictions, and liable to the same forfeiture, as other public lands sold at private sale.

Proviso.

Notice to be given by Register of Land Office at Kaskaskia, that persons claiming pre-emption rights may come forward.

SEC. 5. *And be it further enacted,* That it shall be the duty of the Register of the Land Office for the district of Kaskaskia, to give notice that all persons entitled to a pre-emption in the purchase of any tract of land by virtue of this act, may make such purchase on application to him at his office on or before the first day of October next; and any person failing or refusing to enter with the Register of the Land Office the land by such person improved, on or before the first day of October next, shall lose the right of pre-emption given by this act.

After 1st October owners of unlocated confirmed claims to exhibit their claims, &c.

SEC. 6. *And be it further enacted,* That after the first day of October next, it shall be lawful for any person or persons being the owner of any unlocated confirmed claim, to enter with the register of the land office for the Kaskaskia district, any quantity of land within the reserved tract aforesaid, not exceeding one quarter section more than the quantity of acres contained in his claim or claims, and to deliver to the receiver of public money the evidence of his claim, which shall be received in payment for the number of acres specified therein, and the residue of the land thus entered which may exceed the amount of confirmed claims thus paid in, shall be paid for at the same price and in like manner as the other public lands of the United States sold at private sale. And if two or more persons shall make applications at the same time to enter

the same tract or tracts of land, the priority of right to enter shall be decided by lot in the presence of the Register of the Land Office; and any person or persons failing or refusing to enter or locate his claim within the reserved tract aforesaid, according to the provisions of this act, on or before the first day of May, one thousand eight hundred and fifteen, shall forfeit all right or claim against the United States, derived from confirmations under this act or any former law.

SEC. 7. *And be it further enacted*, That it shall be the duty of the Register of the Land Office for the Kaskaskia district, to make out a certificate of confirmation to each person whose claim or claims are confirmed by this act, or by any former law, within the territory of Illinois; and such certificate shall specify the quantity of land confirmed to the holder thereof, and shall be sufficient evidence of claim, within the meaning of this act, to entitle the owner or holder thereof to a credit with the receiver of public moneys, for the quantity of land mentioned in such certificate, within the reserved tract aforesaid; and the Register of the Land Office shall receive the sum of seventy-five cents from the person demanding and receiving such certificate.

SEC. 8. *And be it further enacted*, That patents shall be obtained for lands entered under this act, in the reserved tract aforesaid, in the same manner and on the same terms as are provided by law for other public lands of the United States.

APPROVED, April 16, 1814.

Certificates to be given by register of land office for Kaskaskia district, &c. &c.

Patents to be granted as for other lands.

STATUTE II.

CHAP. LXII.—*An Act directing the disposition of money paid into the courts of the United States.*

April 18, 1814.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon the payment of any money into any District or Circuit Court of the United States, to abide the order of the court, the same shall be deposited in such incorporated bank as the court may designate, and there remain till it shall be decided to whom it of right belongs: *Provided*, That if in any judicial district there shall be no incorporated bank, the court may direct such money to be deposited according to its discretion: *Provided also*, That nothing herein shall be construed to prevent the delivery of any such money upon security, according to agreement of parties, under the direction of the court.

Act of March 3, 1817, ch. 108. Money to be deposited in incorporated banks.

Proviso, as to agreement of parties.

APPROVED, April 18, 1814.

STATUTE II.

CHAP. LXV.—*An Act granting pensions to the officers and seamen serving on board the revenue cutters in certain cases.*

April 18, 1814.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the officers and seamen of the revenue cutters of the United States, who have been or may be wounded or disabled in the discharge of their duty whilst co-operating with the navy by order of the President of the United States, shall be entitled to be placed on the navy pension list, at the same rate of pension, and under the same regulations and restrictions as are now provided by law for the officers and seamen of the navy.

Pensions to officers and seamen on board the revenue cutters in certain cases.

APPROVED, April 18, 1814.

STATUTE II.

April 18, 1814.

Congress to meet on the last Monday of Oct. 1814.

CHAP. LXVI.—*An Act fixing the time for the next meeting of Congress.*

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

APPROVED, April 18, 1814.

STATUTE II.

April 18, 1814.

[Expired.]

Salary of the paymaster fixed.

Additional allowance for clerk hire.

District assistant paymasters to be appointed.

Proviso.

Disbursements to be made by district paymasters.

District paymasters to forward accounts with vouchers to the paymaster of the army.

Proviso.

Pay of district paymasters.

District and assistant district paymasters to give bonds; made subject to

CHAP. LXVII.—*An Act fixing the salary of the Paymaster of the Army of the United States, and allowing a sum for the employment of additional clerks in his office, for the year one thousand eight hundred and fourteen, and providing for the appointment of Assistant District Paymasters.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in lieu of the monthly compensation now allowed by law to the paymaster of the army of the United States, he shall receive an annual salary of two thousand dollars, to be paid quarter-yearly at the treasury of the United States, and to commence on the first day of January last; and that in addition to the amount already allowed by law for clerk hire, in the office of the paymaster of the army of the United States, there shall be allowed the further sum of five thousand five hundred and forty-seven dollars, for the purpose of employing additional clerks in, and for contingent expenses of his office for the present year, to be paid out of any money in the treasury not otherwise appropriated.

SEC. 2. *And be it further enacted,* That the President of the United States be, and he is hereby authorized, by and with the advice and consent of the Senate, to appoint so many assistant district paymasters, not exceeding thirty, as the public service may, in his opinion, require: *Provided,* That the President of the United States shall have power to appoint any officer authorized by this act, during the recess of the Senate, to be submitted to them for their advice and consent, at their next session.

SEC. 3. *And be it further enacted,* That it shall be the duty of the paymaster of the army, under the direction of the War Department, to make all disbursements of money within that department to the district paymasters, and to adjust, state, and exhibit their several accounts, according to such forms, and within such periods as shall be prescribed for that purpose by the Treasury Department.

SEC. 4. *And be it further enacted,* That to secure the regular and punctual payment of the troops, the district paymasters shall examine and transmit to the paymaster of the army the accounts and vouchers for all disbursements which have been made by them to the troops of the army or district where they shall be stationed, as soon as the first payment shall have been made, and accompany the same with an estimate for the next payment; which accounts and estimates shall be regularly transmitted, that settlements may be made and competent funds remitted, *Provided also,* That the said district and assistant paymasters shall make payments to the militia in the service of the United States when required by the Secretary of War or the paymaster of the army.

SEC. 5. *And be it further enacted,* That the assistant district paymasters shall receive the pay and emoluments of a captain of infantry, and forage for one horse.

SEC. 6. *And be it further enacted,* That the district and assistant district paymasters shall severally give bonds, with good and sufficient security to the United States, for the faithful performance of their duties, in such sums as shall be required by the paymaster of the army, under

the direction of the War Department, and shall be subject to the rules and articles of war.

SEC. 7. *And be it further enacted*, That this act shall continue in force until the termination of the war in which the United States are now engaged with the United Kingdom of Great Britain and Ireland, and the dependencies thereof, and for one year thereafter, and no longer.

APPROVED, April 18, 1814.

the rules and articles of war.

Continuance of this act to Feb. 17, 1816.

STATUTE II.

CHAP. LXIX.—*An Act authorizing a subscription for the laws of the United States, and for the distribution thereof.*

April 18, 1814.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Department of State be, and he hereby is authorized and directed to subscribe, on behalf of the United States, for one thousand copies of the edition of the laws thereof, proposed to be printed and published by John Bioren and W. John Duane, of the city of Philadelphia, and Roger C. Weightman, of the city of Washington, upon such terms as he may deem reasonable, not exceeding fifteen dollars per copy: *Provided*, That said publication shall contain an edition of the laws of the United States, the declaration of independence, the articles of confederation, and the constitution thereof, and the treaties and conventions made between the United States and foreign nations and the Indian tribes, and that it shall be comprised in four volumes, royal octavo, and shall include the laws passed at the present session of Congress, and that all laws relating entirely to the District of Columbia shall be excluded therefrom: *And provided further*, That the said edition shall be executed on a plan, and in a manner that shall be prescribed by the Secretary of State and the Attorney General of the United States, whose duty it shall be to direct what acts shall be printed by title only. And the Secretary of State is hereby authorized and required to appoint a competent person to prepare said edition for publication, and to superintend the same under the direction of the Secretary of State and the Attorney General, who for his services shall be compensated by the publishers.

Secretary of State to subscribe for 1000 copies of the edition of the laws, by Bioren, Duane, and Weightman.

Proviso.

Proviso.

SEC. 2. *And be it further enacted*, That the said Secretary shall cause the said copies of the laws to be distributed as soon as may be after publication, in manner following: one set shall be delivered to the President of the United States, the Vice-President, and to each member of the Senate and House of Representatives; six sets shall be delivered to the secretary of the Senate, and eighteen sets to the clerk of the House of Representatives, for the use of said houses respectively; one set shall be delivered to each of the judges of the Supreme Court, and clerk thereof, to each of the judges of the District Courts, and to each of the marshals, clerks, and attorneys of each district; one set shall be delivered to the Secretary of State, the Secretary of the Treasury, to the Secretary of War, to the Secretary of the Navy, to the Attorney General, to the Director of the Mint, to the Comptroller, Auditor, and Register of the Treasury, to the Treasurer, to the Accountants of the War and Navy departments, to the Postmaster General and the two Assistant Postmasters General, to the Commissioner of the Revenue, and to the Commissioner of the General Land Office each; two sets shall be delivered to the Legislatures of the several states and territories respectively; one set shall be delivered to each of the governors of the several states and territories; and one set shall be delivered to each of the judges of the courts in the several territories: and the residue of said subscription shall remain at the future disposal of Congress.

Distribution of the 1000 copies regulated.

SEC. 3. *And be it further enacted*, That in case of the death, resignation, or dismissal from office of either of the officers before mentioned,

To go to the successors in

office of certain officers mentioned.

Future acts of Congress to be published in the form prescribed by this act.

excepting the President and Vice-President of the United States, the members of the Senate and House of Representatives, and the judges of the Supreme and District Courts, the said copies of the laws delivered to them, as aforesaid, shall belong to, and be delivered up to their respective successors in the said offices.

SEC. 4. *And be it further enacted*, That the acts passed at each succeeding session of Congress, including future treaties, shall be printed in a form corresponding with the said edition, and shall be distributed in the same manner as heretofore by law directed.

APPROVED, April 18, 1814.

STATUTE II.

April 18, 1814.

[Obsolete.]

Purchase authorized.

Appropriation, to be distributed as prize money.

Specific appropriations.

Five thousand dollars in addition to his prize money awarded to Oliver H. Perry.

CHAP. LXX.—*An Act authorizing the purchase of the vessels captured on lake Erie.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorized to cause to be purchased the British vessels which were captured on lake Erie by the American squadron, on the tenth day of September, in the year one thousand eight hundred and thirteen; and the sum of two hundred and fifty-five thousand dollars, in payment for the said vessels, shall be distributed as prize money among the captors, or their heirs.

SEC. 2. *And be it further enacted*, That for carrying into effect this act, a sum not exceeding two hundred and fifty-five thousand dollars be, and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated.

SEC. 3. *And be it further enacted*, That there be allowed and paid to Captain Oliver H. Perry, out of any money in the treasury not otherwise appropriated, in addition to his share of prize money, as commander of the ship Lawrence, the sum of five thousand dollars.

APPROVED, April 18, 1814.

STATUTE II.

April 18, 1814.

CHAP. LXXIII.—*An Act extending relief to certain purchasers of public lands in the Mississippi territory.*

Allowance of one year from 1st June, 1814, to purchasers of land of the United States who have been subjected to claimants under Spanish grants for payment of interest.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person or persons having purchased lands of the United States, in the Mississippi Territory, who have been subjected to prosecutions by adverse claimants, who derived their titles from a Spanish grant, warrant, or order of survey, and where such prosecutions have terminated favourably to purchasers from the United States, such purchasers shall have one year from the first day of June next, for the payment of any interest that may be due from them to the United States, on the purchases aforesaid.

APPROVED, April 18, 1814.

STATUTE II.

April 18, 1814.

Discontinuance of post-roads.

Maryland.
Virginia.

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

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:

In Maryland.—From Queen Ann's to Pig Point.

In Virginia.—From Mecklinburg Courthouse, by St. Tammany and Lombardy Grove, to Gees' Bridge. From Tazewell Courthouse, by Russell Courthouse and Lee Courthouse, to Cumberland Gap. From Springfield to Romney.

<i>In North Carolina.</i> —From Suffolk, by Gates Courthouse, to Edenton. From Elizabethtown to Whitesville. From Charlotte, by Beaty's Ford, to Lincolnton.	Discontinu- ance of post- roads.
<i>In Georgia.</i> —From Greensborough to Washington. From Darien, by Jones, to Milledgeville.	North Carolina. Georgia.
<i>In Kentucky.</i> —From Lewis Courthouse, by Flemingsburg, Millersburg, Mount Sterling, Olympian Springs, and Little Sandy salt works, to Cattletsburg.	Kentucky.
<i>In Tennessee.</i> —From Alexander's, by White Plains, to Carthage. From Bledsoe Courthouse to Franklin Courthouse.	Tennessee.
<i>In Ohio.</i> —From Steubenville, by Faucettstown, to New Lisbon. From New Lisbon, by Salem, to Columbiana. From Springfield to Troy. From Zanesville to Coshocton.	Ohio.
<i>In Louisiana.</i> —From La Fourch, by Point Coupee, to Opelousa.	Louisiana.
<i>In Indiana.</i> —From Jeffersonville, by Clarksville, to Vincennes.	Indiana.
SEC. 2. <i>And be it further enacted,</i> That the following be established post-roads:	Establishment of post-roads.
<i>In New Hampshire.</i> —The post-road from Rochester to Wakefield be altered so that it pass through Farmington, Middleton, and Wolfborough, to Wakefield.	New Hampshire.
<i>In Maine.</i> —From Waterford, by Norway, Plantation Third, Rumford, and Bethel, to Waterford. From Livermore, by Jay and Wilton, to Farmington.	Maine.
<i>In Massachusetts.</i> —From Springfield to Southwick. From Stafford, Connecticut, by Monson, to Palmer, in Massachusetts. From Hatfield, by Whately, Conway, and Ashfield, to Charlemont. From Athol to Greenfield. From Kingston to Halifax.	Massachusetts.
<i>In Connecticut.</i> —From Middletown, by Hebron, to Windham. From Sharon, by Ellsworth, Cornwall bridge, and Warren, to Litchfield. From Providence, in Rhode Island, through Scituate, to Ashford, in Connecticut.	Connecticut.
<i>In New York.</i> —From Bettsburg to Deposit. From Albany, by Bath, Sand Lake, Stephenson, Hancock, and Lanesborough, to Dalton, in Massachusetts. From Sheldon, by Willink and Hamburg, to Buffalo. From Onondago, by Tully, Preble, and Homer, to Courtland Courthouse. From Chesterfield to Jay, in Essex county. From Peekskill, by Westpoint, to Newburg. From Stamford, by Waterville, to Roseville. From Esperanza, by Schoharie Courthouse and Middleburg, to Stanford, on the turnpike road. From Middletown, Delaware county, by Colchester and Hancock, to Deposit. From Aurelius to Sempronius. From Brooklyn to Flatbush. From Albany, by Spencertown, to Sheffield, in Massachusetts. From Cairo, by Windham, to Lexington. From Green, on the turnpike, west, to Lisle.	New York.
<i>In New Jersey.</i> —From Morristown, by Newtown, to Millford, in Pennsylvania.	New Jersey.
<i>In Pennsylvania.</i> —From Wysor, by Orewill and Warren, to Nanticocke, in New Jersey. From Washington to West Alexandria. From York, by York Haven, to Middletown. From Somerset, by Melford, Turkeyfoot and Addison, to Smith's Stand on the national road. From Lewistown, by Beavertown, Middleburg and Selin's Grove, to Sunbury. From Beavertown to Burgetstown. From Burgetstown, by Hookstown, Georgetown, Beaver bridge and Fulkstown, to New Lisbon, in Ohio. From Burlingville to Easton. From Wilmington, by West Chester, to Pottsgrove, Swamp Churches and Summary Town, to Samuel Seller's tavern, on the post-road leading from Philadelphia toward Bethlehem, in Bucks county. From the town of Indiana, through Kataning to Butler Town.	Pennsylvania.
<i>In Ohio.</i> —From Urbanna to Springfield, in Champaign county. From Canton, by Springfield, Suffield, Talmadge and Stow, to Cleveland.	Ohio.

- Establishment of post-roads. From Portsmouth to Vanceburg, in Kentucky. From Urbanna to Troy. From Chilicotha, by Lebanon, to Cincinnati. From Athens, by Lancaster, to Columbus. From Cadiz, by Freeport, White Eyes Plains, Coshocton, Mount Vernon and Clinton, to Fredericktown. From Steubenville, by Faucettstown, Fulkstown, Achor, Fairfield, Columbiana, Salem, Grissels, Sandy Store, Thompson's salt works, and Lower salt works, to Steubenville. From Columbus, by Washington, to New-market. From Columbus, by London, to Xenia.
- Indiana. *In Indiana.*—From Eaton, in Ohio, to Salisbury. From Washington Courthouse to Valonia. From Charlestown, by Washington Courthouse and Lindly's mills, to Vincennes.
- Illinois. *In Illinois.*—From Cahokia, by Madison Courthouse and Clinton Hill, to Cahokia. From Kaskaskia to Johnson Courthouse.
- Delaware. *In Delaware.*—From Christiana to Newark.
- Maryland. *In Maryland.*—From Libertytown, by Union Bridge and Uniontown, to Westminster. From Annapolis to Pig Point.
- Virginia. *In Virginia.*—From Clarksburg, by Morgantown, Waynesboro', in Pennsylvania, to Wheeling. From Monroe Courthouse to Lewisburg. From Fredericksburg to the mouth of Potomac run. From Fincastle, by the mouth of Cowpasture, to Callahan's. From Norfolk, by Elizabeth-city, to Edenton, in North Carolina. From Wood Courthouse to Jacksonville. From Abingdon, by Russell Courthouse and Mockinson Gap, to Abingdon. From Pughtown to Springfield. From Dumfries, by Walnut Branch, to Fauquier Courthouse. From Columbia to Warren. From Charlottesville to Warren. From Percival's, by Lewisville and Lombardy Grove, to St. Tammany. From Petersburg, by Frenchtown, to Morganville. From Hanover Courthouse, by Hanover-town and New-Castle, to New Kent Courthouse.
- Kentucky. *In Kentucky.*—From Mount Sterling to Floyd Courthouse. From Bairdstown, by Grayson Courthouse and Butler Courthouse, to Russellville. From Washington, by Williamsburg, to Lewis Courthouse. From Greenup Courthouse to Little Sandy salt works.
- North Carolina. *In North Carolina.*—From Grayson Courthouse, Virginia, by Edwards and M'Millen's, to Ash Courthouse. From Suffolk, Virginia, by Sunbury and Gates Courthouse, to Edenton. From Trent Bridge, by Trenton, to Duplin Courthouse. From Winton to Gates Courthouse. From Windsor to Williamston's. From Wilmington, by Whiteville and Fairbluff, to Barfield Mill, in South Carolina. From Charlotte to Lincolnton. From Salisbury to Lincolnton. From Hillsborough, by High Rock, to Lennox Castle.
- Tennessee. *In Tennessee.*—From Newport, by Greenville, Rogersville, and Lee Courthouse, in Virginia, to Cumberland Gap. From Carthage, by Sparta, to Alexander's. From Sparta, by M'Minville and Winchester, in Franklin county, to Huntsville, in the Mississippi territory.
- South Carolina. *In South Carolina.*—From Belfast, by Satterthwait's, to Cambridge.
- Georgia. *In Georgia.*—From Milledgeville, by Greenboro, Lexington, and Danielsville, to Carnsville. From Milledgeville, by Irvinton, Dublin, Montgomery Courthouse, Tatnal Courthouse, and Barrington, to Darien. From Dublin to Telfair Courthouse. From Riceboro, by Barrington and Jefferson, to St. Marys. From Brunswick to Frederica.
- Louisiana. *In Louisiana.*—From Blanchardsville, by Assumption, to Opelousa. From Assumption to La Fourch (Interior) Courthouse. From Concordia to Washita Courthouse. From Concordia to Warren Courthouse.

SEC. 3. *And be further enacted,* That the Postmaster-General cause a mail to be carried from the nearest post-office on any established post-road to the Courthouse of any county which is now, or may hereafter be, established in any of the states or territories of the United States, and which is not or will not otherwise be accommodated with the mail; and the road on which the same shall be so carried, shall thereupon become a

post-road, and so continue until other provision shall be made by law for the accommodation thereof with the mail.

SEC. 4. *And be it further enacted*, That the Secretary of State be, and is hereby authorized to transmit by the mail, free of postage, one copy of the documents hereafter mentioned, being on subjects of a general nature, and which may be ordered to be printed by either house of Congress, namely, of communications with the accompanying documents, made by the President of the United States to Congress, or either house thereof; of reports made by the Secretary of State, by the Secretary of the Treasury, by the Secretary of War, by the Secretary of the Navy, by the Postmaster General, by the Commissioners of the Sinking Fund, to Congress, or either house thereof, in pursuance of any law or resolution of either house: affirmative reports on subjects of a general nature made to Congress, or either house thereof, by any committee respectively: for each of the Judges of the Supreme Court, and of the District Courts, and of the territories of the United States, to any post-office within the United States, they may respectively designate.

APPROVED, April 18, 1814.

Certain documents may be transmitted by Secretary of State free of postage.

STATUTE II.

CHAP. LXXVIII.—*An Act to provide for the collection and preservation of such flags, standards, and colours as shall have been or may hereafter be taken by the land and naval forces of the United States, from their enemies.*

April 18, 1814.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretaries of the War and Navy Departments be, and they are hereby directed to cause to be collected and transmitted to them, at the seat of the government of the United States, all such flags, standards, and colours as shall have been or may hereafter be taken by the army and navy of the United States, from their enemies.

Made the duty of the Secretaries of the War and Navy Departments to collect at the seat of government captured flags, &c. &c. To be displayed in some public place, designated by the President.

SEC. 2. *And be it further enacted*, That all the flags, standards, and colours of the description aforesaid, which are now in the possession of the departments aforesaid, and such as may be hereafter transmitted to them, be, with all convenient despatch, delivered to the President of the United States, for the purpose of being, under his direction, preserved and displayed in such public place as he shall deem proper.

SEC. 3. *And be it further enacted*, That the sum of five hundred dollars be, and the same is hereby appropriated, for the above purposes, out of any moneys in the treasury not otherwise appropriated.

Appropriation.

APPROVED, April 18, 1814.

STATUTE II.

CHAP. LXXIX.—*An Act to lessen the compensation for marshals, clerks and attorneys in the cases therein mentioned.*

April 18, 1814.

[Repealed.]

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 June next, there shall not be allowed or paid to either the Marshal or Attorney of the Districts of Massachusetts, Rhode Island, Connecticut, the southern district of New York, or Pennsylvania, nor to the Clerk of the District and Circuit Court of the United States, in either of said districts, any daily compensation for attending on the said courts, and that the Clerks of the District and Circuit Courts of the United States shall be entitled to one half of one per centum and no more on money deposited in court, any law to the contrary notwithstanding.

Act of Feb. 28, 1799, ch. 19.
Act of March 8, 1824, ch. 26.
Certain marshals, attorneys and clerks no longer to have a daily allowance for attending courts.

APPROVED, April 18, 1814.

STATUTE II.

April 18, 1814.

[Obsolete.]

Act of Feb.
28, 1795, ch. 36.Act of May
8, 1792, ch. 33.Act of March
2, 1803, ch. 15.Additional
officers author-
ized; their
rank,
and duties.

CHAP. LXXX.—*An Act in further addition to an act, entitled "An act more effectually to provide for the national defence by establishing an uniform militia throughout the United States."*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the officers of the militia provided for by the act, entitled "An act more effectually to provide for the national defence by establishing an uniform militia throughout the United States," approved May the eighth, one thousand seven hundred and ninety-two, and by an act in addition to the said recited act, approved March the second, one thousand eight hundred and three, there shall be to each division, one Division Inspector, with the rank of Lieutenant Colonel, and one Division Quartermaster, with the rank of Major; to each brigade one Aid-de-camp, with the rank of Captain; and the Quartermasters of brigade heretofore provided for by law, shall have the rank of Captain. And it shall be incumbent on the said officers to do and perform all the duties which by law and military principles are attached to their offices respectively.

APPROVED, April 18, 1814.

STATUTE II.

April 18, 1814.

[Expired.]

Act of Feb.
28, 1795, ch. 36.Courts mar-
tial for the trial
of drafted militia
to be com-
posed of militia
officers.

Stoppage of
pay for delin-
quencies to refer
to the pay at
the time the
offence was
committed.

What shall be
deemed a suffi-
cient summons.

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

CHAP. LXXXII.—*An Act in addition to the act, entitled "An act to provide for calling forth the militia to execute the laws of the union, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes."*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That courts martial to be composed of militia officers alone for the trial of militia drafted, detached and called forth for the service of the United States, whether acting in conjunction with the regular forces or otherwise, shall, whenever necessary, be appointed, held and conducted in the manner prescribed by the rules and articles of war for appointing, holding, and conducting courts martial for the trial of delinquents in the army of the United States.

SEC. 2. *And be it further enacted,* That in all cases in the militia, where an offence is punishable by stoppage of pay or by imposing a fine, limited by the amount of pay, the same shall be taken to have relation to the monthly pay existing at the time the offence was committed.

SEC. 3. *And be it further enacted,* That if any delinquent directed to be summoned to appear before a court martial for neglect or refusal to obey the orders of the President of the United States in any of the cases recited in the first, second, third and fourth sections of the act, entitled "An act to provide for calling forth the militia to execute the laws of the union, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes," passed February twenty-eighth, one thousand seven hundred and ninety-five, shall be absent when any non-commissioned officer shall call to summon him, it shall be a sufficient summoning of such delinquent if the non-commissioned officer leave a copy of the summons or a written notice thereof, signed by him, with some person of suitable age and discretion, at the usual place of abode of such delinquent, at least ten days previous to the day of appearance. And in case of the non-appearance of such delinquent, the court martial may proceed with his trial in the same manner as if he had appeared and plead not guilty to the charge exhibited against him.

SEC. 4. *And be it further enacted,* That it shall be the duty of the president of any court martial for the trial of militia if required, and upon his being duly satisfied that such testimony is material to the trial, to issue his precept, directed to any person to be summoned as a witness, commanding his or her attendance at such court to testify for or

Upon non-ap-
pearance of de-
linquent, he
may be pro-
ceeded against.

Witnesses
may be sum-
moned by presi-
dent of a court
martial.

against the person to be tried, as the case may be; and any witness having been duly summoned, and failing to appear, without a reasonable excuse, shall forfeit and pay a sum not exceeding fifty dollars, to be sued for and recovered in the name of the United States, by bill, plaint, or information, in any court of competent jurisdiction. And if any witness, when called upon for that purpose, shall refuse to testify, or shall behave with contempt to the court, or if any other person shall use any menacing words, signs or gestures, in presence thereof, or shall cause any riot or disorder therein, it shall be lawful for such court to punish every such offender by imprisonment for a term not exceeding one month at the discretion of the court.

Penalty for not attending.

May be punished for contemptuous behaviour when attending.

SEC. 5. *And be it further enacted*, That for the purpose of carrying into execution the sentence, judgment or order of any such court martial, for any of the offences specified in the last clause of the preceding section of this act, it shall be lawful for the court to issue an order to any commissioned officer of militia not below the rank of captain, commanding him to carry the same into effect by military force, whose duty it shall be to obey the same, and execute the order accordingly.

Court may issue orders for carrying the sentence in the last mentioned case into effect.

SEC. 6. *And be it further enacted*, That on the trial of delinquents, for offences not capital, by any such court martial, the deposition of witnesses taken before a justice of the peace or other person authorized to take affidavits to be read in any court of record in the state where the same shall be taken, may be read in evidence, provided the prosecutor and person accused are present at taking the same, or are duly notified thereof. And further, that the returns of captains or other commanding officers of companies, of delinquents drafted or ordered into the service of the United States, who shall have refused or neglected to enter the same sworn to as aforesaid, shall be competent evidence of the facts therein contained.

Rules of evidence.

SEC. 7. *And be it further enacted*, That if any person shall wilfully swear false before any such court martial, or in any affidavit or deposition taken as aforesaid, he or she shall be adjudged to be guilty of wilful and corrupt perjury, and shall be indicted, tried and punished accordingly, by any court of competent jurisdiction in the state where such offence shall be committed.

Deemed guilty of perjury for corrupt swearing, and punishable accordingly.

SEC. 8. *And be it further enacted*, That the militia, when called into the service of the United States by virtue of the before recited act, may, if in the opinion of the President of the United States the public interest require it, be compelled to serve for a term not exceeding six months after their arrival at the place of rendezvous, in any one year.

Time militia called into the service of the United States may be compelled to serve.

SEC. 9. *And be it further enacted*, That regimental chaplains in the militia which have been or shall be called into the service of the United States, shall receive the same monthly pay and rations as a captain of infantry, with the addition of forage for one horse; and whenever called forth into the service of the United States, division quartermasters shall be entitled to the pay, emoluments and allowances of a deputy quartermaster general; brigade quartermasters, to the pay, emolument and allowances of an assistant deputy quartermaster general; and regimental quartermasters, to the pay and emoluments of a lieutenant of infantry, and sixteen dollars per month in addition thereto, and forage for one horse; division inspectors shall be entitled to the pay, emoluments and allowances of a lieutenant colonel of infantry; brigade majors, to the pay, emoluments and allowances of a major of infantry; aids-de-camp to brigadier generals, to the pay, emoluments and allowances of a captain of infantry; with an addition of sixteen dollars per month, and forage for one horse.

Pay of chaplains, &c. &c. of militia called into service of the U. States.

SEC. 10. *And be it further enacted*, That the expenses incurred or to be incurred by marching the militia of any state or territory of the United States to their places of rendezvous, in pursuance of a requisition

How militia called into service of the U.

States are to be paid, in certain cases.

Proviso.

Muster rolls to be signed by the proper officers.

Act of May 8, 1792, ch. 33.

Commissioned officers and others may be punished for acts committed while in service, after discharge.

Continuance of this act until Feb. 17, 1816.

STATUTE II.

April 18, 1814.

Pay, &c. &c. of commissioned and warrant officers.

Bounty and allowance to ordinary seamen and marines.

Proviso.

President may authorize the augmentation of pay in certain cases.

of the President of the United States, or which shall have been or may be incurred in cases of calls made by the authority of any state or territory which shall have been or may be approved by him, shall be adjusted and paid in like manner as the expenses incurred after their arrival at such place of rendezvous, on the requisition of the President of the United States: *Provided*, That nothing herein contained shall be considered as authorizing any species of expenditure previous to arriving at the place of rendezvous, which is not provided by existing laws to be paid for after their arrival at such place of rendezvous.

SEC. 11. *And be it further enacted*, That in all cases where a brigade of militia shall be called forth for actual service, it shall be the duty of the brigade major of such brigade to inspect and muster the same, and sign the muster rolls conformably to the provisions of the act entitled "An act more effectually to provide for the national defence, by establishing a uniform militia throughout the United States." If less than a brigade be called forth, then it shall be the duty of a brigade major of the district wherein such militia may rendezvous, to inspect and muster the same, and sign the muster rolls: two musters to be made in the manner aforesaid, one on the assembling, and the other on the discharge of such militia. If there should be no brigade major in the vicinity, the commanding officer may direct any officer under the rank of lieutenant colonel, whether of the regular troops or militia, to inspect and muster the militia so called forth.

SEC. 12. *And be it further enacted*, That any commissioned officer, non-commissioned officer, musician or private of the militia of the United States, who shall have committed an offence while in the actual service of the United States, may be tried and punished for the same, although his term of service may have expired, in like manner as if he had been actually in the service of the United States.

SEC. 13. *And be it further enacted*, That this act be continued in force for and during the present war, and no longer.

APPROVED, April 18, 1814.

CHAP. LXXXIV.—*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 pay and subsistence of the respective commissioned and warrant officers be as follows: a lieutenant other than a master commandant, or lieutenant commanding a small vessel, forty dollars per month and three rations per day; a chaplain forty dollars per month and two rations per day; a sailing master forty dollars per month and two rations per day; a surgeon fifty dollars per month and two rations per day; a surgeon's mate thirty dollars per month and two rations per day; a purser forty dollars per month and two rations per day; a boatswain twenty dollars per month and two rations per day; a gunner twenty dollars per month and two rations per day; a sail-maker twenty dollars per month and two rations per day; and that the pay to be allowed to the petty officers and midshipmen, and the pay and bounty upon enlistment of the seamen, ordinary seamen, and marines, shall be fixed by the President of the United States: *Provided*, That the whole sum to be given for the whole pay aforesaid, and for the pay of officers, and that the amount of bounties upon enlistment of seamen and marines, shall not exceed for any year the amount which may, in such year, be appropriated for those purposes respectively.

SEC. 2. *And be it further enacted*, That the President be, and he is hereby authorized to make an addition, not exceeding twenty-five per cent., to the pay of the officers, petty officers, midshipmen, seamen and

marines engaged in any service, the hardships or disadvantages of which shall, in his judgment, render such an addition necessary.

APPROVED, April 18, 1814.

STATUTE II.

CHAP. LXXXV.—*An Act supplemental to an act, entitled "An act for ascertaining the titles and claims to lands in that part of Louisiana which lies east of the river Mississippi and island of New Orleans."*

April 18, 1814.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for delivering notices and the evidences of claims to lands as required by the act to which this is a supplement, be, and the same hereby is extended until the first day of September next.

See act of April 25, 1812, ch. 67.
Time extended for filing claims.

SEC. 2. *And be it further enacted, That it shall be the duty of the Commissioners appointed under the act aforesaid, to receive such evidences as to them may be offered in support of any claims which may not be embraced by said act, and to report the same, together with those referred to in the first section of this act, on or before the first day of November next, to the Commissioner of the General Land Office, to be by him laid before Congress at their next session.*

Commissioners to receive and report the evidences of claims to Commissioner of General Land-Office.

SEC. 3. *And be it further enacted, That the commissioner for the district east of Pearl river and west of the Perdido be, and he is hereby authorized and required to receive and make report as aforesaid on all claims to lands lying east of the river Tombigbee.*

Commissioner for district east of Pearl river and west of Perdido to receive evidences and make report.

APPROVED, April 18, 1814.

STATUTE II.

CHAP. LXXXVII.—*An Act to fix the compensation of the clerks employed in the offices of the Secretary of the Senate and Clerk of the House of Representatives.*

April 18, 1814.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in lieu of the annual compensations of the clerks employed in the office of the secretary of the Senate and in the office of the clerk of the House of Representatives, as now fixed by law, there shall be allowed to the principal clerk in each of said offices fifteen hundred dollars, and to each of the engrossing clerks employed in said offices twelve hundred and fifty dollars per annum, to be paid quarter-yearly out of any money in the treasury not otherwise appropriated.

[Obsoleto.]

Salaries increased.

SEC. 2. *And be it further enacted, That this act shall take effect from and after the thirty-first day of December, one thousand eight hundred and thirteen.*

APPROVED, April 18, 1814.

STATUTE II.

CHAP. XCI.—*An Act to amend the act laying duties on licenses to retailers of wines, spirituous liquors and foreign merchandise, and for other purposes.*

April 18, 1814.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That nothing contained in the first section of the act laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise, shall be construed to extend to physicians who keep on hand medicines solely for the purpose of making up their own prescriptions for their own patients, nor shall any physician, surgeon, or chemist, for vending, solely in his practice, medicines to his patients, be subjected to take out license as a retail dealer in foreign merchandise.

Repealed by act of Dec. 23, 1817, ch. 1.

Act of Aug. 2, 1813, ch. 39.

Physicians not obliged to take out licenses for retailing drugs, making up their own prescriptions.

Licenses for these purposes already given to be cancelled, and the money paid to be returned.

Upon the sale or transfer of a licensed still, the right of using it to accrue to the new proprietor.

In case of a licensed still being burnt, the duties to be returned.

Proviso.

Proviso.

The representatives of a person deceased, who had taken out a license to have the privilege of retailing,

or of using a licensed still.

Proviso.

Licensed retailers to exhibit their licenses on the demand of the collector.

Duties of a collector in case of sickness to be devolved on a deputy.

Proviso.

SEC. 2. *And be it further enacted,* That where any collector shall have required any physician, surgeon, or chemist, vending medicine exclusively to his patients in his practice, to take out license as a retail dealer in foreign merchandise, every such collector is hereby authorized and required to cancel every such license and to re-pay any money received for the same, and in every case where the money has not been received to grant a release for the same.

SEC. 3. *And be it further enacted,* That upon the sale or transfer of any licensed still or boiler, or other vessel used in distillation, the right of using the same, during the term for which such license shall remain in force, shall accrue to the new proprietor or possessor, entry of such sale or transfer having been previously made at the office of the collector for the district by the person selling or transferring the same, and the same having been endorsed on the original license.

SEC. 4. *And be it further enacted,* That in case any still, boiler, or other vessel used in distillation, shall be burnt or otherwise destroyed, the collector for the district wherein the same shall have been situate, shall be empowered, and is hereby directed, to remit such portion of the duties which may have been bonded for the license granted therefor, and shall at the time of the burning or destruction thereof, remain unpaid, as would have accrued for the time between such burning or destruction, and the expiration of the period for which such license was granted: *Provided,* That previous to such remission, the said burning or destruction shall be verified, under the oath or affirmation of the owner or superintendent of such still, boiler, or other vessel, before a judge or justice of the peace residing within the said district: *And provided,* That the said judge or justice shall endorse on said certificate his belief of the facts therein set forth, and that the burning or destruction did not arise from a fraudulent intent to defraud the revenue, and in case of such remission of duties, the license previously granted for such still, boiler, or other vessel used in distillation, shall be of no further avail.

SEC. 5. *And be it further enacted,* That in case any person or persons, to whom a license for retailing may be granted, shall die before the commencement or during the period thereof, the heirs, executors, or administrators of such person or persons shall be authorized to retail under the same; and any person to whom a license for retailing shall be granted, may, on application in writing to the collector for the district, have the same transferred to any other person in the same collection district; in which several cases it shall be the duty of the collector to endorse on the said licenses a certificate of such transfer, without which certificate this provision shall be of no avail.

SEC. 6. *And be it further enacted,* That in case any person or persons, to whom a license for employing a still in distilling spirituous liquors may be granted, shall die before the commencement or during the period thereof, the heirs, executors, or administrators of such person or persons shall be authorized to employ the same for the unexpired period of such license: *Provided,* An application previous to using the same be made in writing by the said heirs, executors, or administrators to the collector for the district, and that a certificate of such transfer be endorsed thereon by him, without which certificate this provision shall be of no avail.

SEC. 7. *And be it further enacted,* That it shall be the duty of any person to whom a license for retailing may have been granted, to produce and exhibit the same on the demand of the collector for the district made at the place of retailing, for refusing to do which said person shall forfeit the sum of one hundred dollars.

SEC. 8. *And be it further enacted,* That in case of the sickness or temporary inability of a collector to discharge such of his duties as cannot under existing laws be discharged by a deputy, they may be devolved by him on a deputy: *Provided,* Information thereof be immediately

communicated to the Commissioner of the Revenue, and the same shall be approved by him; *And provided*, That the responsibility of the collector, or his sureties, to the United States, shall not be thereby impaired.

SEC. 9. *And be it further enacted*, That in case a collector shall die, resign, or be removed, the deputy in his service, at the time immediately preceding, who shall have been longest employed by him, may and shall, until a successor is appointed, discharge all the duties of said collector.

SEC. 10. *And be it further enacted*, That all letters and packets to and from the Commissioner of the Revenue, of whatever weight, shall be received and conveyed by the mail, free of postage.

APPROVED, April 18, 1814.

Deputy to execute the duties of the office in certain other cases.

Packets of whatever weight may be franked by commissioner.

STATUTE II.

April 18, 1814.

CHAP. XCII.—*An Act making additional appropriations for the service of the year one thousand eight hundred and fourteen.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of six hundred and twenty-five thousand dollars be, and the same is hereby appropriated for the purpose of defraying the expenses which have been or may be incurred in building and equipping vessels of war on lakes Ontario and Champlain, to be paid, first, out of the balances of appropriations for the support of the navy remaining unexpended at the end of the year one thousand eight hundred and thirteen, and secondly, out of the surplus of any other appropriation which may, in the opinion of the President, be transferred to that object without injury to the public service.

SEC. 2. *And be it further enacted*, That for defraying the expense of additional clerks in the offices of the Secretary of the Treasury, Comptroller, and Auditor of the United States, the following sums, in addition to the sum already appropriated, be, and they are hereby appropriated: For the office of the Secretary of the Treasury, the sum of one thousand dollars: for the office of the Comptroller, seven hundred dollars: and for the Auditor's office, one thousand dollars; which several sums shall be paid out of any money in the treasury not otherwise appropriated.

SEC. 3. *And be it further enacted*, That in addition to the sums already appropriated to those objects, the sum of one hundred and eighty-nine thousand two hundred and ninety-one dollars be, and the same is hereby appropriated to pay the bounty, subsistence, clothing, and other expenses of the marine corps, to be paid out of any moneys in the treasury not otherwise appropriated.

SEC. 4. *And be it further enacted*, That the sum of one hundred and twenty-two thousand seven hundred dollars be appropriated for the bounty and pay of seamen for the year one thousand eight hundred and fourteen, in addition to the sum already appropriated, to be paid out of any moneys in the treasury not otherwise appropriated.

APPROVED, April 18, 1814.

Specific appropriations. Building vessels on lakes Ontario and Champlain.

Expenses of clerks.

Subsistence and clothing, &c. of marine corps.

Bounty and pay of seamen.

STATUTE II.

April 18, 1814.

CHAP. XCIII.—*An Act concerning certificates of confirmation of claims to lands in the state of Louisiana.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases where certificates of confirmation to lands lying in either of the land districts established by law in the state of Louisiana, have been issued agreeably with the provisions of the act, entitled "An act respecting claims to lands in the territories of Orleans and Louisiana," passed the third [day of] March, one thousand eight hundred and seven, and which were directed to be filed with the proper register of the land office within twelve

Regulations concerning certificates of confirmation.

Act of March 3, 1807, ch. 36.

months after date, and on claims which are included in the transcript of divisions made in favour of claimants and transmitted to the Secretary of the Treasury, the said certificates shall, in every case where the lands have not been already surveyed according to law, be by the said registers delivered to the principal deputy surveyor of the district, together with the proper descriptions of the tracts to be surveyed, wherein the quantity, locality, and connexion, when practicable with each other, shall be stated at any time after the expiration of three months from the passage of this act, (unless the claimant shall otherwise specially direct,) whose duty it shall be, under the direction of the surveyor of the lands south of Tennessee, to accurately survey the land at the expense of the United States, according to the said certificates of confirmation and description, and make general and particular plats thereof, which he shall return to the office of the proper register, together with the original certificates; and it shall be the further duty of the said surveyor to make a like return of the plats to the Commissioner of the General Land Office: *Provided*, The expense of surveying the said tracts shall not exceed that allowed by law for surveying the public lands in the said state.

Surveys to be made when necessary.

SEC. 2. *And be it further enacted*, That so soon as the said tracts of land shall have been thus surveyed, and the surveys thereof returned to the office of the proper register, together with the original certificates of the commissioners, it shall be the duty of the said register to issue certificates in favour of the claimants entitled thereto, which he shall transmit to the Commissioner of the General Land Office, and if it shall appear to the satisfaction of the said commissioner that the certificates have been fairly obtained, and correspond with the transcript heretofore transmitted to the Secretary of the Treasury, and the plats returned by the surveyors, patents shall be granted in like manner as is provided by law for the other public lands of the United States; which patents shall be transmitted by the Commissioner of the General Land Office to the proper register, to be by him delivered to the claimants entitled thereto; and the said register for delivering the certificates and descriptions of the tracts to the surveyor, making out and forwarding the returns to the General Land Office, and delivering the patents, shall be entitled to, and receive from each claimant, the sum of two dollars for such patent so delivered.

Patents to be granted upon them.

APPROVED, April 18, 1814.

STATUTE II.

RESOLUTIONS.

Dec. 27, 1813.

Resolution for the printing and distribution of an additional number of the journals of Congress, and of the documents published under their order.

Distribution of the journals of Congress and documents.

Resolved, by the Senate and House of Representatives of the United States of America, in Congress assembled, That of the public journals of the Senate and of the House of Representatives, of the present and every future congress, commencing with the present session, and of the documents published under the orders of the Senate and of the House of Representatives respectively, from the commencement of the present session, there shall be printed two hundred copies beyond the number usually printed; of which twenty-five copies shall be deposited in the library of the United States, at the seat of government, to be delivered to members of Congress during any session, and to all other persons authorized by law to use the books in the said library, upon their application to the librarian, and giving their responsible receipts for the same, in like manner as for other books. And that so many other of the said copies shall be transmitted, in like manner as the acts of congress are transmitted, to the executives of the several states and territories, as shall

be sufficient to furnish one copy to each executive, one copy to each branch of every state and territorial legislature, one copy to each university and college in each state, and one copy to the Historical Society incorporated, or which shall be incorporated, in each state: and that the residue of the said two hundred copies be deposited in the library of the United States, subject to the future disposition of Congress.

APPROVED, December 27, 1813.

STATUTE II.

II.—*Resolutions expressive of the sense of Congress of the gallant conduct of Captain Oliver H. Perry, the officers, seamen, marines and infantry acting as such, on board of his squadron.*

Jan. 6, 1814.

Resolved, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the thanks of congress be, and the same are hereby presented to Captain Oliver Hazard Perry, and through him to the officers, petty officers, seamen, marines, and infantry serving as such, attached to the squadron under his command, for the decisive and glorious victory gained on Lake Erie, on the tenth of September, in the year one thousand eight hundred and thirteen, over a British squadron of superior force.

Of the gallant conduct of Capt. Oliver H. Perry, and others.

Resolved, That the President of the United States be requested to cause gold medals to be struck, emblematical of the action between the two squadrons, and to present them to Captain Perry and Captain Jesse D. Elliott, in such manner as will be most honourable to them; and that the President be further requested to present a silver medal with suitable emblems and devices to each of the commissioned officers, either of the navy or army, serving on board, and a sword to each of the midshipmen and sailing masters who so nobly distinguished themselves on that memorable day.

Resolved, That the President of the United States be requested to present a silver medal with like emblems and devices to the nearest male relative of lieutenant John Brooks, of the marines, and a sword to the nearest male relatives of midshipmen Henry Laub and Thomas Claxton, jun., and to communicate to them the deep regret which Congress feel for the loss of those gallant men, whose names ought to live in the recollection and affection of a grateful country, and whose conduct ought to be regarded as an example to future generations.

Resolved, That three months' pay be allowed, exclusively of the common allowance, to all the petty officers, seamen, marines, and infantry serving as such, who so gloriously supported the honour of the American flag, under the orders of their gallant commander on that signal occasion.

APPROVED, January 6, 1814.

STATUTE II.

III.—*Resolution relative to the brilliant achievement of Lieutenants Burrows and M'Call.*

Jan. 6, 1814.

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 requested to present to the nearest male relative of lieutenant William Burrows, and to lieutenant Edward R. M'Call of the brig Enterprise, a gold medal with suitable emblems and devices; and a silver medal with like emblems and devices to each of the commissioned officers of the aforesaid vessel, in testimony of the high sense entertained by Congress of the gallantry and good conduct of the officers and crew in the conflict with the British sloop Boxer, on the fourth of September, in the year one thousand eight hundred and thirteen. And the Presi-

Brilliant achievement of lieutenants Burrows and M'Call.

dent is also requested to communicate to the nearest male relative of lieutenant Burrows the deep regret which Congress feel for the loss of that valuable officer, who died in the arms of victory, nobly contending for his country's rights and fame.

APPROVED, January 6, 1814.

STATUTE II.

Jan. 11, 1814.

Brilliant
achievement of
Capt. James
Lawrence.

IV.—*Resolution relative to the brilliant achievement of Captain James Lawrence, in the capture of the British vessel of war, the Peacock.*

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 requested to present to the nearest male relative of Captain James Lawrence, a gold medal, and a silver medal to each of the commissioned officers who served under him in the sloop of war Hornet, in her conflict with the British vessel of war, the Peacock, in testimony of the high sense entertained by Congress of the gallantry and good conduct of the officers and crew in the capture of that vessel; and the President is also requested to communicate to the nearest relative of Captain Lawrence the sense which Congress entertains of the loss which the naval service of the United States has since sustained in the death of that distinguished officer.

APPROVED, January 11, 1814.

STATUTE II.

Feb. 19, 1814.

A sword to be
presented to the
nearest male
relation of mid-
shipman John
Clark.

V.—*Resolution directing a sword to be presented to the nearest male relation of midshipman John Clark.*

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 requested to present a sword to the nearest male relation of midshipman John Clark, who was slain, gallantly combatting the enemy in the glorious battle gained on Lake Erie, under the command of Captain Perry, and to communicate to him the deep regret which Congress feels for the loss of that brave officer.

APPROVED, February 19, 1814.

ACTS OF THE THIRTEENTH CONGRESS

OF THE

UNITED STATES,

Passed at the third session, which was begun and held at the City of Washington, in the District of Columbia, on the nineteenth day of September, 1814, and ended on the fourth day of March, 1815.

JAMES MADISON, President of the United States; ELBRIDGE GERRY, Vice President of the United States and President of the Senate; JOHN GAILLARD, President of the Senate pro tempore, from the first of December, 1814; LANGDON CHEVES, Speaker of the House of Representatives.

STATUTE III.

CHAP. I.—*An Act further to extend the right of suffrage, and to increase the number of members of the legislative council in the Mississippi territory. (a)*

Oct. 25, 1814.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That each and every free white male person, being a citizen of the United States, who shall have attained the age of twenty-one years, and who shall have paid a county or territorial tax, and who also shall have resided one year in said territory previous to any general election, and be at the time of any such election a resident thereof, shall be entitled to vote for members of the House of Representatives, and a delegate to Congress, for the territory aforesaid: any thing in the ordinance or in any act relative to the government of said territory to the contrary notwithstanding.

Elective franchise defined.

SEC. 2. *And be it further enacted,* That the House of Representatives of the territory aforesaid be, and they hereby are authorized, to nominate eight persons, being citizens of the United States, to the President of the United States, four of whom shall be appointed members of the legislative council for said territory, in addition to the number already provided, any act or ordinance to the contrary notwithstanding.

Additional members for the legislative council to be appointed.

APPROVED, October 25, 1814.

STATUTE III.

CHAP. II.—*An Act further extending the time for locating Virginia military land warrants, and for returning the surveys thereon to the general land office. (b)*

Nov. 3, 1814.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the officers and soldiers of the Virginia line, on continental establishment, their heirs or assigns, entitled to bounty lands within the tract reserved by Virginia, between the Little Miami and Sciota rivers, for satisfying the legal bounties to her officers and soldiers upon continental establishment, shall be allowed a further term of three years, from and after the passage of this act, to ob-

Act of March 16, 1810, ch. 31. Officers and soldiers in Virginia line, on continental establishment, allowed a further time.

(a) 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, March 1, 1817, ch. 23.

(b) See notes of acts relating to the sale of public lands north-west of the river Ohio, vol. i. 464.

Proviso.

tain warrants and complete their locations, and a further term of five years, from and after the passage of this act as aforesaid, to return their surveys and warrants, or certified copies of warrants, to the general land office, any thing in any former act to the contrary notwithstanding: *Provided*, that no locations, as aforesaid within the above-mentioned tract, shall, after the passing of this act, be made on tracts of land for which patents had previously been issued, or which had been previously surveyed; and any patent which may, nevertheless, be obtained for land located contrary to the provisions of this act, shall be considered as null and void.

APPROVED, November 3, 1814.

STATUTE III.

Nov. 15, 1814.

CHAP. III.—*An Act authorizing the President of the United States to cause to be built or purchased the vessels therein described. (a)*

Vessels to be built.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in addition to the present naval establishment, the President of the United States be, and he is hereby authorized to cause to be built or purchased, manned, equipped and officered, any number of vessels, not exceeding twenty, which, in his opinion, the public service may require, to carry not less than eight, nor more than sixteen guns, each.

Appropriation.

SEC. 2. *And be it further enacted*, That for the building, or purchase, and equipping of these vessels, the sum of six hundred thousand dollars be, and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, November 15, 1814.

STATUTE III.

Nov. 15, 1814.

CHAP. IV.—*An Act to authorize a loan for a sum not exceeding three millions of dollars.*

Act of Dec. 15, 1814, ch. 12.
A loan of three millions authorized.

How the proceeds to be applied.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby authorized to borrow, on the credit of the United States, a sum not exceeding three millions of dollars, to be applied, in addition to the moneys now in the treasury, or which may be received from other sources, to defray any expenses which have been, or during the present year may be, authorized by law, and for which appropriations have been, or during the present year, may be made by law; *Provided*, That no engagement or contract shall be entered into, which shall preclude the United States from reimbursing any sum or sums thus borrowed, at any time after the expiration of twelve years from the last day of December next.

Secretary of the Treasury to cause certificates of stock to be sold for the sum to be borrowed.

An account to be laid before Congress of the rate, &c.

To appoint an agent or agents for obtaining

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury, with the approbation of the President of the United States, be, and he is hereby authorized, to cause to be constituted certificates of stock, signed by the register of the treasury, or by a commissioner of loans, for the sum to be borrowed by this act, or for any part thereof, and the same to be sold. And the Secretary of the Treasury shall lay before Congress an account of all the moneys obtained by the sale of the certificates of stock in manner aforesaid, together with the statement of the rate at which the same may have been sold.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby authorized, with the approbation of the President of the United States, to employ an agent or agents, for the purpose of

(a) Repealed by act of Feb. 27, 1815, ch. 62.

obtaining subscriptions to the loan authorized by this act, or of selling any part of the stock to be created by virtue thereof. A commission not exceeding one quarter of one per cent. on the amount thus sold, or for which subscriptions shall have been thus obtained, may, by the Secretary of the Treasury, be allowed to such agent or agents; and a sum not exceeding nine thousand dollars, to be paid out of any moneys in the treasury not otherwise appropriated, is hereby appropriated for paying the amount of such commission or commissions as may be thus allowed, and also for defraying the expenses of printing, and issuing the subscription certificates and certificates of stock, and other expenses, incident to the completing of the loan authorized by this act.

SEC. 4. *And be it further enacted,* That it shall be lawful to receive in payment of any loan obtained under this act, or under any other act of Congress authorizing a loan, treasury notes which have been issued according to law, and which shall become due and payable on or before the first day of January next, at the par value of such treasury notes, together with the interest thereon accrued, at the time of the payment on account of the loan.

SEC. 5. *And be it further enacted,* That so much of the funds constituting the annual appropriation of eight millions of dollars, for the payment of the principal and interest of the public debt of the United States as may be wanted for that purpose, after satisfying the sums necessary for the payment of the interest and such part of the principal of said debt, as the United States are now pledged annually to pay or reimburse, is hereby pledged and appropriated for the payment of the interest, and for the reimbursement of the principal of the stock which may be created by virtue of this act. It shall accordingly be the duty of the commissioners of the sinking fund, to cause to be applied and paid out of the said fund, yearly, such sum and sums as may be annually wanted to discharge the interest accruing on the said stock, and to reimburse the principal, as the same shall become due, and may be discharged in conformity with the terms of the loan; and they are further authorized to apply, from time to time, such sum or sums out of the said fund, as they may think proper, towards redeeming, by purchase, and at a price not above par, the principal of the said stock, or any part thereof.

SEC. 6. *And be it further enacted,* That in addition to the annual sum of eight millions of dollars, heretofore appropriated to the sinking fund, adequate and permanent funds shall during the present session of Congress, be provided and appropriated, for the payment of the interest and reimbursement of the principal of said stock created by this act.

SEC. 7. *And be it further enacted,* That an adequate and permanent sinking fund, gradually to reduce and eventually to extinguish the public debt, contracted and to be contracted during the present war, shall also be established during the present session of Congress.

SEC. 8. *And be it further enacted,* That it shall be lawful for any of the banks in the District of Columbia, to lend any part of the sum authorized to be borrowed by virtue of this act, any thing in any of their charters to the contrary notwithstanding.

APPROVED, November 15, 1814.

subscriptions or selling the stock.

Commission to be paid for the service

Treasury notes due before January receivable in payment of this or any other loan.

Fund appropriated for the payment of interest and reimbursement of principal of stock created by virtue of this act.

Duty of commissioners of sinking fund, accordingly.

Permanent funds to be provided and appropriated, in addition to the sum already appropriated to the sinking fund.

An adequate sinking fund for paying the war debt to be created.

Banks in District of Columbia authorized to contribute to the loan.

STATUTE III.

Nov. 21, 1814.

CHAP. VI.—*An Act to authorize the publication of the laws of the United States within the territories of the United States.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary for the Department of State be, and he is hereby authorized to cause the laws of the United States, passed, or to be passed, during the present or any future session of Congress, to be published in two of the public newspapers

Laws of the United States to be published in each and every territory of the United States.

within each and every territory of the United States:—*Provided*, in his opinion, it shall become necessary and expedient.

APPROVED, November 21, 1814.

STATUTE III.

Nov. 22, 1814.

[Obsolete.]

The Secretary of the Treasury to appoint a clerk, &c.

CHAP. VII.—*An Act authorizing the Secretary of the Treasury to appoint a clerk in the office of the commissioner of the revenue, with power to sign licenses.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the head of the treasury department shall be, and he is hereby authorized, from time to time, as may be requisite, to designate a clerk in the office of the commissioner of the revenue, to assist in the signing of the licenses issuing from that office; and the clerk so designated shall have power to sign his own name to such licenses; which signature shall be as valid as that of the said commissioner of the revenue.

APPROVED, November 22, 1814.

STATUTE III.

Dec. 1, 1814.

[Expired.]

Secretary of State may give an additional allowance for bringing home destitute seamen.

Former claims to be adjusted and settled, as he may deem reasonable.

Continuance of this act.

CHAP. VIII.—*An Act authorizing the Secretary of State, during the continuance of the present war, to make an additional allowance to the owners and masters of vessels, for bringing back to the United States, destitute and distressed American seamen.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That during the continuance of the present war, the Secretary of State be, and he is hereby authorized, in addition to the sum of ten dollars, at present allowed by law for returning destitute American seamen to the United States, to allow such additional compensation as he may deem reasonable, to be paid out of the sum annually appropriated for the relief of destitute American seamen.

SEC. 2. *And be it further enacted*, That the Secretary of State be, and he is hereby authorized, to adjust and settle such claims as may have been exhibited at the Department of State, for returning destitute American seamen to the United States, and to allow, in addition to the ten dollars at present allowed by law, such additional compensation as he may deem reasonable, and to pay the same out of the fund appropriated for the relief of destitute American seamen.

SEC. 3. *And be it further enacted*, That this act shall continue and be in force during the continuance of the present war between the United States and Great Britain, and for one year thereafter.

APPROVED, December 1, 1814.

STATUTE III.

Dec. 10, 1814.

[Repealed.]

Act of March 3, 1815, ch. 78. Recruits authorized of able-bodied men between the ages of eighteen and fifty.

CHAP. X.—*An Act making further provision for filling the ranks of the army of the United States.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the passing of this act, each and every commissioned officer who shall be employed in the recruiting service, shall be, and he hereby is authorized to enlist into the army of the United States, any free effective able-bodied man, between the ages of eighteen and fifty years; which enlistment shall be absolute and binding upon all persons under the age of twenty-one years, as well as upon persons of full age, such recruiting officer having complied with all the requisitions of the laws regulating the recruiting service.

SEC. 2. *And be it further enacted*, That it shall not be lawful for any

recruiting officer to pay or deliver to a recruit under the age of twenty-one years, to be enlisted by virtue of this act, any bounty or clothing, or in any manner restrain him of his liberty, until after the expiration of four days, from the time of his enlistment; and it shall be lawful for the said recruit at any time during the said four days, to reconsider and withdraw his enlistment, and thereupon he shall forthwith be discharged and exonerated from the same.

SEC. 3. *And be it further enacted*, That so much of the fifth section of the act passed the twentieth day of January, one thousand eight hundred and thirteen, entitled "An act supplementary to the act, entitled 'An act for the more perfect organization of the army of the United States'" as requires the consent, in writing, of the parent, guardian, or master, to authorize the enlistment of persons under the age of twenty-one years, shall be, and the same is hereby repealed; *Provided however*, That in case of the enlistment of any person held to service as an apprentice, under the provisions of this act, whenever such person, at the time of his enlistment, shall be held by his indenture to serve for any term between two and three years, his master shall be entitled to receive one half of the money bounty; if held, in like manner, to serve between one and two years, the master shall be entitled to receive one-third of the money bounty as aforesaid; and if held, in like manner, to serve one year or less, the master shall be entitled to receive one-fourth of the money bounty as aforesaid.

SEC. 4. *And be it further enacted*, That in lieu of the bounty of one hundred and sixty acres of land, now allowed by law, there shall be allowed to each non-commissioned officer and soldier, hereafter enlisted, when discharged from service, who shall have obtained from the commanding officer of his company, battalion, or regiment, a certificate that he had faithfully performed his duty whilst in service, three hundred and twenty acres of land, to be surveyed, laid off, and granted under the same regulations and in every respect in the manner now prescribed by law; and the widow and children, and if there be no widow nor child, the parents of every non-commissioned officer and soldier, enlisted according to law, who may be killed or die in the service of the United States, shall be entitled to receive the three hundred and twenty acres of land as aforesaid; but the same shall not pass to collateral relations, any law heretofore passed to the contrary notwithstanding.

SEC. 5. *And be it further enacted*, That any person subject to militia duty, who shall, according to law, furnish a recruit for the army of the United States, at his own expense, to serve during the war, shall thereafter be exempt from militia duty during the war; and every recruit thus furnished, shall be delivered to some recruiting officer of the United States, who shall immediately grant his receipt for such recruit, to the person furnishing him, and shall forthwith report the same to the Department of War, and shall specify in the report the name of such person, and his place of residence, as well as the name and description of the recruit, whereupon it shall be the duty of the Secretary for the Department of War to grant to the person furnishing such recruit a certificate of exemption from militia duty during the war, upon calls made upon authority of the United States, which certificate shall be good and available to all intents and purposes for that object; and every recruit thus furnished shall be entitled to the bounty in land, in the same manner, and upon the same conditions, as the other recruits in the army of the United States.

APPROVED, December 10, 1814.

Four probationary days allowed to young recruits before receiving the bounty.

Part of former laws requiring the consent of parents, &c. repealed.

Act of Jan. 20, 1813, ch. 12.

Proviso.

Land bounty changed, and to be given to recruits upon their discharge.

Persons furnishing recruits for the war, exempted from militia duty.

STATUTE III.
Dec. 10, 1814.

CHAP. XI.—*An Act supplementary to an act, laying duties on notes of banks, bankers, and certain companies, on notes, bonds, and obligations, discounted by banks, bankers, and certain companies, and on bills of exchange of certain descriptions. (a)*

Act of Aug. 2, 1813, ch. 53.
Secretary of the Treasury may make a composition with private bankers in lieu of stamp duty.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in respect to the stamp duties of any of the notes of private bankers which are subject by law to such duties, it shall be lawful for the Secretary of the Treasury to agree to an annual composition, in lieu thereof, with any of the said private bankers, at the rate of one and a half per centum on the amount of the annual profit made by such private bankers respectively, upon the capital employed in the business of their respective banks, to be ascertained as is hereinafter provided.

Statements to be made by private bankers, and after verified by oath or affirmation.

SEC. 2. *And be it further enacted, That every private banker, who shall be desirous to enter into the composition aforesaid, shall, at the time of proposing the same, transmit to the Secretary of the Treasury a statement, verified by his own oath or affirmation, and that of his cashier, or principal clerk, of the amount of the capital employed, or to be employed in his bank, and the charges and expenses of conducting the business thereof, in such detail as shall be satisfactory to the Secretary of the Treasury. And every private banker, after entering into such composition, shall keep a weekly account of his discounts, issues of bank notes, and deposits, and shall, once in every month, transmit to the Secretary of the Treasury a transcript thereof, verified by oath or affirmation as aforesaid, and he shall also, half yearly, make and transmit to the Secretary of the Treasury a statement of the profits of his bank for the preceding half year, verified as aforesaid.*

Mode of ascertaining profits in order to a composition with the banks.

SEC. 3. *And be it further enacted, That for the purpose of carrying such compositions into effect, the Secretary of the Treasury may, from time to time, estimate the profits of the said private bankers respectively, either according to the amount of the capital by them respectively stated to be employed in the business of their respective banks as aforesaid, and the half-yearly profits by them respectively stated to be actually made thereon as aforesaid, or according to the amount of the capital, which, upon the general principle and practice of banking, would be requisite and proper for conducting the business of a bank, to the extent appearing upon the said monthly returns of the said private bankers respectively, and the usual profits made upon such capital. And the said private bankers, respectively, shall pay to the collector of internal duties for the district wherein their banks respectively are established, for the use of the United States, a composition in lieu of the said stamp duties, at the rate of one and a half per centum on the profits of their respective banks, estimated and ascertained in either of the modes aforesaid.*

APPROVED, December 10, 1814.

STATUTE III.

Dec. 15, 1814.

CHAP. XII.—*An Act to provide additional revenues for defraying the expenses of government, and maintaining the public credit, by duties on carriages, and the harness used therefor. (a)*

Duties on carriages.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from the last day of December instant, there shall be paid the following yearly rates and duties upon every carriage, with the harness used therefor, kept for use, which shall not be exclusively employed in husbandry, or for the transportation of goods, according to the following valuations, to wit:

Specific rates of duties.

If not exceeding fifty dollars, one dollar.

(a) Repealed by act of Dec. 23, 1817, ch. 1.

Specific duties.

If above fifty and not exceeding one hundred dollars, two dollars.
 If above one hundred and not exceeding two hundred dollars, four dollars.

If above two hundred and not exceeding three hundred, seven dollars.

If above three hundred and not exceeding four hundred, eleven dollars.

If above four hundred and not exceeding five hundred, sixteen dollars.

If above five hundred and not exceeding six hundred, twenty-two dollars.

If above six hundred dollars and not exceeding eight hundred dollars, thirty dollars.

If above eight hundred dollars and not exceeding one thousand dollars, forty dollars.

If above one thousand dollars, fifty dollars; which valuations shall be made agreeably to the existing condition of the carriage and harness at the time of making the first entry thereof, in conformity to the provisions of this act, and shall not be changed in relation to any carriage and harness while subject to the duties imposed by this act.

SEC. 2. *And be it further enacted,* That every person having or keeping such carriage, shall, yearly, in the month of January, make and subscribe a true and exact entry thereof, describing the same, and stating its denomination and the number of its wheels, together with its value, and that of the harness used therefor, as aforesaid; which entry shall be lodged with the collector appointed by virtue of the act, entitled "An act for the assessment and collection of direct taxes and internal duties," for the district in which the person liable for the payment of such duty may reside.—And it shall be the duty of the collectors aforesaid, to attend within the month of January, in each year, at three or more of the most public and convenient places in each county, within their respective districts, and to give public notice, at least ten days previous to such day, of the time and place of such attendance, and to receive such entry made in the manner before directed, at such place, or at any other, where they may happen to be within the said month of January; within which said month, the duties shall be paid agreeably thereto, and on the payment thereof, to grant a certificate for each carriage mentioned in such entry, therein specifying the name of the owner, the description and denomination of the carriage, and the sum paid with the time when, and the period for which such duty shall be so paid; and the forms of the certificates, to be so granted, shall be prescribed by the Treasury department, and such certificates, or the acknowledgments of the collector aforesaid, by a credit in his public accounts, shall be the only evidence to be exhibited and admitted, that any duty imposed by this act has been discharged: *Provided nevertheless,* That no certificate shall be deemed of validity any longer than while the carriage for which the said certificate was granted, is owned by the person mentioned in such certificate, unless such certificate shall be produced to a collector; and an entry shall be thereon made by him, specifying the name of the then owner of such carriage, and the time when he or she became possessed of the same.

Time limited for entering carriages.

Act of July 22, 1813, ch. 16.

Proviso.

Carriages to be entered for a part of the year.

SEC. 3. *And be it further enacted,* That any person who, after the month of December, in any year, shall commence the having or keeping of any carriage subject to duty, shall and may, at any time during thirty days after he shall so commence the having or keeping of such carriage, make like entry and payment in manner before prescribed; and on payment of such proportion of the duty laid by this act on such carriage, and the harness used therefor, as the time from which he shall commence the keeping of such carriage to the end of the month of

December then next ensuing, shall bear to the whole year, shall be entitled to and may demand like certificates, subject, nevertheless, to the conditions before and hereinafter provided.

Penalties for making untrue or fraudulent entries.

SEC. 4. *And be it further enacted*, That any person having or keeping any carriage subject to duty, who shall make an untrue or defective entry, to evade the whole or any part of the duty justly and truly payable according to this act, shall lose the sum paid pursuant to such untrue or defective entry; and where such untrue or defective entry hath been made, or where no entry shall be made, or where there shall be a neglect of payment after entry, such person shall moreover, in addition thereto, at any time thereafter, on personal application and demand at the house, dwelling, or usual place of abode of such person, by the proper collector, be liable and shall pay the duty by this act imposed, with a further sum double the amount thereof, one moiety of which last sum shall be to the use of the United States, and the other moiety thereof to the use of the person, who, if a collector, shall first discover, if other than a collector, shall first inform in such case; which duty, with the said addition, shall be collected by distress and sale of the goods and chattels of the person by whom the same shall be due. And in every case where the owner of a carriage shall fail to enter the same in conformity to the provisions of this act, the collector shall have power, and he is hereby authorized, to determine the class to which such carriage belongs, and to fix the duty payable on the same.

And for neglect.

Certificates where the duties are collected.

SEC. 5. *And be it further enacted*, That in all cases where any duty shall be collected pursuant to this act, whether by distress or otherwise, certificates shall be granted for each carriage in manner as before prescribed.

Proof necessary to entitle carriages to exemption from tax.

SEC. 6. *And be it further enacted*, That in case a question shall arise in the execution of this act, whether a carriage is exclusively employed in husbandry, or for the transportation of goods, such carriage shall be deemed not to be so employed, unless proof to the contrary be adduced by the owner or keeper thereof.

Deficient entries to be corrected.

Act of July 24, 1813, ch. 24.

SEC. 7. *And be it further enacted*, That in case any entry of a carriage may have been made under the "Act laying duties on carriages for the conveyance of persons," passed July twenty-fourth, one thousand eight hundred and thirteen, for a period extending beyond the first day of January next, it shall be the duty of the owner or keeper thereof, notwithstanding, to render the entry required by the second section of this act, to the proper collector, and to pay to him such sum as, with any duty previously paid, shall amount to the whole duty payable according to this act on such carriage, and the harness used therefor, subject, in case of neglect or failure, to a proportionate part of the penalty imposed in the fourth section of this act, which payment shall be endorsed on any certificate which may have been granted.

Penalty.

Assessors to report lists of carriages.

SEC. 8. *And be it further enacted*, That whenever hereafter there shall be a general assessment made throughout the United States, it shall be the duty of the principal assessor in each collection district, agreeably to instructions to be given by the Secretary of the Treasury, to cause a list of carriages, liable to duty, with the valuations thereof, as fixed in this act, to be made out and delivered to the collector for such district, according to which valuations, so far as the same may apply, the duties hereby imposed shall be thereafter assessed and collected: *Provided*, That the owner or keeper of a carriage liable to duty, shall not be thereby released from the obligation to make the entry hereby required to be made: *And provided further*, That carriages that are not contained in said list, shall be also liable to duty.

Proviso.

Provisions of former acts to apply under this.

SEC. 9. *And be it further enacted*, That the several provisions of "An act making further provision for the collection of internal duties, and for the appointment and compensation of assessors," passed the second

day of August, one thousand eight hundred and thirteen, shall, and are hereby declared to apply in full force to the duties laid by, and to be collected under this act, the same as if such duties and this act were recognised therein, which said duties shall be collected by the same collectors, in the same manner, for the same commissions, and under the same directions as are thereby established in relation to the other internal duties; and all the obligations, duties, and penalties, thereby imposed upon collectors, are hereby imposed upon the collectors of the duties laid by this act.

SEC. 10. *And be it further enacted*, That towards establishing an adequate revenue to provide for the payment of the expenses of government, for the punctual payment of the public debt, principal and interest, contracted and to be contracted, according to the terms of the contracts respectively, and for creating an adequate sinking fund, gradually to reduce and eventually to extinguish the public debt, contracted and to be contracted, the internal duties laid and imposed by this act, (and those laid and imposed by the "Act laying duties on carriages for the conveyance of persons," passed twenty-fourth July, one thousand eight hundred and thirteen, so far as the same are not hereby abolished,) shall be laid, levied, and collected, during the present war between the United States and Great Britain, and until the purposes aforesaid shall be completely accomplished, any thing in any act of Congress to the contrary thereof in any wise notwithstanding. And for effectual application of the revenue to be raised by and from the said internal duties to the purposes aforesaid, in due form of law, the faith of the United States is hereby pledged; *Provided always*, That whenever Congress shall deem it expedient to alter, reduce, or change the said internal duties, or any or either of them, it shall be lawful so to do, upon providing and substituting by law, at the same time, and for the same purposes, other duties which shall be equally productive with the duties so altered, reduced, or changed: And, *Provided further*, that nothing in this act contained shall be deemed or construed in any wise to rescind or impair any specific appropriation of the said duties, or any or either of them, heretofore made by law, but such appropriation shall remain and be carried into effect according to the true intent and meaning of the laws making the same, any thing in this act to the contrary thereof in any wise notwithstanding.

SEC. 11: *And be it further enacted*, That the "Act laying duties on carriages for the conveyance of persons," passed July twenty-fourth, one thousand eight hundred and thirteen, shall cease after the thirty-first day of December, one thousand eight hundred and fourteen, except so far as the same may apply to the collection of duties which may have previously accrued, and except so far as entries may have been made or duties paid under the same, as contemplated in the seventh section of this act: *Provided*, That all fines, penalties, and forfeitures, which have been or may be incurred under the said act, shall be recovered and distributed, and may be mitigated or remitted, in like manner as if the said act had continued in full force and virtue.

APPROVED, December 15, 1814.

Act of Aug. 2, 1813, ch. 56.

Revenues arising under this act applied to payment of expenses incurred during present war.

Act of July 24, 1813, ch. 24.

If withdrawn, other adequate revenues substituted.

Proviso.

Former acts repealed; except as they are conformable with this.

Act of July 24, 1813, ch. 24.

Proviso.

STATUTE III.

CHAP. XIII.—*An Act directing the staff officers of the army to comply with the requisitions of naval and marine officers, in certain cases.*

Dec. 15, 1814.

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 several officers of the staff of the army of the United States to provide the officers, seamen, and marines of the navy of the United States, when acting, or proceeding to act on shore, in co-operation with the land troops upon the requisition of the commanding naval or marine officer of any such detachment of seamen or marines, under orders to act as

[Obsolete.]

aforsaid, with rations, also the officers and seamen with camp equipage, according to the relative rank and station of each, and the military regulations in like cases, together with the necessary transportation, as well for the men, as for their baggage, provisions, and cannon: *Provided nevertheless*, That the contract price of the rations which may be furnished, shall be reimbursed out of the appropriations for the support of the navy.

Proviso.

Naval officers while co-operating with land-forces, to have certain supplies.

SEC. 2. *And be it further enacted*, That the respective quartermasters of the army shall, upon the requisition of the commanding naval officer of any such detachment of seamen or marines, furnish the said officer and his necessary aids with horses, accoutrements, and forage, during the time they may be employed in co-operating with the land troops as aforesaid.

APPROVED, December 15, 1814.

STATUTE III.

Dec. 15, 1814.

[Obsolete.]

CHAP. XIV.—*An Act making additional appropriations for the service of the year one thousand eight hundred and fourteen.*

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 during the year eighteen hundred and fourteen, in addition to the sums heretofore appropriated by law to that object, the following sums be, and they are hereby appropriated, that is to say:

For the pay of the army, five hundred thousand dollars.

For the subsistence of the army, one million of dollars.

For the quartermaster's department, five hundred thousand dollars.

For the ordnance department, five hundred thousand dollars.

For clothing, five hundred thousand dollars.

SEC. 2. *And be it further enacted*, That the following sums be appropriated for the purposes herein recited, that is to say:

For defraying the compensation granted by law to the members of the Senate and House of Representatives, their officers and attendants, during the year one thousand eight hundred and fourteen, in addition to the sum heretofore appropriated for that purpose, the sum of fifty thousand dollars.

For defraying the contingent expenses of the Senate of the United States, during the year one thousand eight hundred and fourteen, the sum of five thousand dollars, in addition to the sum heretofore appropriated.

For defraying the contingent expenses of the House of Representatives, during the year one thousand eight hundred and fourteen, the sum of ten thousand dollars, in addition to the sum heretofore appropriated.

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

APPROVED, December 15, 1814.

STATUTE III.

Dec. 21, 1814.

CHAP. XV.—*An Act to provide additional revenues for defraying the expenses of government and maintaining the public credit, by laying duties on spirits distilled within the United States, and territories thereof, and by amending the act laying duties on licenses to distillers of spirituous liquors. (a)*

Excise duties upon spirits. Act of April 19, 1816, ch. 58.

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 February next, there shall be paid upon all spirits, unless herein after specially excepted, which, after the said day, shall be distilled within

(a) Repealed by act of Dec. 23, 1817, ch. 1.

the United States or territories thereof, in any still or stills, or in any other vessel, or by the aid of any boiler, as defined in the act, entitled "An act laying duties on licenses to distillers of spirituous liquors," in addition to the duties payable for licenses therefor, the duties following, that is to say: for every gallon of such spirits distilled wholly or in part from foreign materials, twenty cents; and for every gallon of such spirits distilled from domestic materials, twenty cents; which said duties shall be paid by the owner, agent, or superintendent, of the still or other vessel in which the said spirits shall have been distilled: the amount thereof payable by any one person at any one time, if not exceeding ten dollars, shall, and if exceeding ten dollars, may, be paid in money, with a deduction of two per centum, at the time of rendering the accounts of spirits so chargeable with duty, required to be rendered by the second section of this act, or without deduction at the next subsequent time prescribed for rendering such accounts.

Act of July
24, 1813, ch. 25.

SEC. 2. *And be it further enacted,* That every person who, on the first day of February next, shall be the owner, of any still or boiler, or other vessel, used or intended to be used for the purpose of distilling spirituous liquors, or who shall have such still or boiler, or other vessel, under his superintendance, either as agent for the owner, or on his own account, shall, before the said day, and every person who, after the said day, shall use, or intend to use, any still or boiler, or other vessel, as aforesaid, either as owner, agent, or otherwise, shall, before he shall begin so to use, or cause the same so to be used, give bond in such sum as shall be prescribed by the Treasury Department, with at least two sureties, to the satisfaction of the collector of internal duties for the district in which the same shall be situate, in a sum not less than the computed duties for one year, nor less than one thousand dollars, that he will, before using or causing the same to be used, make true and exact entry and report in writing, to the said collector, of every such still or boiler, or other vessel owned or superintended by him, with the capacity thereof, the names of the owner, agent, and superintendent, the place where situate, and whether intended to be employed on foreign or domestic materials, with the quantity of domestic spirits in gallons, which he may have on hand: that he will thereafter, before using or causing the same to be used, make like entry and report, of any other still or boiler, or other vessel, used or intended to be used for distillation, that he may own, or have the agency or superintendance of, with the capacity thereof, the names of the owner, agent, and superintendent, the place where situate, and whether intended to be employed on foreign or domestic materials, with information, from time to time, of any change in the form, capacity, agency, ownership, or superintendance, which all or either of the said stills or boilers, or other vessels, may undergo: that he will, from day to day, enter or cause to be entered, in a book to be kept by him for that purpose, and which shall be open at all times, between the rising and setting of the sun, for the inspection of the said collector, who may take any minutes, memorandums, or transcripts, thereof, the number of gallons of spirits distilled, keeping separate accounts of the spirits distilled from foreign and domestic materials; and will render to the said collector, on the first days of January, April, July and October, in each year, or within ten days thereafter, a general account in writing, taken from his books, of the number of gallons of each kind of spirits distilled for three months preceding said days, or for such portion thereof as may have elapsed from the date of said entry and report to the said day which shall next ensue: that he will at the said times deliver to the said collector the original book of entries, which book shall be retained by said officer: that he will verify, or cause to be verified, the said entries, reports, books, and general accounts, on oath or affirmation, to be taken before the collector, or some officer authorized by the laws of the state

Distillers to
give bonds that
they will make
due entries and
reports of their
stills and boiler-
s, and per-
form certain
other acts.

Conditions of
the bond to be
given by distil-
lers.

to administer the same, according to the form required by this act, where the same is prescribed; and that he will pay to the said collector the duties which by this act ought to be paid on the spirits so distilled, and in the said account mentioned, if not exceeding ten dollars, at the time of rendering an account thereof, with a deduction of two per centum, and if exceeding ten dollars, either at said time with a like deduction, or at the next subsequent time prescribed for rendering such accounts without deduction; and the said bond may, from time to time, at the discretion of the collector, be renewed or changed in regard to the sureties and penalties thereof.

Entries to be verified by the oaths of the parties making them.

SEC. 3. *And be it further enacted*, That the entries made in the books of the distiller, required to be kept by the second section of this act, shall, on the said first days of January, April, July, and October, or within ten days thereafter, be verified by the oath or affirmation, to be taken as aforesaid, of the person or persons by whom such entries shall have been made, which qualification shall be certified at the end of such entries, by the collector, or officer administering the same, and shall be in substance as follows: "I do swear (or affirm) that the foregoing entries were made by me on the respective days specified, and that they state, according to the best of my knowledge and belief, the whole quantity of spirits distilled at the distillery, owned by _____ in the county of _____, amounting to _____ gallons distilled from domestic materials, and _____ gallons distilled from foreign materials."

Oaths of the owners of stills to be subjoined in certain cases to the entries made.

SEC. 4. *And be it further enacted*, That the owner, agent, or superintendent aforesaid, shall, in case the original entries required to be made in his books by the second section of this act shall not be made by himself, subjoin to the oath or affirmation of the person by whom they were made, the following oath or affirmation to be taken as aforesaid: "I do swear (or affirm) that, to the best of my knowledge and belief, the foregoing entries are just and true, and that I have taken all the means in my power to make them so."

Delinquents amerced in ten per cent. damage, and their property may be distressed for the full amount.

SEC. 5. *And be it further enacted*, That in all cases in which the duties aforesaid, payable on spirits, shall not be duly paid, the person or persons chargeable therewith, shall pay, in addition, ten per centum on the amount thereof; and in case such duties, with said addition, shall not be paid within three months from the time the said duties ought to be paid, the collector for the district shall make a personal demand of the same from such person or persons, or by notice in writing, left at his or her dwelling, if within the collection district, and, if not, at the distillery owned or superintended by such person or persons; and in case of refusal or neglect to pay the said duties, with the addition, within ten days after such demand or notice, the amount thereof shall be recovered by distress and sale of the goods, chattels, and effects of the delinquent; and in case of such distress, it shall be the duty of the officer charged with the collection, to make or cause to be made, an account of the goods or chattels which may be distrained, a copy of which, signed by the officer making such distress, shall be left with the owner or possessor of such goods, chattels, or effects, or at his or her dwelling, with a note of the sum demanded, and the time and place of sale; and the said officer shall forthwith cause a notification to be publicly posted up at two of the taverns nearest to the residence of the person whose property shall be distrained, or at the courthouse of the same county, if not more than ten miles distant, which notice shall specify the articles distrained, and the time and place proposed for the sale thereof, which time shall not be less than ten days from the date of such notification, and the place proposed for sale not more than five miles distant from the place of making such distress: *Provided*, That in any case of distress for the payment of the duties aforesaid, the goods, chattels, or effects, so distrained, shall and may be restored to the owner or possessor, if, prior to the sale thereof, payment

Proviso.

or tender thereof shall be made to the proper officer charged with the collection, of the full amount demanded, together with such fee for levying, and such sum for the necessary and reasonable expenses of removing and keeping the goods, chattels, or effects, so distrained, as may be allowed in like cases by the laws or practice of the state or territory wherein the distress shall have been made; but in case of non-payment or tender as aforesaid, the said officer shall proceed to sell the said goods, chattels or effects, at public auction, and shall and may retain from the proceeds of such sales, the amount demandable for the use of the United States, with the said necessary and reasonable expenses of distress and sale, as aforesaid, and a commission of five per centum thereon for his own use, rendering the overplus, if any there be, to the person whose goods, chattels, or effects shall have been distrained: *Provided*, That it shall not be lawful to make distress of the tools or implements of a trade or profession, beasts of the plough necessary for the cultivation of improved lands, arms, or necessary household furniture, and apparel for a family.

SEC. 6. *And be it further enacted*, That all spirits which shall be distilled within the United States or territories thereof, the duties on which shall not have been duly paid or secured, according to the true intent and meaning of this act, shall be forfeited, and may be seized as forfeited by any collector of the internal duties; *Provided always*, That such spirits shall not be liable to seizure and forfeiture in the hands of a bona fide purchaser, without notice of the duties not being paid, or secured to be paid.

SEC. 7. *And be it further enacted*, That the owner, agent, or superintendent, of any still, boiler or other vessel, used in the distillation of spirits, who shall neglect or refuse to make true and exact entry and report of the same or to do or cause to be done any of the things by this act required to be done as aforesaid, excepting to pay the duties hereby laid in cases where the bond required by the second section of this act has been given, shall forfeit, for every such neglect or refusal, all the spirits distilled by or for him, and the stills, boilers, and other vessels, used in distillation, together with the sum of one thousand dollars, to be recovered with costs of suit, which said spirits, with the vessels containing the same, and stills, boilers, and other vessels used in distillation, may be seized by any collector of the internal duties, and held by him until a decision shall be had thereon, according to law: *Provided*, Such seizure be made within three months after the cause for the same may have occurred, and that a prosecution or action thereupon shall have been commenced by such collector, within twenty days after the seizure thereof.

SEC. 8. *And be it further enacted*, That in case the duties aforesaid shall not be paid or recovered agreeably to the provisions of this act, or in case any acts shall be done contrary to, or any acts omitted, that are required to be done by the bond to be given as aforesaid, or the penalties incurred thereby shall not be recovered, the said bond shall be deemed forfeited, and shall be put in suit by the collector, for the recovery of the amount of the said duties, with the addition thereon, penalties, and costs, or either, as the case may be; and judgment thereon shall and may be taken at the return term, on motion to be made in open court, unless sufficient cause to the contrary be shown to, and allowed by the court: *Provided*, That the writ or process in such case shall have been executed at least fourteen days before the return day thereof.

SEC. 9. *And be it further enacted*, That if any person shall forcibly obstruct or hinder a collector in the execution of this act, or of any of the powers or authorities hereby vested in him, or shall forcibly rescue, or cause to be rescued, any spirits, still, boiler, or other vessel, after the same shall have been seized by him, or shall attempt or endeavour so to do, the person so offending shall, for every such offence, forfeit and pay the sum of five hundred dollars.

Proviso.

Spirits distilled within the United States upon which the duties have not been paid, to be forfeited.

Spirits distilled to be forfeited for violations of this law.

Proviso.

Bonds to be deemed forfeited in case their conditions are not fulfilled.

Penalties for obstructing the execution of this act, or rescuing property seized under it.

Collectors may enter distilleries at stated periods.

SEC. 10. *And be it further enacted,* That a collector shall be authorized to enter, at any time between the rising and setting of the sun, any distillery or place where any stills, boilers, or other vessels used in distillation, are kept within his collection district, for the purpose of examining and measuring the same, and the other vessels therein, or of inspecting the accounts of spirits from time to time distilled. And every owner of such distillery, or stills, or boilers, or other vessels, or persons having the agency or superintendence of the same, who shall refuse to admit such officer, or to suffer him to examine and measure the same, or to inspect said accounts, shall for every such refusal forfeit and pay the sum of five hundred dollars.

False swearing to be considered as amounting to wilful and corrupt perjury.

SEC. 11. *And be it further enacted,* That any person who shall be convicted of wilfully taking a false oath or affirmation, in any of the cases in which an oath or affirmation is required to be taken in virtue of this act, shall be liable to the pains and penalties to which persons are liable for wilful and corrupt perjury; and shall, moreover, forfeit the sum of five hundred dollars.

Refusing or non-complying distillers not entitled to licenses.

SEC. 12. *And be it further enacted,* That no person who shall have refused or neglected to comply with the provisions of this act, shall be entitled, while such refusal or neglect continues, to receive a license for employing, in distillation, any still, or boiler, or other vessel, or shall be entitled to credit for any duties on spirits that may have accrued.

Receipts to be given by collectors.

SEC. 13. *And be it further enacted,* That every collector shall give receipts for all sums by him collected under this act.

Bonds in certain cases to be surrendered to the obligors.

SEC. 14. *And be it further enacted,* That if it shall appear to the satisfaction of the collector for the district, that any owner, agent, or superintendent, of a still, boiler, or other vessel, used in distillation, who shall have given bond agreeably to the second section of this act, and shall have ceased to use the same for one year, and made oath or affirmation thereof, to be lodged with said collector, hath acted agreeably to the condition of such bond, the collector shall cause such bond to be delivered to said owner, agent, or superintendent.

Provisions of this and a former act to apply to stills used in the rectification of spirits.

SEC. 15. *And be it further enacted,* That all the provisions of this act, as well as of the "Act laying duties on licenses to distillers of spirituous liquors," passed the 24th day of July, one thousand eight hundred and thirteen, shall be deemed to apply to any still, or boiler, or other vessel used in distillation, which shall be employed in the rectification of spirituous liquors, and to spirits rectified therein, or with the aid thereof.

Act of July 24, 1813, ch. 25.

Licenses to distil from foreign to extend to domestic materials.

SEC. 16. *And be it further enacted,* That any license heretofore or hereafter granted for employing a still, boiler, or other vessel, in distilling spirits from foreign materials, shall authorize the distilling spirits from domestic materials also.

Former act to remain in force, except as it is altered by the provisions of this.

SEC. 17. *And be it further enacted,* That the "Act laying duties on licenses to distillers of spirituous liquors," passed the twenty-fourth of July, one thousand eight hundred and thirteen, shall be deemed to remain in full force, except as to the alterations thereof contained in this act, and that the several provisions of "An act making further provision for the collection of internal duties, and for the appointment and compensation of assessors," passed the second day of August, one thousand eight hundred and thirteen, shall, and are hereby declared to apply in full force to the duties laid by, and to be collected under this act, the same as if such duties and this act were recognised therein, which said duties shall be collected by the same collectors, in the same manner, for the same commissions, and under the same directions, as are thereby established in relation to the other internal duties; and all the obligations, duties, and penalties, thereby imposed upon the collectors, are hereby imposed upon the collectors of the duties laid by this act: *Provided* That if any person to whom a license shall have been granted according

July 24, 1813, ch. 25.

Aug. 2, 1813, ch. 56.

to the provisions of the act, entitled "An act laying duties on licenses to distillers of spirituous liquors," and who shall have given bonds for the payment of the duties therein mentioned, shall, on or before the first day of February next, discontinue the use of any still or stills, for the use of which the said license shall have been granted, and shall give notice thereof to the collector of internal duties for the district in which the same shall be situate, such license shall thereupon cease to be in force, and such person shall be holden to pay the same duties, and the same proceedings shall be had upon the bonds aforesaid, as in case the said license had been originally granted for the term during which it shall have been in force as aforesaid.

Act of July 24, 1813, ch. 25.

SEC. 18. *And be it further enacted*, That in addition to the licenses authorized and directed to be granted by the "Act laying duties on licenses to distillers of spirituous liquors," passed on the twenty-fourth day of July, one thousand eight hundred and thirteen, there may and shall be granted like licenses for a still or stills and for a boiler or boilers, for the term or period of one week, on payment, or securing of payment of the following duties, for each gallon of the capacity thereof.

Additional licenses upon the capacity of stills.

Act of July 24, 1813, ch. 25.

For a still, or stills, employed in distilling spirits from domestic materials, five cents;

For a boiler, or boilers, as defined in the said act, employed in distilling spirits from domestic materials, ten cents.

One half only of which rates of duty shall be paid for a still or stills, and boiler or boilers, employed wholly in the distillation of roots.

Which said duties shall be collected in the same manner, and subject to the same provisions, as the duties imposed by the said act.

SEC. 19. *And be it further enacted*, That a deduction, at the rate of eight per centum per annum, shall be made from the duty payable for a license to distil spirituous liquors, on the payment thereof at the time of obtaining the same.

Reduction for payment when license is obtained.

SEC. 20. *And be it further enacted*, That every person who may be the owner, agent, or superintendent of one still only, whose capacity shall not exceed one hundred gallons, or of one boiler only, whose capacity shall not exceed fifty gallons, and each of which shall be wholly employed in distilling spirits from domestic materials, shall have the option of complying with the foregoing provisions of this act, and of the "Act laying duties on licenses to distillers of spirituous liquors," passed the twenty-fourth day of July, one thousand eight hundred and thirteen, or of paying, agreeably to the provisions of this act, twenty-five cents for every gallon of spirits distilled in such still or boiler; *Provided*, That to entitle such person to the benefits of the latter alternative, he shall deliver a written statement of his desire to the collector of the district in which such still or boiler may be situate, specifying the contents of the same, previously to the times of using such still or boiler, in every year. And any person so accepting the latter alternative, who shall fail to comply with the conditions on which the same is hereby allowed, shall forfeit and pay the sum of five hundred dollars, which said forfeiture shall in no wise affect or impair any other penalty which would otherwise attach to such failure.

Option given to pay upon the capacity of a still or upon the spirits distilled.

Act of July 24, 1813, ch. 25.

Proviso.

SEC. 21. *And be it further enacted*, That it shall be the duty of the collectors aforesaid, in their respective districts, and they are hereby authorized to collect the duties imposed by this act, and to prosecute for the recovery of the same, and for the recovery of any sum or sums which may be forfeited by virtue of this act; and all fines, penalties and forfeitures, which shall be incurred by force of this act, shall and may be sued for, and recovered in the name of the United States, or of the collector within whose district any such fine, penalty, or forfeiture shall have been incurred, by bill, plaint or information, one moiety thereof to the

Collectors of internal revenue to collect the duties, &c. under this act.

use of the United States, and the other moiety thereof to the use of the person, who, if a collector, shall first discover, if other than a collector, shall first inform of the cause, matter, or thing, whereby any such fine, penalty, or forfeiture, shall have been incurred; and where the cause of action or complaint shall arise or accrue more than fifty miles distant from the nearest place by law established for the holding of a district court, within the district in which the same shall arise or accrue, such suit and recovery may be had before any court of the state, holden within the said district, having jurisdiction in like cases.

Abstracts of this and other laws to be furnished distillers.

Act of July 24, 1813, ch. 25.

Act of April 18, 1814, ch. 91.

SEC. 22. *And be it further enacted*, That the collector shall furnish to each distiller within the collection district an abstract of this act, and of the "Act laying duties on licenses to distillers of spirituous liquors;" and of such provisions of the "Act to amend the act, laying duties on licenses to retailers of wine, spirituous liquors, and foreign merchandise, and for other purposes," as regards distillers, which abstract shall be prepared and furnished to the collectors under the direction of the Secretary of the Treasury.

Pledge of the revenue arising under this act.

SEC. 23. *And be it further enacted*, That towards establishing an adequate revenue, to provide for the payment of the expenses of government; for the punctual payment of the public debt, principal and interest, contracted and to be contracted according to terms of the contracts respectively; and for creating an adequate sinking fund, gradually to reduce and eventually to extinguish, the public debt, contracted and to be contracted; the rates and duties laid and imposed by this act, and the duties laid and imposed upon licenses to distillers, in and by the said act, entitled "An act laying duties on licenses to distillers of spirituous liquors," shall continue to be laid, levied and collected, during the present war between the United States and Great Britain, and until the purposes aforesaid shall be completely accomplished, any thing in the said act of Congress to the contrary thereof in any wise notwithstanding. And for the effectual application of the revenue, to be raised by and from the said duties, to the purposes aforesaid, in due form of law, the faith of the United States is hereby pledged: *Provided always*, That whenever Congress shall deem it expedient to alter, reduce, or change the said duties, or either of them, it shall be lawful so to do, upon providing and substituting by law, at the same time, and for the same purposes, other duties, which shall be equally productive with the duties so altered, reduced, or changed: *And provided further*, That nothing in this act contained shall be deemed or construed in any wise to rescind or impair any specific appropriation of the said duties, or either of them; but such appropriation shall remain and be carried into effect, according to the true intent and meaning of the law and laws making the same, any thing in this act to the contrary thereof in any wise notwithstanding.

Act of July 24, 1813, ch. 25.

Distillers may sell without license.

SEC. 24. *And be it further enacted*, That in future it shall be lawful for the distiller or distillers of domestic spirits, and all persons from whose materials such spirits shall be distilled, to sell, without license, any quantity thereof not less than one gallon.

Secretary of the Treasury may anticipate the revenue arising under this act by pledging it for a loan.

Act of July 24, 1813, ch. 25.

SEC. 25. *And be it further enacted*, That it shall be lawful for the President of the United States to authorize the Secretary of the Treasury to anticipate the collection and receipt of the duties laid and imposed by this act, and by the said act, entitled "An act laying duties on licenses to distillers of spirituous liquors," by obtaining a loan upon the pledge of the said duties for the reimbursement thereof, to an amount not exceeding six millions of dollars, and at a rate of interest not exceeding six per centum per annum. And any bank or banks now incorporated, or which may hereafter be incorporated, under the authority of the United States, is and are hereby authorized to make such loan: *Provided always, and it is expressly declared*, That the money so obtained upon

loan, shall be applied to the purposes aforesaid, to which the said duties, so to be pledged, are by this act applied and appropriated, and to no other purposes whatsoever.

APPROVED, December 21, 1814.

STATUTE III.

Dec. 23, 1814.

CHAP. XVI.—*An Act to provide additional revenues for defraying the expenses of government, and maintaining the public credit, by duties on sales at auction, and on licenses to retail wines, spirituous liquors, and foreign merchandise, and for increasing the rates of postage. (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 first day of February next, there shall be laid, levied, and collected, for the use of the United States, a sum of one hundred per centum upon, and in addition to the amount of the rates and duties respectively laid upon sales by way of auction, in and by the act of Congress, entitled "An act laying duties on sales at auction of merchandise, and ships and vessels," passed on the twenty-fourth day of July, in the year eighteen hundred and thirteen. And the said additional duty of one hundred per centum shall be levied, collected, paid, and accounted for, in like manner, by the same officers, subject in all respects to the same regulations and provisions, and with the like fines, penalties, forfeitures, and remedies from breaches of the law, as the said act of Congress, and the act to amend the said act, passed on the twenty-fourth day of March, in the year eighteen hundred and fourteen, declare and establish for levying, collecting, and paying the original duties to which the said duty of one hundred per centum is hereby added and attached. And it shall be the duty of every auctioneer, who shall have given bond under the said acts, to give like bond under this act, subject to the same penalties prescribed in the said act, passed on the twenty-fourth day of July, one thousand eight hundred and thirteen. And all sales at auction of any part, or parcel, of any merchandise, with the design and effect to ascertain and fix a price for the whole, or for any other part, of such merchandise, without exposing the whole, or such other part, to public sale, shall be deemed and taken to be sales at auction within the meaning of this act, and of the said act of Congress, to the whole amount of the merchandise whereof the sale is so effected, whether the same is afterwards conducted and effected by the auctioneer, or by any person, or persons, acting as a commission merchant, factor, or agent, or by the owner and owners of the merchandise. And it shall be the duty of the auctioneers respectively to specify in their quarterly accounts, upon oath or affirmation, all sales by them respectively made of a part or parcel of any merchandise as aforesaid, with the design and effect aforesaid, for whom and to whom such sales respectively were made, and the amount of the commissions or other compensation to them respectively paid, or payable by reason of such sales, as well with respect to the part or parcel of the merchandise actually exposed to sale, as with respect to the whole or any other part of such merchandise, the sale whereof is designed and effected as aforesaid. And the neglect or refusal so to do, shall be deemed to be a breach of the bond of the auctioneer, so neglecting or refusing, who shall also in that behalf forfeit and pay such other penalties as the said act of Congress prescribes in case of the non-performance of any other duty required from auctioneers, to be performed in taken [taking] out licenses, giving bonds, and keeping and rendering accounts.

SEC. 2. *And be it further enacted,* That from and after the first day of February next, there shall be added to the rates of postage, as at present established by law, a sum equal to fifty per centum upon the

A duty of 100 per cent. laid upon sales at auction.

Act of July 24, 1813, ch. 26.

Regulations with regard to the collection of the duty.

Act of March 24, 1814, ch. 32.

July 24, 1813, ch. 26.

Fifty per cent. added to postage.

(a) Repealed by act of Dec. 23, 1817, ch. 1.

amount of such rates respectively, for the use of the United States. And the said additional sum of fifty per centum shall be charged, collected, paid, and accounted for, in like manner, by the same officers, subject in all respects to the same regulations and provisions, and with the like fines, penalties, forfeitures, and remedies, for breaches of the law, as are provided for charging, collecting, and paying the original rates of postage to which the said sum of fifty per centum is hereby added and attached.

Fifty per cent. additional duties upon licenses to retailers of wines, &c.

Act of Aug. 2, 1813, ch. 39.

Act of April 18, 1814, ch. 9.

Act of Aug. 2, 1813, ch. 39.

Provisions of several acts in relation to internal duties to be in force and ap-

SEC. 3. *And be it further enacted*, That from and after the first day of February next, there shall be laid, levied, collected, and paid for the use of the United States, a sum of fifty per centum upon, and in addition to, the duties laid on licenses, granted in pursuance of the act of Congress, entitled "An act laying duties on licenses to retailers of wines, spirituous liquors and foreign merchandise," passed the second day of August, in the year eighteen hundred and thirteen. And the said additional sum of fifty per centum shall be charged, paid, collected, and accounted for, in like manner, by the same officers, subject, in all respects, to the same regulations and provisions, and with the same fines, penalties, forfeitures, and remedies, for breaches of the law, as in and by the said last mentioned act of Congress, and the act, entitled "An act to amend the act laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise, and for other purposes," passed on the eighteenth day of April, in the year eighteen hundred and fourteen, are provided for charging, paying, and collecting the original duties on the said licenses respectively, to which the said sum of fifty per centum is hereby added and attached. And in case any license for carrying on the business of selling by retail, shall have been granted under the said act, "laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise," for a period extending beyond the first day of February next, the person to whom the same may have been granted, or transferred, shall previous to the first day of May thereafter, make the like application required therein, which shall further specify such period, and shall pay to the proper collector a sum equal to such proportion of fifty per centum on the original duty imposed on such license, as said period bears to a year, the payment of which sum shall be endorsed on the license previously granted. And if any person shall, after the last mentioned day, deal in the selling of wines, distilled spirituous liquors, or merchandise by retail, as defined in the said act, without having made such payment, such person shall, in addition to the payment of the additional duty hereby imposed, forfeit and pay the sum of one hundred and fifty dollars, to be recovered with cost of suit: *Provided*, That if any person to whom a license shall have been granted, according to the provisions of the act, entitled "An act laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise," and who shall have paid for the same, or shall have given bond for the payment of the same, shall, on or before the commencement of the operation of this act, discontinue the use of the privileges by said license granted, and shall give due notice thereof, to the collector of the internal revenues of the district in which such license shall have been granted, such license shall cease to be of force, and such person shall be holden to pay a sum proportionate to the time which shall have run from the time of granting said license, to the first day of February next. And in case of actual payment for a term subsequent to the last-mentioned day, shall be entitled to receive back from the treasury of the United States, such sum so paid for such subsequent time, from the day last-mentioned.

SEC. 4. *And be it further enacted*, That the act of Congress entitled "An act making further provision for the collection of internal duties, and for the appointment and compensation of assessors," passed on the second day of August, in the year one thousand eight hundred and

thirteen, shall be and remain in force, and shall, in all its provisions, be applied for the purpose of laying, collecting, and securing the duties by this act added or imposed, except as regards the rates of postage, as well with respect to the persons respectively liable to the payment thereof, as with respect to the officers employed in collecting and accounting for the same.

SEC. 5. *And be it further enacted*, That towards establishing an adequate revenue to provide for the payment of the expenses of government, for the punctual payment of the public debt, principal and interest, contracted and to be contracted, according to the terms of the contracts respectively, and for creating an adequate sinking fund, gradually to reduce and eventually to extinguish the public debt, contracted and to be contracted; the internal rates and duties added, laid and imposed by this act, and the internal rates and duties laid and imposed by the said several acts of Congress, entitled, respectively, "An act laying duties on sales at auction of merchandise, and ships and vessels;" "An act regulating the postoffice establishment;" and "An act laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise;" shall continue to be laid, levied, and collected, during the present war between the United States and Great Britain, and until the purposes aforesaid shall be completely accomplished, any thing in the said acts of Congress to the contrary thereof, in any wise, notwithstanding. And for the effectual application of the revenue, to be raised by and from the said internal duties, to the purposes aforesaid, in due form of law, the faith of the United States is hereby pledged: *Provided always*, That whenever Congress shall deem it expedient to alter, reduce or change, the said internal duties, or any or either of them, it shall lawful so to do, upon providing and substituting, by law, at the same time, and for the same purposes, other duties which shall be equally productive with the duties so altered, reduced, or changed: *And provided further*, That nothing in this act contained, shall be deemed or construed in any wise to rescind or impair any specific appropriation of the said duties, or any or either of them, heretofore made by law; but such appropriation shall remain and be carried into effect according to the true intent and meaning of the law and laws making the same, any thing in this act to the contrary thereof in anywise notwithstanding.

APPROVED, December 23, 1814.

CHAP. XVII.—*An Act supplementary to the acts authorizing a loan for the several sums of twenty-five millions of dollars and three millions of dollars.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of the Treasury be and he is hereby authorized, with the approbation of the President of the United States, to cause treasury notes to be prepared, signed and issued, for and in lieu of so much of the sum authorized to be borrowed on the credit of the United States, by the act of Congress, entitled "An act to authorize a loan for a sum not exceeding twenty-five millions of dollars," passed on the twenty-fourth day of March, in the year one thousand eight hundred and fourteen, and also for, and in lieu of so much of the sum authorized to be borrowed on the credit of the United States by the act of Congress, entitled "An act authorizing a loan for [a] sum of three millions of dollars," passed on the fifteenth day of November, in the year one thousand eight hundred and fourteen, as has not been borrowed or otherwise employed in the issue of treasury notes according to law: *Provided always*, That the whole amount of treasury notes issued by virtue of this act, for and in lieu of the residue of the said two sums as aforesaid, shall not exceed the sum of seven

plied to the enforcement of this.

Act of Aug. 2, 1813, ch. 56.

Faith of the United States pledged for the application of the revenue arising under this act.

Act of July 24, 1813, ch. 25.

Act of April 30, 1810, ch. 37.

Act of Aug. 2, 1813, ch. 39.

STATUTE III.

Dec. 26, 1814.

[Obsolete.]

Treasury notes to be issued for sum deficient in an authorized loan.

Act of March 24, 1814, ch. 29.

Act of Nov. 15, 1814, ch. 4.

The amount of treasury notes which

may be issued shall not exceed 7,500,000 dollars.

Secretary of the Treasury to cause a further sum in treasury notes to be issued.

Regulations with respect to the reimbursement, &c. &c. of treasury notes.

Act of March 4, 1814, ch. 18.

Sum pledged for paying treasury notes, &c.

Appropriation for defraying expenses under this act.

Penalties for forging, &c. treasury notes.

millions five hundred thousand dollars: and further, that the treasury notes so issued shall be applied to the same uses to which the said two loans authorized as aforesaid were respectively by law made applicable.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby authorized, with the approbation of the President of the United States to cause treasury notes to be prepared, signed, and issued, for a further sum of three millions of dollars, to defray the expenses of the War Department, for the year one thousand eight hundred and fourteen, in addition to the sums heretofore appropriated by law for those purposes respectively.

SEC. 3. *And be it further enacted*, That the treasury notes to be issued by virtue of this act, shall be prepared, signed, and issued, in the like form and manner; shall be reimbursable at the same places, and in the like periods; shall bear the same rate of interest; shall in the like manner be transferable; and shall be equally receivable in payments to the United States for duties, taxes, and sales of public lands, as the treasury notes issued by virtue of the act of Congress, entitled "An act to authorize the issuing of treasury notes for the service of the year one thousand eight hundred and fourteen," passed on the fourth day of March, in the year aforesaid. And the Secretary of the Treasury, with the approbation of the President of the United States, shall have the like powers, in all respects, to prepare, issue, sell, pay, and distribute the treasury notes authorized to be issued by this act, or to borrow money on the pledge thereof, and to employ and pay an agent or agents for the purpose of making sale thereof, as were vested in him by the said last-mentioned act of Congress, in relation to the treasury notes therein and thereby authorized to be issued; and the forms and course of proceeding in all respects, for paying, receiving, and accounting for the treasury notes issued by virtue of this act, shall be similar to those prescribed in and by the said last-mentioned act of Congress, in relation to the treasury notes therein and thereby authorized to be issued.

SEC. 4. *And be it further enacted*, That a sum equal to the whole amount of the treasury notes issued by virtue of this act, to be paid out of any money in the treasury not otherwise appropriated, shall be and the same is hereby appropriated for the payment and reimbursement of the principal and interest of such treasury notes, according to contract, and the faith of the United States is hereby pledged to provide adequate funds for any deficiency in the appropriation hereby made.

SEC. 5. *And be it further enacted*, That a sum of forty thousand dollars, to be paid out of any money in the treasury not otherwise appropriated, be and the same is hereby appropriated for defraying the expense of preparing, printing, engraving and signing the said treasury notes; the expense of employing agents to make sale thereof, and all other expenses incident to issuing the treasury notes as authorized by this act.

SEC. 6. *And be it further enacted*, That if any person shall with intent to injure or defraud the United States, or any person or corporation, falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or willingly aid or assist in falsely making, forging, or counterfeiting any note, in imitation of, or purporting to be, a treasury note, or shall falsely alter, or cause or procure to be falsely altered, or wilfully aid or assist in falsely altering any treasury note issued by virtue of this act, or shall pass, utter, or publish, or attempt to pass, utter, or publish, as true, any false, forged, or counterfeited note, purporting to be a treasury note as aforesaid, knowing the same to be falsely made, forged, or counterfeited; or shall pass, utter, or publish, or attempt to pass, utter, or publish, as true, any falsely altered treasury note, issued as aforesaid, knowing the same to be falsely altered, every such person shall be deemed and adjudged guilty of felony, and being thereof convicted by due course of law, shall be sentenced to be imprisoned for

a period not less than three years, nor more than ten years, or imprisoned and kept to hard labor for a period not less than three years, nor more than ten years; and in either case be fined in a sum not exceeding five thousand dollars.

APPROVED, December 26, 1814.

CHAP. XVIII.—*An Act giving further time to locate certain claims to lands, confirmed by an act of Congress, entitled "An act confirming certain claims to lands in the District of Vincennes."*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the several persons, whose claims were confirmed by the act of Congress, entitled "An act confirming certain claims to lands in the District of Vincennes," approved the thirteenth day of February one thousand eight hundred and thirteen, and which have not been located, are hereby authorized to enter their locations with the register of the land office at Vincennes, on any part of the tract set apart for that purpose in said district, by virtue of an act, entitled "An act respecting claims to lands in the Indiana Territory and state of Ohio," and in conformity to the provisions of that act; and shall be entitled to receive their certificates and patents in the manner provided by the first-mentioned act; *Provided*, that such locations shall be made prior to the first day of July next.

APPROVED, December 26, 1814.

STATUTE III.

Dec. 26, 1814.

[Obsolete.]

Act of Feb. 13, 1813, ch. 23.
Certain locations to be entered with the register of the land office at Vincennes.

Act of Aug. 21, 1806, ch. 40.

Proviso.

CHAP. XX.—*An Act to provide for leasing certain lands reserved for the support of schools in the Mississippi territory.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the county court in each county in the Mississippi territory shall be, and is hereby authorized to appoint a number of agents, not exceeding five, who shall have power to let out on lease for the purpose of improving the same, the sections of land reserved by Congress for the support of schools, lying within the county for which the agents respectively are appointed, or to let them out at an annual rent, as they shall judge proper; and it shall be the duty of the said agents, under the direction of the county courts respectively, to apply with impartiality the proceeds arising from the rents of each section as aforesaid, to the purpose of education, and to no other use whatsoever, within the particular township of six miles square, or fractional township wherein such section is situated, in such manner, that all the citizens residing therein may partake of the benefit thereof, according to the true intent of the reservation made by Congress.

SEC. 2. *And be it further enacted,* That for the purpose of forming the aforesaid sections into convenient farms, the said agents shall have power to lay off the same into lots of not less than one hundred and six acres, nor more than three hundred and twenty acres, except in case of fractional sections; and in every case, whether of leases for the improvement of the lots, or for an annual rent, the lessee shall be bound in a suitable penalty not to commit waste on the premises by destroying of timber or removing of stone, or any other injury to the lands whatever.

SEC. 3. *And be it further enacted,* That the said agents shall have full power within their respective counties, when and so often as they think proper, by legal process, to remove any person or persons from the possession of any of the aforesaid reserved sections, when such person or persons have not taken a lease, and refuse or neglect to take the same; and it shall, moreover, be the duty of the said agents to inspect and inquire into any waste or trespass committed on any of the reserved sections aforesaid, by cutting and carrying off timber or stone, or any

STATUTE III.

Jan. 9, 1815.

County courts authorized to appoint agents for leasing of the sections of land for the use of schools.

The proceeds to be applied to this purpose.

Sections may be divided into convenient farms.

Lessees to be bound not to commit waste.

Trespassers may be removed by agents, who are authorized to inquire into waste, &c.

other damage that may be done to the same, whether by persons residing thereon or others; and the said agents are hereby authorized, when waste or trespass shall be committed, to proceed against the person or persons committing the same, according to the laws in such case made and provided; and actions in the cases aforesaid shall be sustained by the agents, and the damages recovered shall be one half to the use of such agents, and the other half to be applied to the same purpose as the proceeds of rents from the land on which the damage was sustained.

Fees to agents for leases.

SEC. 4. *And be it further enacted*, That for each lease executed by the agents, they shall be entitled to receive the sum of two dollars, to be paid by the lessees respectively.

Limitation of leases.

SEC. 5. *And be it further enacted*, That every lease which may be granted in virtue of this act, shall be limited to the period of the termination of the territorial form of government, in the said territory; and shall cease to have any force or effect after the first day of January next succeeding the establishment of a state government therein: *Provided*, That outstanding rents may be collected, and damages for waste or trespass may be recovered in the same manner as if the leases had continued in full force.

Proviso.

APPROVED, January 9, 1815.

STATUTE III.

Jan. 9, 1815.

[Repealed.]

CHAP. XXI.—*An 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. (a)*

Act of March 3, 1815, ch. 90. Direct tax of six millions imposed.

Apportionment among the states.

New Hampshire. Massachusetts.

Rhode Island.

Connecticut.

Vermont.

New York.

New Jersey.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That a direct tax of six millions of dollars be and is hereby annually laid upon the United States, and the same shall be and is hereby apportioned to the states respectively in manner following:

To the state of New Hampshire, one hundred and ninety-three thousand five hundred and eighty-six dollars and seventy-four cents.

To the state of Massachusetts, six hundred and thirty-two thousand five hundred and forty-one dollars and ninety-six cents.

To the state of Rhode Island, sixty-nine thousand four hundred and four dollars and thirty-six cents.

To the state of Connecticut, two hundred and thirty-six thousand three hundred and thirty-five dollars and forty-two cents.

To the state of Vermont, one hundred and ninety-six thousand six hundred and eighty-seven dollars and forty-two cents.

To the state of New York, eight hundred and sixty thousand two hundred and eighty-three dollars and twenty-four cents.

To the state of New Jersey, two hundred and seventeen thousand seven hundred and forty-three dollars and sixty-six cents.

(a) Notes of the acts which have been passed relating to the assessment of lands for direct taxes. Vol. i. page 580.

Decisions of the courts of the United States, on the acts of Congress laying direct taxes on lands, &c. A collector selling land for taxes, must act in conformity with the law from which his power is derived, and the purchaser is bound to inquire whether he has so acted. It is incumbent on the vendor to prove his power to sell. *Stead's Executors v. Course*, 4 Cranch, 403; 2 Cond. Rep. 151.

Under the act of Congress to lay and collect a direct tax, (July 14, 1798,) before the collector could sell the land of an unknown proprietor for non-payment of this tax, it was necessary that he should advertise the copy of the list of lands, &c. and the statement of the amount due for the tax and the notification to pay in sixty days, in four gazettes of the state, if there were so many. *Parker v. Rule's lessee*, 9 Cranch, 64; 3 Cond. Rep. 271.

In the case of a naked power not coupled with an interest, every pre-requisite to the exercise of that power, should precede it. In the case of lands sold for the non-payment of taxes, the marshal's deed is not prima facie evidence that the pre-requisites of the law have been complied with; but the party claiming under it must show positively that the law has been complied with. *Williams et al. v. Peyton's lessor*, 4 Wheat. 77; 4 Cond. Rep. 395. *Thatcher v. Powell*, 6 Wheat. 119; 5 Cond. Rep. 28.

To the state of Pennsylvania, seven hundred and thirty thousand nine hundred and fifty-eight dollars and thirty-two cents. Pennsylvania.

To the state of Delaware, sixty-four thousand ninety-two dollars and fifty cents. Delaware.

To the state of Maryland, three hundred and three thousand two hundred and forty-seven dollars and eighty-eight cents. Maryland.

To the state of Virginia, seven hundred and thirty-eight thousand thirty-six dollars and eighty-eight cents. Virginia.

To the state of Kentucky, three hundred and thirty-seven thousand eight hundred and fifty-seven dollars and fifty two-cents. Kentucky.

To the state of Ohio, two hundred and eight thousand three hundred dollars and twenty-eight cents. Ohio.

To the state of North Carolina, four hundred and forty thousand four hundred and seventy-six dollars and fifty-six cents. North Carolina.

To the state of Tennessee, two hundred and twenty thousand one hundred and seventy-three dollars and ten cents. Tennessee.

To the state of South Carolina, three hundred and three thousand eight hundred and ten dollars and ninety-six cents. South Carolina.

To the state of Georgia, one hundred and eighty-nine thousand eight hundred and seventy-two dollars and ninety-eight cents; and Georgia.

To the state of Louisiana, fifty-six thousand five hundred and ninety dollars and twenty-two cents. Louisiana.

SEC. 2. *And be it further enacted*, That from and after the passing of this act, the act of Congress, entitled "An act for the assessment and collection of direct taxes and internal duties," passed on the twenty-second day of July, one thousand eight hundred and thirteen, shall be and the same is hereby repealed, except so far as the same respects the collection districts therein and thereby established and defined, so far as the same respects internal duties, and so far as the same respects the appointment and qualifications of the collectors and principal assessors therein and thereby authorized and required; in all which respects, so excepted, as aforesaid, the said act shall be and continue in force for the purposes of this act: *Provided always*, That for making and completing the assessment and collection of the direct tax laid by virtue of the act of Congress entitled "An act to lay and collect a direct tax within the United States," passed on the second day of August, one thousand eight hundred and thirteen, the said first mentioned act of Congress shall be and continue in full force, anything in this act to the contrary thereof in any wise notwithstanding.

Repeal of part of the former act.

Act of July 22, 1813, ch. 16, with exceptions.

Proviso.

Act of Aug. 2, 1813, ch. 37.

SEC. 3. *And be it further enacted*, That each of the principal assessors heretofore appointed, or hereafter appointed, shall divide his district into a convenient number of assessment districts, within each of which he shall appoint one respectable freeholder, to be assistant assessor: *Provided*, That the Secretary of the Treasury shall be, and is hereby authorized to reduce the number of assessment districts, in any collection district in any state, if the number shall appear to him to be too great; and the principal assessors respectively, and each assistant assessor so appointed, and accepting the appointment, shall, before he enters on the duty of his appointment under this act, take and subscribe, before some competent magistrate, or some collector of the direct tax and internal duties, (who is hereby empowered to administer the same) the following oath or affirmation, to wit: "I _____, do swear or affirm, (as the case may be,) that I will, to the best of my knowledge, skill, and judgment, diligently and faithfully execute the office and duties of principal assessor (or assistant assessor, as the case may be,) for (naming the district,) without favour or partiality, and that I will do equal right and justice in every case in which I shall act as principal assessor (or assistant assessor, as the case may be.)" And a certificate of such oath, or affirmation, shall be delivered to the collector of the district for which

Principal assessors to divide their districts, and appoint assistants.

Number of assessment districts to be reduced.

Oaths of office.

such assessor shall be appointed, and every principal or assistant assessor acting in the said office, without having taken the said oath or affirmation, shall forfeit and pay one hundred dollars, one moiety to the use of the United States, and the other to him who shall first sue for the same; to be recovered, with costs of suit, in any court having competent jurisdiction.

Secretary of the Treasury to prescribe rules for carrying this act into effect, &c.

SEC. 4. *And be it further enacted*, That the Secretary of the Treasury shall establish regulations suitable and necessary for carrying this act into effect; which regulations shall be binding on each principal assessor and his assistants in the performance of the duties enjoined by or under this act, and shall also frame instructions for the said principal assessors and their assistants, pursuant to which instructions the said principal assessors shall, on the first day of February next, direct and cause the several assistant assessors in the district, to inquire after and concerning all lands, lots of ground, with their improvements, dwelling houses, and slaves, made liable to taxation under this act, by reference as well to any lists of assessment or collection taken under the laws of the respective states, as to any other records or documents, and by all other lawful ways and means, and to value and enumerate the said objects of taxation in the manner prescribed by this act, and in conformity with the regulations and instructions above mentioned. And it shall be further lawful for the Secretary of the Treasury to direct all errors committed in the assessment, valuation, and tax lists, or in collection thereof, heretofore or hereafter made in the valuation, assessment, and tax lists of the direct tax, laid by virtue of the said act of Congress entitled "An act to lay and collect a direct tax within the United States," and also, all such errors as may from time to time be committed in the assessment, valuation, and tax lists, or in the collection thereof, as may hereafter be made in the assessment of the direct tax by this act laid, to be corrected in such form, and upon such evidence, as the said secretary shall prescribe and approve.

Act of July 22, 1813, ch. 16.

Tax to be assessed according to the value in money of the property.

Proviso.

SEC. 5. *And be it further enacted*, That the said direct tax laid by this act shall be assessed and laid on the value of all lands and lots of ground with their improvements, dwelling houses, and slaves, which several articles subject to taxation, shall be enumerated and valued by the respective assessors at the rate each of them is worth in money: *Provided however*, That all property, of whatever kind, coming within any of the foregoing descriptions, and belonging to the United States, or any state, or permanently or specially exempted from taxation by the laws of the state wherein the same may be situated, existing at the time of the passage of this act, shall be exempted from the aforesaid enumeration and valuation, and from the direct tax aforesaid; *And provided also*, That nothing herein contained shall be construed to exempt from enumeration and valuation and the payment of the direct tax, any public lands which heretofore have been, or hereafter may be sold in the States of Ohio and Louisiana, under any law of the United States, the compact between the United States and the said states to the contrary notwithstanding.

Assistant assessor to proceed through their districts to obtain lists of taxable property.

Proviso.

SEC. 6. *And be it further enacted*, That the respective assistant assessors shall, immediately after being required as aforesaid by the principal assessors, proceed through every part of their respective districts, and shall require all persons owning, possessing, or having the care or management of any lands, lots of ground, dwelling houses, or slaves, lying and being within the collection district where they reside, and liable to a direct tax as aforesaid, to deliver written lists of the same, which lists shall be made in such manner as may be directed by the principal assessor, and, as far as practicable, conformably to those which may be required for the same purpose under the authority of the respective states; *Provided always, nevertheless, and it is hereby further enacted and declared*, That the valuations, and assessments heretofore made and completed, or

to be made and completed, by virtue of the said act of Congress, entitled "An act for the assessment and collection of direct taxes and internal duties," and the said act of Congress, entitled "An act to lay and collect a direct tax within the United States," in relation to the several states wherein the same has been assessed or is assessing, shall be and remain the valuations and assessments for the said states respectively, subject only to the revision, equalization, and apportionment, among the several counties and state districts, by the board of principal assessors hereinafter constituted, to be made as is hereinafter directed, for the purpose of levying and collecting annually the direct tax by this act laid, in the manner hereinafter provided, until provision shall be made by law for altering, modifying, or abolishing the same. And the principal assessors in the said several states wherein a direct tax has heretofore been assessed as aforesaid, shall, at the time and times herein and hereby prescribed for making the valuation and assessment in the states wherein a direct tax has not heretofore been assessed (in consequence of the legislative assumption of the quotas of the direct tax by such states respectively,) proceed to revise and shall revise, their several and respective valuations, assessments, and tax lists, correcting therein all errors, and supplying all omissions, which have been or shall be therein discovered and ascertained. And in making the said revisal as aforesaid, it shall be the duty of the said principal assessors, to inquire and ascertain what transfers and changes of property in lands, lots of ground, dwelling houses and slaves, have been made and effected since the time of the original valuation and assessment aforesaid; and also what changes of residents and non-residents have occurred; and also what slaves have been born, or have died, or have run away, or become otherwise useless; and also what houses or other improvements of real estate have been burned or otherwise destroyed; and thereupon to make such changes, additions, or reductions, in the said valuations and assessments respectively, as truth and justice shall require. And for the purpose of making the said revisal as aforesaid, of the said valuations, assessments, and tax lists, the principal assessors shall take and pursue all lawful measures, by the examination of records, by the information of the parties in writing, or by any other satisfactory evidence or proof. And in case of any alteration made upon such revisal affecting the property or interests of any person, so as to charge such person with any greater amount of tax, or to transfer the charge of the tax from one person to another person, there shall be the like proceedings as is herein provided in the case of appeals upon an original assessment. And the principal assessors, after hearing such appeals, shall proceed to make out and to deliver revised lists of their valuations and assessments, respectively, to the board of principal assessors, to be constituted as is hereinafter mentioned. And thereupon, the said board of principal assessors shall proceed in the like manner as is hereinafter provided in the case of an original assessment, submitted to the said board of principal assessors, for the purpose of an equalization and apportionment of the direct tax by this act laid to and among the counties and state districts of the states respectively.

SEC. 7. *And be it further enacted,* That if any person owning, possessing, or having the care or management of, property liable to a direct tax as aforesaid, shall not be prepared to exhibit a written list when required as aforesaid, and shall consent to disclose the particulars of any and all the lands and lots of ground, with their improvements, dwelling-houses, and slaves, taxable as aforesaid, then and in that case it shall be the duty of the officer to make such list, which, being distinctly read and consented to, shall be received as the list of such person.

SEC. 8. *And be it further enacted,* That if any such person shall deliver or disclose to any assessor appointed in pursuance of this act, and requiring a list or lists, as aforesaid, any false or fraudulent list, with intent to defeat or evade the valuation or enumeration hereby intended to be

Act of July
22, 1813, ch. 16.
Act of Aug.
2, 1813, ch. 37.

Duties of
principal assessors.

Lists to be
made out by the
officer where
the owner of
property shall
neglect to fur-
nish, &c.

Penalties for
furnishing
fraudulent lists

made, such person so offending, and being thereof convicted before any court having competent jurisdiction, shall be fined in a sum not exceeding five hundred dollars, at the discretion of the court, and shall pay all costs and charges of prosecution; and the valuation and enumeration required by this act, shall in all such cases be made as aforesaid, upon lists according to the form above described, to be made out by the assessors respectively, which lists, the said assessors are hereby authorized and required to make according to the best information they can obtain, and for the purpose of making which they are hereby authorized to enter into and upon all and singular the premises respectively, and from the valuation and enumeration so made there shall be no appeal.

Absentees to be notified to furnish lists.

SEC. 9. *And be it further enacted*, That in case any person shall be absent from his place of residence at the time an assessor shall call to receive the list of such person, it shall be the duty of such assessor to leave at the house or place of residence of such person, a written note or memorandum, requiring him to present to such assessor the list or lists required by this act, within ten days from the date of such note or memorandum.

Penalty for refusing to furnish lists.

SEC. 10. *And be it further enacted*, That if any person, on being notified or required as aforesaid, shall refuse or neglect to give such list or lists as aforesaid, within the time required by this act, it shall be the duty of the assessor for the assessment district within which such person shall reside, and he is hereby authorized and required, to enter into and upon the lands, dwelling houses, and premises, if it be necessary, of such persons so refusing or neglecting, and to make according to the best information which he can obtain, and on his own view and information, such lists of the lands and lots of ground, with their improvements, dwelling houses, and slaves, owned or possessed, or under the care or management of such person, as are required by this act: which lists so made and subscribed by such assessor, shall be taken and reputed as good and sufficient lists of the persons and property for which such person is to be taxed for the purposes of this act: and the person so failing or neglecting, unless in case of sickness or absence from home, shall, moreover, forfeit and pay the sum of one hundred dollars, to be recovered for the use of the United States, with costs of suit, in any court having competent jurisdiction.

Non-residents' property how to be assessed.

SEC. 11. *And be it further enacted*, That whenever there shall be in any assessment district, any property, lands, and lots of ground, dwelling houses, or slaves, not owned or possessed by, or under the care or management of any person or persons within such district, and liable to be taxed as aforesaid, and no list of which shall be transmitted to the principal assessor in the manner provided by this act, it shall be the duty of the assessor for such district, and he is hereby authorized and required, to enter into and upon the real estate, if it be necessary, and take such view thereof, and of the slaves, of which lists are required, and to make lists of the same, according to the form prescribed by this act, which lists being subscribed by the said assessor, shall be taken and reputed as good and sufficient lists of such property, under and for the purposes of this act.

Property not lying within assessment district where owners reside, how to be entered.

SEC. 12. *And be it further enacted*, That the owners, possessors, or persons having the care or management of lands, lots of ground, dwelling houses, and slaves, not lying or being within the assessment district in which they reside, shall be permitted to make out and deliver the lists thereof required by this act, (provided the assessment district in which the said objects of taxation lie, or be, is therein distinctly stated,) at the time, and in the manner, prescribed to the assessor of the assessment district wherein such persons reside. And it shall be the duty of the assistant assessors, in all such cases, to transmit such lists at the time, and in the manner, prescribed for the transmission of the lists of

the objects of taxation lying and being within their respective assessment districts, to the principal assessor of their collection district, whose duty it shall be to transmit them to the principal assessor of the collection district wherein the said objects of taxation shall lie or be, immediately after the receipt thereof, and the said lists shall be valid and sufficient for the purposes of this act, and on the delivery of every such list, the person making and delivering the same, shall pay to the assistant assessor one dollar; one half whereof he shall retain to his own use, and the other half thereof he shall pay over to the principal assessor of the district, for the use of such principal assessor.

SEC. 13. *And be it further enacted*, That the lists aforesaid shall be taken with reference to the day fixed for that purpose, by this act as aforesaid, and the assistant assessors respectively, after collecting the said lists, shall proceed to arrange the same, and to make two general lists, the first of which shall exhibit, in alphabetical order, the names of all persons liable to pay a tax under this act, residing within the assessment district, together with the value and assessment of the objects, liable to taxation within such district for which each such person is liable; and whenever so required by the principal assessor, the amount of direct tax payable by each person, on such objects, under the state laws, imposing direct taxes; and the second list shall exhibit in alphabetical order, the names of all persons residing out of the collection district, owners of property within the district, together with the value and assessment thereof, or the amount of direct tax due thereon as aforesaid. The forms of the said general list shall be devised and prescribed by the principal assessor, and lists taken according to such form shall be made out by the assistant assessors, and delivered to the principal assessor, within sixty days after the day fixed by this act as aforesaid, requiring lists from individuals; and if any assistant assessor shall fail to perform any duty assigned by this act within the time prescribed by his precept, warrant, or other legal instructions, not being prevented therefrom by sickness, or other unavoidable accident, every such assessor shall be discharged from office, and shall moreover forfeit and pay two hundred dollars, to be recovered for the use of the United States, in any court having competent jurisdiction, with costs of suit.

SEC. 14. *And be it further enacted*, That immediately after the valuations and enumerations shall have been completed as aforesaid, the principal assessor in each collection district, shall by advertisement in some public newspaper, if any there be in such district, and by written notifications to be publicly posted up in at least four of the most public places in each assessment district, advertise all persons concerned, of the place where the said lists, valuations and enumerations, may be seen and examined, and that during twenty-five days after the publication of the notifications as aforesaid, appeals will be received and determined by him, relative to any erroneous, or excessive valuations, or enumerations, by the assessor. And it shall be the duty of the principal assessor in each collection district, during twenty-five days after the date of publication to be made as aforesaid, to submit the proceedings of the assessors, and the list by them received, or taken as aforesaid, to the inspection of any and all persons who shall apply for that purpose; and the said principal assessors are hereby authorized to receive, hear, and determine in a summary way, according to law and right, upon any and all appeals which may be exhibited against the proceedings of the said assessors; *Provided always*, That it shall be the duty of said principal assessors to advertise and attend two successive days of the said twenty-five at the court house of each county within his assessment district, there to receive and determine upon the appeals aforesaid, and, *Provided always*, that the question to be determined by the principal assessor, on an appeal respecting the valuation of property shall be, whether the valuation complained

Lists to be made with reference to the day fixed by this act.

Penalty.

Principal assessors to advertise some public place in their districts where assessment lists are to be exhibited, and may be examined.

Proviso.

of, be, or be not, in a just relation or proportion to other valuations in the same assessment district. And all appeals to the principal assessors as aforesaid, shall be made in writing, and shall specify the particular cause, matter or thing, respecting which a decision is requested; and shall moreover state the ground or principal of inequality or error complained of. And the principal assessor shall have power to re-examine and equalize the valuations as shall appear just and equitable; but no valuation shall be increased, without a previous notice of at least five days to the party interested, to appear and object to the same, if he judge proper; which notice shall be given by a note in writing, to be left at the dwelling house of the party by such assessor, as the principal assessor shall designate for that purpose.

Increase of valuation.

Taxes of county or state districts, containing more than one assessment district to be equalized.

Principal assessors to form a board for the despatch of business.

A clerk or clerks to be appointed by the board, who shall be sworn or affirmed.

Duties of the clerks prescribed.

Attendance of the assessors to be noted by them, &c.

SEC. 15. *And be it further enacted*, That whenever a county or state district shall contain more than one assessment district, the principal assessor shall have power, on examination of the lists rendered by the assistant assessors, according to the provisions of this act, to revise, adjust and equalize, the valuation of lands and lots of ground, with their improvements, dwelling houses, and slaves, between such assessment district, by deducting from, or adding to, either, such a rate, per centum, as shall appear just and equitable.

SEC. 16. *And be it further enacted*, That the principal assessors shall, immediately after the expiration of the time for hearing and deciding appeals, make out correct lists of the valuation and enumeration in each assessment district, and deliver the same to the board of principal assessors hereinafter constituted, in and for the states respectively. And it shall be the duty of the principal assessors, in each state, to convene, in general meeting, at such time and place as shall be appointed and directed by the Secretary of the Treasury. And the said principal assessors, or a majority of them, so convened, shall constitute, and they are hereby constituted a board of principal assessors for the purposes of this act, and shall make and establish such rules and regulations, as to them shall appear necessary for carrying such purposes into effect, not being inconsistent with this act, or the laws of the United States.

SEC. 17. *And be it further enacted*, That the said board of principal assessors, convened and organized as aforesaid, shall and may appoint a suitable person or persons, to be their clerk or clerks, who shall hold his or their office, or offices, at the pleasure of the said board of principal assessors, and whose duty it shall be to receive, record, and preserve all tax lists, returns and other documents delivered and made to the said board of principal assessors, and who shall take an oath or affirmation, (if conscientiously scrupulous of taking an oath,) faithfully to discharge his or their trust; and in default of taking such oath or affirmation, previous to entering on the duties of such appointment, or on failure to perform any part of the duties enjoined on him or them respectively by this act, he or they shall respectively forfeit and pay the sum of two hundred dollars, for the use of the United States, to be recovered in any court having competent jurisdiction, and shall also be removed from office.

SEC. 18. *And be it further enacted*, That it shall be the duty of the said clerks to record the proceedings of the said board of principal assessors, and to enter on the record the names of such of the principal assessors, as shall attend any general meeting of the board of principal assessors for the purposes of this act. And if any principal assessor shall fail to attend such general meeting, his absence shall be noted on the said record, and he shall, for every day he may be absent therefrom, forfeit and pay the sum of ten dollars for the use of the United States. And if any principal assessor shall fail or neglect to furnish the said board of principal assessors, with the lists of valuation and enumeration of each assessment district within his collection district, within three

days after the time appointed as aforesaid, for such general meeting of the said board of principal assessors, he shall forfeit and pay the sum of five hundred dollars for the use of the United States, and moreover shall forfeit his compensation as principal assessor. And it shall be the duty of the clerks of the said board of principal assessors, to certify to the Secretary of the Treasury, an extract of the minutes of the board, showing such failures or neglect, which shall be sufficient evidence of the forfeiture of such compensation, to all intents and purposes: *Provided always*, That it shall be in the power of the Secretary of the Treasury to exonerate such principal assessor or assessors from the forfeiture of the said compensation, in whole or in part, as to him shall appear just and equitable.

SEC. 19. *And be it further enacted*, That if the said board of principal assessors shall not, within three days after the first meeting thereof as aforesaid, be furnished with all the lists of valuation of the several counties and state districts of any state or states, they shall, nevertheless, proceed to make out the equalization and apportionment by this act directed, and they shall assign to such counties and state districts, the valuation lists of which shall not have been furnished, such valuation as they shall deem just and right, and the valuation thus made to such counties and state districts by the board of principal assessors, shall be final, and the proper quota of direct tax shall be, and is hereby declared to be imposed thereon accordingly.

SEC. 20. *And be it further enacted*, That it shall be the duty of the said board of principal assessors, diligently and carefully to consider and examine the said lists of valuation, as well in relation to the states which have been heretofore assessed, as in relation to the states which have not been heretofore assessed, for the direct tax for the year one thousand eight hundred and fourteen, and they shall have power to revise, adjust and equalize the valuation of property in any county or state district, by adding thereto or deducting therefrom such a rate per centum, as shall render the valuation of the several counties and state districts just and equitable: *Provided*, The relative valuation of property in the same county shall not be changed, unless manifest error or imperfection shall appear in any of the lists of valuation, in which case the said board of principal assessors shall have power to correct the same, as to them shall appear just and right. And if in consequence of any revisal, change, and alteration of the said valuation, any inequality shall be produced in the apportionment of the said direct tax to the several states as aforesaid, it shall be the duty of the Secretary of the Treasury to report the same to Congress, to the intent that provision may be made by law for rectifying such inequality.

SEC. 21. *And be it further enacted*, That as soon as the said board of principal assessors shall have completed the adjustment and equalization of the valuation aforesaid, they shall proceed to apportion to each county and state district its proper quota of direct tax, and they shall lay the same upon all the subjects of direct taxation herein prescribed within their respective counties and state districts, according to the provisions of this act, so as to raise upon each county or state district, a quota of taxes bearing the same proportion to the whole direct tax imposed on the state, as the valuation of such county or state district bears to the valuation of the state. And the said board of principal assessors shall, within twenty days after the time appointed by the Secretary of the Treasury for their first meeting, complete the said apportionment, and shall record the same; they shall thereupon further deliver to each principal assessor a certificate of such apportionment, together with the general lists by the principal assessors respectively presented to the board as aforesaid, and transmit to the Secretary of the Treasury a certificate of the apportionment by them made as aforesaid; and the principal assessors respectively shall thereupon proceed to revise their respective lists, and alter and make the same

Board of principal assessors to assign to certain counties and state districts such valuation as they may deem right and proper if not furnished with lists.

Board of principal assessors may equalize the rates of taxes for certain districts.

Proviso.

Taxes to be apportioned by the board of principal assessors.

in all respects conformable to the apportionment aforesaid by the said board of principal assessors; and the said principal assessors respectively shall make out lists containing the sums payable according to the provisions of this act, upon every object of taxation in and for each collection district; which lists shall contain the name of each person residing within the said district, owning or having the care or superintendence of property lying within the said district, which is liable to the said tax, when such person or persons are known, together with the sums payable by each; and where there is any property within any collection district, liable to the payment of the said tax, not owned or occupied by or under the superintendence of any person resident therein, there shall be a separate list of such property, specifying the sum payable, and the names of the respective proprietors, where known. And the said principal assessors shall furnish to the collector of the several collection districts respectively, within thirty-five days after the apportionment is completed as aforesaid, a certified copy of such list or lists for their proper collection districts, and in default of performance of the duties enjoined on the board of assessors and principal assessors respectively by this section, they shall severally and individually forfeit and pay the sum of five hundred dollars to the use of the United States, to be recovered in any court having competent jurisdiction: *And it is hereby enacted and declared*, That the valuation, assessment, equalization, and apportionment made by the said board of principal assessors as aforesaid, shall be and remain in full force and operation for laying, levying, and collecting, yearly and every year, the annual direct tax by this act laid and imposed, until altered, modified or abolished by law.

Collectors to execute receipts for taxable lists received from principal assessors.

SEC. 22. *And be it further enacted*, That each collector, on receiving a list as aforesaid from the said principal assessors respectively, shall subscribe three receipts, one of which shall be given on a full and correct copy of such list, which list shall be delivered by him to, and shall remain with, the principal assessor of his collection district, and shall be open to the inspection of any person who may apply to inspect the same, and the other two receipts shall be given on aggregate statements of the lists aforesaid, exhibiting the gross amount of taxes to be collected in each county or state district contained in the collection district, one of which aggregate statements and receipts shall be transmitted to the Secretary, and the other to the comptroller of the Treasury.

Collectors to give bonds, &c.

SEC. 23. *And be it further enacted*, That each collector, before receiving any list as aforesaid for collection, shall give bond with one or more good and sufficient sureties, to be approved by the comptroller of the treasury, in the amount of the taxes assessed in the collection district, for which he has been or may be appointed, which bond shall be payable to the United States with condition for the true and faithful discharge of the duties of his office according to law, and particularly for the due collection and payment of all moneys assessed upon such district, and the said bond shall be transmitted to, and deposited in the office of the comptroller of the treasury: *Provided always*, That nothing herein contained shall be deemed to annul, or in any wise to impair, the obligation of the bond heretofore given by any collector: but the same shall be and remain in full force and virtue, any thing in this act to the contrary thereof in any wise notwithstanding.

Proviso.

Amount of taxes as assessed to remain as a lien upon the property.

SEC. 24. *And be it further enacted*, That the annual amount of the taxes so assessed, shall be and remain a lien upon all lands and other real estate, and all slaves of the individuals who may be assessed for the same, during two years after the time it shall annually become due and payable, and the said lien shall extend to each and every part of all tracts or lots of land, or dwelling houses, notwithstanding the same may have been divided or alienated in part.

SEC. 25. *And be it further enacted*, That each collector shall be au-

thorized to appoint, by an instrument of writing under his hand and seal, as many deputies as he may think proper, assigning to each deputy, by that instrument of writing, such portion of his collection district as he may think proper, and also to revoke the powers of any deputy, giving public notice thereof in that portion of the district assigned to such deputy; and each such deputy shall have the like authority in every respect to collect the direct tax so assessed within the portion of the district assigned to him, which is by this act vested in the collector himself; but each collector shall, in every respect be responsible, both to the United States and to individuals, as the case may be, for all moneys collected, and for every act done as deputy collector by any of his deputies whilst acting as such: *Provided*, That nothing herein contained shall prevent any collector from collecting himself, the whole or any part of the tax so assessed, and payable in his district.

Collectors may appoint deputies, &c.

Proviso.

SEC. 26. *And be it further enacted*, That each of the said collectors, or his deputies, shall, within ten days after receiving his collection list from the principal assessors respectively as aforesaid, and annually within ten days after he shall be so required by the Secretary of the Treasury, advertise in one newspaper printed in his collection district, if any there be, and by notifications to be posted up in at least four public places in his collection district, that the said tax has become due and payable, and state the times and places, at which he or they will attend to receive the same, which shall be within twenty days after such notification; and with respect to persons who shall not attend, according to such notifications, it shall be the duty of each collector, in person or by deputy, to apply once at their respective dwellings within such district, and there demand the taxes payable by such persons, which application shall be made within sixty days after the receipt of the collection lists as aforesaid, or after the receipt of the requisition of the Secretary of the Treasury, as aforesaid, by the collectors; and if the said taxes shall not be then paid, or within twenty days thereafter, it shall be lawful for such collector, or his deputies, to proceed to collect the said taxes by distress and sale of the goods, chattels, or effects, of the persons delinquent as aforesaid. And in case of such distress, it shall be the duty of the officer charged with the collection, to make, or cause to be made, an account of the goods or chattels which may be distrained, a copy of which, signed by the officer making such distress, shall be left with the owner or possessor of such goods, chattels, or effects, or at his or her dwelling, with a note of the sum demanded, and the time and place of sale; and the said officer shall forthwith cause a notification to be publicly posted up at two of the taverns nearest to the residence of the person whose property shall be distrained, or at the courthouse of the same county, if not more than ten miles distant, which notice shall specify the articles distrained, and the time and place proposed for the sale thereof, which time shall not be less than ten days from the date of such notification, and the place proposed for sale not more than five miles distant from the place of making such distress: *Provided*, That in any case of distress, for the payment of the duties aforesaid, the goods, chattels, or effects, so distrained, shall and may be restored to the owner or possessor, if, prior to the sale thereof, payment or tender thereof shall be made to the proper officer charged with the collection, of the full amount demanded, together with such fee for levying, and such sum for the necessary and reasonable expense of removing and keeping the goods, chattels, or effects, so distrained, as may be allowed in like cases by the laws or practice of the state wherein the distress shall have been made; but in case of non-payment or tender as aforesaid, the said officers shall proceed to sell the said goods, chattels, or effects, at public auction, and shall and may retain from the proceeds of such sale, the amount demandable for the use of the United States, with the necessary and reasonable expenses of distress

Collectors to give public notice of the taxes assessed.

Proceeding to sell goods distrained.

and sale, and a commission of five per centum thereon for his own use, rendering the overplus, if any there be, to the person whose goods, chattels, or effects, shall have been distrained: *Provided*, That it shall not be lawful to make distress of the tools or implements of a trade or profession, beasts of the plough necessary for the cultivation of improved lands, arms, or household furniture, or apparel necessary for a family.

SEC. 27. *And be it further enacted*, That whenever goods, chattels, or effects sufficient to satisfy any tax upon dwelling houses or lands, and their improvements, owned, occupied or superintended by person known or residing within the same collection district, cannot be found, the collector having first advertised the same for thirty days in a newspaper printed within the collection district, if such there be, and having posted up, in at least ten public places within the same, a notification of the intended sale thirty days previous thereto, shall proceed to sell at public sale, so much of the said property as may be necessary to satisfy the taxes due thereon, together with an addition of twenty per centum to the said taxes. But in all cases where the property liable to a direct tax under this act, or the said act of Congress, entitled "An act to lay and collect a direct tax within the United States," shall not be divisible so as to enable the collector, by a sale of part thereof, to raise the whole amount of the tax, with all costs, charges, and commissions, the whole of such property shall be sold, and the surplus of the proceeds of the sale, after satisfying the tax, costs, charges and commissions, shall be paid to the owner of the property or his legal representatives, or if he or they cannot be found, or refuse to receive the same, then such surplus shall be deposited in the Treasury of the United States, to be there held for the use of the owner or his legal representatives until he or they shall make application therefor to the Secretary of the Treasury, who upon such application, shall, by warrant on the treasurer, cause the same to be paid to the applicant. And if the property advertised for sale as aforesaid, cannot be sold for the amount of the tax due thereon, with the said additional twenty per centum thereto, the collector shall purchase the same in behalf of the United States for the amount aforesaid: *Provided*, That the owner or superintendent of the property aforesaid, after the same shall have been as aforesaid advertised for sale, and before it shall have been actually sold, shall be allowed to pay the amount of the tax thereon, with an addition of ten per centum on the same, on the payment of which the sale of the said property shall not take place: *Provided also*, That the owners, their heirs, executors, or administrators, or any person on their behalf, shall have liberty to redeem the lands and other property sold as aforesaid, within two years from the time of sale, upon payment to the collector for the use of the purchaser, his heirs or assigns, of the amount paid by such purchaser, with interest for the same at the rate of twenty per centum per annum; and no deed shall be given in pursuance of such sale, until the time of redemption shall have expired. And the collector shall render a distinct account of the charges incurred in offering and advertising for sale such property, and shall pay into the treasury the surplus, if any there be, of the aforesaid addition of twenty per centum, or ten per centum, as the case may be, after defraying the charges. And in every case of the sale of real estate which has been made under the said act of Congress for the assessment and collection of direct taxes and internal duties, or which shall be made under the authority of this act by the collectors or marshals respectively, or their lawful deputies respectively, or by any other person or persons, the deeds for the estate so sold shall be prepared, made, executed, and proved, or acknowledged, at the time and times prescribed, in this act, by the collectors respectively, within whose collection district such real estate shall be situated, in such form of law as shall be authorized and required by the laws of the United States, or by the law of the state in which such real estate lies,

Sale of property.

Act of Aug. 2, 1813, ch. 37.

Overplus received from the sale of delinquents' property to be returned to owners.

If property will not sell for the tax, &c.

Proviso.

Redemption.

Deeds to be made for property sold under this act, by the collectors.

for making, executing, proving, and acknowledging, deeds of bargain and sale, or other conveyances for the transfer and conveyance of real estate: and for every deed, so prepared, made, executed, proved, and acknowledged, the purchaser or grantee shall pay to the collector the sum of five dollars for the use of the collector, marshal, or other person, effecting the sale of the real estate thereby conveyed.

SEC. 28. *And be it further enacted*, That with respect to property lying within any collection district, not owned, or occupied, or superintended, by some person residing in such collection district, and on which the tax shall not have been paid to the collector within ninety days after the day on which he shall have received the collection list from the said principal assessors respectively as aforesaid, or the requisition of the Secretary of the Treasury, as aforesaid, the collector shall transmit lists of the same to one of the collectors within the same state, to be designated for that purpose by the Secretary of the Treasury; and the collector who shall have been thus designated by the Secretary of the Treasury, shall transmit receipts for all the lists received as aforesaid, to the collector transmitting the same. And the collectors thus designated in each state by the Secretary of the Treasury, shall cause notifications of the taxes due as aforesaid, and contained in the lists thus transmitted to them, to be published for sixty days in at least one of the newspapers published in the state; and the owners of the property on which such taxes may be due, shall be permitted to pay to such collector the said tax, with an addition of ten per centum thereon: *Provided*, That such payment is made within one year after the day on which the collector of the district where such property lies, had notified that the tax had become due on the same.

SEC. 29. *And be it further enacted*, That when any tax as aforesaid shall have remained unpaid for the term of one year as aforesaid, the collector in the state where the property lies, and who shall have been designated by the Secretary of the Treasury as aforesaid, having first advertised the same for sixty days, in at least one newspaper in the state, shall proceed to sell, at public sale, so much of the said property as may be necessary to satisfy the taxes due thereon, together with an addition of twenty per centum thereon: or if such property is not divisible as aforesaid, the whole thereof shall be sold and accounted for in manner hereinbefore provided. If the property advertised for sale cannot be sold for the amount of the tax due thereon, with the said addition thereon, the collector shall purchase the same in behalf of the United States for such amount and addition. And the collector shall render a distinct account of the charges incurred in offering and advertising for sale such property, and pay into the treasury the surplus, if any, of the aforesaid addition of ten or twenty per centum, as the case may be, after defraying the said charges.

SEC. 30. *And be it further enacted*, That the collectors, designated as aforesaid by the Secretary of the Treasury, shall deposit with the clerks of the district court of the United States, in the respective states, and within which district the property lies, correct lists of the tracts of land, or other real property, sold by virtue of this act for non-payment of taxes, together with the names of the owners, or presumed owners, or the purchasers of the same, at the public sales aforesaid, and of the amount paid by such purchasers for the same; the owners, their heirs, executors, or administrators, or any person in their behalf, shall have liberty to redeem the lands or other property sold as aforesaid, within two years from the time of sale, upon payment to the clerk aforesaid, for the use of the purchaser, his heirs or assigns, of the amount paid by such purchaser for the said land, or other real property, with interest for the same, at the rate of twenty per centum per annum, and of a commission of five per centum on such payment, for the use of the clerk aforesaid. The clerk shall, on appli-

List of the deeds.

Non-residents' property how to be made liable for taxes.

Designate collector to advertise.

Act of March 3, 1815, ch. 90, sec. 3.

Collectors to sell property of delinquent non-resident proprietors.

Collectors to purchase the property advertised and sold for the taxes.

See act of March 3, 1815, ch. 90, sec. 3.

Collectors designated by the Secretary of the Treasury to deposit with clerks of district courts correct lists of the property sold under this act.

Deeds to be given for unredeemed land.

Lands of infants and persons insane.

Collectors to make periodical statements to Secretary of the Treasury and pay over all moneys received by them.

Collectors to be charged with amount of taxes received by them.

When to be credited.

cation, pay to the purchasers the money thus paid for their use; and the collectors respectively shall give deeds for the lands or property aforesaid, to the purchasers entitled to the same, in all cases where the same shall not have been redeemed within two years, as aforesaid, by the original owners thereof, or their legal representatives. And the said clerk shall be entitled to receive from the purchaser, for his own use, the sum of one dollar, in addition to the sum hereinbefore made payable to the collector, for every such deed, to be paid on the delivery thereof to such purchasers. And in all cases where lands may be sold under this act, for the payment of taxes, belonging to infants, persons of insane mind, married women, or persons beyond sea, such persons shall have the term of two years after their respective disabilities shall have been removed, or their return to the United States, to redeem lands thus sold, on their paying into the clerk's office aforesaid the amount paid by the purchaser, together with ten per centum per annum; and on their payment to the purchaser of the land aforesaid, a compensation for all improvements he may have made on the premises, subsequent to his purchase, the value of which improvements to be ascertained by three or more neighbouring freeholders, to be appointed by the clerk aforesaid, who, on actual view of the premises, shall assess the value of such improvements, on their oaths, and make a return of such valuation to the clerk immediately. And the clerk of the court shall receive such compensation for his services herein, to be paid by, and received from, the parties, like costs of suit, as the judge of the district court shall, in that respect, tax and allow.

SEC. 31. *And be it further enacted*, That the several collectors shall, at the expiration of every month after they shall respectively commence their collections, in the next, and every ensuing year, transmit to the Secretary of the Treasury a statement of the collections made by them respectively, within the month, and pay over quarterly, or sooner, if required by the Secretary of the Treasury, the moneys by them respectively collected within the said term; and each of the said collectors shall complete the collection of all sums annually assigned to him for collection as aforesaid, shall pay over the same into the treasury, and shall render his final account to the Treasury Department within six months from and after the day when he shall have received the collection lists from the said board of principal assessors, or the said requisition of the Secretary of the Treasury as aforesaid: *Provided however*, That the period of one year and three months from the said annual day, shall be annually allowed to the collector designated in each state as aforesaid by the Secretary of the Treasury, with respect to the taxes contained in the list transmitted to him by the other collectors as aforesaid.

SEC. 32. *And be it further enacted*, That each collector shall be charged with the whole amount of taxes by him receipted, whether contained in the lists delivered to him by the principal assessors respectively or transmitted to him by other collectors: and shall be allowed credit for the amount of taxes contained in the lists transmitted in the manner above provided to other collectors, and by them receipted as aforesaid, and also for the taxes of such persons as may have absconded, or become insolvent, subsequent to the date of the assessment, and prior to the day when the tax ought, according to the provisions of this act, to have been collected: *Provided*, That it shall be proven to the satisfaction of the comptroller of the treasury, that due diligence was used by the collector, and that no property was left from which the tax could have been recovered; and each collector, designated in each state as aforesaid by the Secretary of the Treasury, shall receive credit for the taxes due for all tracts of land which, after being offered by him for sale in manner aforesaid, shall or may have been purchased by him in behalf of the United States.

SEC. 33. *And be it further enacted*, That if any collector shall fail,

either to collect or to render his account, or to pay over in the manner or within the times herein before provided, it shall be the duty of the comptroller of the treasury, and he is hereby authorized and required, immediately after such delinquency, to issue a warrant of distress against such delinquent collector and his sureties, directed to the marshal of the district, therein expressing the amount of the taxes with which the said collector is chargeable, and the sums, if any, which have been paid. And the said marshal shall, himself, or by his deputy, immediately proceed to levy and collect the sum which may remain due, by distress and sale of the goods and chattels, or any personal effects, of the delinquent collector; and for want of goods, chattels, or effects, aforesaid, sufficient to satisfy the said warrant, the same may be levied on the person of the collector, who may be committed to prison, thereto remain until discharged in due course of law; and furthermore, notwithstanding the commitment of the collector to prison as aforesaid, or if he abscond, and goods, chattels, and effects, cannot be found sufficient to satisfy the said warrant, the said marshal, or his deputy, shall and may proceed to levy and collect the sum which remains due, by distress and sale of the goods, and chattels, or any personal effects, of the surety or sureties of the delinquent collector. And the amount of the sums due from any collector as aforesaid, shall, and the same are hereby declared to be a lien upon the lands and real estate of such collector and his sureties, until the same shall be discharged according to law. And for want of goods and chattels, or other personal effects of such collector or his sureties, sufficient to satisfy any warrant of distress, issued pursuant to the preceding section of this act, the lands and real estate of such collector and his sureties, or so much thereof as may be necessary for satisfying the said warrant, after being advertised for at least three weeks, in not less than three public places in the collection district, and in one newspaper printed in the county or district, if any there be, prior to the proposed time of sale, may and shall be sold by the marshal or his deputy; and for all lands and real estate, sold in pursuance of the authority aforesaid, the conveyances of the marshals, or their deputies, executed in due form of law, shall give a valid title against all persons claiming under delinquent collectors, or their sureties, aforesaid. And all moneys that may remain of the proceeds of such sale, after satisfying the said warrant of distress, and paying the reasonable costs and charges of sale, shall be returned to the proprietor of the lands or real estate sold as aforesaid.

Made the duty of the comptroller to bring delinquent collectors to account, &c.

Sale of the property of delinquent collectors and of their sureties.

SEC. 34. *And be it further enacted,* That each and every collector or his deputy, who shall exercise or be guilty of any extortion or oppression, under colour of this act, or shall demand other or greater sums than shall be authorized by this act, shall be liable to pay a sum not exceeding two thousand dollars to be recovered by and for the use of the party injured, with costs of suit, in any court having competent jurisdiction; and each and every collector or his deputies shall give receipts for all sums by them collected and retained in pursuance of this act.

Penalties upon collectors for extortion, &c.

SEC. 35. *And be it further enacted,* That there shall be allowed and paid for the services performed under this act, to each principal assessor, two dollars for every day employed in making the necessary arrangements and giving the necessary instructions to the assistant assessors for the valuations; three dollars for every day employed in making revised valuations and tax lists, where an assessment and valuation have heretofore been made, and in hearing appeals and making out lists, agreeably to the provisions of this act, upon original assessments and valuations; and five dollars for every hundred taxable persons contained in the tax list as delivered by him to the said board of principal assessors: to each assistant assessor two dollars for every day actually employed in collecting lists and making valuations, the number of days necessary for that

Fees to assessors, &c.

purpose being certified by the principal assessor, and approved by the comptroller of the treasury, and three dollars for every hundred taxable persons contained in the tax lists as completed and delivered by him to the principal assessor: to each of the principal assessors constituting the board of principal assessors as aforesaid, for every day's actual attendance at the said board, the sum of three dollars, and for travelling to and from the place designated by the Secretary of the Treasury, three dollars for each thirty miles. And to each of the clerks of the said board, three dollars for every day's actual attendance thereon. And the said board of principal assessors, and the said assessors severally and respectively, shall be allowed their necessary and reasonable charges for books and stationery used in the execution of their duties; and the compensation herein allowed shall be in full for all other expenses not particularly specified.

Compensation provided for the principal assessors, and the assistants, as well as of the boards, to be paid at the treasury.

Appropriation.

Proviso.

SEC. 36. *And be it further enacted*, That the compensation herein before provided for the services of the principal assessors and their assistants, and for the board of principal assessors and their clerks, shall be paid at the treasury; and there is hereby appropriated for that purpose the sum of two hundred thousand dollars, to be paid out of any money not otherwise appropriated. And the President of the United States shall be and he is hereby authorized to augment, in cases where he shall deem it necessary, the compensation authorized by this act for the principal assessors and their assistants: *Provided*, That no principal assessor shall, in any case, receive more than three hundred dollars, and no assistant assessor shall receive more than one hundred and fifty dollars: and for such augmented compensation, and the expense of carrying this act annually into effect, there is further hereby appropriated an annual sum of one hundred and fifty thousand dollars, to be paid out of any money in the treasury not otherwise appropriated.

President may make appointments of principal assessors, in recess of the Senate.

SEC. 37. *And be it further enacted*, That in cases where principal assessors have not been, or shall not, during the present session of Congress, be appointed, and in cases where vacancies shall occur in the office of principal assessor, the President of the United States is hereby authorized to make appointments during the recess of the Senate, by granting commissions, which shall expire at the end of the next session. And where no person can be found in any collection district, or assessment district, to serve either as collector, principal assessor, or assistant assessor respectively, the President of the United States is hereby authorized to appoint one of the deputy postmasters in such district, to serve as collector, or assessor, as the case may be. And it shall be the duty of such deputy postmaster to perform accordingly the duties of such officer.

Separate accounts to be kept at the treasury of the proceeds of direct taxes and internal duties.

SEC. 38. *And be it further enacted*, That separate accounts shall be kept at the treasury, of all moneys received from the direct tax and from the internal duties, in each of the respective states, territories, and collection districts: and that separate accounts shall be kept of the amount of each species of duty that shall accrue, with the moneys paid to the collectors, assessors and assistant assessors, and to the other officers employed, in each of the respective states, territories, and collection districts, which accounts it shall be the duty of the Secretary of the Treasury, annually, in the month of December, to lay before Congress.

Made the duty of the principal assessors to ascertain and keep accounts of the transfers of real property.

SEC. 39. *And be it further enacted*, That the principal assessors respectively shall, yearly, and every year, after the year one thousand eight hundred and fifteen, in the month of January, inquire and ascertain, in the manner by the sixth section of this act provided, what transfers and changes of property in lands, lots of ground, dwelling houses and slaves, have been made and effected in their respective districts, subsequent to the next preceding valuation, assessment and apportionment of the direct tax by this act laid; and within twenty days thereafter, they shall

make out three lists of such transfers and changes, and transmit one list to the Secretary of the Treasury, another list to the commissioner of the revenue, and the third shall be delivered to the collector of the collection district. And it shall yearly, and every year, after the said year one thousand eight hundred and fifteen, be the duty of the Secretary of the Treasury to notify the collectors of the several collection districts, a day in the month of February, on which it shall be the duty of the said collectors to commence laying and collecting the annual direct tax by this act laid and imposed, according to the assessment of the tax lists to them delivered by the said principal assessors, as aforesaid, subject only to such alterations therein as shall be just and proper, in the opinion of the Secretary of the Treasury to conform to the transfers and changes aforesaid, ascertained by the principal assessors as aforesaid; and the said collectors shall annually in all respects, proceed in and conclude the collection of the said direct tax, in the same manner and within the time hereinbefore provided and prescribed.

SEC. 40. *And be it further enacted*, That each state may pay its quota of the direct tax by this act laid, into the treasury of the United States, for the first and for any and every succeeding year; and in consideration of such payment, the state shall be entitled to a deduction of fifteen per centum, if paid before the first day of May, and ten per centum if paid before the first day of October, in the year to which the payment relates: *Provided*, That notice of the intention to make such payment, be given to the Secretary of the Treasury, on or before the first day of April in each year; *And provided*, That such notice and payment shall not in anywise prevent or discontinue the proceedings under this act, to make the valuations, assessments, and apportionments herein authorized and directed, but shall only prevent or discontinue the collection of the quota of the state giving such notice and making such payment.

SEC. 41. *And be it further enacted*, That towards establishing an adequate revenue, to provide for the payment of the expenses of government; for the punctual payment of the public debt, principal and interest, contracted and to be contracted, according to the terms of the contracts respectively; and for creating an adequate sinking fund, gradually to reduce, and eventually to extinguish the public debt, contracted, and to be contracted, the direct tax by this act laid shall continue to be laid, levied, and collected, during the present war between the United States and Great Britain, and until the purposes aforesaid shall be completely accomplished, any thing in the said act of Congress to the contrary thereof in anywise notwithstanding. And for the effectual application of the revenue to be raised by and from the said direct tax laid by this act, and also by and from the direct tax laid by the said act of Congress, entitled "An act to lay and collect a direct tax within the United States," to the purposes aforesaid, in due form of law, the faith of the United States is hereby pledged: *Provided always*, That whenever Congress shall deem it expedient to alter, reduce, or change the said direct tax by this act laid, it shall be lawful so to do, upon providing and substituting, by law, at the said time, and for the same purposes, other taxes or duties, which shall be equally productive with the direct tax so altered, reduced, or changed: *And provided further*, That nothing in this act contained shall be deemed or construed in anywise to rescind or impair any specific appropriation of the said direct taxes, or either of them; but such appropriation shall remain and be carried into effect, according to the true intent and meaning of the law and laws making the same, any thing in this act to the contrary thereof in anywise notwithstanding.

SEC. 42. *And be it further enacted*, That it shall be lawful for the President of the United States to authorize the Secretary of the Treasury to anticipate the collection and receipt of the direct tax laid and imposed by this act, and by the said act of Congress, entitled "An act to lay and

Act of March 4, 1815, ch. 90, sec. 1.

States authorized to assume the payment of their respective quotas of tax and to be allowed a discount.

Proviso.

Pledge of taxes for the payment of the public debt, &c.

Act of Aug. 2, 1813, ch. 37.

Loans authorized in anticipation of the taxes.

Act of Aug.
2, 1813, ch. 37.

Proviso.

Repealed by
act of Dec. 23,
1817, ch. 1.

collect a direct tax within the United States," by obtaining a loan upon the pledge of the said direct taxes, or either of them, for the reimbursement thereof, to an amount not exceeding six millions of dollars; and at a rate of interest not exceeding six per centum per annum. And any bank or banks now incorporated, or which may hereafter be incorporated, under the authority of the United States, is, and are hereby authorized to make such loan: *Provided always, and it is expressly declared,* That the money so obtained upon loan, shall be applied to the purposes aforesaid, to which the said direct taxes so to be pledged are by this act applied and appropriated, and to no other purposes whatsoever.

APPROVED, January 9, 1815.

STATUTE III.

Jan. 18, 1815.

CHAP. XXII.—*An Act to provide additional revenues for defraying the expenses of government, and maintaining the public credit, by laying duties on various goods, wares, and merchandise, manufactured within the United States. (a)*

Tax imposed.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the expiration of ninety days subsequent to the passing of this act, there shall be paid upon all goods, wares, and merchandise, of the following descriptions, which shall thereafter be manufactured or made for sale within the United States, or the territories thereof, the respective duties following, that is to say:

Rates of Spe-
cific articles.

Pig iron, per ton, one dollar.

Castings of iron, per ton, one dollar and fifty cents.

Bar iron, per ton, one dollar.

Rolled or slit iron, per ton, one dollar.

Nails, brads, and sprigs, other than those usually denominated wrought, per pound, one cent.

Candles of white wax, or in part of white and other wax, per pound, five cents.

Mould candles of tallow, or of wax other than white, or in part of each, per pound, three cents.

Hats and caps, in whole or in part of leather, wool or furs; bonnets, in whole or in part of wool or fur, if above two dollars in value, eight per centum ad valorem.

Hats of chip or wood covered with silk or other materials, or not covered, if above two dollars in value, eight per centum ad valorem.

Umbrellas and parasols, if above the value of two dollars, eight per centum ad valorem.

Paper, three per centum ad valorem.

Playing and visiting cards, fifty per centum ad valorem.

Saddles and bridles, six per centum ad valorem.

Boots and bootees, exceeding five dollars per pair in value, five per centum ad valorem.

Beer, ale, and porter, six per centum ad valorem.

Tobacco, manufactured segars and snuff, twenty per centum ad valorem.

Leather, including therein all hides and skins, whether tanned, tawed, dressed, or otherwise made, on the original manufacture thereof, five per centum ad valorem: which said duties shall be paid by the owner or occupier of the buildings or vessels in which, or of the machines, implements, or utensils wherewith, the said goods, wares, and merchandise, shall have been manufactured or made, or by the agent or superintendent thereof; the amount thereof payable by any one person at any one time, if not exceeding twenty dollars shall, and, if exceeding twenty dollars may, be paid in money with a deduction of two per centum at the time

a) See note to the act of July 4, 1789, ch. 2, vol. i. p. 24.

of rendering the accounts of the articles so chargeable with duty, required to be rendered by the second section of this act, or without deduction at the next subsequent time prescribed for rendering such accounts.

SEC. 2. *And be it further enacted*, That every person who, from and after the expiration of ninety days subsequent to the passing of this act, shall be the owner or occupier of any building, or vessel, or machine, implement or utensil, used or intended to be used for the manufacturing or making of such goods, wares and merchandise, or either of them, or who shall have such building, or vessel, or machine, implement or utensil under his superintendence, either as agent for the owner or on his own account, shall before the expiration of the said ninety days, and every person who, after the expiration of the said ninety days, shall use or intend to use any building, or vessel, or machine, implement or utensil, as aforesaid, either as owner, occupier, agent, or otherwise, shall before he shall begin so to use, or cause the same so to be used, give bond, with at least two sureties, to the satisfaction of the collector of internal duties for the district in which the same shall be situate, in a sum not less than the computed duties for one year, nor less than one hundred dollars, that he will, before using or causing the same to be used, make true and exact entry and report in writing to the said collector of every such building, or vessel, machine, implement, or utensil, owned, occupied, or superintended by him, with the size thereof, the names of the owner, occupier, agent, and superintendent, the place where situate, and the manner in which, and the time for which, not exceeding one year, it is intended to employ the same, with the denominations and quantities of the articles manufactured or made as aforesaid, which he may have on hand, with the value thereof; that he will, thereafter, before using or causing the same to be used, make like entry and report of any other building, or vessel, machine, implement or utensil, used or intended to be used as aforesaid, that he may own, occupy, or have the agency or superintendence of, with the size thereof, the names of the owner, occupier, agent and superintendent, the place where situate, and the manner in which and the time for which, not exceeding one year, it is intended to employ the same, with information from time to time of any change in the form, size, agency, ownership, occupancy or superintendence which all or either of the said buildings or vessels, machines, implements or utensils may undergo: that he will from day to day, so long as he may use the same, enter or cause to be entered, in a book or books to be kept by him for that purpose, and which shall be open at all times between the rising and setting of the sun for the inspection of the said collector, who may take any minutes, memorandums or transcripts thereof, the denominations and quantities of the articles manufactured or made, and will render to the said collector, on the first day of January, April, July, and October, in each year, or within ten days thereafter, a general account in writing, taken from his books, of the denominations and quantities of the said articles, with the aggregate value thereof, for three months preceding said days, or for such portion thereof as may have elapsed from the date of said entry and report to the said day which shall next ensue: that he will, at the said times, deliver to the said collector the original book of entries, which book shall be retained by said officer: that he will likewise, from day to day, enter or cause to be entered, in a book or books to be kept by him for that purpose, and which shall be open at all times, between the rising and setting of the sun, for the inspection of the said collector, who may take any minutes, memorandums or transcripts thereof, the denominations and quantities of all the hereinbefore enumerated manufactured articles sold, with the price for which the same were sold, specifying in each sale the name of the person to whom sold, where the amount sold shall exceed ten dollars in value: and that he will render to the said collector, at the time of rendering the said general accounts,

Owners of
stills, &c. to
give bonds, &c.

Conditions
prescribed.

a statement in writing, taken from said book or books, in which there shall be specified the denominations and quantities of all such manufactured articles sold on each day, stating distinctly each sale, with the name of the purchaser, and the denominations and quantities sold, and price, where the same shall exceed ten dollars, and the aggregate denominations and quantities, with the aggregate value of all other sales: that he will verify, or cause to be verified, the said entries, reports, books, general accounts, and statements, on oath or affirmation, to be taken before the collector, or some officer authorized by law to administer the same, according to the form required by this act, where the same is prescribed; and that he will pay to the said collector the duties which by this act ought to be paid on the articles so manufactured, and in the said account mentioned, if not exceeding twenty dollars, at the time of rendering an account thereof, with a deduction of two per centum, and if exceeding twenty dollars, either at said time, with a like deduction, or at the next subsequent time prescribed for rendering such accounts without deduction; and the said bond may, from time to time, at the discretion of the collector, be renewed or changed in regard to the sureties and penalties thereof. And every such person, whether owner, occupier, agent, or superintendent as aforesaid, shall, at the time of making the entry and report first before stated, obtain agreeably thereto a license for employing, for a term not exceeding one year, such buildings, or vessels, or machines, implements, or utensils, describing the same, with the use to which they are to be applied, the place where situate, the name of the owner, occupier, agent, or superintendent, and the term for which it is intended to use the same; which license the said collector is hereby empowered and directed to grant. And a like license, for any term not exceeding a year, shall be obtained and granted on a like report and entry made at any time thereafter, without requiring a new bond; so long as the bond aforesaid shall remain in force; which licenses shall be signed by the commissioner of the revenue, and countersigned by the collector who shall issue the same.

Licenses to be taken out according to entries, &c.

Entries to be verified by oaths of the parties making them.

SEC. 3. *And be it further enacted*, That the entries made in the books required to be kept by the second section of this act, shall, on the said first days of January, April, July, and October, or within ten days after each of the said days, be verified by the oath or affirmation, to be taken as aforesaid, of the person or persons by whom such entries shall have been made, which qualification shall be certified at the end of such entries by the collector, or officer administering the same, and shall be in substance as follows: "I (or we) do swear (or affirm) that the foregoing entries were made by me (or us) on the respective days specified, and that they state, according to the best of my knowledge and belief, the whole quantities and denominations, with the value thereof, of the manufactured (or sold as the case may be) by _____, in the of _____."

In case the original entries are not made, the oath or affirmation of the owners to be subjoined.

SEC. 4. *And be it further enacted*, That the owner, occupier, agent or superintendent aforesaid, shall, in case the original entries required to be made in his books by the second section of this act, shall not be made by himself, subjoin to the oath or affirmation of the person by whom they were made, the following oath or affirmation, to be taken as aforesaid: "I, _____, do solemnly swear (or affirm) that to the best of my knowledge and belief, the foregoing entries are just and true, and that _____ have taken all the means in _____ power to make them so."

Delinquents to pay an additional per centage.

SEC. 5. *And be it further enacted*, That in all cases in which the duties aforesaid shall not be duly paid, the person chargeable therewith shall pay, in addition, ten per centum on the amount thereof; and in case such duties, with said addition, shall not be paid within three months from the time the said duties ought to be paid, the collector for the district shall make a personal demand of the same of such person, or by notice in

writing, left at his dwelling, if within the collection district, and if not at the manufactory owned or superintended by such person; and in case of refusal or neglect to pay the said duties, with the addition, within ten days after such demand or notice, the amount thereof shall be recovered by distress and sale of goods, chattels, and effects of the delinquent; and in case of such distress, it shall be the duty of the officer charged with the collection, to make, or cause to be made, an account of the goods or chattels which may be distrained, a copy of which, signed by the officer making such distress, shall be left with the owner or possessor of such goods, chattels, or effects, or at his or her dwelling, with a note of the sum demanded, and the time and place of sale; and the said officer shall forthwith cause a notification to be publicly posted up at two of the taverns nearest to the residence of the person whose property shall be distrained, or at the courthouse of the same county, if not more than ten miles distant; which notice shall specify the articles distrained, and the time and place proposed for the sale thereof, which time shall not be less than ten days from the date of such notification, and the place proposed for sale not more than five miles distant from the place of making such distress: *Provided*, That in any case of distress for payment of the duties aforesaid, the goods, chattels or effects so distrained, shall and may be restored to the owner or possessor, if, prior to the day assigned for the sale thereof, payment or tender thereof shall be made to the proper officer charged with the collection, of the full amount demanded, together with such fee for levying, and such sum for the necessary and reasonable expenses of removing and keeping the goods, chattels or effects so distrained, as may be allowed in like cases, by the laws or practice of the state or territory wherein the distress shall have been made; but in case of non-payment or tender as aforesaid, the said officer shall proceed to sell the said goods, chattels, or effects, at public auction, and shall and may retain from the proceeds of such sales the amount demandable for the use of the United States, with the necessary and reasonable expenses of distress and sale, and a commission of eight per centum thereon for his own use, rendering the overplus, if any there be, to the person whose goods, chattels or effects, shall have been distrained: *Provided*, That it shall not be lawful to make distress of beasts of the plough necessary for the cultivation of improved lands, arms, or household furniture, or apparel necessary for a family.

Additional penalties.

Proviso.

SEC. 6. *And be it further enacted*, That all goods, wares, and merchandise, which shall be manufactured or made within the United States, or the territories thereof, the duties on which shall not have been duly paid or secured, according to the true intent and meaning of this act, shall, together with the vessels containing the same, be forfeited, and may be seized as forfeited by any collector of the internal duties, and held by him until a decision shall be had thereon, according to law; *Provided*, That said goods, wares, and merchandise, shall not be liable to be forfeited in the hands of a bona fide purchaser, who shall have purchased the same without knowledge of the duties not being paid, or secured to be paid. And if any person shall conceal or buy any goods, wares, and merchandise, as aforesaid, knowing them to be liable to seizure and forfeiture under this act, such person shall, on conviction thereof, forfeit and pay a sum double the value of the goods so concealed or purchased.

Goods upon which duties have not been paid to be forfeited.

Proviso.

SEC. 7. *And be it further enacted*, That the owner, occupier, agent, or superintendent, as aforesaid, of or for any such building, or vessel, machine, implement, or utensil, used in the manufacture or making of any of the said goods, wares, and merchandise, who shall wilfully neglect or refuse to make true and exact entry and report of the same, or to do or cause to be done any of the things by this act required to be done as aforesaid, excepting to pay the duties hereby laid in cases where the bond required by the second section of this act has been given, shall

Penalties for neglecting to make entries, &c.

forfeit, for every such neglect or refusal, all the goods, wares, and merchandise, manufactured or made by or for him, with the vessels containing the same, and the vessels, machines, implements, or utensils, used in said manufacture or making, together with the sum of five hundred dollars, to be recovered with costs of suit; which said goods, wares, and merchandise, with the vessels, or machines, implements or utensils, so used, may be seized by any collector of the internal duties, and held by him until a decision shall be had thereon according to law; *Provided*, Such seizure be made within three months after the cause for the same may have occurred, and that a prosecution or action thereupon shall have been commenced by such collector within sixty days after such seizure.

Proviso.

Bonds to be forfeited—in what cases.

SEC. 8. *And be it further enacted*, That in case the duties aforesaid shall not be paid or recovered agreeably to the provisions of this act, or in case any act shall be done contrary to, or any acts omitted that are required to be done by, the bond to be given as aforesaid, or the penalties incurred thereby shall not be recovered, the said bond shall be deemed forfeited, and shall be put in suit by the collector, for the recovery of the amount of the said duties, with the addition thereon, penalties and costs, or either, as the case may be; and judgment thereon shall and may be taken at the return term, on motion to be made in open court, unless sufficient cause to the contrary be shown to, and allowed by the court; *Provided*, That the writ or process in such case shall have been executed at least fourteen days before the return day thereof.

Duties payable upon articles manufactured for sale, only.

SEC. 9. *And be it further enacted*, That the duties imposed by this act, shall be considered as applying solely to articles manufactured for sale, and shall not be considered as including any articles manufactured exclusively for the use of the person manufacturing the same.

Upon what description of goods duties to be paid.

SEC. 10. *And be it further enacted*, That the duties laid by this act, shall be payable on all the goods, wares, and merchandise aforesaid, the manufacture or making of which, shall not within ninety days after the passing thereof, be fully completed, or which shall not be then in the condition in which they usually are when offered for sale.

Penalties for using stills, &c. without renewing licenses.

SEC. 11. *And be it further enacted*, That any owner, occupier, agent, or superintendent, as aforesaid, who may have given bond as required in the second section of this act, who shall, after thirty days' notice given him in writing, by the collector, fail to renew or change the same in regard to the sureties and penalties thereof, as is in the same section provided, shall thereafter incur the penalties attached to employing the said buildings, or vessels, or machines, implements, or utensils, without having a license therefor.

Form of the bond, &c. to be prescribed by Secretary of the Treasury.

SEC. 12. *And be it further enacted*, That the forms of the bond required to be given by the second section of this act, as well as the forms of the several oaths, reports, entries, statements, and accounts, by this act required to be taken, kept, and rendered, shall be prescribed by the Treasury Department, agreeably to which the aforesaid specification of the buildings or vessels, in which, or of the machines, implements, or utensils, wherewith, the aforesaid goods, wares, and merchandise, shall be manufactured or made, shall be rendered by the owner, occupier, agent, or superintendent thereof.

Returns to be made by owners.

SEC. 13. *And be it further enacted*, That the value of the manufactured or made goods, wares, and merchandise, required to be stated as aforesaid, shall be regulated by the average of the actual sales by the manufacturer, of the like goods, wares and merchandise, during the quarter, where such actual sales may have been made; and where no such actual sales have been made, such value, so far as respects a manufacturer selling exclusively by wholesale, shall be regulated by the average of the market wholesale sales of the like goods, wares, and merchandise, and so far as respects a manufacturer selling by retail, by the market sales by retail in like manner.

By what criterion the manufactures to be valued.

SEC. 14. *And be it further enacted,* That if any person shall forcibly obstruct or hinder a collector in the execution of this act, or of any of the powers or authorities hereby vested in him, or shall forcibly rescue, or cause to be rescued, any goods, wares, or merchandise, or vessels, machines, implements, or utensils aforesaid, after the same shall have been seized by him, or shall attempt, or endeavour so to do, the person so offending shall, for every such offence, forfeit and pay the sum of five hundred dollars.

Penalties for obstructing officers in the execution of their duties.

SEC. 15. *And be it further enacted,* That a collector shall be authorized to enter, at any time between the rising and setting of the sun, any building or place where any vessel, machine, implement, or utensil as aforesaid, is kept within his collection district, for the purpose of examining, measuring, or describing the same, or of inspecting the accounts of the goods, wares, and merchandise, from time to time manufactured or made. And every owner or occupier of such building, machine, implement, or utensil, or person having the agency or superintendence of the same, who shall refuse to admit such officer, or to suffer him to examine, measure, or describe the same, or to inspect said accounts, shall, for every such refusal, forfeit and pay the sum of five hundred dollars.

At what times collectors may enter places where stills, &c. are kept.

SEC. 16. *And be it further enacted,* That any person who shall be convicted of wilfully taking a false oath or affirmation, in any of the cases in which an oath or affirmation is required to be taken in virtue of this act, shall be liable to the pains and penalties to which persons are liable for wilful and corrupt perjury, and shall, moreover, forfeit the sum of five hundred dollars.

Penalties.

Penalties for false oaths, or affirmations.

SEC. 17. *And be it further enacted,* That no person who shall have refused or neglected to comply with the provisions of this act, shall be entitled, while such refusal or neglect continues, to receive a license as aforesaid, or shall be entitled to credit for any internal duties whatever that may have accrued.

Delinquents not entitled to licenses.

SEC. 18. *And be it further enacted,* That every collector shall give receipts for all sums by him collected under this act.

Collectors to give receipts for moneys received by them.

SEC. 19. *And be it further enacted,* That if it shall appear to the satisfaction of the collector for the district that any owner, occupier, agent or superintendent as aforesaid, of any buildings, vessels or machines, implements or utensils as aforesaid, who shall have given bond agreeably to the second section of this act, and shall have ceased to use the same for one year, and made oath or affirmation thereof, to be lodged with said collector, hath acted agreeably to the condition of such bond, the collector shall cause such bond to be delivered to said owner, occupier, agent or superintendent.

Bonds—when to be cancelled.

SEC. 20. *And be it further enacted,* That the several provisions of "An act making further provision for the collection of internal duties, and for the appointment and compensation of assessors," passed the second of August, one thousand eight hundred and thirteen, shall and are hereby declared to apply in full force to the duties laid by and to be collected under this act, the same as if such duties and this act were recognised therein, which said duties shall be collected by the same collectors, in the same manner, for the same commissions, and under the same directions, as are thereby established in relation to the other internal duties; and all the obligations, duties and penalties thereby imposed upon collectors are hereby imposed upon the collectors of the duties laid by this act.

Provisions of a former act to apply to this.

Act of Aug. 2, 1813, ch. 56.

SEC. 21. *And be it further enacted,* That it shall be the duty of the collectors aforesaid, in their respective districts, and they are hereby authorized, to collect the duties imposed by this act, and to prosecute for the recovery of the same, and for the recovery of any sum or sums which may be forfeited by virtue of this act; and all fines, penalties, and forfeitures, which shall be incurred by force of this act, shall and may be

Collectors authorized to collect the duties imposed under this act, and to prosecute for fines, &c.

sued for and recovered in the name of the United States, or of the collector within whose district any such fine, penalty, or forfeiture, shall have been incurred, by bill, plaint, or information, one moiety thereof to the use of the United States, and the other moiety thereof to the use of the person, who, if a collector, shall first discover, if other than a collector, shall first inform, of the cause, matter or thing, whereby any such fine, penalty or forfeiture, shall have been incurred; and where the cause of action or complaint shall arise or accrue more than fifty miles distant from the nearest place by law established for the holding of a district court, within the district in which the same shall arise or accrue, such suit and recovery may be had before any court of the state, holden within the said district, having jurisdiction in like cases.

Jurisdiction
of state courts.

Collectors to
furnish a copy
of this act to
certain persons.

SEC. 22. *And be it further enacted,* That the collector shall furnish one copy of this act to each person liable to pay a duty under the same, within the collection district, that may apply therefor, and shall advertise in a newspaper, or post up notices at the courthouses therein, of his instruction to furnish the same.

Taxes pledged.

SEC. 23. *And be it further enacted,* That towards establishing an adequate revenue to provide for the payment of the expenses of government; for the punctual payment of the public debt, principal and interest, contracted and to be contracted, according to the terms of the contracts, respectively; and for creating an adequate sinking fund, gradually to reduce and eventually to extinguish, the public debt contracted and to be contracted, the rates and duties laid and imposed by this act shall continue to be laid, levied, and collected, during the present war between the United States and Great Britain, and until the purposes aforesaid shall be completely accomplished. And for the effectual application of the revenue to be raised by and from the said duties to the purposes aforesaid, in due form of law, the faith of the United States is hereby pledged. *Provided always,* That whenever Congress shall deem it expedient to alter, reduce or change, the said duties, or either of them, it shall be lawful so to do, upon providing and substituting by law at the same time, and for the same purposes, other duties, which shall be equally productive with the duties, so altered, reduced or changed.

The duties
laid by this act
to be considered
as additional
to those already
laid.

SEC. 24. *And be it further enacted,* That so long as the duties, herein imposed on each of the foregoing descriptions of goods, wares, and merchandise, shall continue to be laid, the duties at present payable on the like description of goods, wares and merchandise, imported into the United States, shall not be discontinued or diminished, and the faith of the United States is hereby pledged for the continuance of the same until this act shall be repealed.

APPROVED, January 18, 1815.

STATUTE III.

Jan. 18, 1815.

[Repealed.]

CHAP. XXIII.—*An Act to provide additional revenues for defraying the expenses of government, and maintaining the public credit, by laying duties on household furniture, and on gold and silver watches.*

Duty imposed.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there shall be and hereby is imposed an annual duty on all household furniture kept for use, the value of which, in any one family, with the exception of beds, bedding, kitchen furniture, family pictures, and articles made in the family from domestic materials, shall exceed two hundred dollars in money, according to the following scale:

Specific arti-
cles taxed.

If not exceeding four hundred dollars, one dollar.

If above four hundred and not exceeding six hundred dollars, one dollar and fifty cents.

If above six hundred and not exceeding one thousand dollars, three dollars.

If above one thousand and not exceeding fifteen hundred dollars, six dollars.

Specific articles taxed.

If above fifteen hundred and not exceeding two thousand dollars, ten dollars.

If above two thousand and not exceeding three thousand dollars, seventeen dollars.

If above three thousand and not exceeding four thousand dollars, twenty-eight dollars.

If above four thousand and not exceeding six thousand dollars, forty-five dollars.

If above six thousand and not exceeding nine thousand dollars, seventy-five dollars.

If above nine thousand dollars, one hundred dollars: which duty shall be paid by the owner of the said household furniture.

That there shall be, and hereby is, likewise imposed an annual duty of two dollars on every gold watch kept for use, and of one dollar on every silver watch kept for use, which duty shall be paid by the owner thereof.

SEC. 2. *And be it further enacted,* That whenever lists of property shall hereafter be taken in any collection district, under a general assessment therein by the assistant assessors, as required by the "Act for the assessment and collection of direct taxes, and internal duties," passed July the twenty-second, one thousand eight hundred and thirteen, or by any other act, passed or to be passed, lists of the value of the household furniture, as classed by the first section of this act, with the number and description of watches, within such collection district, belonging to each person therein taxable as aforesaid, with the name of the owner or agent, shall be made out in writing by such person or his agent, and delivered to the assistant assessor, at the time of his application therefor, which shall be the same time as that prescribed in the act then in force, for the delivery of the lists therein required to be delivered; and the said assistant assessor is hereby empowered and directed to apply therefor at the dwelling of said person, or his agent, at the said time.

Lists of the value of household property, as classed by the first section of this act, to be added to lists taken under a former one.
Act of July 22, 1813, ch. 16.

SEC. 3. *And be it further enacted,* That, if any person or agent, as aforesaid, shall not be prepared to exhibit a written list when required, and shall consent to disclose the value of any and all the said household furniture, and the number of watches, as aforesaid, in such case it shall be the duty of the assistant assessor to make such list, which being distinctly read and assented to, shall be received as the list aforesaid of such person, and be certified as such by the said assistant assessor.

Lists to be taken by assistant assessors in certain cases.

SEC. 4. *And be it further enacted,* That if any such person or agent shall deliver or disclose to any assessor any false or fraudulent list, with intent to defeat or evade the purposes of this act, such person or agent shall forfeit and pay the sum of one hundred dollars, to be recovered in any court having competent jurisdiction.

Penalties for giving in fraudulent lists.

SEC. 5. *And be it further enacted,* That in case any person, whether owner or agent as aforesaid, shall be absent from his place of residence at the time an assistant assessor shall apply to receive the list of such person, it shall be the duty of such assessor, to leave at the house or place of residence of such person, a written note or memorandum, requiring him to present to such assessor the list aforesaid, within ten days from the date of such note or memorandum; and if any person, on being notified or required as aforesaid, shall refuse or neglect to give such list as aforesaid, within such time, it shall be the duty of the said assessor, to make, according to the best information which he can obtain, such lists, which lists, so made and subscribed by such assessor, shall be received as the lists aforesaid of such person; and the person so failing or neglecting, unless in case of sickness or absence from home, shall, moreover, forfeit and pay the sum of fifty dollars.

Persons absent from home when the officers call, to furnish lists of their property, under penalties.

Lists, when perfected, to be delivered by the assistant to the principal assessors.

Act of July 22, 1813, ch. 16. Proviso.

General lists to be made out by principal assessors.

Collectors to be furnished by principal assessors with lists.

Collectors to give public notice of taxes.

Act of July 22, 1813, ch. 16.

SEC. 6. *And be it further enacted*, That the several assistant assessors in each of the said collection districts shall deliver the lists aforesaid to the principal assessor, within the time prescribed by the thirteenth section of the "Act for the assessment and collection of direct taxes and internal duties," passed twenty-second of July, eighteen hundred and thirteen, for the delivery of the lists therein designated: *Provided*, That if the said time be altered by any act subsequently passed, such delivery shall be within the time last prescribed therefor.

SEC. 7. *And be it further enacted*, That the respective principal assessors shall make out, according to the lists received from the assistant assessors, a general list or lists of all persons taxable as aforesaid, specifying the name of the owner or agent, the valuation of the household furniture, with the number and description of the watches as aforesaid, and the duty payable on each; which list or lists shall be made out in alphabetical order, for each county or smaller division of a collection district, as may be directed by the Secretary of the Treasury.

SEC. 8. *And be it further enacted*, That each of the collectors of the direct taxes and internal duties, for the collection districts aforesaid, shall, within sixty days from the day on which the principal assessor shall have received the said lists from the assistant assessors, be furnished by the principal assessor with one or more of the lists prepared in conformity with the preceding section, by the principal assessor, signed and certified by him. And each collector, on receiving a list as aforesaid, shall subscribe three receipts; one of which shall be given on a full and correct copy of such list, which list and receipt shall remain with the principal assessor, and be open to the inspection of any person who may apply to inspect the same: and the other two receipts shall be given on aggregate statements of the lists aforesaid, exhibiting the gross amount of each of the aforesaid duties, to be collected in each county or state district contained in the collection district; one of which aggregate statements and receipts shall be transmitted to the commissioner of the revenue, and the other to the comptroller of the treasury.

SEC. 9. *And be it further enacted*, That each of the said collectors, or his deputies, shall, within ten days after receiving his list agreeably to the "Act for the assessment and collection of direct taxes and internal duties," passed twenty-second [of] July, eighteen hundred and thirteen, or agreeably to any act subsequently passed or to be passed, advertise in one newspaper printed in his collection district, if any there be, and by notifications to be posted up in at least four public places in his collection district, that the said duties have become due and payable, and state the times and places at which he or they will attend to receive the same, which shall be within twenty days after such notification: and with respect to persons who shall not attend, according to such notification, it shall be the duty of each collector, in person or by deputy, to apply once at their respective dwellings within such district, and there demand the duties payable by such persons, which application shall be made within sixty days after the receipt of the said lists by the collector; and if the said duties shall not be then paid, or within twenty days thereafter, it shall be the duty of such collector and his deputies to proceed to collect the said duties, by distress and sale of the goods, chattels, or effects, of the persons delinquent; and in case of such distress, it shall be the duty of the officer charged with the collection to make, or cause to be made, an account of the goods or chattels which may be distrained, a copy of which, signed by the officer making such distress, shall be left with the owner or possessor of such goods, chattels, or effects, or at his dwelling, with a note of the sum demanded, and the time and place of sale; and the said officer shall forthwith cause a notification to be publicly posted up at two of the taverns nearest to the residence of the person whose property shall be distrained, or of his agent, or at the courthouse of the same county,

if not more than ten miles distant, which notice shall specify the articles distrained, and the time or place proposed for the sale thereof; which time shall not be less than ten days from the date of such notification, and the place proposed for sale not more than five miles distant from the place of making such distress: *Provided*, That in any case of distress for the payment of the duties aforesaid, the goods, chattels, or effects so distrained, shall and may be restored to the owner or possessor, if, prior to the sale thereof, payment or tender thereof shall be made to the proper officer charged with the collection, of the full amount demanded, together with such fee for levying, and such sum for the necessary and reasonable expenses of removing and keeping the goods, chattels, or effects, so distrained, as may be allowed in like cases by the laws or practice of the state or territory wherein the distress shall have been made; but in case of non-payment or tender as aforesaid, the said officer shall proceed to sell the said goods, chattels, or effects, at public auction, and shall and may retain from the proceeds of such sales, the amount demandable for the use of the United States, with the necessary and reasonable expenses of distress and sale, and a commission of five per centum thereon for his own use, rendering the overplus, if any there be, to the person whose goods, chattels, or effects, shall have been distrained, or to his agent: *Provided*, That it shall not be lawful to make distress of the tools or implements of a trade or profession, beasts of the plough necessary for the cultivation of improved lands, arms, or apparel necessary for a family.

Proviso.

Proviso.

Owners of property, &c. to furnish lists, &c.

Act of July 22, 1813, ch. 16.

SEC. 10. *And be it further enacted*, That it shall be the duty of every owner, or his agent, of household furniture, or watches as aforesaid, within a collection district of any state in which said collection district lists of property shall not, under a general assessment therein, have been directed by law to be taken previously to the month of February in any year, by the assistant assessors, conformably to the act, entitled "An act for the assessment and collection of direct taxes and internal duties," passed the twenty-second of July, one thousand eight hundred and thirteen; or to any act subsequently passed, to transmit during the said month of February in said year, to the principal assessor for the said collection district, a list in writing, stating the value of the household furniture, with the number and description of watches, owned or possessed by such person; on failure to do which, every such person, whether owner or agent, shall forfeit and pay the sum of one hundred dollars. And it shall be the duty of the principal assessor to cause a written or printed notice to be left, previous to the said month, in the year one thousand eight hundred and fifteen, at every inhabited house within the collection district, requiring every person to make out and render the lists annually as aforesaid. And it shall be the duty of the principal assessor, every year, within sixty days after the expiration of said month, to make out, and deliver to the collector, lists in the manner prescribed by the seventh and eighth sections of this act, and of the collector, thereupon to proceed in all respects as is required by the eighth and ninth sections of this act, in cases where lists as aforesaid shall have been taken by the assistant assessors, excepting so far as regards the times of paying the said duties, and of notifying and applying for the same, all of which shall be the same as those fixed in relation to the then existing direct tax becoming due.

SEC. 11. *And be it further enacted*, That the provisions of the preceding section of this act, shall, under the penalty thereby provided, be observed in, and shall apply to the several collection districts within the territories, or districts, wherein no direct tax is laid, excepting that the collectors therein shall perform all the duties required thereby to be performed by the principal assessors: *Provided*, That instead of the receipt of the collector, to the lists received from the principal assessor, the collector shall affix thereto a certificate, that the same is correct, and shall lodge with the marshal for the district, the copy of the general list, which

Provisions of the preceding section to apply to territories.

Proviso.

would otherwise have remained with the principal assessor, which list shall remain with the marshal, and be open to the inspection of any person who may apply to inspect the same: *And provided*, That the times for paying the said duties in such collection district, and of notifying and applying for the same, shall be the same relatively to the date of such certificate, as in the other collection districts they are required to be relatively to the date of the collector's receipt.

SEC. 12. *And be it further enacted*, That in case any person shall be the owner of household furniture, a part of which shall be in one house and a part in another, the valuation of each part thereof shall be distinctly made.

SEC. 13. *And be it further enacted*, That within the meaning of this act, household furniture shall be considered as including pictures, plate, clocks and time-pieces, (except watches) and as excluding books, maps, and philosophical apparatus.

SEC. 14. *And be it further enacted*, That the objects taxed as aforesaid which shall belong to any charitable, religious or literary institution, or which shall belong to the United States, or any state or territory, or shall be permanently or specially exempted from taxation, at the time of the passing of this act, by the laws of the state or territory wherein the same may be situate, shall be exempted from the aforesaid valuation and specification and from the duties aforesaid.

SEC. 15. *And be it further enacted*, That in cases in which it may be doubtful who is chargeable with the duties aforesaid, they shall be paid by the person in whose possession the articles taxed shall have been at the time of ascertaining the said duties, except where such person or his agent cannot, at the time of collecting the same, be found within the collection district in which they were ascertained, in which case they shall be paid by the person then in possession of such articles.

SEC. 16. *And be it further enacted*, That in case any errors shall be committed in collecting, making out, or rendering the lists aforesaid by the assistant or principal assessors, or the collectors, the same may and shall be corrected in such way and within such time as shall be prescribed by the Secretary of the Treasury.

SEC. 17. *And be it further enacted*, That every collector shall give receipts for all sums by him collected under this act, which shall specify the value of the household furniture, with the number and description of watches, for which a duty shall have been paid.

SEC. 18. *And be it further enacted*, That the forms of lists and notifications required by this act, shall be prescribed by the Treasury Department.

SEC. 19. *And be it further enacted*, That if any person shall forcibly obstruct or hinder any officer in the execution of this act, or of any of the powers or authorities hereby vested in him, the person so offending shall forfeit and pay the sum of two hundred dollars.

SEC. 20. *And be it further enacted*, That any assistant assessor who shall wilfully neglect or fail to perform any of the duties herein required to be performed, shall, for every such neglect or failure, forfeit and pay a sum not exceeding one hundred dollars: and any principal assessor or collector who shall wilfully fail or neglect to perform any of the duties herein required to be performed by him, shall for every such neglect or failure, forfeit and pay a sum not exceeding five hundred dollars.

SEC. 21. *And be it further enacted*, That for performing the duties herein required, there shall be annually allowed and paid to each principal assessor at the rate of two dollars and fifty cents for every thousand persons in his collection district, according to the previous census; to each collector in districts in which the direct tax is not laid, there shall be annually allowed and paid at the same rate; and to each assistant assessor, where the lists aforesaid shall be taken, there shall be allowed and paid for taking the same, at the rate of five dollars for every hundred

Lists of household furniture to be furnished by owners for their houses, separately.

What furniture is embraced by this law.

Furniture belonging to charitable literary institutions, &c. exempt.

Where there is a doubt who is the owner, the possessors to pay.

Errors how to be corrected.

Collectors to give receipts—of what tenor.

Forms to be prescribed by Treasury Department.

Obstructing officers.

Penalties on officers for neglect of duty.

Fees of office to the assessors, &c.

lists delivered to the principal assessor, each of which lists shall contain the several objects herein taxed; besides which there shall be allowed and paid to each principal assessor or collector, for collection districts in which lists as aforesaid, under a general assessment therein, shall not be made by the assistant assessors, five dollars for every thousand persons in his collection district, according to the previous census, for delivering the notices required to be left in the year one thousand eight hundred and fifteen, at each inhabited house: *Provided*, That no additional allowance shall be made to the said officers for any contingent expenses, other than for advertising, printing, and paper, that may be incurred by them in the discharge of the duties hereby required to be performed, for the payment of which allowances, as well as those hereinafter authorized, seventy thousand dollars, to be paid out of any moneys in the treasury not otherwise appropriated, are hereby annually appropriated.

Proviso.

Appropriation for expenses.

Additional compensation.

Sec. 22. *And be it further enacted*, That in cases where persons cannot be found to serve as principal or assistant assessors for the foregoing compensation, the President of the United States is hereby empowered to make an additional allowance: *Provided*, That the whole sum so allowed shall not, in any one year, exceed ten thousand dollars.

Provisions of former acts to apply to the duties to be performed under this act.

Act of Aug. 2, 1813, ch. 56.

Sec. 23. *And be it further enacted*, That the several provisions of "An act making further provision for the collection of internal duties, and for the appointment and compensation of assessors, passed the second of August, one thousand eight hundred and thirteen, shall and are hereby declared to apply in full force to the duties laid by, and to be collected under this act, the same as if such duties and this act were recognised therein; which said duties shall be collected by the same collectors, in the same manner, for the same commissions, and under the same directions, as are thereby established in relation to the other internal duties; and all the obligations, duties, and penalties, thereby imposed upon collectors, are hereby imposed upon the collectors of the duties laid by this act.

Made the duty of the collectors to collect duties, and to prosecute for sums forfeited, &c.

Sec. 24. *And be it further enacted*, That it shall be the duty of the collectors aforesaid, in their respective districts, and they are hereby authorized, to collect the duties imposed by this act, and to prosecute for the recovery of the same, and for the recovery of any sum or sums which may be forfeited by virtue of this act. And all fines, penalties, and forfeitures, which shall be incurred by force of this act, shall and may be sued for and recovered in the name of the United States, or of the collector within whose district any such fine, penalty, or forfeiture, shall have been incurred, by bill, plaint, or information, one moiety thereof to the use of the United States, and the other moiety thereof to the use of the person who, if a collector, shall first discover, if other than a collector, shall first inform, of the cause, matter, or thing, whereby any such fine, penalty, or forfeiture, shall have been incurred; and where the cause of action or complaint shall arise or accrue more than fifty miles distant from the nearest place by law established for the holding of a district court within the district in which the same shall arise or accrue, such suit and recovery may be had before any court of the state, holden within the said district having jurisdiction in like cases.

Distribution of fines, &c.

Sec. 25. *And be it further enacted*, That towards establishing an adequate revenue to provide for the payment of the expenses of government; for the punctual payment of the public debt, principal and interest, contracted and to be contracted, according to the terms of the contracts respectively; and for creating an adequate sinking fund, gradually to reduce and eventually to extinguish the public debt, contracted and to be contracted, the duties laid and imposed by this act shall continue to be laid, levied, and collected, during the present war between the United States and Great Britain, and until the purposes aforesaid shall be completely accomplished. And for the effectual application of the revenue

Proceeds of the duties pledged for the payment of the principal and interest, &c. of the public debt.

to be raised by and from the said duties to the purposes aforesaid, in due form of law, the faith of the United States is hereby pledged: *Provided always*, That whenever Congress shall deem it expedient to alter, reduce, or change the said duties, or either of them, it shall be lawful so to do, upon providing and substituting, by law, at the same time and for the same purposes, other duties which shall be equally productive with the duties so altered, reduced, or changed.

APPROVED, January 18, 1815.

STATUTE III.

Jan. 23, 1815.

CHAP. XXIV.—*An Act supplementary to the act, entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi territory."*

Act of March 31, 1814, ch. 39.
President authorized to appoint three commissioners, to act as a board in the place of the one formerly constituted.

Act of March 3, 1815, ch. 96.

Board to meet at some place in the District of Columbia, and to proceed forthwith to business.

Reports to be made by it to the President.

Commissioners to take an oath of office.

Board may appoint a secretary.
His duty,

and pay—as well as the pay of the commissioners.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby authorized, by and with the advice and consent of the Senate, to appoint three fit and disinterested persons, to be and act as commissioners, by virtue of an act, entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi territory," in the place of the Secretary of State, the Secretary of the Treasury, and the attorney general of the United States, for the time being; and the said persons are hereby constituted and appointed a board of commissioners, any two of whom may act as a quorum, as in and by the act aforesaid is provided. Which board is hereby declared to be intended to effect the same purposes and services as the said original board; and is, in every respect, substituted for the same; and is hereby authorized to execute all the powers granted to, and directed to perform all the duties enjoined upon, the said original board of commissioners, according to the intent and provisions of the act aforesaid.

SEC. 2. *And be it further enacted*, That the commissioners to be appointed in pursuance of this act, shall meet at some suitable place within the District of Columbia, on the fourth Monday of January current, or as soon thereafter as may be, to enter on the duties assigned them. And that they shall proceed therein, as expeditiously as may be, and from time to time shall certify and report to the President of the United States, as to the sufficiency of the releases that shall have been made, and the claims they shall have finally adjudged and allowed, agreeably to the third section of the act to which this act is supplementary.

SEC. 3. *And be it further enacted*, That each of the said commissioners, before they proceed to execute their duties as such, shall take the following oath or affirmation, to wit: "I, A B, do solemnly swear (or affirm) that I am not interested in the event of any decision that may be made by this board of commissioners, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as a member thereof: and will adjudge and determine all the matters, claims, and controversies, subject to the adjudication and determination of this board, according to the best of my abilities, agreeably to the laws of the United States, and the principles of justice and equity."

SEC. 4. *And be it further enacted*, That the said board of commissioners shall have power and authority to appoint a secretary, whose duty it shall be to receive, file, and preserve, the papers, documents, and claims, that may be presented to, and received by said board of commissioners, and to enter and record all the orders, proceedings, judgments, and determinations, of said board of commissioners. And one of said commissioners shall administer an oath to such secretary for the faithful discharge of his duty. And there shall be allowed and paid out of the treasury of the United States, to each of the said commissioners, as well as to the secretary by them to be appointed, as a compensation for their

respective services under this act, and in full for the same, the sum of fifteen hundred dollars.

SEC. 5. *And be it further enacted*, That further time be, and hereby is allowed to deposit in the office of the Secretary of State, releases to the United States of claims, under the act or pretended act of the state of Georgia, passed on the seventh day of January, seventeen hundred and ninety-five, and assignments of rights or claims to moneys paid into the treasury of the state of Georgia, and power to sue therefor; and also for recording in the office of the Secretary of State, any deed or evidence of any title or claim that hath been released to the United States, or that shall be released on or before the day hereby appointed, to wit: the third Monday in March next. And so much of the act of Congress, passed the third day of March, one thousand eight hundred and three, entitled "An act regulating the grants of lands of the United States, south of the state of Tennessee," and so much of the act to which this is supplementary as exclude claimants from recording their claims after the first day of January, one thousand eight hundred and four, be, and the same are hereby repealed.

Further time allowed for making releases.

Act of March 3, 1803, ch. 27.
Act of March 3, 1815, ch. 96.

SEC. 6. *And be it further enacted*, That the said commissioners be, and hereby are authorized and empowered to consider and determine all claims, that shall have been duly released to the United States, on or before the said third Monday of March, which may be made and preferred by assignees of bankrupts, or executors or administrators on estates of deceased persons, which may be insolvent and subject to distribution among the creditors of the persons so deceased.

Board empowered to consider and determine upon releases preferred by representatives of bankrupts, &c.

APPROVED, January 23, 1815.

STATUTE III.

CHAP. XXV.—*An Act to authorize the President of the United States to accept the services of state troops and of volunteers.*

Jan. 27, 1815.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby authorized and required to receive into the service of the United States any corps of troops which may have been or may be raised, organized and officered under the authority of any of the states, whose term of service shall not be less than twelve months, which corps, when received into the service of the United States, shall be subjected to the rules and articles of war, and employed in the state raising the same, or in an adjoining state, and not elsewhere, except with the assent of the executive of the state so raising the same: *Provided*, That the said corps shall not contain in the whole, exclusive of officers, more than forty thousand men; and that the number to be received in any state shall not exceed the number hereby apportioned to such state; that is to say: In New Hampshire, one thousand three hundred and eighteen. In Massachusetts, four thousand three hundred and ninety-five. In Vermont, one thousand three hundred and eighteen. In Rhode Island, four hundred and forty. In Connecticut, one thousand five hundred and forty. In New York, five thousand nine hundred and thirty-three. In New Jersey, one thousand three hundred and eighteen. In Pennsylvania, five thousand and fifty-five. In Delaware, four hundred and forty. In Maryland, one thousand nine hundred and eighty. In Virginia, five thousand and fifty-five. In North Carolina, two thousand eight hundred and fifty-eight. In South Carolina, one thousand nine hundred and eighty. In Georgia, one thousand three hundred and eighteen. In Kentucky, two thousand one hundred and ninety-six. In Ohio, one thousand three hundred and eighteen. In Tennessee, one thousand three hundred and eighty-eight. In Louisiana, two hundred and twenty. *And be it further provided*, That in case the President of the United States

Repealed by act of Feb. 27, 1815, ch. 64.

President authorized to accept the services of state troops.

Proviso.

Apportionment among the states.

Proviso.

shall hereafter call on the executives of the several states, to hold in readiness their respective quotas of militia for service, he shall consider the corps of state troops raised in any state, as part of the quota of such state.

Corps accepted to be armed and equipped at the expense of the United States.

President may accept the services of volunteers.

Proviso.

Officers of the said volunteers to be commissioned by the President.

Their pay and emoluments.

Volunteers may at their option be armed and equipped by the United States or at their own expense.

Proviso.

Proviso.

And clothed with the same option.

Non-commissioned officers, privates, &c., in certain cases entitled to lands from the United States.

Act of May 6, 1812, ch. 77.

Appointments of the officers of volunteers to be submitted to the Senate.

SEC. 2. *And be it further enacted*, That the corps as aforesaid, accepted under this act, shall be armed and equipped at the expense of the United States, and shall be entitled to the same pay, clothing, rations, forage, and emoluments of every kind, and (bounty excepted) to the same benefits and allowances, as the regular troops of the United States.

SEC. 3. *And be it further enacted*, That the President of the United States be, and he is hereby authorized to receive into the service of the United States, any volunteers who may offer their services, to be organized in conformity to the laws respecting the organization of the military establishment of the United States: *Provided*, That the whole number of such volunteers, who may be in service at any one time, exclusive of officers, shall not exceed forty thousand men.

SEC. 4. *And be it further enacted*, That the officers of the said volunteers shall be commissioned by the President of the United States, and while in actual service the said volunteers shall be entitled to the same pay, rations, forage, and emoluments of every kind, and (bounty excepted) to the same benefits and allowances as the regular troops of the United States, and shall be subject to the rules and articles of war.

SEC. 5. *And be it further enacted*, That the said volunteers may, at their option, be armed and equipped by the United States, or at their own expense; and in case they arm and equip themselves to the satisfaction of the President of the United States, they shall each be entitled to receive six and one quarter cents per day, while in actual service, for the use and risk of such arms and equipments: *Provided*, That the compensation thus allowed shall not in any case exceed twenty-four dollars: *And provided also*, That no rifle shall be received into the service of the United States, whose calibre shall be formed to carry a ball of a smaller size than at the rate of seventy balls to a pound weight.

SEC. 6. *And be it further enacted*, That the said volunteers, if employed in service for a term of not less than twelve months, may, at their option, be clothed at their own expense or by the United States; and in case they furnish their own clothing, they shall be entitled to receive in money a sum equal to the cost of the clothing allowed to the regular troops of the United States.

SEC. 7. *And be it further enacted*, That whenever any non-commissioned officer, musician or private, having served in any of the corps of state troops or volunteers, raised by virtue of this act, during two years, or who, having engaged to serve two years, shall have been discharged in consequence of the termination of the present war, shall have obtained from the commanding officer of his company, battalion, or regiment, a certificate that he had faithfully performed his duty whilst in service, he shall be allowed, in addition to the emolument allowed in this act, one hundred and sixty acres of land: and the widow and children, and if there be no widow or child, then the parents of such non-commissioned officers, musicians and privates, as may have engaged for a term of service not less than two years, and who may be killed in action or die in the service, shall likewise be allowed the said quantity of one hundred and sixty acres of land, which shall be surveyed and granted in the manner provided by the act entitled "An act to provide for the designating, surveying and granting the military bounty lands."

SEC. 8. *And be it further enacted*, That the appointment of the officers of the said volunteers, if received into the service of the United States for the term of twelve months, or for a longer term, shall be submitted to the Senate for their advice and consent, at their next session, after commissions for the same shall have been issued.

SEC. 9. *And be it further enacted*, That if the whole number of forty thousand men authorized by the first section of this act, shall not be furnished by the states, it shall be lawful for the President of the United States to supply the deficiency, by accepting the services of volunteers to the number of such deficiency; *Provided*, That the whole number of state troops and volunteers together accepted under the provisions of this act, shall not exceed eighty thousand men.

Deficiency of state troops to be furnished by the acceptance of the service of volunteers.

SEC. 10. *And be it further enacted*, That the expenses incurred under this act shall be defrayed out of the appropriations which are or which may be authorized for defraying the expense of calling out the militia for the defence of the United States

Expenses under this act, how to be defrayed.

APPROVED, January 27, 1815.

STATUTE III.

CHAP. XXVII.—*An Act to authorize the purchase of the library of Thomas Jefferson, late President of the United States.*

Jan. 30, 1815.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and directed to cause to be paid to the joint library committee of Congress, or their order, the sum of twenty-three thousand nine hundred and fifty dollars, in Treasury notes of the issue ordered by the law of the fourth of March, one thousand eight hundred and fourteen; to be by them applied to the purchase of the library of Thomas Jefferson, late President of the United States, for the use of Congress.

Library of Thomas Jefferson to be purchased.

APPROVED, January 30, 1815.

STATUTE III.

CHAP. XXXI.—*An Act to prohibit intercourse with the enemy, and for other purposes.*

Feb. 4, 1815.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall be lawful for any collector, naval officer, surveyor, or inspector of the customs, as well in an adjoining district, as that to which he belongs, to enter on board, search, and examine any ship, vessel, boat, or raft, and if he shall find on board the same any goods, wares, or merchandise, which he shall have probable cause to believe are subject to duty, the payment of which is intended to be evaded, or have been imported into the United States in any manner contrary to law, it shall be his duty to seize and secure the same for trial.

Custom-house officers authorized to enter on board vessels in adjoining districts, as well as their own, to seize dutiable articles.

SEC. 2. *And be it further enacted*, That it shall be lawful for any collector, naval officer, surveyor, or inspector of the customs, as well in any adjoining district, as that to which he belongs, to stop, search, and examine any carriage or vehicle of any kind whatsoever, and to stop any person travelling on foot, or beast of burden, on which he shall suspect there are any goods, wares, or merchandise, which are subject to duty, or which shall have been introduced into the United States in any manner contrary to law; and if such officer shall find any goods, wares, or merchandise, on any such carriage, vehicle, person travelling on foot, or beasts of burden, which he shall have probable cause to believe are subject to duty, or have been unlawfully introduced into the United States, he shall seize and secure the same for trial. And if any of the said officers of the customs shall suspect that any goods, wares, or merchandise, which are subject to duty, or which shall have been introduced into the United States, contrary to law, are concealed in any particular dwelling house, store, or other building, he shall, upon proper application, on oath, to any judge or justice of the peace, be entitled to a warrant, directed to such officer,

And to stop, in adjoining districts, carriages, &c., destined to the dominions of the enemy.

Goods forfeited which are illegally brought from the possessions of the enemy.

Officers allowed to search in the day time only, for prohibited articles supposed to be concealed.

who is hereby authorized to serve the same, to enter such house, store, or other building, in the day time only, and there to search and examine whether there are any such goods, wares, or merchandise which are subject to duty, or have been unlawfully imported; and if on such search or examination, any such goods, wares, or merchandise, shall be found, which there shall be probable cause, for the officer making such search or examination, to believe are subject to duty, or have been unlawfully introduced into the United States, he shall seize and secure the same for trial.

Forfeitures and penalties for attempting to transport goods, &c., to the enemy.

SEC. 3. *And be it further enacted*, That if any citizen or citizens of the United States, or any person or persons inhabiting the same, shall transport, or attempt to transport, over land, or by water, in whatsoever way, or by whatsoever means, naval or military stores, arms, or munitions of war, cattle, live stock, any articles of provisions, cotton, tobacco, goods, money, or supplies of any kind, from any place in the United States, to any of the provinces or territory belonging to the enemy, or of which they may be in possession, such naval or military stores, arms, or the munitions of war, cattle, live stock, articles of provisions, cotton, tobacco, goods, money, or other supplies, together with the carriage or wagon, cart, sleigh, vessel, boat, raft, or vehicle, of whatsoever kind, or horse, or other beast, by which they, or any of them, are transported, or attempted to be transported, shall be forfeited to the use of the United States, and the person or persons so offending or aiding, or privy to the same, shall forfeit and pay, to the use of the United States, a sum equal in value to the said enumerated articles, or other supplies, forfeited as aforesaid, as well as of the carriage, wagon, cart, sleigh, vessel, boat, raft, or other vehicle, or beast used to transport the same; and the said citizens and persons so offending, their aiders and abettors, and also the owner or owners, of any of the said enumerated articles, or other supplies, knowing of such illegal act, and the owner or owners of the carriage, wagon, cart, sleigh, vessel, boat, raft, or other vehicle, or beast used with his, or her, or their knowledge and consent, to transport the same, shall, moreover, be considered as guilty of a misdemeanor, and be liable to be fined, in any sum not exceeding one thousand dollars, and imprisoned for a term not exceeding three years: *Provided*, That nothing herein shall be construed to prohibit any transportation, for the use or account of the United States, or any of them, or the supply of their troops or armies, wheresoever they may be.

Proviso.

Collectors, &c., authorized to stop the transportation of goods, &c., destined for the enemy, &c.

SEC. 4. *And be it further enacted*, That every collector, naval officer, surveyor, and inspector of the customs, shall, on probable cause, have full power and authority to seize, stop, search for, detain, and keep in custody, until it shall have been ascertained whether the same shall have been forfeited or not, all naval or military stores, arms, or the munitions of war, cattle, live stock, articles of provisions, cotton, tobacco, goods, money, or other supplies, transported, or attempted to be transported, contrary to the provisions of the next preceding section of this act, as well as the carriage, wagon, cart, sleigh, vessel, boat, raft, or other vehicle or vehicles, beast or beasts, used to transport the same. And if the officers authorized as aforesaid, or any of them, shall have probable cause to suspect a concealment in any particular dwelling-house, store, or building, of any naval or military stores, arms, or munitions of war, cattle, live stock, articles of provisions, cotton, tobacco, goods, money, or other supplies, with intent to be conveyed or transported, contrary to the provisions of the next preceding section of this act, they, or either of them, shall upon proper application, supported by oath or affirmation, to any judge or justice of the peace, be entitled to a warrant, directed to such officer, who is hereby authorized to serve the same, to enter such dwelling-house, store, or other building, in day time only, and there to search for such said enumerated articles or other supplies, as aforesaid;

and in case any be found, to seize, detain, and keep in custody, until it shall have been ascertained whether the same have been forfeited or not; and if such unlawful intent exist, as aforesaid, any judge or justice, acting upon probable cause as aforesaid, is hereby authorized and required, on the owner or owners of such enumerated articles, or other supplies, being brought on due process before him, to hold him or them to security in a sufficient sum, with sufficient bail for his, or their good behaviour, as a person or persons suspected, upon probable cause as aforesaid, of carrying on trade or intercourse with the enemy; the said authority to bind to good behaviour, to extend also to the persons having the custody or charge of such prohibited articles or other supplies, with knowledge of the criminal intention to transport them as aforesaid; *Provided always*, That the necessity of a search warrant arising under this act, shall in no case be considered as applicable to any carriage, wagon, cart, sleigh, vessel, boat, or other vehicle, of whatever form or construction, employed as a medium of transportation, or to packages, on any animal or animals, or carried by man on foot. *And provided also*, That all the said enumerated articles, or other supplies which shall be seized by virtue of this act, shall be put into and remain in the custody of the collector, or such other person as he shall appoint for that purpose, until it shall have been ascertained whether the same have been forfeited or not.

Parties engaged in these illegal proceedings may be held to bail.

Proviso.

Proviso.

SEC. 5. *And be it further enacted*, That every collector of the customs shall have authority, with the approbation of the principal officer of the Treasury Department, to employ within his district such number of proper persons, as inspectors of the customs, as he shall judge necessary, who are hereby declared to be officers of the customs; and the said inspectors, before they enter on the duties of their offices, shall take and subscribe, before the collectors 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 an inspector of the customs, within and for the district of _____,

Collectors may employ such number of persons as they think proper as inspectors of the customs.

Their duties under this act.

_____ 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 inspector, 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."

SEC. 6. *And be it further enacted*, That any collector, naval officer, surveyor, or inspector, when proceeding to make any search or seizure authorized by this act, shall be, and is hereby empowered to command any person who shall be within ten miles of the place where such search or seizure shall be made, to aid and assist such officer in the discharge and performance of his duty therein, and if any person, being so commanded, shall neglect or refuse to aid and assist such officer in making such search or seizure, the person so neglecting or refusing shall forfeit and pay a sum not exceeding two hundred dollars, and not less than fifty dollars. And such officer may also demand, in cases of resistance, the assistance of the marshal of the district, or any of his deputies, who shall call upon the posse of the district, if necessary, in his or their judgment, to render effectual the execution of this act, and all citizens or inhabitants of the district, above the age of eighteen years, and able to travel, who refuse or neglect, on proper notice from the marshal or any of his deputies, to join such posse, shall be considered guilty of a misdemeanor, and be liable to be fined in any sum not exceeding three hundred dollars, and be imprisoned for any term not exceeding three months.

Collectors to call upon naval officers, &c., to assist them in making search, seizures, &c.

In cases of resistance may demand the aid of the posse of the district.

SEC. 7. *And be it further enacted*, That the forfeitures and penalties mentioned in this act, shall be sued for, prosecuted, and recovered, or inflicted by action of debt, or by information or indictment, in any court

Forfeitures and penalties, how to be sued

for and prosecuted, and distributed.

competent to take cognizance thereof, and try the same, and that all forfeitures and penalties so recovered by virtue of this act, shall, after deducting all proper costs and charges, be disposed of as follows: one moiety shall be for the use of the United States, and be paid into the treasury thereof, by the collector recovering the same; the other moiety shall be divided between, and paid in equal proportions to the collector and naval officer of the district, and surveyor of the port, wherein the same shall have been incurred, or to such of the said officers as there may be in the said district; and in districts where only one of the aforesaid offices shall have been established, the said moiety shall be given to such officer: *Provided*, That where the seizure shall have been made by any inspector or inspectors, out of the presence of the collector, naval officer, or surveyor, such inspector or inspectors shall be entitled, in addition to such other compensation as may be allowed them, to twenty-five per cent. on the moiety herein given to the collector, naval officer, and surveyor, as aforesaid, or to either of them: *And provided also*, That in all cases where such penalties and forfeitures shall be recovered, in pursuance of information given to such collector, naval officer, or surveyor, by any private informer, the one half of such moiety shall be given to such informer, and the remainder thereof shall be disposed of between the collector, naval officer, and surveyor, in manner aforesaid, and the same allowance of twenty-five per cent. to inspectors, when the seizure is made by them as aforesaid: *And provided likewise*, That whenever the value of the property seized, condemned, and sold, under this act, shall be less than two hundred and fifty dollars, that part of the forfeiture which accrues to the United States, or so much thereof as may be necessary, shall be applied to the payment of the costs of prosecution: *And it is further provided*, That if any officer or other person, entitled to a part or share of any of the penalties or forfeitures incurred in virtue of this act, shall be necessary as a witness, on the trial for such penalty or forfeiture, such officer or other person may be a witness upon the said trial, but in such case, he shall not receive, or be entitled to, any part or share of the said penalty or forfeiture, and the part or share to which he otherwise would have been entitled, shall revert to the United States.

Proviso.

Proviso.

Proviso.

Proviso.

Prosecutions or suits against officers for their acts under this act, or colour of it, may be removed to circuit court in certain cases.

SEC. 8. *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, agreeable to the provisions of this act, or under colour thereof, for any thing done, or omitted to be done, as an officer of the customs, or for any thing done by virtue of this act or under colour thereof, and the defendant shall, at the time of entering his appearance in such court, file a petition for the removal of the cause for 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 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, 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 there 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. And it shall be lawful

Proceedings
on appeal or on
writ of error.

in any action or prosecution which may be now pending, or hereafter commenced, before any state court whatever, for any thing done, or omitted to be done, by the defendant, as an inspector or other officer of the customs, after final judgment, for either party to remove and transfer, by appeal, such decision, during the session or term of said court, at which the same shall have taken place, from such court to the next circuit court of the United States, to be held in the district in which such appeal shall be taken in manner aforesaid; and it shall be the duty of the person taking such appeal, to produce and enter in the said circuit court attested copies of the process, proceedings, and judgment in such cause; and it shall also be competent for either party within six months of the rendition of a judgment in any such cause, by writ of error or other process to remove the same to the circuit court of the United States of that district in which such judgment shall have been rendered, and the said circuit court shall thereupon proceed to try and determine the facts and the law in such action, in the same manner as if the same had been there originally commenced; the judgment in such case notwithstanding. And any bail which may have been taken, or property attached, shall be holden on the final judgment of the said circuit court in such action, in the same manner as if no such removal and transfer had been made as aforesaid; and the state court from which any such action may be removed and transferred as aforesaid, upon the party's giving good and sufficient security for the prosecution thereof, shall allow the same to be removed and transferred, and proceed no further in the case: *Provided however*, That if the party aforesaid shall fail duly to enter the removal and transfer as aforesaid in the circuit court, agreeable to this act, the state court, by which judgment shall have been rendered, and from which the transfer and removal shall have been made as aforesaid, shall be authorized, on motion for that purpose, to issue execution, and to carry into effect any such judgment, the same as if no such removal and transfer had been made: *Provided nevertheless*, That this act shall not be construed to apply to any prosecution for an offence involving corporal punishment. *And provided also*, That no such appeal shall be allowed in any criminal action or prosecution, where final judgment shall have been rendered in favour of the defendant, or respondent, by the state court; and 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 such suit the plaintiff is non-suit, or judgment pass against him, the defendant shall recover double costs.

Proviso.

Proviso.

Proviso.

SEC. 9. *And be it further enacted*, That in any suit or prosecution against any person, for any act or thing done as an officer of the customs, or any person aiding or assisting such officer therein, and judgment shall be given against the defendant or respondent, if it shall appear to the court, before which such suit or prosecution shall be tried, that there was probable cause for doing such an act or thing, such court shall order a proper certificate or entry to be made thereof, and in such case the defendant or respondent shall not be liable for costs, nor shall he be liable to execution, or to any action for damages, or to any other mode of prosecution for the act done by him as aforesaid: *Provided*, That such property or articles as may be held in custody by the defendant, if any, be, after judgment, forthwith returned to the claimant or claimants, his, her, or their, agent or agents.

Officers not to
be liable to
costs upon judg-
ments against
them, in certain
cases.

Proviso.

SEC. 10. *And be it further enacted*, That no citizen or person usually residing within the United States, shall be permitted to cross the frontier into any of the provinces or territory belonging to the enemy, or of which he may be possessed, without a passport first obtained from the Secretary of State, the Secretary of War, or other officer, civil or military, authorized by the President of the United States, to grant the same, or from the governor of a state or territory; nor shall any citizen, or

No citizen al-
lowed to pass
the frontier, or
hold inter-
course with the
enemy, but with
a regular pass-
port.

person residing as aforesaid, of his own accord, upon any pretence whatsoever, be permitted, without such passport, to go on board of any of the ships, or vessels, or boats, of the enemy, on the lakes, along the seaboard, or elsewhere within the bays, sounds, rivers, or waters of the United States, or to hold any intercourse with such enemy, or with any officer thereof; nor shall any citizen or person residing as aforesaid, be permitted, without such passport, to visit or go to any camp of the enemy established within the limits of the United States, or elsewhere, or to hold any intercourse with the same, or with any officer belonging thereto; and whosoever shall voluntarily offend against any of the prohibitions aforesaid, mentioned in this section, shall be considered guilty of a misdemeanor, and be liable to be fined in any sum not exceeding one thousand dollars, and to imprisonment for any term not exceeding three years. And every person coming from any of the enemy's provinces or territory, into the United States, shall report himself forthwith, or as soon as practicable thereafter, to the military commander, or to the collector, or other chief officer of the customs, where there may be no collector, of the district within which he may first arrive; upon pain, wherever the same is omitted, of being liable to the same prosecution and punishment, as is above provided in cases of unlawful intercourse with the enemy, without the authority of a passport.

Persons coming from the enemy's territories, &c., to report themselves forthwith.

Persons hovering near the frontier without a passport, and under other suspicious circumstances, to be held to security, &c.

Sec. 11. *And be it further enacted,* That any person or persons found hovering upon the frontier, near any of the provinces or territory belonging to the enemy, or of which he may be possessed, or travelling towards and near the same, at a distance from his or their usual place of abode or residence, and without any lawful business requiring his or their attendance there, and without a passport, shall be liable to be held to security for his or their good behaviour, in the manner pointed out in the fourth section of this act, as a person or persons suspected, upon probable cause, of being engaged in unlawful trade or intercourse with the enemy: *Provided always,* That nothing contained in any part of this act shall be construed to alter, in any respect, the law of treason.

President authorized to employ the land or naval force, for co-operating with officers of the customs in certain cases.

Sec. 12. *And be it further enacted,* That it shall be lawful for the President of the United States, or such other person as he shall have empowered for that purpose, to employ, under proper instructions to be by him given, in cases of resistance, such part of the land and naval forces of the United States, or of the militia thereof, as shall be judged necessary, for the purpose of aiding and co-operating with the officers of the customs, and all other civil magistrates, in seizing and securing persons engaged, or suspected, upon probable cause as aforesaid, to be engaged, in unlawful trade or intercourse with the enemy as aforesaid, together with the articles or supplies, or vessels, boats, vehicles, or animals, employed as aforesaid, in such trade or intercourse, and searching for and seizing any property subject to duty, or which has been unlawfully imported.

Duration of this act.
Proviso.

Sec. 13. *And be it further enacted,* That this act shall continue in force during the continuance of the present war between the United States and Great Britain, and no longer: *Provided,* That the termination of said war shall not be construed to stop or annul any proceedings that may theretofore have been commenced, or concluded, or in any way destroy or impair any rights or privileges accruing under, secured, or given, by virtue of this act, but as applicable to any transaction prior thereto, the same proceedings shall and may be had, as though this act were in full force.

APPROVED, February 4, 1815.

STATUTE III.
Feb. 4, 1815.

CHAP. XXXII.—*An Act supplementary to the act, entitled “An act to amend the act laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise, 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 fourth section of the act, entitled “An act to amend the act laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise, and for other purposes,” shall be construed to extend to and include any still, or boiler, or other vessel, used in distillation, burnt, or otherwise destroyed, whether the burning or destruction shall have taken place before or since the passage of the above recited act.

APPROVED, February 4, 1815.

Act of Aug. 22, 1813, ch. 39.
Act of April 18, 1814, ch. 91.

Repealed by fourth section of Aug. 22, 1813, ch. 39.

STATUTE III.
Feb. 4, 1815.

CHAP. XXXIII.—*An Act attaching to the Canton district, in the state of Ohio, the tract of land lying between the foot of the rapids of the Miami of Lake Erie, and the Connecticut western reserve.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all that tract of land lying between the foot of the rapids of the river Miami of Lake Erie and the western line of the Connecticut reserve, in the state of Ohio, which was ceded to the United States by certain tribes of Indians, at a treaty concluded at Brownstown, in the Michigan territory, on the twenty-fifth day of November, one thousand eight hundred and eight, shall be attached to, and made a part of, the district of Canton.

Act of Feb. 25, 1811, ch. 25.

Lands attached to the district of Canton.

SEC. 2. *And be it further enacted,* That in surveying and dividing the lands by this act attached to the district of Canton, the ordinary mode of surveying the public lands shall be so far deviated from that the boundary lines of the tracts to be laid off therein shall be run parallel to, and at right angles with, the road laid out in conformity with the said treaty, and in every other respect the surveys shall be made in the same manner, and for the same compensation allowed for the surveying the other public lands north-west of the river Ohio.

The ordinary modes of surveying public lands to be deviated from in surveying those of the Canton district.

SEC. 3. *And be it further enacted,* That all the lands by this act attached to the district of Canton, shall be offered for sale to the highest bidder, under the direction of the register of the land office and the receiver of public moneys of the said district, at such time and place as the President of the United States shall designate by proclamation for that purpose; and the sales shall remain open one week and no longer; and the said lands shall in every respect be sold on the same terms and conditions as have been provided for the sale of other lands of the United States. All the lands in the said tract remaining unsold at the close of the said sales may be disposed of at private sale by the register of the land office of the said district, on the same terms and conditions, as are provided for the sale of other public lands in the same district; and patents shall be obtained in the same manner as in case of other lands of the United States.

Lands attached to the Canton district by this act to be offered for sale.

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

Fees to the register and receiver of public moneys.

APPROVED, February 4, 1815.

STATUTE III.
Feb. 4, 1815.

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

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

Act of March 3, 1813, ch. 43.

Act of Feb. 19, 1814, ch. 14. Further time allowed to purchasers of public lands.

the first day of April, one thousand eight hundred and ten, and prior to the first day of April, one thousand eight hundred and eleven, had purchased any tract or tracts of land of the United States, not exceeding in the whole six hundred and forty acres, at any of the land offices of the United States, and whose lands have not already been actually sold or reverted to the United States, for non-payment of part of the purchase money, shall be, and they hereby are allowed the further time of three years, from and after the expiration of the period already given by law for completing the payment of the purchase money aforesaid; which further time of three years shall be allowed only on the following conditions: first, all arrears of interest on the purchase money shall be paid on or before the expiration of the time for completing the payment of the purchase money according to former laws: *Provided*, That in all cases in which the time for completing the payment of the purchase money may have expired, or shall expire before the first day of June next, the interest may be paid on or before that day: second, the residue of the sum due on account of the principal of such purchase shall be paid, with interest thereon, in three equal annual payments, as follows, viz: one third of the said sum, with the interest due thereon, within one year; one third of the said sum, with the interest due thereon within two years, and the residue, with the interest due thereon, within three years after the expiration of the time for completing the payments on such purchases according to law. And in case of failure to pay the arrears of interest, or any of the three instalments of principal, with the accruing interest, at the time above-mentioned, the tract of land shall be forthwith advertised and offered for sale in the manner and on the terms directed by law, in case of lands not paid within the time limited by law, and shall revert to the United States*in like manner, if the same is not sold at such sale.

Conditions.

APPROVED, February 4, 1815.

STATUTE III.

Feb. 7, 1815.

CHAP. XXXV.—*An Act to alter and amend the several acts for establishing a Navy Department, by adding thereto a board of commissioners. (a)*

Act of March 3, 1815, ch. 92. Three officers of the navy to be appointed a board of commissioners for the navy. Their powers and duties.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby authorized, by and with the advice and consent of the Senate, to appoint three officers of the navy, whose rank shall not be below a post captain, who shall constitute a board of commissioners for the navy of the United States; and shall have power to adopt such rules and regulations for the government of their meetings as they may judge expedient: and the board so constituted, shall be attached to the office of the Secretary of the Navy, and under his superintendence shall discharge all the ministerial duties of said office, relative to the procurement of naval stores and materials, and the construction, armament, equipment, and employment, of vessels of war, as well as all other matters connected with the naval establishment of the United States. And the said board shall appoint their own secretary, who shall receive in compensation for his services a sum not exceeding two thousand dollars per annum, who shall keep a fair record of their proceedings, subject at all times to the inspection of the President of the United States, and the Secretary of the Navy.

Board made subordinate to Secretary of the Navy.

Board of commissioners to draw up regulations for

SEC. 2. *And be it further enacted*, That the said board of commissioners, by and with the consent of the Secretary of the Navy, be, and are hereby authorized to prepare such rules and regulations, as shall be necessary for securing an uniformity in the several classes of vessels and

(a) See note to act of April 30, 1798, vol. i. 553. See act of Aug. 31, 1842, ch. 286, repealing this act, and organizing five bureaux attached to the Navy Department.

their equipments, and for repairing and refitting them, and for securing responsibility in the subordinate officers and agents: which regulations, when approved by the President of the United States, shall be respected and obeyed, until altered and revoked by the same authority; and the said rules and regulations thus prepared and approved, shall be laid before Congress at their next session. It shall also be the duty of said board, upon the requisition of the Secretary of the Navy, to furnish all the estimates of expenditure, which the several branches of the service may require, and such other information and statements as he may deem necessary.

securing uniformity in classes of vessels, &c.

SEC. 3. *And be it further enacted,* That the officer of the said board holding the oldest commission shall preside, and each commissioner shall be entitled to receive, in compensation for his services, three thousand five hundred dollars per annum in lieu of wages, rations, and other emoluments, as naval officers; and all letters and packets to and from the said commissioners, which relate to their official duties, shall be free from postage.

The officer holding the oldest commission to preside at the navy board.

SEC. 4. *And be it further enacted,* That nothing in this act shall be construed to take from the Secretary of the Navy his control and direction of the naval forces of the United States, as now by law possessed.

This act not to derogate from the powers of the Secretary of the Navy.

APPROVED, February 7, 1815.

STATUTE III.

CHAP. XXXVIII.—*An Act for the better regulation of the Ordnance Department.*

Feb. 8, 1815.

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 ordnance department shall consist of one colonel, one lieutenant colonel, two majors, ten captains, ten first lieutenants, ten second lieutenants, and ten third lieutenants.

Act of May 14, 1812, ch. 83. Ordnance department, how constituted.

SEC. 2. *And be it further enacted,* That the colonel or senior officer of the ordnance department is authorized to enlist for the service of that department, for five years, as many master armorers, master carriage makers, master blacksmiths, artificers, armorers, carriage makers, blacksmiths, and labourers, as the public service, in his judgment, under the directions of the Secretary for the Department of War, may require.

Colonel may enlist for the service of that department, master armorers, &c.

SEC. 3. *And be it further enacted,* That it shall be the duty of the colonel of the ordnance department to direct the inspection and proving of all pieces of ordnance, cannon balls, shot, shells, small arms, and side arms, and equipments, procured for the use of the armies of the United States; and to direct the construction of all cannon and carriages, and every implement and apparatus for ordnance, and all ammunition wagons, travelling forges, and artificer's wagons, the inspection and proving of powder, and the preparation of all kinds of ammunition and ordnance stores. And it shall also be the duty of the colonel or senior officer of the ordnance department, to furnish estimates, and under the direction of the Secretary for the Department of War, to make contracts and purchases for procuring the necessary supplies of arms, equipments, ordnance and ordnance stores.

And to direct the inspection and proof of ordnance, and to procure gun carriages and all needful apparatus.

SEC. 4. *And be it further enacted,* That the colonel of the ordnance department shall organize and attach to regiments, corps, or garrisons, such number of artificers, with proper tools, carriages and apparatus, under such regulations and restrictions relative to their government and number, as, in his judgment, with the approbation of the Secretary for the Department of War, may be considered necessary.

Proper number of artificers to be attached to regiments, &c.

SEC. 5. *And be it further enacted,* That the colonel of the ordnance department, or senior officer of that department of any district, shall execute all orders of the Secretary for the Department of War, and, in time of war, the orders of any general, or field officer, commanding any army,

Colonel of the ordnance to execute all orders of the Secretary of War.

garrison or detachment, for the supply of all arms, ordnance, ammunition, carriages, forges, and apparatus, for garrison, field or siege service.

Keepers of magazines and arsenals to make reports to colonel, &c.

SEC. 6. *And be it further enacted*, That the keepers of all magazines and arsenals shall, quarterly, or oftener if so directed, and in such manner as is directed by the colonel of the ordnance department, make correct returns to the colonel or senior officer of the ordnance department, of all ordnance, arms, and ordnance stores, they may have in charge.

Costs of the damages of ordnance to be deducted from the pay of the officers or soldiers having charge of it.

SEC. 7. *And be it further enacted*, That the costs of repairs or damages done to arms, equipments, or implements, in the use of the armies of the United States, shall be deducted from the pay of any officer or soldier in whose care or use the said arms, equipments, or implements were, when the said damages occurred: *Provided*, The said damages were occasioned by the abuse or negligence of the said officer or soldier. And it is hereby made the duty of every officer commanding regiments, corps, garrisons, or detachments, to make, once every two months, or oftener if so directed, a written report to the colonel of the ordnance department, stating all damages to arms, equipments, and implements, belonging to his command, noting those occasioned by negligence or abuse, and naming the officer or soldier by whose negligence or abuse the said damages were occasioned.

Semi-annual reports to be made from the ordnance to the War Department.

SEC. 8. *And be it further enacted*, That the colonel of the ordnance department shall make, half yearly, to the War Department, or oftener, if the Secretary for that Department shall so direct, a correct report of the officers, and all artificers, and labourers, in his department; also, of all ordnance, arms, military stores, implements, and apparatus, of every description, and in such form as the Secretary for the Department of War shall direct.

Public armories placed under the direction of the ordnance department.

SEC. 9. *And be it further enacted*, That to insure system and uniformity in the different public armories, they are hereby placed under the direction of the ordnance department. And the colonel of the ordnance department, under the direction of the Secretary for the Department of War, is hereby authorized to establish depots of arms, ammunition, and ordnance stores, in such parts of the United States, and in such numbers, as may be deemed necessary.

Colonel to draw up a system of regulations for his department.

SEC. 10. *And be it further enacted*, That the colonel of the ordnance department, under the direction of the Secretary for the Department of War, is hereby authorized to draw up a system of regulations for the government of the ordnance department, forms of returns and reports, and for the uniformity of manufactures of all arms ordnance, ordnance stores, implements, and apparatus, and for the repairing and better preservation of the same.

Pay and emoluments of the officers of the ordnance department to be the same as those in the artillery.

Of the master armorers, &c.

SEC. 11. *And be it further enacted*, That the pay, emoluments, and allowances, for the officers of the ordnance department, shall be the same as the pay, emoluments, and allowances, now allowed to officers of similar grades respectively, in the artillery of the United States. And that the pay of a master armorer shall be thirty dollars per month, and one and a half rations per day; of a master carriage maker, thirty dollars per month, and one and a half rations per day; of a master blacksmith, thirty dollars per month, and one and a half rations per day. The pay of armorers, carriage makers, or blacksmiths, each, sixteen dollars per month and one and a half rations per day; the pay of artificers, thirteen dollars per month, and one ration per day; and the pay of labourers, nine dollars per month, and one ration per day; and to all of the said workmen, artificers, and labourers, the same clothing, and other allowances, as are allowed to privates of infantry in the army of the United States, except clothing to the master workmen.

Officers now in service may continue in the

SEC. 12. *And be it further enacted*, That the President of the United States is hereby authorized to continue in the service, under this act, all the officers of the ordnance department in service on the passage of

the same, or to transfer them to other corps of the army of the United States.

SEC. 13. *And be it further enacted*, That the colonel of the ordnance department is hereby allowed, at the rate of one thousand dollars per year, for clerks, and such books and stationery as may be necessary to his department.

SEC. 14. *And be it further enacted*, That the act passed May the fourteenth, one thousand eight hundred and twelve, entitled "An act for the better regulation of the ordnance department," and the sections of any other acts, coming within the purview of any of the sections of this act, be, and the same are hereby repealed.

APPROVED, February 8, 1815.

ordnance department or be transferred to other corps.

Allowance to the colonel for clerks, &c.

Act of May 14, 1812, ch. 83.

Former acts, so far as they interfere with this one, repealed.

CHAP. XXXIX.—*An Act to authorize the purchase of a tract of land for the use 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 lawful for the President of the United States, and he is hereby authorized to cause to be purchased for the use of the United States, the whole or such part of that tract of land situate adjoining the village of Plattsburg, in the State of New York, on which forts Moreau and Brown, and other works, barracks, arsenals, hospitals and other public buildings now stand, as shall be by him judged requisite for the military purposes of the United States.

APPROVED, February 8, 1815.

STATUTE III.

Feb. 8, 1815.

A tract of land near Plattsburg to be purchased.

CHAP. XL.—*An Act to amend an act laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That nothing contained in the first section of the act laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise, shall be construed to extend to vine dressers who sell at the place where the same is made, wine of their own growth, nor shall any vine dresser for vending solely at the place where the same is made, wine of his own growth, be compelled to take out license as a retailer of wine.

APPROVED, February 8, 1815.

STATUTE III.

Feb. 8, 1815.

[Repealed.]

Act of Aug. 2, 1813, ch. 39.

Act not to extend to vine dressers who sell their wines.

CHAP. XLI.—*An Act making appropriations for repairing or rebuilding the public buildings within the city of Washington.*

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 cause to be repaired or rebuilt forthwith, the President's House, Capitol and public offices, on their present sites in the city of Washington, and that he be authorized to borrow, at an interest not exceeding six per centum per annum, from any bank or banks within the District of Columbia, or from any individual or individuals, a sum not exceeding five hundred thousand dollars, to be applied exclusively to that object.

APPROVED, February 13, 1815.

STATUTE III.

Feb. 13, 1815.

Buildings in the city of Washington to be rebuilt.

STATUTE III.

Feb. 14, 1815.

Appropriation of \$100,000 in addition to the unexpended balance of former appropriation.

To be repaid out of the sum reserved by the act of April 30, 1802, ch. 40.

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

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

APPROVED, February 14, 1815.

STATUTE III.

Feb. 16, 1815.

Specific appropriations.

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

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the expenditure of the civil list in the present year, including the contingent expenses of the several departments and offices; for the compensation of the several loan officers and their clerks, and for books and stationery for the same; for the payment of annuities and grants, for the support of the mint establishment; for the expense of intercourse with foreign nations; for the support of light-houses, beacons, buoys, and public piers; and for satisfying certain miscellaneous claims, the following sums be, and the same are hereby respectively appropriated, that is to say:

For compensation granted by law to the members of the Senate and House of Representatives, their officers and attendants, three hundred and eighteen thousand and four dollars.

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

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

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

For compensation to the Secretary of State, clerks and persons employed in that department, including a clerk on old records, and a clerk and messenger in the patent office, fifteen thousand nine hundred and thirty-eight dollars.

For additional compensation to the clerks in said department, not exceeding fifteen per centum on the sum allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes," one thousand and seventy-two dollars and fifty cents.

For the incidental and contingent expenses of the said department,

Act of April 21, 1806, ch. 41.

(a) See notes, vol. ii. 357.

including the expense of printing and distributing ten thousand four hundred copies of the laws of the third session of the thirteenth Congress, and printing the laws in newspapers, twelve thousand eight hundred and seventy dollars. Specific appropriations.

For the cost of one thousand copies of a new edition of the laws of the United States as authorized by the act of the eighteenth of April, one thousand eight hundred and fourteen, including an additional volume to be comprised in the said edition, eighteen thousand seven hundred and fifty dollars. Act of April 18, 1814, ch. 69.

For the expense of reprinting five hundred and sixteen copies of the laws of the first and second sessions of the thirteenth Congress, captured by the enemy, seven hundred and seventy-four dollars.

For compensation to the Secretary of the Treasury, clerks, and persons employed in his office, including one thousand dollars for an additional clerk, authorized by the act of the eighteenth of April, one thousand eight hundred and fourteen, fourteen thousand two hundred ninety-nine dollars and eighty-one cents. Act of April 18, 1814, ch. 92.

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

For compensation to the comptroller of the treasury, clerks, and persons employed in his office, including the sum of two thousand eight hundred and eighty-nine dollars for compensation to his clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six, fifteen thousand eight hundred and sixty-six dollars. Act of April 21, 1806, ch. 41.

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

For compensation to the auditor of the treasury, clerks, and persons employed in his office, including the sum of one thousand dollars, for compensation to his clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six, thirteen thousand two hundred and twenty-one dollars. Act of April 21, 1806, ch. 41.

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

For compensation to the treasurer, clerks and persons employed in his office, including the sum of one thousand dollars for compensation to his clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six, seven thousand two hundred twenty-seven dollars and forty-five cents. 1806, ch. 41.

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

For compensation to the commissioner of the general land office, clerks and persons employed in his office, including the sum of three thousand dollars, for compensation to his clerks, in addition to the sum allowed by the act of the twenty-fifth of April, one thousand eight hundred and twelve, thirteen thousand four hundred and ten dollars. Act of April 25, 1812, ch. 68

For expense of stationery and printing, and contingent expenses of the general land office, three thousand seven hundred dollars.

For compensation to the commissioner of the revenue, clerks, and persons employed in his office, twelve thousand four hundred and ten dollars.

For expense of stationery and printing, and contingent expenses of the revenue office, six thousand six hundred and fifty dollars.

For compensation to the register of the treasury, clerks, and persons employed in his office, including the sum of one thousand dollars for compensation to his clerks, in addition to the sum allowed by the act of

Specific ap-
propriations.
1806, ch. 41.

the twenty-first of April, one thousand eight hundred and six, seventeen thousand and fifty-two dollars and two cents.

For additional compensation to the clerks in the Treasury Department, not exceeding fifteen per centum on the sum allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes," six thousand six hundred and thirty-four dollars and nine cents.

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

For expense of stationery and printing, and contingent expenses of the register's office, three thousand eight hundred dollars.

For fuel and other contingent expenses of the Treasury Department, including rent of the houses occupied by the said department during a part of the year one thousand eight hundred and fourteen, and the whole of the year one thousand eight hundred and fifteen, and compensation of a superintendent and two watchmen, employed for the security of the Treasury buildings, six thousand nine hundred and twenty dollars.

For the purchase of a fire engine and fire buckets for the Treasury Department, one thousand dollars.

For the purchase of books, maps, and charts for the Treasury Department, four hundred dollars.

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

For compensation to the Secretary of War, clerks, and persons employed in his office, including the sum of three thousand nine hundred and sixty dollars for compensation to his clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six, and the sum of three hundred dollars for assistant messengers, twenty thousand five hundred and ten dollars.

For expense of stationery, printing, fuel, and other contingencies, in the office of the Secretary of War, including office rent, three thousand dollars.

For compensation to the accountant of the War Department, clerks, and persons employed in his office, including the sum of fourteen thousand two hundred and seventy-five dollars, for compensation of his clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six, twenty-five thousand eight hundred and thirty-five dollars.

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

For additional compensation to the clerks in the War Department, not exceeding fifteen per centum on the sum allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes," two thousand two hundred and twenty-six dollars.

For compensation to the paymaster of the army, clerks, and persons employed in his office, fifteen thousand seven hundred and ten dollars.

For contingent expenses in the office of the paymaster of the army, two thousand two hundred and fifty dollars.

For compensation to the superintendent general of military supplies, clerks, and persons employed in his office, ten thousand four hundred and ten dollars.

For contingent expenses in the office of the superintendent general of military supplies, one thousand dollars.

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

For compensation to the commissary general of purchases and clerks in his office, ten thousand dollars.

Act of April
21, 1806, ch. 41.

Act of April
21, 1806, ch. 41.

Act of April 21,
806, ch. 41.

For contingent expenses in the office of the commissary general of purchases, one thousand dollars. Specific appropriations.

For compensation to the Secretary of the Navy, clerks, and persons employed in his office, including the sum of one thousand six hundred dollars for compensation of his clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six, eleven thousand four hundred and ten dollars. Act of April 21, 1806, ch. 41.

For contingent expenses in the office of the Secretary of the Navy, including office rent, three thousand three hundred dollars.

For compensation to the accountant of the navy, clerks, and persons employed in his office, including the sum of three thousand dollars for compensation of his clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six, thirteen thousand four hundred and ten dollars. Act of April 21, 1806, ch. 41.

For contingent expenses in the office of the accountant of the navy, including office rent, one thousand two hundred and fifty dollars.

For additional compensation to the clerks in the Navy Department, not exceeding fifteen per centum on the sum allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes," one thousand nine hundred and thirty-five dollars. Act of April 21, 1806, ch. 41.

For compensation to the Postmaster General, assistant postmasters general, clerks and persons employed in the general post-office, including the sum of five thousand seven hundred and fifty-five dollars, for compensation of the clerks in the general post-office, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six, twenty-two thousand and ten dollars. Act of April 21, 1806, ch. 41.

For contingent expenses of the general post-office, two thousand eight hundred dollars.

For additional compensation to the clerks in the general post-office, not exceeding fifteen per centum on the sum allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes," one thousand four hundred and one dollars and seventy-five cents. Act of April 21, 1806, ch. 41.

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

For compensation to the clerks of sundry commissioners of loans, including a sum of three thousand dollars in addition to the amount heretofore allowed by law, and to defray the authorized expenses of the several loan offices, thirteen thousand seven hundred dollars.

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

For compensation to the surveyor of lands south of Tennessee, and his clerks, and for the contingent expenses of his office, three thousand two hundred dollars.

For compensation to the officers and clerks of the mint, ten thousand one hundred dollars.

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

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

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

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

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

Specific ap-
propriations.

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

For compensation granted by law to the chief justice, the associate judges, and district judges, of the United States, including the chief justice and associate judges of the district of Columbia, and the attorney general; and also including the sum of one thousand dollars, short, appropriated in the year one thousand eight hundred and fourteen for the salary of the district judge of Louisiana, sixty-four thousand dollars.

For the compensations 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.

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 invalid pensioners of the United States, ninety-eight thousand dollars.

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

For the maintenance and support of light-houses, beacons, buoys, and public piers, stakeages of channels, bars, and shoals, including repairs and improvements, and contingent expenses, twenty-four thousand two hundred and ninety-nine dollars and eleven cents.

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

For defraying the expenses of ascertaining land titles in Louisiana, eight thousand dollars.

For the salaries, allowances, and contingent expenses, of ministers to foreign nations, and of secretaries of legation, one hundred and nine thousand two hundred and fifty dollars.

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

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

For the relief and protection of distressed American seamen, in foreign countries, fifty thousand dollars.

For expenses of agents at Paris and Copenhagen, in relation to prize causes and captures of American vessels, four thousand dollars.

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

For paying to Augustus McKinney and Layzal Bancroft the amount of a judgment remitted by act of Congress, one thousand dollars. 1814, ch. 65.

For compensation to the board of commissioners appointed to carry into effect the act of the thirty-first of March, one thousand eight hundred and fourteen, for indemnifying certain claimants of public land in the Mississippi territory, six thousand dollars. 1814, ch. 39.

For stationery, office rent and other contingent expenses of the last mentioned board of commissioners, a sum not exceeding twelve hundred dollars.

For the discharge of the claim of Farrington Barkelow granted him by act of Congress for his relief, one thousand one hundred and sixty-eight dollars and twenty-five cents. 1815, ch. 88.

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

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

SEC. 2. *And be it further enacted*, That the several appropriations herein before made, shall be paid and discharged out of the fund of six hundred thousand dollars, reserved by the act making provision for the debt of the United States, and out of any moneys in the treasury not otherwise appropriated. Act of Aug. 4, 1790, ch. 34.

APPROVED, February 16, 1815.

STATUTE III.

CHAP. XLV.—*An Act for the relief of the inhabitants of the late county of New Madrid, in the Missouri territory, who suffered by earthquakes.* (a) Feb. 17, 1815.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That any person or persons owning lands in the county of New Madrid, in the Missouri territory, with the extent the said county had on the tenth day of November, one thousand eight hundred and twelve, and whose lands have been materially injured by earthquakes, shall be, and they hereby are authorized to locate the like quantity of land on any of the public lands of the said territory, the sale of which is authorized by law: *Provided*, That no person shall be permitted to locate a greater quantity of land under this act, than the quantity confirmed to him, except the owners of lots of ground or tracts of land of less quantity than one hundred and sixty acres, who are hereby authorized to locate and obtain any quantity of land not exceeding one hundred and sixty acres, nor shall any person be entitled to locate more than six hundred and forty acres, nor shall any such location include any lead mine or salt spring: *And provided also*, That in every case where such location shall be made according to the provisions of this act, the title of the person or persons to the land injured as aforesaid, shall revert to, and become absolutely vested in, the United States. Act of April 26, 1822, ch. 40.
Lands granted to persons having lands in the county of New Madrid, which were injured by earthquakes, on the 10th Nov., 1812.

SEC. 2. *And be it further enacted*, That whenever it shall appear to the recorder of land titles for the territory of Missouri, by the oath or affirmation of a competent witness, or witnesses, that any person or persons are entitled to a tract or tracts of land under the provisions of this act, it shall be the duty of the said recorder to issue a certificate thereof to the claimant or claimants; and upon such certificate being issued, and the location made on the application of the claimants, by the principal deputy surveyor for said territory, or under his direction, whose duty it

(a) The holder of a New Madrid certificate had a right to locate it on "public lands which had been authorized to be sold." As it was located on lands reserved from sale at the time of the issuing of the patent, the patent is void. *Stoddard et al. v. Chambers*, 2 Howard, 284.

Manner in which lands shall be located.

shall be, to cause a survey thereof to be made, and to return a plat of each location made to the said recorder, together with a notice in writing, designating the tract or tracts thus located, and the name of the claimant on whose behalf the same shall be made; which notice and plat the said recorder shall cause to be recorded in his office, and shall receive from the claimant for his services on each claim, the sum of two dollars, for receiving the proof, issuing the certificate, and recording the notice and plat as aforesaid; and the surveyor shall be entitled to the same compensation for his services from the party applying, as is allowed for surveying the public lands of the United States.

A report of his proceedings shall be made to the land office by the recorder.

SEC. 3. *And be it further enacted*, That it shall be the duty of the recorder of land titles, to transmit a report of the claims allowed, and locations made under this act, to the commissioner of the general land office, and shall deliver to the party a certificate, stating the circumstances of the case, and that he is entitled to a patent for the tract therein designated, which certificate shall be filed with the said recorder within twelve months after date, and the recorder shall thereupon issue a certificate in favour of the party, which certificate being transmitted to the commissioner of the general land office, shall entitle the party to a patent, to be issued in like manner as is provided by law for other public lands of the United States.

APPROVED, February 17, 1815.

STATUTE III.

Feb. 22, 1815.

CHAP. XLVIII.—*An Act giving further time to complete the surveys and obtain the patents for lands located under Virginia resolution warrants.*

Act of March 3, 1807, ch. 31.
Act of April 11, 1818, ch. 43.
Act of Feb. 9, 1821, ch. 11.
Act of March 1, 1823, ch. 38.
Further time allowed to complete surveys, &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the officers and soldiers of the Virginia line on continental establishment, or their legal representatives, to whom land warrants have issued by virtue of any resolution of the legislature of Virginia, as a bounty for services, which by the laws of Virginia, passed prior to the cession of the north-western territory to the United States, entitled such officers or soldiers to bounty lands, and whose location of such warrants shall have been made prior to the twenty-third day of March, one thousand eight [hundred] and eleven, shall be allowed the further time of two years from the passing of this act to complete their surveys and obtain their patents for the land located as aforesaid: *Provided*, That surveys shall be made and patents granted on the aforesaid locations, under the same regulations, restrictions and provisions, in every respect, as were prescribed for the making of surveys and granting of patents by the act, entitled "An act authorizing patents to issue for lands located and surveyed by virtue of certain 'Virginia resolution warrants,'" passed on the third day of March, one thousand eight hundred and seven.

APPROVED, February 22, 1815.

STATUTE III.

Feb. 23, 1815.

CHAP. LI.—*An Act requiring the Secretary of the Senate and Clerk of the House of Representatives in the Congress of the United States, to give security for the faithful application and disbursement of the contingent funds of the Senate and House of Representatives.*

Secretary of Senate and clerk of the House of Representatives to give bond, &c.

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 Senate and clerk of the House of Representatives respectively, within ten days after the passage of this act, to give bond to the United States, with one or more sureties, to be approved by the comptroller of the treasury; each bond in the penal sum of twenty thou-

sand dollars, with condition for the faithful application and disbursement of such contingent funds of the respective houses, as shall come into their hands, which bonds shall be deposited in the comptroller's office: And it shall be the duty of each and every secretary of the Senate, and clerk of the House of Representatives, who may hereafter be chosen, to give bond as aforesaid, within thirty days after he enters upon the discharge of the duties of his said office.

SEC. 2. *And be it further enacted,* That from and after the passage of this act, it shall be the duty of the secretary of the Senate, and of the clerk of the House of Representatives, to deposit all money belonging to the United States, which may come into their hands, in one of the Banks in the District of Columbia; and all debts payable by said secretary or clerk, on account of the Senate or House of Representatives, shall be paid by a draft in favour of each creditor on the bank, where the money of government may be deposited.

APPROVED, February 23, 1815.

To deposit in the banks of the District of Columbia the public moneys in their hands.

STATUTE III.

Feb. 24, 1815.

CHAP. LIV.—*An Act for the regulation of the courts of justice of Indiana.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the judges of the general court of the Indiana territory, shall, in each and every year, hold two sessions of the said court, at Vincennes, in the county of Knox, on the first Mondays of February and September; at Corydon, in the county of Harrison, on the third Mondays in February and September; and at Brookville, in the county of Franklin, on the first Mondays next succeeding the fourth Mondays of February and September, which courts respectively shall be composed of at least two of the judges appointed by the government of the United States; and no person or persons, acting under the authority and appointment of the said territory, shall be associated with the said judges.

APPROVED, February 24, 1815.

Courts in the Indiana territory.

STATUTE III.

Feb. 24, 1815.

CHAP. LVI.—*An Act to authorize the issuing of treasury notes for the service of the year one thousand eight hundred and fifteen. (a)*

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, with the approbation of the President of the United States, be, and he is hereby authorized to cause treasury notes for a sum not exceeding twenty-five millions of dollars, to be prepared, signed, and issued, at the treasury of the United States, in the manner hereinafter provided.

An issue of treasury notes authorized.

SEC. 2. *And be it further enacted,* That the said treasury notes shall be respectively signed in behalf of the United States, by persons to be appointed for that purpose by the President of the United States, two of whom shall sign each note; and they shall receive, as a compensation for that service, at the rate of seventy-five cents for every hundred notes thus signed by them respectively; and the said notes shall likewise be countersigned by the register of the treasury, or, in case of his sickness, or absence, by the treasurer of the United States.

By whom to be signed.

Their compensation for signing them.

SEC. 3. *And be it further enacted,* That the said treasury notes shall be prepared of such denominations as the Secretary of the Treasury, with the approbation of the President of the United States, shall, from time to time, direct; and such of the said notes as shall be of a denomi-

Denominations of the notes.

(a) See act of March 4, 1814, ch. 18, and notes.

nation less than one hundred dollars, shall be payable to bearer and be transferable by delivery alone, and shall bear no interest; and such of the said notes as shall be of the denomination of one hundred dollars, or upwards, may be made payable to order, and transferable by delivery and assignment, endorsed on the same, and bearing an interest from the day on which they shall be issued, at the rate of five and two-fifths per centum per annum; or they may be made payable to bearer, and transferable by delivery alone, and bearing no interest, as the Secretary of the Treasury, with the approbation of the President of the United States, shall direct.

How holders of the treasury notes bearing an interest, and not bearing an interest, may fund them.

SEC. 4. *And be it further enacted*, That it shall be lawful for the holders of the aforesaid treasury notes, not bearing an interest, and of the treasury notes bearing an interest at the rate of five and two-fifths per centum per annum, to present them at any time, in sums not less than one hundred dollars, to the treasury of the United States, or to any commissioner of loans; and the holders of the said treasury notes not bearing an interest, shall be entitled to receive therefor, the amount of the said notes, in a certificate or certificates of funded stock, bearing interest at seven per centum per annum, and the holders of the aforesaid treasury notes bearing an interest at the rate of five and two-fifths per centum, shall be entitled to receive therefor the amount of the said notes including the interest due on the same, in a like certificate or certificates of funded stock, bearing an interest of six per centum per annum, from the first day of the calendar month next ensuing that in which the said notes shall thus be respectively presented, and payable quarter-yearly, on the same days whereon the interest of the funded debt is now payable. And the stock thus to be issued shall be transferable in the same manner as the other funded stock of [the] United States; the interest on the same, and its eventual reimbursement, shall be effected out of such fund as has been or shall be established by law for the payment and reimbursement of the funded public debt contracted since the declaration of war against Great Britain. And the faith of the United States is hereby pledged to establish sufficient revenues and to appropriate them as an addition to the said fund, if the same shall, at any time hereafter, become inadequate for effecting the purpose aforesaid: *Provided however, And be it further enacted*, That it shall be lawful for the United States to reimburse the stock thus created, at any time after the last day of December, one thousand eight hundred and twenty-four.

Faith of the United States pledged for the payment of the certificates, principal and interest.

Treasury notes howsoever re-deemed may be re-issued.

SEC. 5. *And be it further enacted*, That it shall be lawful for the Secretary of the Treasury to cause the treasury notes which, in pursuance of the preceding section, shall be delivered up and exchanged for funded stock, and also the treasury notes which shall have been paid to the United States for taxes, duties, or demands, in the manner hereinafter provided, to be re-issued, and applied anew, to the same purposes, and in the same manner, as when originally issued.

Treasury notes made everywhere receivable for public dues.

SEC. 6. *And be it further enacted*, That the treasury notes authorized to be issued by this act, shall be every where received in all payments to the United States. On every such payment the note or notes shall be received for the amount of both the principal and the interest, which, on the day of such payment, may appear due on such of the notes as shall bear interest, thus given in payment; and the interest on the said notes bearing an interest, shall, on such payments, be computed at the rate of one cent and one half of a cent per day, on every hundred dollars of principal; and each month shall be computed as containing thirty days.

Interest to be included in officer's receipts, up to the period of payment.

SEC. 7. *And be it further enacted*, That any person making payment to the United States in the said treasury notes, into the hands of any collector, receiver of public moneys, or other public officer or agent, shall, on books kept according to such forms as shall be prescribed by the Secretary of the Treasury, give duplicate certificates of the number and

respective amount of each and every treasury note, and of the interest thereon, in case the same shall bear interest, thus paid by such person; and every collector, receiver of public moneys, or other public officer or agent, who shall thus receive in payment any of the said treasury notes bearing interest, shall, on payment of the same into the treasury, or into one of the banks where the public moneys are or may be deposited, receive credit both for the principal and for the interest computed as aforesaid, which, on the day of such last mentioned payment, shall appear due on the note or notes thus paid in: *Provided always*, That in the settlement of his accounts he shall be charged for the interest accrued on such note or notes, from the day on which the same shall have been received by him in payment as aforesaid, to the day on which the same shall be paid by him as aforesaid: *And provided also*, that no charge or deduction, on account of interest, shall be made in respect to any bank into which payments as aforesaid may be made to the United States, either by individuals, or by collectors, receivers, or other public officers, or agents, and which payments shall be received by such bank as specie, and credit given to the Treasurer of the United States for the amount thereof, including the interest accrued and due on such notes, from the day on which the same shall have been received by such bank, on account of the United States.

Notes received by public officers.

Proviso.

Proviso.

SEC. 8. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby authorized, with the approbation of the President of the United States, to cause the said treasury notes to be issued at the par value thereof, in payment of services, of supplies, or of debts, for which the United States are or may be answerable by law, to such person and persons as shall be willing to accept the same in payment; and to deposit portions of the said notes in the loan offices, or in state banks, for the purpose of paying the same to the public creditors as aforesaid; and to borrow money on the credit of the said notes; or to sell the same, at a rate not under par; and it shall be a good execution of this provision, to pay such notes to such bank or banks as will receive the same at par, and give credit to the Treasurer of the United States for the amount thereof, on the day on which the said notes shall thus be issued and paid to such bank or banks respectively.

Notes not to be paid by the United States under their par value.

Money may be borrowed on treasury notes.

SEC. 9. *And be it further enacted*, That it shall and may be lawful for the holder of any treasury notes issued, or authorized to be issued, under any laws heretofore passed, to convert the same into certificates of funded debt, upon the same terms, and in the same manner hereinbefore provided, in relation to the treasury notes authorized by this act, bearing an interest of five and two-fifths per centum.

Holders of treasury notes received from the treasury, may convert them into funded stock.

SEC. 10. *And be it further enacted*, That a sum of forty thousand dollars, to be paid out of any money in the treasury not otherwise appropriated, be, and the same is hereby appropriated, for defraying the expense of preparing, printing, engraving, signing, and otherwise incident to the issuing of the treasury notes authorized by this act.

Appropriation for defraying expenses.

SEC. 11. *And be it further enacted*, That if any person shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged or counterfeited, or willingly aid or assist in falsely making, forging or counterfeiting any note, in imitation of, or purporting to be, a treasury note as aforesaid; or shall falsely alter, or cause or procure to be falsely altered, or willingly aid or assist in falsely altering any treasury note issued as aforesaid; or shall pass, utter, or publish, or attempt to pass, utter, or publish, as true, any false, forged, or counterfeited note, purporting to be a treasury note as aforesaid, knowing the same to be falsely made, forged, or counterfeited: or shall pass, utter, or publish, or attempt to pass, utter, or publish, as true, any falsely altered treasury note issued as aforesaid, knowing the same to be falsely altered, or shall be, directly or indirectly, knowingly concerned in any of the offences aforesaid,

Penalties for forging, counterfeiting, &c.

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

APPROVED, February 24, 1815.

STATUTE III.

Feb. 27, 1815. CHAP. LX.—*An Act to provide additional revenues for defraying the expenses of government, and maintaining the public credit, by laying a direct tax upon the district of Columbia.*

Direct tax laid upon the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That a direct tax of nineteen thousand nine hundred and ninety-eight dollars and forty cents be, and is hereby annually laid upon the District of Columbia, which shall be assessed and laid upon the same descriptions of property, in the same manner, and be collected and accounted for likewise, in the same manner as is provided by 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," and the several acts referred to therein, or which may be passed amendatory thereof, for which purpose there shall be appointed a principal assessor for the District of Columbia, who, with such deputies as he may appoint, shall have the like qualifications and powers, receive the like compensation, discharge the like duties, and be subject to the like penalties, with the other principal or assistant assessors: *Provided,* That the said principal assessor shall, in addition to the powers of the other principal assessors, exercise the same powers, and discharge the same duties devolved on the board of principal assessors, established by the said act; and the tax lists, made out by him, conformably thereto, shall be delivered to the collector within one hundred and twenty days from the first day of April, in the year one thousand eight hundred and fifteen, on which day the said principal assessor shall direct and cause the several assistant assessors in his district, to inquire after and concerning all lands, lots of ground, with their improvements, dwelling-houses, and slaves, liable to taxation: *And provided,* That the collector for the said district, shall, himself, retain the lists of property lying within the said district, not owned, occupied, or superintended, by some person residing therein: and shall proceed to discharge the like duties that are performed in the respective states, by the collectors designated by the Secretary of the Treasury for receiving said lists.

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

Principal assessor, &c., to be appointed.

Proviso.

Proviso.

Duties of the assessors.

Act of Jan. 18, 1815, ch. 23.

SEC. 2. *And be it further enacted,* That the principal assessor and assistant assessors for the District of Columbia, shall discharge the like duties required by the "Act to provide additional revenues for defraying the expenses of government, and maintaining the public credit, by laying duties on household furniture, and on gold and silver watches," to be performed in the respective states by the assessors, any thing in the tenth section of the said act to the contrary notwithstanding; which said duties, and all other acts therein required to be done, as well by the said officers, as by individuals, subject to the said act, shall be performed within the District of Columbia, under the penalties, for neglect or omission, thereby prescribed, and in point of time, relatively to the said first day of April, in the year one thousand eight hundred and fifteen, and in every year thereafter, relatively to such day as may be fixed by law for the performance of the like duties and acts in the several states.

APPROVED, February 27, 1815.

CHAP. LXI.—*An Act to provide additional revenues for defraying the expenses of government, and maintaining the public credit, by laying a duty on gold, silver and plated ware, and jewelry and pastework, manufactured within the United States.* (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 eighteenth day of April next, there shall be paid upon all gold, silver, and plated ware, and jewelry and pastework, except timepieces, which shall thereafter be manufactured or made for sale within the United States or the territories thereof, a duty of six per centum ad valorem, by the manufacturer thereof.

SEC. 2. *And be it further enacted,* That the duty aforesaid shall be imposed, paid, collected, and accounted for, in like manner, and subject to the like provisions and penalties, as the duties imposed by the "Act to provide additional revenues for defraying the expenses of government, and maintaining the public credit, by laying duties on various goods, wares, and merchandisc, manufactured within the United States," passed the eighteenth day of January, one thousand eight hundred and fifteen, all the provisions of which act shall apply to the duty hereby imposed, and to those by whom it shall be payable, the same as if it were specifically inserted among the dutiable objects enumerated in the first section thereof.

APPROVED, February 27, 1815.

STATUTE III.
Feb. 27, 1815.

Duty upon
gold, silver, and
plated ware.

Regulations
concerning the
tax.
Act of Jan.
18, 1815, ch. 23.

CHAP. LXII.—*An act to repeal certain acts concerning the flotilla service, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the first day of April next, the act entitled "An act authorizing the President of the United States to cause to be built, barges for the defence of the ports and harbours of the United States," passed the fifth day of July, in the year one thousand eight hundred and thirteen; and also an act, entitled "An act authorizing the appointment of certain officers for the flotilla service," passed the sixteenth day of April, in the year one thousand eight hundred and fourteen, shall be repealed, and cease to be in force.

SEC. 2. *And be it further enacted,* That the barges and other vessels composing the flotilla establishment, (they being first divested of their guns and military stores, which are to be carefully preserved,) shall be sold or laid up under the direction of the President of the United States, and the moneys arising therefrom paid into the treasury thereof.

SEC. 3. *And be it further enacted,* That all the commissioned and warrant officers, and all the privates, who shall be discharged in consequence of the repeal of the acts aforesaid, shall be entitled to receive four months' pay, over and above what may be due to them respectively at the time of their discharge.

SEC. 4. *And be it further enacted,* That the President of the United States be, and he hereby is authorized to cause all the armed vessels thereof on the lakes, except such as he may deem necessary to enforce the proper execution of the revenue laws, to be sold or laid up, as he may judge most conducive to the public interest; such vessels being first divested of their armament, tackle and furniture, which are to be carefully preserved.

SEC. 5. *And be it further enacted,* That the act, entitled "An act authorizing the President of the United States to cause to be built, or

STATUTE III.
Feb. 27, 1815.

Repeal of certain acts concerning the flotilla service.

Act of July 5,
1813, ch. 6.
Act of April
16, 1814, ch. 59.

Vessels of the
flotilla establish-
ment to be
sold or laid up.

Commissioned
and warrant of-
ficers, and pri-
vates, entitled
to receive four
months' addi-
tional pay when
discharged.

Armed vessels
on the Lakes to
be sold or laid
up, except what
are necessary
for the public
service.

Repeal of an
act of Nov. 15,
1814, ch. 3.

(a) Repealed by act of Feb. 22, 1816, ch. 18.

President authorized to sell certain vessels acquired under it.

President authorized to cause to be sold the gun-boats unnecessary for public service, and warrant of officers and privates in consequence entitled to four months' pay, &c.

purchased, the vessels therein mentioned," passed the fifteenth day of November, in the year one thousand eight hundred and fourteen, be, and he same is hereby repealed, and the President of the United States is hereby authorized to cause to be sold such of the vessels acquired under the said act, as he may deem inexpedient to be retained in the public service; and to cause the money arising therefrom to be paid into the public treasury.

SEC. 6. *And be it further enacted*, That the President of the United States be, and he is hereby authorized to cause to be sold, they being first divested of their guns and military stores, which are to be carefully preserved, such and so many of the gun-boats belonging to the United States, as in his judgment may no longer be necessary to be retained for the public service; and such of the warrant officers and privates as may be discharged in consequence of such sale, shall be entitled to receive four months' pay, over and above what may be due to them at the time of their discharge.

APPROVED, February 27, 1815.

STATUTE III.

Feb. 27, 1815.

CHAP. LXIII.—*An Act to amend and extend the provisions of the act of the sixteenth of April, one thousand eight hundred and fourteen, entitled "An act confirming certain claims to land in the Illinois territory, and providing for their location."*

Act of April 16, 1814, ch. 61.

Western boundary of the Illinois territory to include all islands in the Mississippi, between the middle and eastern margin.

Proviso of a former act repealed so far as it regards settlers on fractions of sections, &c.

Proviso.

Settlers on lands reserved for the use of schools, entitled to the pre-emption of the like quantity of other land, on the same terms and within the proper boundary.

Persons who failed to locate their claims, entitled to pre-emption upon other unappro-

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the western boundary of the tract of country set apart by the act of the sixteenth of April, one thousand eight hundred and fourteen, entitled "An act confirming certain claims to land in the Illinois territory, and providing for their location," be extended upon the river Mississippi, to the middle thereof, so as to include all islands in said river, between the middle and eastern margin, throughout the length of said line; and that all or any of the said islands shall be subject to be appropriated under the said recited act.

SEC. 2. *And be it further enacted*, That the proviso contained in the fourth section of the before-recited act be repealed, so far as it regards persons settled on fractions of sections or quarter sections containing less than one hundred and sixty acres; and that such persons under the like circumstances shall be considered as entitled to all the rights, benefits, and advantages, specified in the said fourth section, as those settled on sections or quarter sections, and also, to any right, privilege, or advantage secured by this act: *Provided however*, That such persons shall not be permitted in such cases to take less than the whole quantity of such fractional quarter section on which they are respectively settled.

SEC. 3. *And be it further enacted*, That every person or persons, who settled on and improved any of the lands in the said territory, reserved for the use of schools or seminaries of learning, before the fifth day of February, one thousand eight hundred and thirteen, and who would have had the right of pre-emption thereto, had not the same been reserved as aforesaid, shall be entitled to the pre-emption of the like quantity of other land, upon the same terms, and under the same restrictions, provided by the fourth section of the said recited act, to be located on any lands within the boundary specified in this and the said recited act, not otherwise appropriated; and such persons shall also be entitled to the benefit of, and subject to, the restrictions contained in this act.

SEC. 4. *And be it further enacted*, That all and every person or persons entitled to the pre-emption of lands, under the fourth section of the before-recited act, who failed to locate their claims within the time limited in said act, and which lands have been appropriated by others, shall be entitled to the pre-emption of the like quantity, as they could

have appropriated under the said act, or under the provisions of this act, to be located on any land within the boundary specified in this and the said recited act, not previously appropriated.

SEC. 5. *And be it further enacted*, That all and every person or persons, entitled to the pre-emption of lands under the provisions of this act, shall conform to and be governed by the rules prescribed in the said recited act, in locating, proving, and completing their titles respectively, except in cases where the same is changed by this act.

SEC. 6. *And be it further enacted*, That it shall be the duty of the register of the land office for the district of Kaskaskia, to give notice by an advertisement inserted for one month in at least one newspaper published in the said territory, to all persons entitled to a pre-emption in the purchase of any tract of land, by virtue of this or the before-recited act, that they may make such purchase, on application to him at his office, on or before the first day of May, in the year one thousand eight hundred and sixteen; and every person failing or refusing to enter with the said register, the land to which the right of pre-emption is so secured, notice being given as before-mentioned, within the time aforesaid, shall lose his, her, or their right of pre-emption.

SEC. 7. *And be it further enacted*, That the locations of any confirmed claim, made by virtue of any authority given by the commissioners appointed to examine the claims of persons to land in the Illinois territory, shall be, and the same are hereby confirmed: *Provided*, That the provisions of this section shall not be so construed as to extend to any locations made by any person or persons without any authority from the commissioners aforesaid; nor shall it affect the claims of any other person or persons.

SEC. 8. *And be it further enacted*, That the register and receiver of public moneys of the land office at Kaskaskia, shall be allowed the same commission respectively, on the confirmed claims which have been or shall be received in payment for land entered at the said office, as they are now entitled to, on moneys received in payment for lands sold, calculating the value of the confirmed claims at the rate of two dollars per acre.

SEC. 9. *And be it further enacted*, That it shall be lawful for Ann Gilham to locate any unappropriated quarter section within the Illinois territory, and whenever the said Ann Gilham shall enter with the register of the land office at Kaskaskia, any unappropriated quarter section, it shall be the duty of the register to issue to the said Ann Gilham, a certificate, specifying therein the quarter section so located; and it shall be the duty of the commissioner of the general land office to issue a patent for the land so located, whenever the certificate aforesaid shall be presented to him for that purpose.

APPROVED, February 27, 1815.

priated lands within the boundary.

Act of April 16, 1814, ch. 61.

Persons entitled to pre-emption to be governed by certain rules.

Act of April 16, 1841, ch. 61.

Public notice to be given that purchase may be made, &c.

Persons failing to enter lands with the register, lose their right.

Locations of any claim by authorized commissioners confirmed.

Proviso.

Commission on confirmed claims, to the commissioner of Kaskaskia.

Ann Gilham may locate any unappropriated quarter section.

STATUTE III.

Feb. 27, 1815.

CHAP. LXIV.—*An Act to repeal certain acts therein mentioned.*

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 to authorize the President of the United States to accept the services of state troops and of volunteers," and the act entitled "An act to authorize the raising a corps of sea fencibles," be, and the same are hereby repealed.

APPROVED, February 27, 1815.

Repeal of acts of July 26, 1813, ch. 27, and of Jan. 27, 1815, ch. 25.

STATUTE III.
Feb. 27, 1815.

Act of March 3, 1825, ch. 65.
Postmaster General authorized to allow a commission adequate to the services, &c., of postmasters.
Proviso.

Rates of commissions.

Further allowances to postmasters.

Other acts granting compensation to postmasters, repealed.
Proviso.

Act of April 30, 1810, ch. 37.

Postmaster General authorized to employ any steamboat, &c., to carry the mail.
Proviso.

Masters of steamboats, &c. to duly deliver the mail to the post-office.

Compensation.

CHAP. LXV.—*An Act in addition to the act regulating the post-office establishment.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Postmaster General be, and [he] is hereby authorized to allow to the postmasters respectively, such commission on the moneys arising from the postage of letters, newspapers, and packets, as shall be adequate to their respective services and expenses. *Provided,* That the said commission shall not exceed the following several rates on the amount collected in one quarter, that is to say:

On a sum not exceeding one hundred and fifty dollars, twenty per cent.

On a sum not exceeding four hundred and fifty dollars, seventeen per cent.

On a sum not exceeding three thousand dollars, thirteen per cent.

On any sum over three thousand six hundred dollars, five per cent.

He may also allow the postmaster at distributing post-offices, a commission of four per cent. on any sum of postages distributed, not exceeding four thousand dollars: and a commission of three per cent. on any sum of postages distributed over four thousand dollars.

He may also allow to such postmasters as receive and despatch foreign mails, a sum not exceeding twenty-five dollars per quarter year, for that service; and he may augment the commission of those postmasters who receive the mail regularly between the hours of nine o'clock in the evening and five o'clock in the morning, from twenty to thirty-three and one third per cent. on one hundred and fifty dollars received in each quarter.

He may also allow to each postmaster one cent for each free letter delivered out of his office, and one cent for each free letter originally received by him and forwarded by mail.

He may also allow to each postmaster ten cents for every monthly register of the arrival and departure of the mail, returned to the general post-office. The Postmaster General may also allow to the postmasters, respectively, a commission of thirty-three and one third per cent. on the amount of postages which they shall collect on newspapers, magazines, and pamphlets; but no allowance for distribution, or for free letters, shall be made to any postmaster, who shall collect postages to the amount of five thousand dollars in one quarter.

SEC. 2. *And be it further enacted,* That this act shall be in force on and after the first day of April next, and thereupon all other acts and clauses thereof providing compensation or allowance to any postmaster or postmasters, shall cease to have effect, and are hereby repealed: *Provided,* That nothing herein contained shall be construed to effect, alter, or repeal, the provisions of the fortieth section of the act regulating the post-office establishment.

SEC. 3. *And be it further enacted,* That the Postmaster General be authorized to have the mail carried in any steamboat, or other vessel, which shall be used as a packet, in any of the waters of the United States, on such terms and conditions, as shall be considered expedient: *Provided,* That he do not pay more than three cents for each letter, and each packet, and more than one half cent for each newspaper, conveyed in such mail.

SEC. 4. *And be it further enacted,* That it shall be the duty of every master or manager of any steamboat, packet, or other vessel, which shall pass from one part or place to another part or place, in the United States, where a post-office is established, to deliver within three hours after his arrival, if in the day time, and within two hours after the next sunrise, if the arrival be in the night, all letters and packets addressed to, or destined for such port or place, to the postmaster there, for which he shall be entitled to receive of such postmaster two cents for every letter

or packet so delivered, unless the same shall be carried or conveyed under a contract with the Postmaster General; and if any master or manager of a steamboat, or other vessel, shall fail so to deliver any letter or packet, which shall have been brought by him, or shall have been in his care, or within his power, he shall incur a penalty of thirty dollars for every such failure.

Penalty for neglect.

SEC. 5. *And be it further enacted*, That every person employed on board any steamboat, or other vessel employed as a packet, shall deliver every letter, and packet of letters, intrusted to such person, to the master or manager of such steamboat, or other vessel; and before the said vessel shall touch at any other port or place; and for every failure, or neglect, so to deliver, a penalty of ten dollars shall be incurred for each letter and packet.

Persons employed on board steamboats, &c. to faithfully deliver letters to the master which may be entrusted to them.

APPROVED, February 27, 1815.

Penalty for neglect.

STATUTE III.

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

March 1, 1815.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following post-roads be, and the same are hereby discontinued, that is to say: From Columbia, by Shelbyville and Winchester, to Fayetteville, in Tennessee. From Tellico, in Tennessee, by Amoy river, Vanstown, and Tuckeytown, to Fort Stoddard, in Mississippi territory; and from Tuckabatchy by Tensaw and Fort Stoddard, to Pascagoala river, in Mississippi territory; from Cynthia to Georgetown, in Kentucky. In North Carolina, from Washington to Lake Landing, on Motamuskeet. From Concord, by Loudon, Gilmanon, Meredith, New Holderness, to Plymouth; thence by New Hampton, Sanbornton, Northfield and Canterbury, to Concord.

Post-roads discontinued.

SEC. 2. *And be it further enacted*, That the following be established post-roads, that is to say:

Post-roads established.

In New Hampshire.—From Concord to Fryeburgh, in Maine. From Concord by Salisbury, Andover, New Chester, Bridgewater, Plymouth, thence by New Holderness, New Hampton, Sanbornton, Salisbury, to Concord. From Exeter, by Brent wood, Poplin, Raymond, Candia, and Pembroke, to Concord.

New Hampshire.

In Vermont.—From Chester South village, by Andover, Weston, Land Grove, and Peru, to Manchester. From Salem, New York, by Rupert, Paulet, Middleton, and Ira, to Rutland.

Vermont.

In Maine.—From Kennebunk to Alfred. From Prospect, by Mount Ephraim, to Frankfort.

Maine.

In Massachusetts.—From Hosack, New York, by Pawnal, Vermont, to Williamstown. From Northampton, by Hadley, Sunderland, and Montague, to Northfield. From Foxborough, by Mansfield and Norton, to Taunton.

Massachusetts.

In Connecticut.—That the post-road from Norwalk, by Reading, to Danbury, pass through Saugatuck, and by the town-house in Reading.

Connecticut.

In New York.—From Hadley Landing, in Saratoga, to Luzern, in Warren county. From Hamilton village, by Guilderland, Berne, Schoharie Courthouse, the brick church, in Cobleskill, Colonel I. Steward's, and Maryland, to Milford. From West Point to Haverstraw. From Burrage Mills, in Coventry, to Oxford. That the mail from Huntington be carried by the north road to Smithtown, instead of the south road. From Stillwater, by Dunning street, in Malta, and the south end of Saratoga Lake, to Ballstown Springs, thence by the north end of Saratoga Lake, and by Roger's mills, to Stillwater. From Manlius, in Onondaga county, to Elbridge, in Camillus, thence to Auburn, in Cayuga county. From Bainbridge through Coventry to Green.

New York.

In New Jersey.—From Newark, by Orange Dale and Hanover, to

New Jersey.

- Post-roads established.
- Morristown. From Asbury, in Mansfield township, by Hacket's town, Greenville, Newton, and Frankfort, to Deckerstown.
- Pennsylvania. *In Pennsylvania.*—From Huntington, by Woodcock Valley, Bedford, and Cumberland Valley, to Cumberland in Maryland. From Mercer to New Castle. From Lancaster to Lebanon. From York, by Dover, Ross town, Lewisburg, and Lisburn, to Carlisle.
- Ohio. *In Ohio.*—From Zanesville to Coshocton. From Wheeling, in Virginia, by Stephen Scott's at the mouth of Fishing Creek, to Marietta. From Delaware, in Ohio, by Norton, Upper Sandusky, and Lower Sandusky, to Fort Meigs. From Lebanon to Hamilton.
- Maryland. *In Maryland.*—From Baltimore, by Queenstown, Hillsborough, and Denton, to Milford. From Westminster, in Frederick county, through Uniontown, Middleburgh, Greenham, Mechanick's town, and Cave town, to Hager's town. From Elkton by Savinton to Georgetown cross roads.
- Virginia. *In Virginia.*—From Lindsay's store by Barbourville and Stanardsville to Harrisonburg. From Richmond to Lindsay's store, in Albemarle county. From Colesville, in Chesterfield county, by Halcomb's and Dennis's, to Amelia Courthouse, in lieu of the present route from Colesville to Amelia Courthouse. From Parkersburg, in Wood county, to Point Pleasant; that the route from Hopkins' tavern to Powhatan Courthouse, pass by way of Genito Bridge. That the Postmaster General be authorized to send a mail from Port Tobacco in Maryland, to Hanover town, so long as a stage shall run on that route. From the town of Petersburg, Virginia, by the Double Bridges and John Key's tavern in the county of Lunenburg, to Charlotte Courthouse. From Williesburg, in Charlotte county, by Doctor Snead's in Halifax county, to Cunningham's store in Person county, North Carolina.
- Kentucky. *In Kentucky.*—From Cynthiana, by Paris and Winchester, to Richmond. From Isbelville to Clarksville, Tennessee. From Lexington to Georgetown. From Cincinnati, by Kennedy's, Gaines's, and Arnold's, on the ridge road, to Georgetown. From Glasgow to Allen Courthouse, and from Allen Courthouse to Bowling Green. From Middletown to Westport.
- North Carolina. *In North Carolina.*—From Washington, by Bath, John Adams's, the Log House Landing, on Pungo river, and Germantown, to the Lake Landing in Matamuskeet. From Tarborough to Cobbs' Bridge, in Edgecomb county. From Bryant's cross roads to Windsor. From Tarborough to Scotland Neck. From Pittsborough, by Liberty and Gardner's store to Lexington.
- Tennessee. *In Tennessee.*—From Nashville, by Harpeth settlement, and Shelbyville, to Fayetteville. From Rhea Courthouse, by Highwassay Garrison, Ross Fort, and Fort Jackson, to Fort St. Stephens.
- South Carolina. *In South Carolina.*—From Marion Courthouse, by Harleysville, to Marlborough, to return by Brownsville to Marion Courthouse. From Cheraw Courthouse, by the Burnt Saw Mills, on Lynch's creek, Williamsburg Courthouse, and Murray's Ferry, on Santee, to Monk's Corner.
- Miss. Territory. *In the Mississippi Territory.*—From the Choctaw agency, by John Ford's, on Pearl river, to New Orleans in the state of Louisiana.
- Ill. Territory. *In the Illinois Territory.*—From Johnson Courthouse to Salem in Kentucky.

APPROVED, March 1, 1815.

STATUTE III.

March 3, 1815.

CHAP. LXXII.—*An Act making appropriations for the support of the military establishment, for the year one thousand eight hundred and fifteen.*

Appropriations authorized to defray the expenses of the

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 fifteen, for ordnance, fortifications, and the Indian department, the following sums be, and the same are hereby respectively appropriated, that is to say: military establishment, &c.

For the pay of the army of the United States, including the private servants kept by officers, nine hundred thousand dollars. Appropriations.

For forage to officers, one hundred and twenty-five thousand dollars.

For subsistence of the army, seven hundred thousand dollars.

For the medical and hospital department, fifty thousand dollars.

For clothing, three hundred and twenty-five thousand dollars.

For the quartermaster's department, two hundred thousand dollars.

For purchasing horses for artillery, one hundred thousand dollars.

For ordnance and ordnance stores, including arsenals, magazines, and armories, nine hundred and thirty-eight thousand three hundred thirty-eight dollars.

For fortifications, four hundred thousand dollars.

For contingencies, two hundred thousand dollars.

For the Indian department, two hundred thousand dollars.

For advancing three months' pay to the officers deranged and non-commissioned officers and privates discharged, one million two hundred thousand dollars.

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

APPROVED, March 3, 1815.

STATUTE III.

CHAP. LXXIII.—*An Act making further provision for completing the public buildings at West Point, for the accommodation of the Military Academy.* March 3, 1815.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of twenty thousand dollars be, and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, for completing buildings, and for providing an apparatus, a library, and all necessary implements, and for such contingent expenses as may be necessary and proper, in the judgment of the President of the United States, for the better support and accommodation of the Military Academy at West Point. Act of July 5, 1790, ch. 26.
Act of Jan. 22, 1811, ch. 7.
Act of Jan. 5, 1813, ch. 8.
Act of July 5, 1838, ch. 162, sec. 28, 29, 30.

APPROVED, March 3, 1815.

STATUTE III.

CHAP. LXXIV.—*An Act making appropriations for the support of the Navy of the United States, for the year one thousand eight hundred and fifteen.* March 3, 1815.

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 fifteen, the following sums be, and are hereby respectively appropriated, that is to say: Appropriations authorized for defraying the expense of the navy.

For pay and subsistence of the officers, and pay of the seamen, one million five hundred thirty-eight thousand three hundred sixty-four dollars and fifty cents.

For provisions, six hundred and seventy-three thousand, nine hundred and seventy-two dollars and fifty cents.

For medicine, hospital stores, and all expenses on account of the sick, forty thousand dollars.

For repairs of vessels, five hundred thousand dollars.

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

Appropriations. For ordnance, ammunition, and military stores, three hundred thousand dollars.

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

For pay and subsistence of the marine corps, one hundred and ninety thousand and twenty dollars.

For clothing for the same, sixty thousand three hundred and fifty-seven dollars.

For military stores for the same, one thousand six hundred dollars.

For contingent expenses for the same, eighteen thousand seven hundred and eight dollars.

Vessels captured by Commodore Macdonough, on lake Champlain.

For the purchase of the vessels captured by Commodore Macdonough on lake Champlain, such sum as shall be agreed upon, with the approbation of the President, not exceeding four hundred thousand dollars.

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

APPROVED, March 3, 1815.

STATUTE III.

March 3, 1815.

CHAP. LXXVII.—*An Act to repeal so much of the several acts imposing duties on the tonnage of ships and vessels, and on goods, wares and merchandise, imported into the United States, as imposes a discriminating duty on tonnage, between foreign vessels and vessels of the United States, and between goods imported into the United States in foreign vessels and vessels of the United States.*

Act of Jan. 7, 1824, ch. 4. and notes to the act.

Act of Feb. 5, 1816, ch. 10.

Repeal of certain parts of acts imposing discriminating duties.

Foreign nations only, who reciprocate, can enjoy such advantage.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of the several acts imposing duties on the tonnage of ships and vessels, and on goods, wares, and merchandise, imported into the United States, as imposes a discriminating duty of tonnage, between foreign vessels and vessels of the United States, and between goods imported into the United States in foreign vessels and vessels of the United States, be, and the same are hereby repealed, so far as the same respects the produce or manufacture of the nation to which such foreign ships or vessels may belong. Such repeal to take effect in favour of any foreign nation, whenever the President of the United States shall be satisfied that the discriminating or countervailing duties of such foreign nation, so far as they operate to the disadvantage of the United States, have been abolished.

APPROVED, March 3, 1815.

STATUTE III.

March 3, 1815.

CHAP. LXXIX.—*An Act fixing the military peace establishment of the United States.*

Military peace establishment fixed.

Act of April 12, 1808, ch. 43.

Act of March 30, 1814, ch. 37.

Act of April 24, 1816, ch. 69.

Act of March 3, 1817, ch. 35.

Organization.

Regiments.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the military peace establishment of the United States shall consist of such proportions of artillery, infantry, and riflemen, not exceeding, in the whole, ten thousand men, as the President of the United States shall judge proper, and that the corps of engineers, as at present established, be retained.

SEC. 2. *And be it further enacted,* That the corps of artillery shall have the same organization as is prescribed by the act passed the thirtieth of March, one thousand eight hundred and fourteen; and the regiment of light artillery the same organization as is prescribed by the act passed the twelfth day of April, one thousand eight hundred and eight; and that each regiment of infantry and riflemen, shall consist of one colonel, one lieutenant-colonel, one major, one adjutant, one quartermaster, one paymaster, one surgeon, and two surgeon's mates, one serjeant-major, one

quartermaster serjeant, two principal musicians, and ten companies; each company to consist of one captain, one first lieutenant, and one second lieutenant, four serjeants, four corporals, two musicians, and sixty-eight privates.

SEC. 3. *And be it further enacted*, That there shall be two major generals, and four brigadier generals; the major generals to be entitled to two aids-de-camp, and the brigadier generals to one aid-de-camp each, to be taken from the subalterns of the line, four brigade inspectors, and four brigade quartermasters, and such number of hospital surgeons and surgeon's mates, as the service may require, not exceeding five surgeons and fifteen mates, with one steward and one wardmaster to each hospital. The brigade inspectors, appointed under this act, shall be taken from the line; and the brigade quartermasters, the adjutants, regimental quartermasters, and paymasters, from the subalterns of the line.

SEC. 4. *And be it further enacted*, That the compensation, subsistence, and clothing of the officers, cadets, non-commissioned officers, musicians, artificers, and privates, composing the military peace establishment, shall be the same as are prescribed by the act, entitled "An act fixing the military peace establishment of the United States," passed sixteenth March, one thousand eight hundred and two, and the act, entitled "An act to raise for a limited time, an additional military force," passed twelfth April, one thousand eight hundred and eight; and that the major generals shall be entitled to the same compensation as is provided by an act, entitled "An act to raise an additional military force," passed eleventh January, one thousand eight hundred and twelve.

SEC. 5. *And be it further enacted*, That the President of the United States cause to be arranged, the officers, non-commissioned officers, musicians, and privates, of the several corps of troops now in the service of the United States, in such a manner as to form and complete out of the same the corps authorized by this act, and cause the supernumerary officers, non-commissioned officers, musicians, and privates, to be discharged from the service of the United States, from and after the first day of May next, or as soon as circumstances may permit.

SEC. 6. *And be it further enacted*, That to each commissioned officer, who shall be deranged by virtue of this act, there shall be allowed and paid, in addition to the pay and emoluments to which they will be entitled by law at the time of his discharge, three months' pay.

SEC. 7. *And be it further enacted*, That the several corps authorized by this act, shall be subject to the rules and articles of war, be recruited in the same manner, and with the same limitations; and that officers, non-commissioned, musicians, and privates, shall be entitled to the same provision for wounds and disabilities, the same provisions for widows and children, and the same benefits and allowances in every respect, not inconsistent with the provisions of this act, as are authorized by the act of sixteenth March, one thousand eight hundred and two, entitled "An act fixing the military peace establishment of the United States," and the act of the twelfth April, one thousand eight hundred and eight, entitled "An act to raise for a limited time, an additional military force;" and that the bounty to the recruit, and compensation to the recruiting officer, shall be the same as are allowed by the aforesaid act of the twelfth of April, one thousand eight hundred and eight.

APPROVED, March 3, 1815.

Number and grade of officers.

Compensation of officers, &c.

Act of March 16, 1802, ch. 9.

Act of April 12, 1808, ch. 43.

Act of Jan. 11, 1812, ch. 14.

How the corps are to be arranged and completed.

Three months' pay allowed to commissioned officers who shall be deranged.

Rules and regulations.

Act of March 16, 1802, ch. 9.

Act of April 12, 1808, ch. 43.

STATUTE III.

March 3, 1815.

CHAP. LXXXI.—*An Act to provide a library room, and for transporting the library lately purchased.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the
VOL. III.—29.

The President to cause a library room to be prepared, and the library of Thomas Jefferson to be placed in it.

Act of Jan. 30, 1815, ch. 27.

United States be, and he is hereby authorized to cause a proper apartment to be immediately selected and prepared for a library room, and to cause the library lately purchased from Thomas Jefferson, to be placed therein during the ensuing recess of Congress.

SEC. 2. *And be it further enacted*, That the accounting officers of the treasury be, and they are hereby authorized and directed to settle the account of the expenditures incurred under this act; and that the amount so settled shall be paid out of any moneys in the treasury not otherwise appropriated.

APPROVED, March 3, 1815.

STATUTE III.

March 3, 1815.

Appropriation of \$200,000 annually for three years to purchase stock for ship building.

CHAP. LXXXII.—*An Act concerning the naval establishment.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in addition to the sums heretofore appropriated for that purpose, the sum of two hundred thousand dollars be, and the same is hereby appropriated annually for three years, towards the purchase and supply of a stock of every description of timber, required for ship building, and other naval purposes, to be paid out of any moneys in the treasury not otherwise appropriated.

APPROVED, March 3, 1815.

STATUTE III.

March 3, 1815.

Repeal of all acts and parts of acts which prohibit the entrance of foreign vessels into the waters of the United States.

Act of July 6, 1812, ch. 129.

Repealed.

Act of Aug. 2, 1813, ch. 57.

Repealed.

Penalties to be recovered as if acts had not been repealed.

CHAP. LXXXV.—*An Act to repeal certain acts therein mentioned.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all acts or parts of acts, which prohibit the entrance of the vessels of any foreign nation into the harbours or waters under the jurisdiction of the United States be, and the same are hereby repealed.

SEC. 2. *And be it further enacted*, That the "Act to prohibit American vessels from proceeding to, or trading with, the enemies of the United States, and for other purposes," passed the sixth day of July, eighteen hundred and twelve, be, and the same is hereby repealed.

SEC. 3. *And be it further enacted*, That the "Act to prohibit the use of licenses or passes, granted by the authority of the government of the United Kingdom of Great Britain and Ireland," passed the second day of August, eighteen hundred and thirteen, be, and the same is hereby repealed.

SEC. 4. *And be it further enacted*, That all penalties and forfeitures which have been incurred by virtue of the acts or parts of acts hereby repealed, shall be recovered and distributed in like manner as if the same had continued in full force.

APPROVED, March 3, 1815.

STATUTE III.

March 3, 1815.

Additional compensation allowed.

CHAP. LXXXVI.—*An Act increasing the compensation allowed the sergeants at arms of the Senate and House of Representatives, and of the doorkeeper and assistant doorkeeper of the Senate and House of Representatives.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in addition to the sum already allowed by law to the sergeants at arms of the Senate and House of Representatives, and the doorkeeper and assistant doorkeeper of the Senate and House of Representatives, be entitled to receive annually, the sum of five hundred and fifty dollars respectively, and that the additional compensation here allowed, be considered to take effect from the first day of January one thousand eight hundred and fourteen.

APPROVED, March 3, 1815.

STATUTE III.

March 3, 1815.

CHAP. LXXXVII.—*An Act to authorize a loan for a sum not exceeding eighteen millions four hundred and fifty-two thousand eight hundred dollars.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby authorized to borrow, on the credit of the United States, a sum not exceeding eighteen millions four hundred fifty-two thousand eight hundred dollars, to be applied, in addition to the moneys now in the treasury, or which may be received from other sources, to defray any expenses which have been, or during the present year may be, authorized by law, and for which appropriations have been, or during the present year may be, made by law: *Provided,* That no engagement or contract shall be entered into, which shall preclude the United States from reimbursing any sum or sums thus borrowed, at any time after the expiration of twelve years, from the last day of December next.

A loan authorized to defray expenses.

Proviso.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury, with the approbation of the President of the United States, be, and he is hereby authorized to cause to be constituted certificates of stock, signed by the register of the treasury, or by a commissioner of loans, for the sum to be borrowed by this act, or for any part thereof, and the same to be sold. And the Secretary of the Treasury shall lay before Congress, during the first week in the month of February, one thousand eight hundred and sixteen, an account of all the moneys obtained by the sale of the certificates of stock in manner aforesaid, together with a statement of the rate at which the same may have been sold.

Certificates of stock to be constituted, &c.

SEC. 3. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby authorized, with the approbation of the President of the United States, to employ an agent or agents, for the purpose of obtaining subscriptions to the loan authorized by this act, or of selling any part of the stock to be created by virtue thereof. A commission not exceeding one quarter of one per centum, on the amount thus sold, or for which subscriptions shall have been thus obtained, may, by the Secretary of the Treasury, be allowed to such agent or agents; and a sum not exceeding thirty thousand dollars to be paid out of any moneys in the treasury not otherwise appropriated, is hereby appropriated for paying the amount of such commission or commissions as may be thus allowed, and also for defraying the expenses of printing and issuing the subscription certificates, and certificates of stock, and other expenses incident to the completing of the loan authorized by this act.

Agents for obtaining subscriptions to be employed.

Their commission.

Appropriations for defraying expenses.

SEC. 4. *And be it further enacted,* That so much of the funds constituting the annual appropriation of eight millions of dollars, for the payment of the principal and interest of the public debt of the United States, as may be wanted for that purpose, after satisfying the sums necessary for the payment of the interest and such part of the principal of the said debt, as the United States are now pledged annually to pay or reimburse, is hereby pledged and appropriated for the payment of the interest, and for the reimbursement of the principal of the stock which may be created by virtue of this act. It shall accordingly be the duty of the commissioners of the sinking fund, to cause to be applied and paid out of the said fund, yearly, such sum and sums as may be annually wanted to discharge the interest accruing on the said stock, and to reimburse the principal as the same may become due, and may be discharged in conformity with the terms of the loan. And they are further authorized to apply, from time to time, such sum or sums out of the said fund, as they may think proper, towards redeeming, by purchase, and at a price not above par, the principal of the said stock, or any part thereof. And the faith of the United States is hereby pledged to establish sufficient revenues, for making good any deficiency that may hereafter take place

Pledge for the payment of the interest and principal.

Duty of the commissioners.

Revenues to be established for making good any deficiency.

in the funds hereby appropriated for paying the said interest and principal sums, or any of them, in manner aforesaid.

Banks of the District of Columbia authorized to lend.

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

Treasury notes issued previous to this act, may be received.

SEC. 6. *And be it further enacted*, That it shall be lawful for the Secretary of the Treasury to accept in payment of any loan obtained in virtue of this act, such treasury notes as have been actually issued, before the passing of this act, and which were made by law a charge upon the sinking fund, such treasury notes to be credited for the principal thereof, and the amount of interest actually accrued at the time of the payment.

Interest on treasury notes due, to be paid, &c.

SEC. 7. *And be it further enacted*, That it shall be lawful for the Secretary of the Treasury to cause to be paid, the interest upon treasury notes which have become due, and remain unpaid, as well with respect to the time elapsed before they become due, as with respect to the time that shall elapse after they become due, and until funds shall be assigned for the payment of the said treasury notes, and notice thereof shall be given by the Secretary of the Treasury.

APPROVED, March 3, 1815.

STATUTE III.

March 3, 1815.

CHAP. LXXXVIII.—*An Act to provide for ascertaining and surveying of the boundary lines fixed by the treaty with the Creek Indians, and for other purposes.*

Act of March 3, 1817, ch. 88.
Boundary line of the Creeks to be ascertained and surveyed.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby authorized to cause to be ascertained and surveyed the boundary line designated by the treaty with the Creek nation of Indians, concluded on the ninth day of August, one thousand eight hundred and fourteen, and that the same be distinctly marked; in all such places except where water courses are described as the boundary by the said treaty; and for this purpose the President of the United States shall have power to appoint, by and with the advice and consent of the Senate, three commissioners, whose compensation shall not exceed, exclusive of travelling expenses, the rate of eight dollars per day, during the time of actual service of such commissioner, in ascertaining and surveying the said boundary line; they shall have power to employ a skilful surveyor, who shall be allowed five dollars per day, and two chainmen and a marker, who shall each be allowed two dollars per day, in full for their services.

Commissioners to be appointed.
Their compensation.
Surveyors, &c., to be employed.
Their allowance.

SEC. 2. *And be it further enacted*, That the said commissioners, on completing the ascertainment and survey aforesaid, shall make out three accurate plats of the survey of the said boundary line, one of which they shall transmit to the Secretary of State, one to the surveyor of the lands south of the state of Tennessee, and the other to the chiefs of the Creek nation of Indians.

Three plats to be made out.

SEC. 3. *And be it further enacted*, That all the public lands of the United States, to which the Indian title was extinguished by the aforesaid treaty, shall be, and are hereby formed into a land district; and for the disposal thereof, a land office shall be established, which shall be kept at such convenient place as the President of the United States may direct; and for the said land office, a register and receiver of public moneys shall be appointed, who shall give security in the same manner, in the same sums, and whose compensation, emoluments, duties, and authority, shall, in every respect, be the same in relation to the lands which shall be disposed of at their office, as are or may be provided by law in relation to the registers and receivers of public moneys in the several land offices

Public lands where the Indian title is extinct to be formed into a land district.
A land office to be established, &c.

established for the disposal of the other public lands of the United States.

SEC. 4. *And be it further enacted*, That the powers vested by law in the surveyor of the lands of the United States, south of the state of Tennessee, shall extend over all the public lands of the United States to which the Indian title was extinguished by the aforesaid treaty, and the same shall be surveyed in the manner and for the same compensation as other public lands in the Mississippi territory.

Powers and compensation of the surveyor, same as other public lands in Mississippi territory.

SEC. 5. *And be it further enacted*, That the President of the United States is hereby authorized, whenever he shall think it proper, to direct so much of the public lands, lying in the said district, as shall have been surveyed in conformity to this act, to be offered for sale. All such lands shall, with the exception of the section numbered sixteen, which shall be reserved in each township for the support of schools within the same, with exception also, of one entire township, to be located by the Secretary of the Treasury, for the use of a seminary of learning, and with the exception of any tracts of land reserved to the Indians by the said treaty, shall be offered to the highest bidder, under the direction of the register and receiver of public moneys of the said land office, on such day or days as shall, by a public proclamation of the President of the United States, be designated for that purpose. The public sales shall remain open for three weeks and no longer; and the lands shall be sold for a price not less than that which has been or may be fixed by law, for the public lands in the Mississippi territory; and shall, in every other respect, be sold in tracts of the same size, on the same terms and conditions, as have been or may be by law provided, for the other public lands in the Mississippi territory. The superintendents of the said public sales shall receive six dollars each, for each day's attendance on the said sales. All lands other than those reserved as aforesaid, and excepted as above-mentioned, remaining unsold at the closing of the public sales, and which had been offered at the said sales, may be disposed of at private sale, by the register of the land office, in the same manner, under the same regulations, for the same price, and on the same terms and conditions, as are or may be provided by law for the sale of the other public lands of the United States in the Mississippi territory. And patents shall be obtained for the lands sold in the said district, in the same manner, and on the same terms, as for other public lands sold in the Mississippi territory.

Sale of the lands authorized, with certain exceptions.

Sales to remain open three weeks; their conditions, &c.

Unsold lands may be disposed of at private sale.

Patents obtained in the usual manner.

SEC. 6. *And be it further enacted*, That the President of the United States shall have power to appoint any or all of the aforesaid commissioners, during the recess of the Senate.

Appointment of commissioners.

SEC. 7. *And be it further enacted*, That a sum not exceeding twenty-five thousand dollars, be, and the same is hereby appropriated, to be paid out of any moneys in the treasury not otherwise appropriated for the purpose of carrying this act into effect.

Appropriation for defraying expenses.

APPROVED, March 3, 1815.

CHAP. LXXXIX.—*An Act authorizing the purchase of the vessels captured on Lake Champlain.*

STATUTE III.
March 3, 1815.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby authorized to cause to be purchased the British vessels which were captured on Lake Champlain by the American squadron, on the eleventh day of September, in the year eighteen hundred and fourteen; and the amount of the valuation of such captured vessels, when duly made and returned to the Navy Department, shall be distributed as prize money, among the captors or their heirs.

[Obsolete.]
The British vessels captured on Lake Champlain to be purchased, and the value distributed among the captors as prize money.

APPROVED, March 3, 1815.

STATUTE III.

March 3, 1815. CHAP. XC.—*An Act for the protection of the commerce of the United States against the Algerine cruisers.*

[Obsolete.]

WHEREAS the Dey of Algiers, on the coast of Barbary, has commenced a predatory warfare against the United States—

Armed vessels authorized to be employed against the Algerines.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall be lawful fully to equip, officer, man and employ such of the armed vessels of the United States as may be judged requisite by the President of the United States for protecting effectually the commerce and seamen thereof on the Atlantic Ocean, the Mediterranean and adjoining seas.

Vessels, &c. of the Algerines to be lawful prizes.

SEC. 2. *And be it further enacted,* That it shall be lawful for the President of the United States to instruct the commanders of the respective public vessels aforesaid, to subdue, seize, and make prize of all vessels, goods and effects of or belonging to the Dey of Algiers, or to his subjects, and to bring or send the same into port, to be proceeded against and distributed according to law; and, also, to cause to be done all such other acts of precaution or hostility, as the state of war will justify, and may in his opinion require.

Private armed vessels may be commissioned to make reprisal, &c.

SEC. 3. *And be it further enacted,* That on the application of the owners of private armed vessels of the United States, the President of the United States may grant them special commissions in the form which he shall direct under the seal of the United States; and such private armed vessels, when so commissioned, shall have the like authority for subduing, seizing, taking and bringing into port any Algerine vessel, goods or effects, as the before-mentioned public armed vessels may by law have; and shall therein be subject to the instructions which may be given by the President of the United States for the regulation of their conduct; and their commissions shall be revokable at his pleasure. *Provided,* That before any commission shall be granted as aforesaid, the owner or owners of the vessels of which the same may be requested, and the commander thereof for the time being shall give bond to the United States, with at least two responsible sureties, not interested in such vessel, in the penal sum of seven thousand dollars, or if such vessel be provided with more than one hundred and fifty men, in the penal sum of fourteen thousand dollars, with condition for observing the treaties and laws of the United States, and the instructions which may be given as aforesaid, and also for satisfying all damages and injuries which shall be done contrary to the tenor thereof by such commissioned vessel, and for delivering up the commission when revoked by the President of the United States.

Proviso, that bond be given.

SEC. 4. *And be it further enacted,* That any Algerine vessel, goods, or effects which may be so captured and brought into port, by any private armed vessel, of the United States, duly commissioned as aforesaid, may be adjudged good prize, and thereupon shall accrue to the owners, and officers, and men of the capturing vessel, and shall be distributed according to the agreement which shall have been made between them, or, in failure of such agreement, according to the discretion [of] the court having cognisance of the capture.

Captures by private armed vessels to be lawful prizes, &c.

APPROVED, March 3, 1815.

STATUTE III.

March 3, 1815.

[Repealed.]

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

Act of Jan. 18, 1815, ch. 23.

CHAP. XCI.—*An Act to amend the act entitled "An 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," and the act entitled "An act to provide additional revenues for defraying the expenses of government, and maintaining the public credit, by laying duties on household furniture, and on gold and silver watches."*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That instead of the first day

of February next, prescribed by 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," to the principal assessors to direct and cause the several assistant assessors to inquire after and concerning all lands and other objects taxed, the first day of April next be, and the same is hereby prescribed for that purpose. And that the time prescribed in the thirty-ninth section of the said act, to the Secretary of the Treasury, to notify the collectors of the several collection districts, to proceed to the collection of the direct tax, after the current year, shall be some day in the month of May, instead of the month of February.

SEC. 2. *And be it further enacted,* That the thirteenth section of the "Act to provide additional revenues for defraying the expenses of government and maintaining the public credit, by laying duties on household furniture, and on gold and silver watches," be, and the same is hereby so amended, as that the several acts, required to be performed, previously to, or during the month of February, in any year, may, and shall be performed, previously to, or during the month of May, in any year, as the case may be, which last month, instead of February, shall be taken as the time referred to therein, for taking the lists of property under a general assessment; and it shall be the duty of the principal assessor, in every year, within thirty days after the expiration of the said month of May, to make out and deliver to the collector, the lists as is required to be rendered by the said last mentioned act, to which this act is a supplement, and the like alteration hereby made in the tenth section of the said act, shall, and hereby is made in the other sections thereof, so far as any acts depending thereon are thereby required to be done.

SEC. 3. *And be it further enacted,* That the publication to be made by the collectors to be designated by the Secretary of the Treasury for that purpose, as prescribed and required in the twenty-eighth and twenty-ninth sections of the act to which this act is a supplement, shall, instead of being printed for sixty days, in at least one newspaper published in the state, as therein provided, be printed at least once a week, for eight weeks in succession, in every newspaper within the state, in which the laws of the United States are by public authority published; and for which printing the Secretary of the Treasury shall be, and he is hereby authorized, to pay and allow a price proportionate to the price of the other public printing done in said papers, and no more.

APPROVED, March 3, 1815.

First of April instead of the first of February fixed for notifying the collectors of the direct tax.

And May instead of February fixed for collection.

Act of Jan. 18, 1815, ch. 23.

The several acts required to be performed in February relative to duties on household furniture, are in every instance to be performed in May.

Duty of the principal assessor.

Collectors to publish once a week for eight weeks in succession instead of sixty days.

Terms.

CHAP. XCIII.—*An Act authorizing the board of navy commissioners to appoint clerks.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the board of Navy Commissioners be, and they are hereby authorized to appoint two clerks, to be attached to their office, who shall receive for their services a sum not exceeding one thousand dollars each per annum.

SEC. 2. *And be it further enacted,* That for this purpose the sum of two thousand dollars is hereby appropriated, to be paid out of any moneys in the treasury not otherwise appropriated.

APPROVED, March 3, 1815.

STATUTE III.

March 3, 1815.

[Obsolete.]

Act of Feb. 7, 1815, ch. 35.

Clerks to be appointed.

Appropriation.

STATUTE III.

March 3, 1815.

[Expired.]

Act of April 27, 1816, ch. 110.

CHAP. XCIV.—*An Act further to provide for the collection of duties on imports and tonnage.*

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

Collectors, &c. to search for goods to prevent fraud or unlawful importation. Act of March 3, 1817, ch. 109.

And to stop and examine any vehicle or person on foot, &c., where they suspect unlawful trade, and make seizure.

Officers authorized to search dwelling houses in the day time, where goods are supposed to be concealed.

Proviso,

Collectors may employ such number of inspectors as they may deem necessary.

Their duties.

Oaths or affirmations.

Collectors authorized to command any person to aid and assist in searching, &c.

any collector, naval officer, surveyor, or inspector of the customs, as well in an adjoining district as that to which he belongs, to enter on board, search, and examine any ship, vessel, boat, or raft, and if he shall find on board the same any goods, wares, or merchandise, which he shall have probable cause to believe are subject to duty, the payment of which is intended to be evaded, or have been imported into the United States in any manner contrary to law, it shall be his duty to seize and secure the same for trial.

SEC. 2. *And be it further enacted*, That it shall be lawful for any collector, naval officer, surveyor, or inspector of the customs, as well in any adjoining district as that to which he belongs, to stop, search, and examine any carriage or vehicle, of any kind whatsoever, and to stop any person travelling on foot, or beast of burden, on which he shall suspect there are goods, wares, or merchandise, which are subject to duty, or which shall have been introduced into the United States in any manner contrary to law; and if such officer shall find any goods, wares, or merchandise, on any such carriage, vehicle, person travelling on foot, or beast of burden, which he shall have probable cause to believe are subject to duty, or have been unlawfully introduced into the United States, he shall seize and secure the same for trial. And if any of the said officers of the customs shall suspect that any goods, wares, or merchandise, which are subject to duty, or shall have been introduced into the United States contrary to law, are concealed in any particular dwelling-house, store, or other building, he shall, upon proper application, on oath, to any judge or justice of the peace, be entitled to a warrant, directed to such officer, who is hereby authorized to serve the same, to enter such house, store, or other building, in the day time only, and there to search and examine whether there are any goods, wares, or merchandise, which are subject to duty, or have been unlawfully imported; and if, on such search or examination, any such goods, wares, or merchandise, shall be found, which there shall be probable cause for the officer making such search or examination, to believe are subject to duty, or have been unlawfully introduced into the United States, he shall seize and secure the same for trial; *Provided always*, That the necessity of a search warrant, arising under this act, shall in no case be considered as applicable to any carriage, wagon, cart, sleigh, vessel, boat, or other vehicle, of whatever form or construction, employed as a medium of transportation, or to packages on any animal or animals, or carried by man on foot.

SEC. 3. *And be it further enacted*, That every collector of the customs shall have authority, with the approbation of the principal officer of the Treasury Department, to employ within his district such number of proper persons, as inspectors of the customs, as he shall judge necessary, who are hereby declared to be officers of the customs; and the said inspectors, before they enter on the duties of their offices, shall take and subscribe, before the collectors 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 an inspector 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 inspector, 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."

SEC. 4. *And be it further enacted*, That any collector, naval officer, surveyor, or inspector, when proceeding to make any search or seizure, authorized by this act, shall be, and he is hereby empowered to command any person who shall be within ten miles of the place where such search or seizure shall be made, to aid and assist such officer in the discharge

of his duty therein; and if any person, being so commanded, shall neglect or refuse to aid and assist such officer in making such search or seizure, the person so neglecting or refusing, shall forfeit and pay a sum not exceeding two hundred dollars, and not less than fifty dollars. And such officer may also demand, in cases of resistance, the assistance of the marshal of the district, or any of his deputies, who shall call upon the posse of the district, if necessary in his or their judgment, to render effectual the execution of this act; and all citizens or inhabitants of the district, above the age of eighteen years, and able to travel, who refuse or neglect, upon proper notice from the marshal, or any of his deputies, to join such posse, shall be considered guilty of a misdemeanor, and be liable to be fined in any sum not exceeding three hundred dollars, and be imprisoned for any term not exceeding three months.

Penalty for refusing.

In cases of resistance, the posse of the district may be demanded.

SEC. 5. *And be it further enacted*, That the forfeitures and penalties mentioned in this act, shall be sued for, prosecuted, and recovered, or inflicted, by action of debt, or by information or indictment, in any court competent to take cognisance thereof and try the same; and that all forfeitures and penalties, so recovered by virtue of this act, shall, after deducting all proper costs and charges, be disposed of as follows: one moiety shall be for the use of the United States, and be paid into the treasury thereof by the collector recovering the same; the other moiety shall be divided between, and paid in equal proportions to the collector and naval officer of the district and surveyor of the port, wherein the same shall have been incurred, or to such of the said officers as there may be in the said district: and in districts where only one of the aforesaid offices shall have been established, the said moiety shall be given to such officer: *Provided*, That where the seizure shall have been made by any inspector or inspectors out of the presence of the collector, naval officer, or surveyor, such inspector or inspectors shall be entitled, in addition to such other compensation as may be allowed them, to twenty-five per centum on the moiety herein given to the collector, naval officer and surveyor, as aforesaid, or to either of them: *And provided also*, That in all cases where such forfeitures and penalties shall be recovered, in pursuance of information given to such collector, naval officer or surveyor, by any private informer, the one half of such moiety shall be given to such informer, and the remainder thereof shall be disposed of between the collector, naval officer, and surveyor, in manner aforesaid, and the same allowance of twenty-five per cent. to inspectors, when the seizure is made by them as aforesaid: *And provided likewise*, That whenever the value of the property seized, condemned, and sold under this act, shall be less than two hundred and fifty dollars, that part of the forfeiture which accrues to the United States, or so much thereof as may be necessary, shall be applied to the payment of the costs of prosecution: *And it is further provided*, That if any officer or other person, entitled to a part or share of any of the penalties or forfeitures incurred in virtue of this act, shall be necessary as a witness on the trial for such penalty or forfeiture, such officer or other person may be a witness upon the said trial, but in such case he shall not receive or be entitled to any part or share of the said penalty or forfeiture: and the part or share to which he otherwise would have been entitled, shall revert to the United States.

Forfeitures and penalties how to be sued for, and prosecuted.

Proviso.

Proviso.

Proviso.

Proviso.

SEC. 6. *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 agreeable to the provisions of this act, or under colour thereof, for any thing done, or omitted to be done as an officer of the customs, or for any thing done by virtue of this act or under colour thereof, and the defendant shall, at the time of entering his appearance in such court, file a petition for the removal of the cause for trial at the next circuit court of the United States, to be holden in the district where

Prosecutions or suits, against officers, for their acts under this act, or colour of it, may be removed to circuit court in certain cases.

Removal of prosecutions from state courts to the circuit court of the United States.

the suit is pending, and offer good and sufficient surety for his entering in such 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 farther 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 there 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. And it shall be lawful in any action or prosecution which may be now pending, or hereafter commenced, before any state court whatever, for any thing done, or omitted to be done, by the defendant, as an inspector or other officer of the customs, after final judgment for either party, to remove and transfer, by appeal, such decision, during the session or term of said court at which the same shall have taken place, from such court to the next circuit court of the United States, to be held in the district in which such appeal shall be taken in manner aforesaid; and it shall be the duty of the person taking such appeal, to produce and enter in the said circuit court attested copies of the process, proceedings and judgment, in such cause; and it shall also be competent for either party, within six months of the rendition of a judgment in any such cause, by writ of error, or other process, to remove the same to the circuit court of the United States, of that district in which such judgment shall have been rendered, and the said circuit court shall thereupon proceed to try and determine the facts and the law in such action, in the same manner as if the same had been there originally commenced, the judgment in such case notwithstanding. And any bail which may have been taken, or property attached, shall be holden on the final judgment of the said circuit court in such action, in the same manner as if no such removal and transfer had been made as aforesaid. And the state court from which any such action may be removed and transferred as aforesaid, upon the party's giving good and sufficient security for the prosecution thereof, shall allow the same to be removed and transferred, and proceed no farther in the case: *Provided however*, That if the party aforesaid shall fail duly to enter the removal and transfer as aforesaid in the circuit court, agreeable to this act, the state court, by which judgment shall have been rendered, and from which the transfer and removal shall have been made as aforesaid, shall be authorized, on motion for that purpose, to issue execution, and to carry into effect any such judgment, the same as if no such removal and transfer had been made: *Provided nevertheless*, That this act shall not be construed to apply to any prosecution for an offence involving corporal punishment: *And provided also*, That no such appeal shall be allowed in any criminal action or prosecution, where final judgment shall have been rendered in favour of the defendant or respondent, by the state court; and 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 nonsuit, or judgment pass against him, the defendant shall recover double costs.

Sec. 7. *And be it further enacted*, That in any suit or prosecution against any person, for any act or thing done as an officer of the customs, or any person aiding or assisting such officer therein, and judgment shall

be given against the defendant, or respondent, if it shall appear to the court, before which such suit or prosecution shall be tried, that there was probable cause for doing such act or thing, such court shall order a proper certificate or entry to be made thereof, and in such case the defendant or respondent shall not be liable for costs, nor shall he be liable to execution, or to any action for damages, or to any other mode of prosecution, for the act done by him as aforesaid: *Provided*, That such property or articles as may be held in custody by the defendant, if any, be, after judgment, forthwith returned to the claimant or claimants, his, her, or their agent or agents.

Officers not to be liable to costs, upon judgments against them, in certain cases.

Proviso.

SEC. 8. *And be it further enacted*, That this act shall continue in force for one year, and no longer: *Provided*, That all fines, penalties, and forfeitures, which shall have been incurred before the expiration of the act, shall be recovered and distributed, and may be mitigated or remitted, in the same manner as if it had not expired.

Duration of this act.
Proviso.

APPROVED, March 3, 1815.

STATUTE III.

CHAP. XCV.—*An Act supplementary to an act, entitled "An act for the better organization of the courts of the United States, within the state of New York."*

March 3, 1815.

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, by and with the advice and consent of the Senate, be, and hereby is authorized to appoint one person as marshal, and one as district attorney for the northern judicial district of the United States within the state of New York, created by the act to which this act is a supplement, bearing date the ninth day of April, in the year one thousand eight hundred and fourteen; and that the terms of appointment and service, together with the duties, responsibilities and emoluments of the said marshal and district attorney, respectively, for the district aforesaid, be in all respects the same within their said district, as the terms of appointment and service, the duties, responsibilities and emoluments of all other marshals and district attorneys, respectively, within their respective districts, in the United States of America.

Act of April 9, 1814, ch. 49.
The President to appoint a marshal and district attorney.

Compensation.

APPROVED, March 3, 1815.

STATUTE III.

CHAP. XCVI.—*An Act making an additional appropriation for the service of the year one thousand eight hundred and fifteen.*

March 3, 1815.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, for defraying the expense of preparing certificates of registry for ships and vessels, and for furnishing lists of crews, the sum of five thousand dollars be, and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated.

Appropriation for certificates of registry of ships.

APPROVED, March 3, 1815.

STATUTE III.

CHAP. XCVII.—*An Act further supplementary to an act, entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi territory."*

March 3, 1815.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the commissioners appointed by virtue of the act entitled "An act supplementary to an act entitled 'An act providing for the indemnification of certain claimants of public lands in the Mississippi territory,'" shall be, and they are hereby

Act of March 31, 1814, ch. 39.
Commissioners authorized to decide upon the quantity of

land contained in any deed, without further survey.

Act of Jan. 23, 1815, ch. 24.

Instruments executed by the parties or their attorneys shall be considered legal by the commissioners.

A further time allowed where releases, &c. are defectively drawn.

Commissioners authorized to finally settle all claims.

On reports of the commissioners certificates of stock to be issued.

Secretary to record releases, &c., and return them to the Secretary of State's office.

Terms of recording.

On the dissolution of the board of commissioners, the President may grant additional compensation.

Proviso.

authorized to decide, in a summary way, upon the quantity or boundary of land contained in any grant or deed exhibited before them, by any of the claimants of lands released to the United States, agreeably to said act, according to such maps, surveys, or other evidence, as now exist or which they may be now able to procure, without requiring or permitting any other survey to be made.

SEC. 2. *And be it further enacted*, That the said commissioners shall be, and they are hereby authorized to allow, and receive, in all cases, except those where femes covert are parties, as sufficient legal releases, assignments, and powers, required by said act, and the supplement thereto, and as lawful conveyances, all such instruments as may be executed by the party, or his, her, or their attorney or attorneys, lawfully empowered, and either acknowledged by the party making the same, before some judge, or justice of the peace, notary public, mayor, recorder or alderman of a corporation, or master in chancery, or one of the said commissioners, or proved by other evidence to the satisfaction of the commissioners to have been duly executed by the party.

SEC. 3. *And be it further enacted*, That the said commissioners shall be, and they are hereby authorized, in all cases where the releases, assignments, and powers required by the act aforesaid, already presented, or which may be presented on or before the third Monday in March instant, or powers of attorney, by which said releases shall have been, or shall be made, shall be, in the judgment of the commissioners aforesaid, defectively drawn or executed, to allow a further time not exceeding two months, from and after the said third Monday in March instant, to perfect the same.

SEC. 4. *And be it further enacted*, That the said commissioners shall be, and they are hereby authorized to admit and finally settle all such claims as have been, or may be, within the time limited, duly released, assigned, and transferred to the United States, any thing in the said original act, or any supplement thereto, to the contrary notwithstanding; and to administer oaths, or take affirmations, and to compel the attendance of witnesses, in all cases where necessary.

SEC. 5. *And be it further enacted*, That the President of the United States shall be, and he is hereby authorized, from time to time, to cause to be issued such certificates of stock as are specified in the said original act, and supplement thereto, to such claimant or claimants, whose claim may be decided on and reported by the commissioners, on receiving such report in relation to such claim, from the said commissioners.

SEC. 6. *And be it further enacted*, That the releases, assignments, and powers, required by the act aforesaid, and the supplement thereto, now received, and which may be hereafter received, shall be recorded by the secretary of the said commissioners, and the said records returned with all other papers and documents in relation to said claims, when the business of the said commissioners shall be closed, to the office of the Secretary of State; and that the said secretary shall be paid by the Secretary of the Treasury of the United States, out of any money not otherwise appropriated, at the rate of twelve and a half cents for each and every hundred words contained in each instrument so recorded.

SEC. 7. *And be it further enacted*, That on the dissolution of the said board of commissioners, and the performance of the duties assigned them, the President of the United States shall be, and he is hereby authorized, if in his judgment he shall consider the said commissioners entitled to any further additional compensation for their services than is now provided for, to cause them to be paid such other and further sums, out of any money in the treasury not otherwise appropriated, as he shall think just and reasonable; *Provided*, That such additional compensation shall not exceed fifty cents to each commissioner, for every deed or evidence of title which shall be submitted to their examination and decision, in

pursuance of the provisions of the said original act, and the supplements thereto.

APPROVED, March 3, 1815.

STATUTE III.

CHAP. XCVIII.—*An Act regulating and defining the duties of the United States' Judges for the territory of Illinois.*

March 3, 1815.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Illinois territory shall be divided into three circuits in the manner and for the purposes hereinafter mentioned.

[Obsolete.]
Act of April
29, 1816, ch.
154.

SEC. 2. *And be it further enacted,* That the counties of Madison and St. Clair shall compose the first circuit, the counties of Randolph and Johnson shall compose the second circuit, and the counties of Gallatin and Edwards shall compose the third circuit.

Illinois territory to be divided into three circuits.

Counties composing each circuit.

SEC. 3. *And be it further enacted,* That the judges heretofore appointed, or which may hereafter be appointed for the Illinois territory, under the authority of the government of the United States, shall, previous to the time prescribed by this act for holding the first court in the said territory, proceed to allot amongst themselves the circuit in which they shall respectively preside, which allotment shall continue in force for and during the term of one year thereafter; and such allotment shall be annually renewed, and which allotment, in writing, signed by the said judges, or a majority of them, shall be entered of record in the said courts, respectively, by the clerks thereof, at the commencement of the term next after such allotment shall have been made.

Allotment of circuits.

SEC. 4. *And be it further enacted,* That it shall be the duty of the said judges respectively to hold two terms annually in each county in their respective circuits, in conformity with the preceding sections of this act, which shall commence at the times hereinafter mentioned, that is to say, in the county of Madison on the last Mondays in May and September, in the county of St. Clair on the second Mondays in June and October, in the county of Randolph on the third Mondays in June and October, in the county of Johnson on the fourth Mondays in June and October, in the county of Gallatin on the first Mondays in July and November, and in the county of Edwards on the second Mondays in July and November, in each year, and the said courts shall be styled circuit courts for the counties in which such courts shall be held respectively.

Two terms to be held annually in each county.

SEC. 5. *And be it further enacted,* That the said courts shall be holden at the respective courthouses of said counties, and the said judges respectively shall in their respective circuits have jurisdiction over all causes, matters or things at common law or in chancery, arising in each of said counties, except in cases where the debt or demand shall be under twenty dollars, in which cases they shall have no jurisdiction.

Where courts are to be holden.

Extent of jurisdiction.

SEC. 6. *And be it further enacted,* That the said judges shall be conservators of the peace, and the said circuit courts, in term time, or the judges thereof in vacation, shall have power to award injunctions, writs of ne exeat, habeas corpus, and all other writs and process that may be necessary to the execution of the power with which they are or may be vested.

Authority of the judges.

SEC. 7. *And be it further enacted,* That the said circuit courts respectively shall have power to hear and determine all treasons, felonies, and other crimes, and misdemeanors that may be committed within the respective counties aforesaid, and that may be brought before them respectively, by any rules or regulations prescribed by law.

Circuit courts empowered to try felonies, &c.

SEC. 8. *And be it further enacted,* That all suits shall be tried in the counties in which they originate, unless in cases that are or may be specially provided for by law.

Suits to be tried in counties where they originate.

Circuit judges not attending, &c., courts to be adjourned.

SEC. 9. *And be it further enacted*, That if the circuit judge shall not attend on the first day of any court, or if a quorum of the court hereinafter mentioned shall not attend in like manner, such court shall stand adjourned from day to day until a court shall be made, if that shall happen before four o'clock in the afternoon of the third day.

Undetermined causes may stand continued until next term.

SEC. 10. *And be it further enacted*, That if either a circuit court, or the court hereinafter mentioned shall not sit in any term, or shall not continue to sit the whole term, or before the end of the term shall not have heard and determined all matters ready for its decision, all such matters and things depending in court, and undetermined, shall stand continued until the next succeeding term.

Temporary impediments after the courts are opened, not to prevent sittings to the end of the term.

SEC. 11. *And be it further enacted*, That if from any cause either of the said courts shall not sit on any day in a term after it shall have been opened, there shall be no discontinuance, but so soon as the cause is removed, the court shall proceed to business until the end of the term, if the business depending before it be not sooner despatched.

Term to consist of six days.

SEC. 12. *And be it further enacted*, That the judicial term of the said circuit courts shall consist of six days in each county, during which time the court shall sit, unless the business before it shall be sooner determined.

Clerk to be appointed by the circuit court.

SEC. 13. *And be it further enacted*, That a clerk shall be appointed by the said circuit courts respectively in each county, whose duty it shall be to issue process in all cases originating in his county, to keep and preserve the records of all the proceedings of the court therein, and to do and perform in the county all the duties which may be enjoined on him by law.

Duties.

Cases depending in the courts of common pleas to proceed in the usual legal manner.

SEC. 14. *And be it further enacted*, That in the cases that were on the thirty-first day of December, in the year one thousand eight hundred and fourteen, depending in the courts of common pleas in the respective counties, the parties or their attorneys shall be permitted to take all such measures for bringing them to trial that might have been taken if no change had taken place, and the said circuit courts respectively shall as far as possible proceed to the trial thereof in the same manner that the said courts of common pleas might legally have done, had no other change than a mere alteration of the terms taken place.

The judges, or a majority of them, to constitute a court.

SEC. 15. *And be it further enacted*, That the said judges appointed as aforesaid, or a majority of them, shall constitute a court, to be styled the court of appeals for Illinois territory, and shall hold two sessions annually at the town of Kaskaskia, which shall commence on the first Mondays in March and August, in every year, and continue in session until the business before them shall be completed, which court shall have appellate jurisdiction only, and to which appeals shall be allowed, and from which writs of error according to the principles of the common law, and conformably to the laws and usages of the said territory, may be prosecuted for the reversal of the judgments and decrees as well of the said circuit courts, as of any inferior courts which now are or may hereafter be established by the laws of the said territory.

Court of appeals to appoint a clerk.

SEC. 16. *And be it further enacted*, That a clerk shall be appointed by the said court of appeals, whose duty it shall be to issue process in all cases brought before the said court where process ought to issue, and to keep and preserve the records of all the proceedings of the said court therein, and to do and perform all such duties as may be enjoined on him by law.

Cases depending in the general court to be decided in the usual manner.

SEC. 17. *And be it further enacted*, That in all cases that were on the said thirty-first day of December, eighteen hundred and fourteen, depending in the general court of said territory, the parties or their attorneys shall be permitted to take all such measures for bringing them to a final decision that might have been taken if no change had taken place, and the said court of appeals shall, as far as practicable, proceed to the final determination thereof in the same manner that the said general court

might legally have done had no other change than a mere alteration of the terms taken place.

SEC. 18. *And be it further enacted*, That appeals may be prayed and writs of error taken out upon matters of law only, in all cases wherein they are now allowed by law, to the said court of appeals, and all writs of error shall be issued by the clerk of the said court of appeals, and made returnable to the said court at Kaskaskia, but no question upon appeal or writ of error shall be decided without the concurrence of two judges at least.

Appeals may be prayed, &c., to the court of appeals.

SEC. 19. *And be it further enacted*, That the legislature of the said territory shall have power to change the times of holding any of the courts required to be holden by this act: *Provided however*, That the said legislature shall not have authority to increase the number of sessions to be held by the said courts respectively, in conformity with the provisions of the preceding sections of this act.

Legislature empowered to alter the time specified in this act.

SEC. 20. *And be it further enacted*, That no judge or justice appointed under the authority of the government of the said territory, shall be associated with the aforesaid United States' judges, when sitting as circuit court judges as aforesaid. This act to commence and be in force from and after the first day of April next.

Territorial judges not to be associated with the United States' judges.

APPROVED, March 3, 1815.

STATUTE III.

CHAP. XCIX.—*An Act to continue in force, for a limited time, the act entitled "An act for establishing trading-houses with the Indian tribes."*

March 3, 1815.

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," approved on the second day of March, eighteen hundred and eleven, shall be, and the same is hereby continued in force until the fourth day of March, eighteen hundred and seventeen, and no longer.

Act of March 2, 1811, ch. 30, continued in force until March 4, 1817.

APPROVED, March 3, 1815.

STATUTE III.

CHAP. C.—*An Act to fix the compensations, and increase the responsibility of the collectors of the direct tax and internal duties; and for other purposes connected with the collection thereof.*

March 3, 1815.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the collectors of the direct tax and internal duties, shall be entitled to receive the same commissions which are now allowed by law, until the first day of July, one thousand eight hundred and fifteen: *Provided*, That the commissions accruing to any one collector, upon the moneys collected and paid into the treasury, between the thirty-first of December, one thousand eight hundred and fourteen, and the first day of July, one thousand eight hundred and fifteen, shall not exceed the sum of three thousand dollars; and the said collectors shall, from and after the said first day of July, be allowed, in lieu of the commission now allowed by law, four and one half per centum upon all moneys accounted for and paid into the treasury, from the first [of] July, one thousand eight hundred and fifteen, until the first of January, one thousand eight hundred and sixteen, not exceeding fifty thousand dollars; and one per centum upon all sums over and above that amount.

Act of Dec. 23, 1817, ch. 1. Collectors entitled to the commission now allowed by law until 1st July, 1815.

SEC. 2. *And be it further enacted*, That each collector, whose commission, in any one calendar year, shall not exceed one thousand dollars, shall be allowed, at the end of the year, in addition to such commission, the sum of two hundred dollars.

Additional allowance to certain collectors.

Collectors allowed five per cent. additional on property not owned, &c., by some resident.

President authorized to appoint and distribute additional compensation to certain collectors.

Commission to collectors in case of death, removal, &c.

Allowance to the successor.

Proviso.

Yearly statements to be drawn out, exhibiting the names of persons paid, during the preceding year, &c.

Collectors' letters relative to official duties to be free of postage.

Offices to be kept open every day for the transaction of business except established holy-days.

Taxes received by deputy collectors, to be a lien upon their property,

SEC. 3. *And be it further enacted*, That the collectors heretofore, or hereafter, designated by the Secretary of the Treasury, to receive the lists of property, lying within collection districts not owned, occupied, or superintended, by some person residing therein, shall, respectively, in addition to their other commissions and compensations, be allowed a commission of five per centum on the moneys received for taxes thereon, accounted for and paid by them into the treasury.

SEC. 4. *And be it further enacted*, That it shall be lawful for the President of the United States to apportion and distribute, annually, a sum not exceeding, in the whole, twenty-five thousand dollars, or to any one collector five hundred dollars, among such collectors, as for the execution of the public service, it shall appear to him necessary so to compensate, in addition to the other emoluments to which they are entitled.

SEC. 5. *And be it further enacted*, That in case a collector shall die, resign, or be removed from office, he shall be entitled to a commission equal to the average rate of that allowed to the collector of the same district the preceding calendar year, and no more; and his successor shall, for the residue of the year, be allowed a commission equal to the sum that may remain, after deducting the sum allowed to his predecessor, from the whole amount of commission that would have been allowed, had there been no such death, resignation, or removal, and no more: *Provided*, That either of the said collectors shall be entitled to the benefits of the provision contained in the fourth section of this act.

SEC. 6. *And be it further enacted*, That it shall be the duty of each of the collectors, within ninety days from the end of every calendar year, to draw out a statement, exhibiting, in alphabetical order, the names of all the persons who may have paid, during the preceding calendar year, to him, or his deputies, any one or more of the internal duties, except those on household furniture and on stamps, with the aggregate amount so paid, annexed to each name, and forthwith to cause one hundred copies of the same to be printed, to transmit one copy thereof to the commissioner of the revenue, to lodge one copy with the principal assessor, and one copy with the clerk of each town, county, and district, within his collection district, to post up one copy at each of the courthouses in his district, and to post up the remaining copies at the other most public places in his district, the reasonable expenses incurred in the preparing, printing, and posting up of which shall be allowed; and any collector who shall purposely or negligently fail to discharge this duty, shall be deemed guilty of a misdemeanor in office, and on conviction thereof, shall be fined a sum not less than five hundred dollars, nor more than ten thousand dollars.

SEC. 7. *And be it further enacted*, That all letters to and from the said collectors, relative to their official duties, shall be conveyed free of postage. And any collector who shall put his frank upon any other letter, shall, for every such act, forfeit and pay the sum of one hundred dollars, the whole of which shall be for the use of the person who shall give information thereof.

SEC. 8. *And be it further enacted*, That it shall be the duty of the collectors to keep their offices open for the transaction of business, every day, except on established holy-days, between the hours of nine in the morning and three in the afternoon, and to attend therein themselves or by deputy; which said offices shall, after the present year, be kept at such places, in the respective districts, as may be designated by the commissioner of the revenue, in all cases in which such designation shall be thought expedient.

SEC. 9. *And be it further enacted*, That the amount of all taxes or duties collected by any deputy collector, until paid over to the collector, shall and hereby is declared to be a lien upon the lands and real estate of such deputy collector, and of his sureties, if he shall have given bond,

from the time when a suit shall be instituted for recovering the same; and for want of goods and chattels, or other personal effects of such deputy collector, or his sureties, to satisfy any judgment which shall or may be recovered against them respectively, such lands and real estates may be sold at public auction, after being advertised for at least three weeks, in not less than three public places within the collection district, and in one newspaper printed in the county, if any there be, at least six weeks prior to the time of sale, and for lands or real estate sold in pursuance of the authority aforesaid, the conveyances of the marshals, or their deputies, executed in due form of law, shall give a valid title against all persons claiming under such deputy collector, or his sureties respectively. And in every case it shall and may be lawful for a principal collector to maintain and prosecute his action against a deputy collector and his sureties, or any of them, if a bond with sureties shall have been given, in the circuit court of the United States, for the recovery of all taxes collected by said deputy, and not paid over according to his engagement, or for the penalty of the bond, which may have been given to secure the payment thereof: *Provided always*, That all moneys recovered in such suit shall be for the use of the United States, until the whole amount of the taxes collected and received by the deputy collector shall be otherwise paid to the United States by the deputy collector, or by the principal collector instituting such suits.

&c., until paid to the collector.

Proviso.

SEC. 10. *And be it further enacted*, That if any collector, or his deputy, shall have cause to suspect a concealment of any goods, wares, or merchandise, in respect to which the respective provisions of the acts imposing an internal duty thereon have not been complied with, in any particular dwelling-house, store, building, or place, (other than the manufactory in which the same were made,) they, or either of them, shall, upon proper application on oath, to any justice of the peace, be entitled to a warrant to enter such house, store, or place, (in the day time only,) and there to search for such goods; and, if any shall be found, to seize and secure the same for trial.

Collectors suspecting concealment of goods, may search, &c.

SEC. 11. *And be it further enacted*, That all goods, wares, or merchandise, or other objects, which shall be seized by virtue of this act, or of any act relative to internal duties, shall be put into and remain in the custody of the collector, or such other person as he shall appoint for that purpose, until such proceedings shall be had as are legally required to ascertain whether the same have been forfeited or not; and if it shall be adjudged that they are not forfeited, they shall be forthwith restored to the owner or claimant thereof, and if any person shall conceal or buy any such goods, wares or merchandise, or other object, knowing them to be liable to seizure and forfeiture, such person shall, on conviction thereof, forfeit and pay a sum double the value of the goods, wares, or merchandise, or other object, so concealed and purchased, one moiety of which shall be for the use of the informer, and the other for the use of the United States.

Goods seized to remain in the custody of the collector until legal proceedings are had thereon.

Penalty for concealing goods, &c.

SEC. 12. *And be it further enacted*, That it shall be the duty of the several collectors to make seizure of, and secure any goods, wares, or merchandise, or other objects liable to seizure by virtue of this or any other act relating to the internal duties, as well without as within their respective districts.

Seizures may be made in other districts.

SEC. 13. *And be it further enacted*, That if any officer or other person, executing or aiding or assisting in the seizure of goods, wares, or merchandise, or other objects as aforesaid, shall be sued or molested for any thing done in virtue of the powers given by this act, or of any other act, or by virtue of a warrant granted by any judge or justice, pursuant to law, such officer or other person may plead the general issue, and give this act and the special matter in evidence; and if in such suit the plaintiff is non-suited, or judgment pass against him, the defendant shall

Officers sued for their acts under this act, may plead the general issue, &c.

recover double costs; and in actions, suits, or informations, to be brought where any seizure shall be made pursuant to this act, or any other act relative to internal duties, if the property be claimed by any person, in every such case the onus probandi shall be upon such claimant: but the onus probandi shall lie on the claimant only when probable cause is shown for such prosecution, to be judged of by the court before whom the prosecution is had.

Penalties accruing under this act to be sued for, &c.

SEC. 14. *And be it further enacted,* That all penalties accruing by any breach of this act, or any act relative to internal duties, shall be sued for and recovered, with costs of suit, in the name of the United States of America, or of the collector, in any court competent to try the same, and the trial of any fact which may be put in issue, shall be within the judicial district in which any such penalty shall have accrued, or seizure been made; and the collector within whose district the seizure shall be made, or forfeiture incurred, is hereby enjoined to cause suits for the same to be commenced without delay, and prosecuted to effect; and is, moreover, authorized to receive from the court before whom such trial is had, or from the proper officer thereof, the sum or sums so recovered, after deducting all proper charges to be allowed by the said court, and on receipt thereof, the said collector shall pay and distribute the same, without delay, according to law, and transmit quarter-yearly to the commissioner of the revenue, an account of all moneys by him received for fines, penalties, and forfeitures, during such quarter. And all goods, wares, and merchandise, or other objects, which shall become forfeited in virtue of this act, or of any act relative to internal duties, shall be seized and prosecuted for as aforesaid, before the proper court, which court shall cause fourteen days' notice to be given of such seizure, setting forth the articles seized, with the time and place appointed for trial, to be inserted in some newspaper published near the place of seizure, if any such there be, and also by posting up the same in the most public manner, for the space of fourteen days, at or near the place of trial, for which advertisement, a sum not exceeding ten dollars shall be paid. And if no person shall appear and claim such articles, and give bond to defend the prosecution thereof, and to respond the costs, in case he shall not support his claim, the court shall proceed to hear and determine the cause according to law; and upon the prayer of any claimant, that any articles, so seized and prosecuted, or any part thereof, should be delivered to him, it shall be lawful for the court to appoint three proper persons to appraise such articles, who shall be sworn for the faithful discharge of their duty; and such appraisement shall be made at the expense of the party on whose prayer it is granted; and on the return of such appraisement, if the claimant shall, with one or more sureties to be approved by the court, execute a bond in the usual form, to the United States, for the payment of a sum equal to the sum at which the articles, so prayed to be delivered, are appraised, which bond shall be lodged with the proper officer of the court, the said court shall order the said articles to be delivered to the said claimant, and if judgment shall pass in favour of the claimant, the said bond shall be cancelled: but if judgment shall pass against the claimant, as to the whole, or any part of such articles, and the claimant shall not within twenty days thereafter, pay into the court, or to the proper officer thereof, the amount of the appraised value of such articles so condemned, with the costs, judgment shall and may be granted upon the bond without further delay. And where any prosecution shall be commenced on account of the seizure of any such goods, wares, and merchandise or other objects, and judgment shall be given for the claimant, if it shall appear to the court before whom such prosecution shall be tried, that there was reasonable cause of seizure, the said court shall cause a proper certificate or entry to be made thereof, and in such case the claimant shall not be entitled

Goods to be delivered to claimants on appraisement.

to costs, nor shall the person who made the seizure, or the prosecutor, be liable to action, suit or judgment on account of such seizure and prosecution: *Provided*, That the said goods, wares, and merchandise, or other objects, be after judgment forthwith returned to such claimant or his agent: *And provided*, That no action or prosecution shall be maintained in any case under this act, or any act relative to internal duties, unless the same shall have been commenced within one year after the penalty or forfeiture was incurred, or within the time in such act prescribed, as the case may be.

Proviso.

Proviso.

Limitation.

SEC. 15. *And be it further enacted*, That all goods, wares, or merchandise, or other objects, which shall be condemned by virtue of this act, or of any other act relative to internal duties, and for which bond shall not have been given by the claimant, agreeably to the provisions for that purpose in the foregoing section, shall be sold by the marshal, or other proper officer of the court before whom condemnation shall be had, to the highest bidder, at public auction, by order of such court, and at such place as the said court may appoint, giving at least fifteen days' notice, (except in case of perishable goods,) in one or more of the public newspapers of the place where such sale shall be; or if no paper is published in such place, in one or more of the papers published in the nearest place thereto; for which advertising a sum not exceeding five dollars shall be paid. And the amount of such sales, deducting all proper charges, shall be paid within ten days after such sale by the person selling the same, to the clerk, or other proper officer of the court directing such sale, to be by him, after deducting the charges allowed by the court, paid to the collector of the district in which such seizure or forfeiture has taken place, as herein before directed.

Goods, &c., condemned under this act, for which bonds are not given, to be sold at auction, &c.

Proceeds of sales to be paid over.

SEC. 16. *And be it further enacted*, That the foregoing provisions of this act shall be applicable, in all respects, as well to all acts that may hereafter be passed, relative to internal duties, as to those heretofore passed and now in force.

Provisions of this act to apply to all acts relative to internal duties.

SEC. 17. *And be it further enacted*, That any collector or his deputy, who shall directly or indirectly take or receive any bribe, reward or recompense, for conniving, or shall connive at any false entry, application, report, account, or statement, required to be made or rendered by any act relative to internal duties, and shall be convicted thereof, shall forfeit and pay a sum not less than two hundred nor more than two thousand dollars for each offence: and any person giving or offering any bribe, reward, or recompense, for any such deception, collusion, or fraud, shall forfeit and pay a sum not less than two hundred, nor more than two thousand dollars, for each offence; one moiety whereof shall be for the use of the informer, and the other moiety for the use of the United States.

Collectors subject to a penalty for bribery.

Penalty for persons offering a bribe.

SEC. 18. *And be it further enacted*, That on all bonds given for internal duties, an interest shall be paid, at the rate of six per cent. per annum, from the time when said bonds became due until the payment thereof.

Bonds for internal duties to bear an interest of six per cent.

SEC. 19. *And be it further enacted*, That any person, to whom a license for a still, or boiler, or other vessel, used in the distillation of spirituous liquors, may have been, or may hereafter be, granted, who shall so alter the same as to increase its capacity, on application in writing to the collector who issued the said license, stating such increase of capacity, and on paying or securing, previous to using the same, the duty arising thereon for the unexpired period of the license, at the rate of duty prescribed for such term for which a license may be granted as is next below such period, shall be authorized to employ the still, boiler, or other vessel so altered, on adducing the said license, and obtaining an endorsement thereon, under the hand of the said collector, which he is hereby required to make, specifying such increase of capacity, and that the duty thereon has been paid or secured.

Persons after receiving a license, who shall increase the capacity of their stills, to give notice to the collector who will authorize the same, on certain conditions.

SEC. 20. *And be it further enacted*, That any person who shall, after

Stills employed beyond the boundary line subject the owners to a penalty, &c.

Act of March 30, 1802, ch. 13.

Proviso.

Duty of the collectors to prosecute, &c.

Duties on sales at auction, &c., shall only apply to sales of merchandise.

the thirtieth day of June next, erect, or cause to be erected, any still, or boiler, or other vessel used or intended to be used in the distillation of spirituous liquors, or who shall so use any still, or boiler, or other vessel, in any part of the United States beyond the then existing boundary line established by law between the United States and the Indian tribes, or who shall be the owner, agent, or superintendent thereof, shall forfeit and pay the sum of five thousand dollars, together with the said still, boiler, or other vessel, and the spirits distilled therein; one moiety of which shall be for the use of the informer, and the other for the use of the United States. And for any violations hereof, the same course may and shall be pursued that is prescribed by the act passed the thirtieth of March, one thousand eight hundred and two, entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," for violations thereof; and the courts specified therein shall have like jurisdiction. And the same authority that is given by the said act to apprehend and remove persons found in violation thereof, shall apply and extend to the said stills, boilers, or other vessels and the spirits distilled therein, which may be seized and removed in like manner. And all spirits which shall have been, or which hereafter shall be, so distilled, beyond the said boundary line, which shall be brought into the limits of a collection district, may and shall be seized and forfeited, and the person so introducing the same shall, moreover, forfeit and pay one thousand dollars; one moiety of which shall be for the use of the informer, and the other for the use of the United States; *Provided nevertheless*, That no person who shall have removed his still out of one collection district into another shall be liable to take out another license during the period of any existing license obtained for the same.

SEC. 21. *And be it further enacted*, That it shall be the duty of the collectors of direct tax and internal duties, to prosecute for breaches of the provisions contained in the two preceding sections.

SEC. 22. *And be it further enacted*, That nothing contained in the act or acts imposing a duty on sales at auction of goods, wares and merchandise, shall be construed to apply to the sale of any goods or chattels other than merchandise.

APPROVED, March 3, 1815.

STATUTE III.

March 3, 1815.

CHAP. CL.—*An Act to vest more effectually in the state courts and in the district courts of the United States jurisdiction in the cases therein mentioned.*

State or county courts in or adjoining a collection district, authorized to take cognisance of suits for taxes, &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the respective state or county courts within or next adjoining a collection district established by any act of Congress now in being, or hereafter to be passed for the collection of any direct tax or internal duties of the United States, shall be, and are hereby authorized to take cognisance of all complaints, suits and prosecutions for taxes, duties, fines, penalties and forfeitures arising and payable under any of the acts passed or to be passed as aforesaid, or where bonds are given under the said acts; and the district attorneys of the United States are hereby authorized and directed to appoint by warrant an attorney as their substitute or deputy in all cases where necessary to sue or prosecute for the United States, in any of the said state or county courts within the sphere of whose jurisdiction the said district attorneys do not themselves reside or practise; and the said substitute or deputy shall be sworn or affirmed to the faithful execution of his duty.

And to have jurisdiction over any sum in controversy, &c.

SEC. 2. *And be it further enacted*, That the jurisdiction conferred by the foregoing section shall be considered as attaching in the cases therein specified without regard to the amount or sum in controversy, and that it shall be concurrent with the jurisdiction of the district courts of the

United States; but may nevertheless be exercised in cases where the fine, penalty, or forfeiture may have been incurred, or the cause of action or complaint have arisen, at a less as well as a greater distance than fifty miles from the nearest place by law established for the holding of a district court of the United States. But in all suits or prosecutions instituted by or on behalf of the United States in any state or county court, the process, proceedings, judgment and execution therein shall not be delayed, suspended or in any way barred or defeated by reason of any law of any state authorizing or directing a stay or suspension of process, proceedings, judgment or execution: *Provided*, That final decrees and judgments in civil actions, passed or rendered in any state court by virtue hereof, may be re-examined in the circuit court of the United States, in the same manner and under the same limitations as are prescribed by the twenty-second section of the act to establish the judicial courts of the United States, passed the twenty-fourth of September, seventeen hundred and eighty-nine.

SEC. 3. *And be it further enacted*, That the state or county courts aforesaid, and the principal or presiding judge of any such court, shall be, and are hereby authorized to exercise all and every power in cases cognisable before them by virtue of this act for the purpose of obtaining a mitigation, or remission of any fine, penalty, or forfeiture, which may be exercised by the judges of the district courts of the United States in cases brought before them by virtue of the law of the United States, passed on the third of March, one thousand seven hundred and ninety-seven, entitled "An act to provide for mitigating or remitting the forfeitures, penalties and disabilities accruing in certain cases therein mentioned," and in the exercise of the authority by this section given to the said state or county courts, or the principal or presiding judge as aforesaid, they shall be governed in every respect by the provisions of the law last mentioned, with this difference only, that instead of notifying the district attorneys of the United States, the said courts, or the presiding judges aforesaid, shall, before exercising said authorities, cause reasonable notice to be given to the substitute or deputy, who may have been appointed to sue or prosecute for the United States, as aforesaid, that he may have an opportunity of showing cause against the mitigation or remission of such fine, penalty or forfeiture.

SEC. 4. *And be it further enacted*, That the district court of the United States shall have cognisance concurrent with the courts and magistrates of the several states, and the circuit courts of the United States, of all suits at common law, where the United States, or any officer thereof, under the authority of any act of Congress, shall sue, although the debt, claim, or other matter in dispute, shall not amount to one hundred dollars.

APPROVED, March 3, 1815.

Proviso.

Act of Sep. 24, 1789, ch. 20, sec. 26, vol. i. p. 83.

State or county courts and principal judge authorized to exercise their full powers for obtaining mitigation of any fines, as might be exercised by the United States' judges in similar cases.

Act of March 3, 1797, ch. 13.

District court of the United States to have cognisance, in conjunction with the state courts, and circuit courts of the United States.

RESOLUTIONS.

I. RESOLUTIONS, expressive of the sense of Congress of the gallant conduct of Captain Thomas Macdonough, the officers, seamen, marines, and infantry serving as marines, on board the United States' squadron on Lake Champlain.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the thanks of Congress be, and the same are hereby presented to Captain Thomas Macdonough, and, through him, to the officers, petty officers, seamen, marines, and infantry serving as marines, attached to the squadron under his command, for the decisive and splendid victory gained on Lake Champlain, on the eleventh of September, in the year one thousand eight hundred and fourteen, over a British squadron of superior force.

Thanks of Congress to Captain Macdonough, his officers, &c.

Medals to be presented.

Resolved, That the President of the United States be requested to cause gold medals to be struck, emblematical of the action between the two squadrons, and to present them to Captain Macdonough and Captain Robert Henly, and also to Lieutenant Stephen Cassin, in such manner as may be most honourable to them; and that the President be further requested to present a silver medal, with suitable emblems and devices, to each of the commissioned officers of the navy and army serving on board, and a sword to each of the midshipmen and sailing masters, who so nobly distinguished themselves in that memorable conflict.

A silver medal to the representatives of Lieutenants Gamble and Stansbury.

Resolved, That the President of the United States be requested to present a silver medal, with like emblems and devices, to the nearest male relative of Lieutenant Peter Gamble, and of Lieutenant John Stansbury, and to communicate to them the deep regret which Congress feels for the loss of those gallant men, whose names ought to live in the recollection and affection of a grateful country.

Resolved, That three months' pay be allowed, exclusively of the common allowance, to all the petty officers, seamen, marines, and infantry serving as marines, who so gloriously supported the honour of the American flag on that memorable day.

APPROVED, October 20, 1814.

II. RESOLUTION, *expressive of the sense of Congress relative to the victory of the Peacock over the Epervier.*

A gold medal to Captain Warrington, &c.

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 requested to present to Captain Lewis Warrington, of the sloop of war Peacock, a gold medal, with suitable emblems and devices, and a silver medal, with like emblems and devices, to each of the commissioned officers, and a sword to each of the midshipmen, and to the sailing master of the said vessel, in testimony of the high sense entertained by Congress of the gallantry and good conduct of the officers and crew, in the action with the British brig Epervier, on the twenty-ninth day of April, in the year one thousand eight hundred and fourteen, in which action the decisive effect and great superiority of the American gunnery were so signally displayed.

APPROVED, October 21, 1814.

III. RESOLUTION, *empowering the joint library committee of Congress to contract for the purchase of Mr. Jefferson's library.*

Purchase of the library of Mr. Jefferson.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the joint library committee of the two houses of Congress be, and they are hereby authorized and empowered to contract on their part for the purchase of the library of Mr. Jefferson, late President of the United States, for the use of both houses of Congress; and that the committee lay the terms of said contract before Congress, for their ratification.

APPROVED, October 21, 1814.

IV. RESOLUTION, *expressive of the sense of Congress relative to the capture of the British sloop Reindeer, by the American sloop Wasp.*

Captain Blakeley and others.

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 requested to present to Captain Johnston Blakely, of the

sloop Wasp, a gold medal, with suitable devices, and a silver medal, with like devices, to each of the commissioned officers, and also a sword to each of the midshipmen and the sailing master of the aforesaid vessel, in testimony of the high sense entertained by Congress of the gallantry and good conduct of the officers and crew, in the action with the British sloop of war Reindeer, on the twenty-eighth of June, in the year one thousand eight hundred and fourteen; in which action determined bravery and cool intrepidity, in nineteen minutes, obtained a decisive victory by boarding.

APPROVED, November 3, 1814.

V. RESOLUTIONS, expressive of the sense of Congress, of the gallantry and good conduct with which the reputation of the arms of the United States has been sustained by Major General Brown, Major General Scott, Major General Porter, Major General Gaines, Major General Macomb, and Brigadiers Ripley and Miller.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the thanks of Congress be, and they are hereby presented to Major General Brown, and, through him, to the officers and men, of the regular army, and of the militia under his command, for their gallantry and good conduct in the successive battles of Chippewa, Niagara, and Erie, in Upper Canada, in which British veteran troops were beaten and repulsed by equal or inferior numbers; and that the President of the United States be requested to cause a gold medal to be struck, emblematical of these triumphs, and presented to Major General Brown.

Major General Brown.

Resolved, That the President of the United States be requested to cause a gold medal to be struck, with suitable emblems and devices, and presented to Major General Scott, in testimony of the high sense entertained by Congress of his distinguished services in the successive conflicts of Chippewa, and Niagara, and of his uniform gallantry and good conduct in sustaining the reputation of the arms of the United States.

Major General Scott.

Resolved, That the President of the United States be requested to cause gold medals to be struck, with suitable emblems and devices, and presented to Brigadier General Ripley, Brigadier General Miller and Major General Porter, in testimony of the high sense entertained by Congress of their gallantry and good conduct in the several conflicts of Chippewa, Niagara and Erie.

Brigadier
Generals Rip-
ley, Miller and
Porter.

Resolved, That the thanks of Congress be, and they are hereby presented to Major General Gaines, and, through him, to the officers and men under his command, for their gallantry and good conduct, in defeating the enemy at Erie on the fifteenth of August: repelling, with great slaughter, the attack of a British veteran army, superior in number, and that the President of the United States be requested to cause a gold medal to be struck, emblematical of this triumph, and presented to Major General Gaines.

Major General Gaines.

Resolved, That the thanks of Congress be, and they are hereby presented to Major General Macomb, and, through him, to the officers and men of the regular army under his command, and to the militia and volunteers of New York and Vermont, for their gallantry and good conduct, in defeating the enemy at Plattsburg on the eleventh of September; repelling, with one thousand five hundred men, aided by a body of militia and volunteers from New York and Vermont, a British veteran army, greatly superior in number, and that the President of the United States be requested to cause a gold medal to be struck, emblematical of this triumph, and presented to Major General Macomb.

Major General Macomb.

APPROVED, November 3, 1814.

VI. RESOLUTION, *requesting the President of the United States to recommend a day of public humiliation, fasting and prayer.*

A day of fasting and prayer requested.

It being a duty peculiarly incumbent, in a time of public calamity and war, humbly and devoutly to acknowledge our dependence on Almighty God, and to implore his aid and protection: Therefore,

Resolved, by the Senate and House of Representatives of the United States of America, in Congress assembled, That a joint committee of both houses wait on the President of the United States, and request that he recommend a day of public humiliation, prayer and fasting, to be observed by the people of the United States with religious solemnity, and the offering of fervent supplications to Almighty God for the safety and welfare of these states, his blessing on their arms, and a speedy restoration of peace.

VII. RESOLUTION, *for furnishing the American Antiquarian Society with a copy of the journals of Congress, and of the documents published under their order.*

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That one copy of the public journals of the Senate and of the House of Representatives, and of the documents published under the orders of the Senate and House of Representatives respectively, which have been, or shall be published by virtue of a resolution of the Senate and House of Representatives, passed at the last session of Congress, be transmitted to the executive of the commonwealth of Massachusetts, for the use and benefit of the American Antiquarian Society of said commonwealth.

APPROVED, December 1, 1814.

VIII. RESOLUTIONS, *expressive of the high sense entertained by Congress of the patriotism and good conduct of the people of Louisiana and of New Orleans, during the late military operations before that city.*

People of Louisiana and New Orleans.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That Congress entertain a high sense of the patriotism, fidelity, zeal and courage with which the people of the state of Louisiana promptly and unanimously stepped forth, under circumstances of imminent danger from a powerful invading army, in the defence of all the individual, social and political rights held dear by man. Congress declare and proclaim that the brave Louisianians deserve well of the whole people of the United States.

Resolved, That Congress entertain a high sense of the generosity, benevolence and humanity displayed by the people of New Orleans, in voluntarily affording the best accommodations in their power, and giving the kindest attentions to the wounded, not only of our own army, but also to the wounded prisoners of a vanquished foe.

Resolved, That the President of the United States be requested to cause the foregoing resolutions to be communicated to his excellency, the Governor of Louisiana, accompanied with a request that he cause the greatest possible publicity to be given to them, for the information of the whole people of Louisiana.

APPROVED, February 22, 1815.

IX. RESOLUTIONS, expressive of the high sense entertained by Congress of the gallantry and good conduct of Commodore D. T. Patterson, and Major D. Carmick, and of the officers, seamen, and marines under their command, in the defence of New Orleans.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That Congress entertain a high sense of the valour and good conduct of Commodore D. T. Patterson, of the officers, petty officers and seamen attached to his command, for their prompt and efficient co-operation with General Jackson, in the late gallant and successful defence of the city of New Orleans, when assailed by a powerful British force.

Commodore
D. T. Patterson.

Resolved, That Congress entertain a high sense of the valour and good conduct of Major Daniel Carmick, of the officers, non-commissioned officers, and marines, under his command, in the defence of the said city, on the late memorable occasion.

Major Daniel
Carmick.

APPROVED, February 22, 1815.

X. RESOLUTIONS, expressive of the thanks of Congress to Major General Jackson, and the troops under his command, for their gallantry and good conduct in the defence of New Orleans.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the thanks of Congress be, and they are hereby given to Major General Jackson, and, through him, to the officers and soldiers of the regular army, of the militia, and of the volunteers, under his command, the greater proportion of which troops consisted of militia and volunteers, suddenly collected together, for their uniform gallantry and good conduct conspicuously displayed against the enemy, from the time of his landing before New Orleans until his final expulsion therefrom; and particularly for the valour, skill and good conduct on the eighth of January last, in repulsing, with great slaughter, a numerous British army, of chosen veteran troops, when attempting, by a bold and daring attack, to carry by storm the works hastily thrown up for the protection of New Orleans; and thereby obtaining a most signal victory over the enemy, with a disparity of loss, on his part, unexampled in military annals.

Major General
Jackson.

Resolved, That the President of the United States be requested to cause to be struck, a gold medal, with devices emblematical of this splendid achievement, and presented to Major General Jackson, as a testimony of the high sense entertained by Congress of his judicious and distinguished conduct on that memorable occasion.

A gold medal
to be struck and
presented to
Major General
Jackson.

Resolved, That the President of the United States be requested to cause the foregoing resolutions to be communicated to Major General Jackson, in such terms as he may deem best calculated to give effect to the objects thereof.

APPROVED, February 27, 1815.

XI. A RESOLUTION, directing the manner of providing stationery and procuring the printing for the Senate and House of Representatives.

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, immediately after the adjournment of the present and each succeeding Congress, to advertise three weeks successively, in two newspapers printed in the district of Columbia, for proposals for supplying the Senate and

Stationery and
printing for
Congress.

House of Representatives, during the succeeding Congress, with the necessary stationery and printing; which advertisement shall describe the kind of stationery and printing required: and that the proposals to be made be accompanied with sufficient security for their performance. And it shall be the duty of the secretary and clerk aforesaid, in the month of April thereafter, to notify the lowest bidder or bidders (whose securities are deemed sufficient) of the acceptance of his or their proposals: *Provided*, That this resolution shall not be so construed as to prevent the secretary and clerk aforesaid from contracting for separate parts of the supplies of stationery and printing required to be furnished.

APPROVED, March 3, 1815.

XII. RESOLUTIONS, *relative to the distribution of the laws of the United States.*

Distribution
of the laws of
the United
States.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of State cause to be distributed among the members of the present Congress, copies of the laws of the United States, ordered by law to be printed, as soon as the same shall be completed.

Resolved, That so many of the remaining copies of the laws as are not already directed to be distributed, be deposited in the Congressional library.

APPROVED, March 3, 1815.

XIII. RESOLUTION, *for the appointment of a joint committee, to wait upon the President, and request that he recommend a day of thanksgiving to Almighty God, for restoring to these United States the blessing of peace.*

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That a joint committee of both Houses wait upon the President of the United States, and request that he recommend a day of thanksgiving, to be observed by the people of the United States, with religious solemnity, and the offering of devout acknowledgments to Almighty God, for his great goodness manifested in restoring to these United States the blessing of peace.

ACTS OF THE FOURTEENTH CONGRESS

OF THE

UNITED STATES,

Passed at the first session, which was begun and held at the City of Washington, in the District of Columbia, on Monday the fourth day of December, 1815, and ended on the thirtieth day of April, 1816.

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

STATUTE I.

CHAP. I.—*An Act to authorize the President of the United States, to lease for the term therein mentioned, the new building on Capitol hill, with the appurtenances, for the better accommodation of Congress.*

Dec. 8, 1815.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he hereby is authorized to lease in behalf of the United States, from the owners thereof, the new building on Capitol Hill, on square seven hundred and twenty-eight, with the adjoining buildings and appurtenances, for the term of one year next after the passing of this act, and from thence until the capitol is in a state of readiness for the reception of Congress, at a rent not exceeding sixteen hundred and fifty dollars per annum, to be paid half yearly by the United States: *Provided always,* That any lease to be executed by virtue of this act shall and may be determinable, at any time after the expiration of the first year, at the pleasure of Congress.

President authorized to lease a house on Capitol hill, for the use of Congress.

Proviso.

SEC. 2. *And be it further enacted,* That so soon as the lease aforesaid shall have been duly executed, it shall and may be lawful for the President of the United States, to pay to the owners aforesaid, the sum of five thousand dollars, for fixtures, and other extraordinary expenses, incurred in fitting up the said buildings, and otherwise preparing them for the better accommodation of Congress; and that for this purpose the sum of five thousand dollars be, and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated.

A sum to be paid for fixtures, &c.

Appropriation of \$5000.

APPROVED, December 8, 1815.

STATUTE I.

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

Dec. 21, 1815.

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

(a) The decease of the Honourable Elbridge Gerry, Vice President of the United States, took place before the meeting of Congress in December, 1815.

sums heretofore appropriated by law, to those objects, the following sums be, and they are hereby appropriated, viz.:

Specific appropriations.

For the quarter master's department, nine hundred and fifty thousand dollars.

For the pay of the army and militia, five million six hundred and seventeen thousand dollars.

For the subsistence of the army and militia, two millions three hundred and ten thousand three hundred and seventy-two dollars.

For forage, sixty thousand dollars.

For clothing, one hundred and eight thousand dollars.

For bounties and premiums, four hundred thousand dollars.

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

For fortifications, two hundred thousand dollars.

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

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

APPROVED, December 21, 1815.

STATUTE I.

Jan. 17, 1816.

CHAP. III.—*An Act to enlarge the time for ascertaining the annual transfers and changes of property subject to the direct tax, and for other purposes.*

Further time allowed to principal assessors for ascertaining transfers and changes of property.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That instead of the month of January, heretofore prescribed by law to the principal assessors, for inquiring and ascertaining annually, what transfers and changes of property have been made and effected in their respective districts, subsequent to the next preceding valuation, assessment, and apportionment of the direct tax, the month of April, annually, shall be, and the same is hereby substituted and prescribed for that purpose. And instead of the month of May, heretofore prescribed by law, for annually notifying the collectors of the several collection districts, to proceed to the collection of the direct tax, the Secretary of the Treasury may substitute the month of June, annually, if such enlargement of the time be, in his opinion, proper and necessary.

Further time also allowed for notifying collectors to proceed to the collection, &c.

SEC. 2. *And be it further enacted*, That the change of times, by this act prescribed and authorized in relation to the direct tax, shall also be allowed and applied in relation to the duties on household furniture, and gold and silver watches.

APPROVED, January 17, 1816.

STATUTE I.

Feb. 1, 1816.

CHAP. VII.—*An Act to repeal so much of an act, passed on the twenty-third day of December, one thousand eight hundred and fourteen, as imposes additional duties on postage.*

Repeal of postage imposed by the act of Dec. 23, 1814, ch. 16, sect. 2.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the thirty-first day of March next, so much of the act, entitled "An act to provide additional revenues for defraying the expenses of government and maintaining the public credit, by duties on sales at auction, and on licenses to retail wines, spirituous liquors, and foreign merchandise, and for increasing the rates of postage," passed the twenty-third day of December, one thousand eight hundred and fourteen, as imposes additional duties on postage, be, and the same is hereby repealed.

APPROVED, February 1, 1816.

CHAP. IX.—*An act continuing in force certain acts, laying duties on bank notes, refined sugars, 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 act entitled, "An act laying duties on notes of banks, bankers, and certain companies; on notes, bonds, and obligations, discounted by banks, bankers, and certain companies; and on bills of exchange of certain descriptions," passed the second day of August, one thousand eight hundred and thirteen, and the act supplementary to said act, passed the tenth day of December, one thousand eight hundred and fourteen, and the act, entitled "An act laying duties on sugar refined within the United States," passed the twenty-fourth day of July, one thousand eight hundred and thirteen, shall be, and the same are hereby continued in force; any thing in the said acts in any wise to the contrary notwithstanding.

APPROVED, February 1, 1816.

STATUTE I.

Feb. 1, 1816.

[Obsolete.]

Duties on stamps of bank notes, and on refined sugar, continued.

Act of 1813, ch. 53.

Act of 1814, ch. 11.

Act of 1813, ch. 21.

CHAP. X.—*An Act to continue in force the act, entitled "An act for imposing additional duties upon all goods, wares, and merchandise, imported from any foreign port, or place, 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 additional duties upon goods, wares, and merchandise, imported into the United States, and upon the tonnage of vessels, imposed by the act, entitled "An act for imposing additional duties upon all goods, wares, and merchandise, imported from any foreign port or place, and for other purposes," passed on the first day of July, in the year one thousand eight hundred and twelve, shall continue to be laid, levied, and collected, in the mode therein prescribed, subject in all respects to the same regulations and provisions, and with the like fines, penalties, forfeitures, and remedies for breaches of the law, as are now provided by law, until the thirtieth day of June next, any thing in the said act to the contrary thereof, in any wise notwithstanding.

SEC. 2. *And be it further enacted, That from and after the said thirtieth day of June next, there shall be laid, levied and collected, in the manner and under the regulations and allowances now prescribed by law, for the collection and drawback of duties on foreign goods, wares, and merchandise, an additional duty of forty-two per cent. on the duties which shall then exist on foreign goods, wares and merchandise, until a new tariff of duties shall be established by law.*

SEC. 3. *And be it further enacted, That nothing in this act contained shall be so construed as to contravene any provision of any commercial treaty, or convention, concluded between the United States and any foreign power or state; nor so as to impair, or in any wise affect the provisions of the act, entitled "An act to repeal so much of the several acts imposing duties on the tonnage of ships and vessels, and on goods, wares, and merchandise, imported into the United States, as imposes a discriminating duty on tonnage between foreign vessels, and vessels of the United States, and between goods imported into the United States in foreign vessels and in vessels of the United States," passed on the third day of March in the year one thousand eight hundred and fifteen.*

APPROVED, February 5, 1816.

STATUTE I.

Feb. 5, 1816.

[Expired.]

Act of April 27, 1816, ch. 107.

Additional duties imposed by a former act upon merchandise, goods, &c. to be continued until June.

Act of July 1, 1812, ch. 112.

Additional duty of forty-two per cent. after June 30, 1816.

This act not to be so construed, as to affect or contravene any commercial treaty or stipulation with a foreign state.

Act of March 3, 1815, ch. 76.

STATUTE I.

Feb. 9, 1816.

CHAP. XIV.—*An Act to continue in force "An act entitled an act, laying a duty on imported salt, granting a bounty on pickled fish exported, and allowances to certain vessels employed in the Fisheries."*

Act of 1813,
ch. 35, continu-
ed.

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 laying a duty on imported salt, granting a bounty on pickled fish exported, and allowances to certain vessels employed in the fisheries," passed on the twenty-ninth day of July, in the year one thousand eight hundred and thirteen, shall be, and the same is hereby continued in force, any thing in the said act to the contrary thereof in any wise notwithstanding.

APPROVED, February 9, 1816.

STATUTE I.

Feb. 15, 1816.

CHAP. XVI.—*An Act concerning certain courts of the United States, in the State of New York.*

No effect on the proceedings of the court of the northern district of New York shall take place by the terms of the court not having been held at Utica and Canandaigua.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That no legal proceeding whatever in the courts of the United States for the northern district of New York, shall be discontinued, abated, impaired, or affected, by reason that the last terms of the district court for the said northern district, appointed to be held at Utica and Canandaigua were not held, but that every proceeding whatever shall be in the same state, and have the same force and effect as if the said terms had been duly held.

APPROVED, February 15, 1816.

STATUTE I.

Feb. 22, 1816.

CHAP. XVIII.—*An Act to repeal the duties on certain articles manufactured within the United States.*

Repeal of laws laying certain duties.

Acts repealed
Jan. 18, 1815,
ch. 22.

Feb. 27, 1815,
ch. 61.

The duties payable under the acts which are repealed to be collected.

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 to provide additional revenues for defraying the expenses of government, and maintaining the public credit, by laying duties on various goods, wares and merchandise manufactured within the United States," passed the eighteenth of January, one thousand eight hundred and fifteen, and also the act, entitled "An act to provide additional revenues for defraying the expenses of government, and maintaining the public credit, by laying a duty on gold, silver, and plated ware, and jewelry, and paste work manufactured within the United States," passed on the twenty-seventh of February, one thousand eight hundred and fifteen, be, and the same are hereby repealed: *Provided,* That for the recovery and receipt of such duties as have accrued, and remain outstanding; and for the recovery and distribution of fines, penalties, and forfeitures, and the remission thereof, which have been incurred in relation to any duty which shall have heretofore accrued, the provisions of the aforesaid acts shall remain in full force and virtue.

APPROVED, February 22, 1816.

STATUTE I.

Feb. 28, 1816.

CHAP. XXI.—*An Act rewarding the officers and crew of the sloop of war Hornet, for the capture and destruction of the British sloop of war Penguin.*

Captain Biddle and the officers and crew of the Hornet reward-

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby authorized to have distributed

as prize money, to Captain James Biddle, of the sloop of war Hornet, his officers and crew, the sum of twenty-five thousand dollars, for the capture and destruction of the British sloop of war Penguin; and that the sum of twenty-five thousand dollars, out of any money in the treasury, not otherwise appropriated, be, and the same is hereby appropriated for the purpose aforesaid.

APPROVED, February 28, 1816.

ed for the de-
struction of the
Penguin.

STATUTE I.

CHAP. XXII.—*An Act concerning the convention to regulate the commerce between the territories of the United States and his Britannic Majesty.*

March 1, 1816.

Be it enacted and declared by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of any act as imposes a higher duty of tonnage, or of impost on vessels and articles imported in vessels of Great Britain, than on vessels and articles imported in vessels of the United States, contrary to the provisions of the convention between the United States and his Britannic majesty, the ratifications whereof were mutually exchanged the twenty-second day of December, one thousand eight hundred and fifteen, be, from and after the date of the ratification of the said convention, and during the continuance thereof, deemed and taken to be of no force or effect.

Act imposing
higher duties
on articles im-
ported in British
vessels no long-
er in force.

APPROVED, March 1, 1816.

STATUTE I.

CHAP. XXIV.—*An Act to reduce the amount of direct tax upon the United States and the District of Columbia, for the year one thousand eight hundred and sixteen; and to repeal in part the act entitled "An act to provide additional revenue 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;" and also the act entitled "An act to provide additional revenue for defraying the expenses of government, and maintaining the public credit by laying a direct tax upon the District of Columbia."*

March 5, 1816.

1815, ch. 60.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of the act entitled "An 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 on the ninth of January, one thousand eight hundred and fifteen, as lays a direct tax of six millions of dollars for the year one thousand eight hundred and sixteen, and for succeeding years, be, and the same is hereby repealed.

The act of
Jan. 9, 1815, ch.
21, which im-
posed a direct
tax of six mil-
lions of dollars,
repealed.

SEC. 2. *And be it further enacted,* That a direct tax of three millions of dollars be, and the same is hereby laid upon the United States, for the year one thousand eight hundred and sixteen, and apportioned to the states respectively in the manner, and according to the sums prescribed by the first section of an act, entitled "An act to lay and collect a direct tax within the United States," and all the provisions of the act, entitled "An 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 on the ninth of January, one thousand eight hundred and fifteen, except so far as the same have been varied by subsequent acts, and excepting the first section of the said act, shall be held to apply to the assessment and collection of the direct tax of three millions of dollars, hereby laid upon the United States.

A direct tax
of three millions
of dollars im-
posed.

Act of August
2, 1813, ch. 37.

Re-enacted in
a reduced form.

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

SEC. 3. *And be it further enacted,* That so much of the act entitled "An act to provide additional revenue for defraying the expenses of go-

Direct tax on
the district of
Columbia.

Act of Feb. 27,
1815, ch. 60.

A direct tax of
\$9,999, &c. on
the District of
Columbia.

1815, ch. 60.

Secretary of
the Treasury
may give direc-
tions for sus-
pending the ex-
ecution of this
law in those
states which as-
sume the pay-
ment of their
quotas of direct
tax.

Purchasers of
public lands in
Ohio and Loui-
siana made
eventually lia-
ble for their
proportions of
taxes assumed
by these states.

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

vernment and maintaining the public credit, by laying a direct tax upon the District of Columbia," passed the twenty-seventh of February, in the year one thousand eight hundred and fifteen, as lays a direct tax of nineteen thousand nine hundred and ninety-eight dollars, and forty cents, upon the said district for the year one thousand eight hundred and sixteen, and for succeeding years, be, and the same is hereby repealed.

SEC. 4. *And be it further enacted*, That a direct tax of nine thousand nine hundred and ninety-nine dollars, and twenty cents be, and the same is hereby laid upon the District of Columbia, for the year one thousand eight hundred and sixteen, and all the provisions of the act entitled "An act to provide additional revenues for defraying the expenses of government and maintaining the public credit, by laying a direct tax upon the District of Columbia," passed on the twenty-seventh day of February, in the year one thousand eight hundred and fifteen, except so far as the same have been varied by subsequent acts, shall be held to apply to the assessment and collection of the direct tax which is herein before laid upon the said district.

SEC. 5. *And be it further enacted*, That whenever the Secretary of the Treasury shall be duly advised of the assumption by any state of the payment of its quota of the said direct tax, he shall give directions to the assessors of such state to suspend the further execution of their respective offices in relation to this act: provided, that if any state, so assuming the payment of its quota of said direct tax, shall fail to pay the same at the time fixed upon for such payment, the Secretary of the Treasury shall instruct the assessors of said state to proceed in the execution of their respective duties, in relation to this act.

SEC. 6. *And be it further enacted*, That if either the states of Ohio or Louisiana shall pay its quota of the direct tax according to the provisions of the act entitled "An 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," the legislature thereof shall be, and they are hereby authorized and empowered, to collect of all the purchasers of public lands under any law of the United States a just and equal proportion of the quota of said states respectively, the compact between the United States and the said states to the contrary notwithstanding.

APPROVED, March 5, 1816.

STATUTE I.

March 5, 1816.

CHAP. XXV.—*An Act granting bounties in land and extra pay to certain Canadian Volunteers.*

Donations to
citizens of the
United States
inhabitants of
Canada at the
commencement
of hostilities
who suffered by
taking a part on
the side of the
United States
in the war.

Act of April
26, 1816, ch. 76.

Act of March
3, 1817, ch. 106.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all such persons as had been citizens of the United States anterior to the late war, and were at its commencement inhabitants of the province of Canada, and who, during the said war, joined the armies of the United States, as volunteers, and were slain, died in service, or continued therein, till honourably discharged, shall be entitled to the following quantities of land respectively, viz: Each colonel nine hundred and sixty acres; each major to eight hundred acres; each captain six hundred and forty acres; each subaltern officer to four hundred and eighty acres; each non-commissioned officer, musician, or private, to three hundred and twenty acres; and the bounties aforesaid shall extend to the medical and other staff, who shall rank according to their pay. And it shall be lawful for the said persons to locate their claims in quarter sections, upon any of the unappropriated lands of the United States, within the Indiana Territory, which shall have been surveyed prior to such location, with the exception of salt springs, and lead mines therein, and of the quantities of land

adjacent thereto, which may be reserved for the use of the same, by the President of the United States, and the section number sixteen, in every township to be granted to the inhabitants of such township, for the use of public schools; which locations shall be subject to such regulations, as to priority of choice, and the manner of location, as the President of the United States shall prescribe.

SEC. 2. *And be it further enacted*, That the Secretary for the Department of War, for the time being, shall from time to time, under such rules and regulations as to evidence as the President of the United States shall prescribe, issue to every person coming within the description aforesaid, a warrant for such quantity of land as he may be entitled to by virtue of the aforesaid provision; and in case of the death of such person, then such warrant shall be issued to his widow, or if no widow, to his child or children.

SEC. 3. *And be it further enacted*, That the Treasurer of the United States be, and he is hereby authorized and required, to pay to each of the persons aforesaid three months' additional pay, according to the rank they respectively held in the army of the United States during the late war.

APPROVED, March 5, 1816.

Land warrants to be issued by the Secretary of War.

Three months' additional pay to be made to them by the Treasurer of the United States.

STATUTE I.

CHAP. XXVI.—*An Act making appropriations for ordnance and ordnance stores for the year one thousand eight hundred and sixteen.*

March 18, 1816.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the expense of ordnance and ordnance stores, including arsenals, magazines and armories for the year one thousand eight hundred and sixteen, the following sums be, and the same are hereby respectively appropriated, that is to say; for armories, three hundred and thirty-seven thousand eight hundred and forty-eight dollars, twenty-five cents—for arsenals, three hundred and eighty-three thousand dollars, for timber for mounting cannon, seventy-five thousand dollars. For coals, iron and steel, seventy-nine thousand dollars. For contracts for gun-powder, ninety-three thousand dollars. For contracts for cannon, shot and shells, one hundred and eleven thousand dollars. In part of the annual sum of two hundred thousand dollars, appropriated for the purpose of providing arms and military equipments for the militia, eighty-nine thousand dollars.

Specific appropriations. Appropriation for ordnance and ordnance stores.

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

APPROVED, March 18, 1816.

STATUTE I.

CHAP. XXX.—*An Act to change the mode of compensation to the members of the Senate and House of Representatives, and the delegates from territories.*

March 19, 1816.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That instead of the daily compensation now allowed by law, there shall be paid annually to the senators, representatives and delegates from territories, of this and every future Congress of the United States, the following sums, respectively: that is to say, to the president of the Senate, pro tempore, when there is no vice-president, and to the speaker of the House of Representatives, three thousand dollars each; to each senator, member of the house of representatives, other than the speaker, and delegate, the sum of fifteen hundred dollars; *Provided*, nevertheless, That in case any senator, representative or delegate shall not attend in his place at the day on which

Repealed by act of Feb. 6, 1817, ch. 9. See act of Jan. 22, 1818, ch. 5. Compensation to the members of the Senate and House of Representatives. Three thousand dollars to the Vice-President of the Senate

and to the speaker of the House of Representatives. Fifteen hundred dollars to the members of the Senate and House of Representatives.

Congress shall convene, or shall absent himself before the close of the session, a deduction shall be made from the sum which would otherwise be allowed to him, in proportion to the time of his absence, saving to the cases of sickness the same provisions as are established by existing laws. And the aforesaid allowance shall be certified and paid in the same manner as the daily compensation to members of congress has heretofore been.

APPROVED, March 19, 1816.

STATUTE I.

March 22, 1816.

CHAP. XXXI.—*An Act to alter the times of holding the circuit and districts courts of the United States for the district of Vermont. (a)*

Time altered for holding the Courts in the District of Vermont. Circuit Courts in Vermont, vol. i. pp. 74, 217, 475, 517.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the circuit court of the United States within and for the district of Vermont, instead of the first day of May, shall hereafter be holden on the twenty-first day of May, and the district court of the United States, within and for the said district, instead of the seventh day of May, shall hereafter be holden on the twenty-seventh day of May, at the place now fixed by law for holding the said courts.

Proceedings in said court not to be affected by this change.

SEC. 2. *And be it further enacted,* That all indictments, informations, suits, or actions and proceedings of every kind, whether of a civil or criminal nature, now pending in the said courts, respectively, shall have day in court and be proceeded in, heard, tried, and determined on the days herein appointed for holding the said courts respectively, in the same manner as they might, and ought to have been done, had the said courts been holden respectively on the first and seventh days of May, as heretofore directed by law.

Process made returnable in same way as it would have been without the change.

SEC. 3. *And be it further enacted,* That all writs, suits, actions, recognisances, or other proceedings which are or shall be instituted, sued, commenced, had or taken to the said circuit court to have been holden as heretofore on the first day of May next, or to the said district court to have been holden as heretofore on the seventh day of May next, shall be returnable to, entered in, heard, tried, and have day in court in each of the said courts respectively, to be holden at the times herein before directed, in the same manner as might and ought to have been done had the said courts been holden respectively on the first and seventh days of May, as heretofore directed by law.

Terms to commence next day if they should happen on a Sunday.

SEC. 4. *And be it further enacted,* That if at any time hereafter, the day or days prescribed by this act for holding either of the said courts shall be a Sunday, such court shall commence and be holden on the following day.

APPROVED, March 22, 1816.

STATUTE I.

March 22, 1816.

CHAP. XXXII.—*An Act relative to evidence in cases of naturalization. (b)*

Act relating to naturalization, March 26, 1790, ch. 3.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the certificate of report and registry, required as evidence of the time of arrival in the

(a) *Act relating to the Circuit and District Courts of Vermont.*—An act to give effect to the laws of the United States within the state of Vermont. March 2, 1791, ch. 12, sec. 2, 3, 4.

An act to alter the times and places of holding the Circuit Courts for the Eastern District, and in North Carolina, and for other purposes. March 2, 1793, ch. 23, sec. 1.

An act altering the sessions of the Circuit Courts in the districts of Vermont and Rhode Island, and for other purposes. May 27, 1796, ch. 34, sec. 3, 1797, ch. 27, sec. 1.

An act concerning the Circuit Courts of the United States. March 3, 1797, ch. 27, sect. 1.

An act to amend the judicial system of the United States. April 29, 1802, ch. 31, sec. 4.

An act to alter the times of holding the Circuit and District Courts of the United States for the state of Vermont. March 23, 1816, ch. 31.

An act to alter the times of holding the District Court of the United States for the district of Vermont. March 3, 1823, ch. 44.

(b) See notes of the acts relating to naturalization, vol. i, 103.

United States, according to the second section of the act of the fourteenth of April, one thousand eight hundred and two, entitled "An act to establish an uniform rule of naturalization, and to repeal the act heretofore passed on this subject;" and also a certificate from the proper clerk or prothonotary, of the declaration of intention, made before a court of record, and required as the first condition, according to the first section of said act, shall be exhibited by every alien on his application to be admitted a citizen of the United States, in pursuance of said act, who shall have arrived within the limits, and under the jurisdiction of the United States since the eighteenth day of June, one thousand eight hundred and twelve, and shall each be recited at full length, in the record of the court, admitting such alien; otherwise he shall not be deemed to have complied with the conditions requisite for becoming a citizen of the United States, and any pretended admission of an alien, who shall have arrived within the limits and under the jurisdiction of the United States, since the said eighteenth day of June, one thousand eight hundred and twelve, to be a citizen after the promulgation of this act, without such recital of each certificate at full length, shall be of no validity or effect under the act aforesaid.

SEC. 2. *Provided, and be it enacted*, That nothing herein contained shall be construed to exclude from admission to citizenship, any free white person who was residing within the limits and under the jurisdiction of the United States at any time between the eighteenth day of June, one thousand seven hundred and ninety-eight, and the fourteenth day of April, one thousand eight hundred and two, and who, having continued to reside therein without having made any declaration of intention before a court of record as aforesaid, may be entitled to become a citizen of the United States according to the act of the twenty-sixth of March, one thousand eight hundred and four, entitled "An act in addition to an act, entitled 'An act to establish an uniform rule of naturalization, and to repeal the act heretofore passed on that subject.'" Whenever any person without a certificate of such declaration of intention, as aforesaid, shall make application to be admitted a citizen of the United States, it shall be proved to the satisfaction of the court, that the applicant was residing within the limits and under the jurisdiction of the United States, before the fourteenth day of April, one thousand eight hundred and two, and has continued to reside within the same, or he shall not be so admitted. And the residence of the applicant within the limits and under the jurisdiction of the United States for at least five years immediately preceding the time of such application shall be proved by the oath or affirmation of citizens of the United States; which citizens shall be named in the record as witnesses. And such continued residence within the limits and under the jurisdiction of the United States, when satisfactorily proved, and the place or places where the applicant has resided for at least five years, as aforesaid, shall be stated and set forth, together with the names of such citizens in the record of the court admitting the applicant: otherwise the same shall not entitle him to be considered and deemed a citizen of the United States.

APPROVED, March 22, 1816.

CHAP. XXXIII.—*An Act authorizing a subscription for the printing of a second edition of the public documents.* (a)

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 is hereby authorized to subscribe for and receive, for the use and disposal of Congress, five hundred copies of the second and improved

January 29,
1795, vol. 1. 414.

Evidence to be exhibited by aliens to become citizens of the United States.

Act of April 14, 1802, ch. 28.

Admissions without a recital of the proceeding, of no validity.

Rights of persons heretofore settled in the United States between the 18th June, 1798, and 14th April, 1802.

Act of March 26, 1804, ch. 47.

Residence of the applicant to be naturalized.

Certificate of naturalization.

STATUTE I.

March 25, 1816.

[Obsolete.]
Secretary of State to subscribe for a certain number of copies of Wait & Son's state

papers, object and price.

For the continuation of the volumes as they come out.

Act of March 3, 1817, ch. 111.

edition of state papers and public documents, proposed to be printed by T. B. Wait and Sons; the said edition to be comprised in nine volumes; and the aforesaid copies to be delivered in strong leather binding at the Department of State, at the rate of two dollars and a quarter for each volume.

SEC. 2. *And be it further enacted*, That the Secretary of State be, and is hereby authorized, on the delivery, as aforesaid, of five hundred copies of the first volume of the said edition, to pay for the same at the rate aforesaid; and in like manner to pay for the same number of each succeeding volume, when delivered as aforesaid; and the sum of ten thousand, one hundred and twenty-five dollars is hereby appropriated for the purpose aforesaid, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 25, 1816.

STATUTE I.

March 25, 1816.

[Expired.] Persons occupying lands ceded to the United States allowed, on application to a register, recorder, or marshal, to remain thereon, &c.

Act of March 3, 1817, ch. 105.

Act of April 20, 1818, ch. 90.

Applicant for permits of settlement to give description of the land.

Permits to be given.

Quantity not exceeding 320 acres for each applicant, &c.

The applicant to give quiet possession when required, &c.

Proviso: the applicant previously to sign a declaration that he lays no claim, &c.

Proviso; as to lead mines and salt springs.

CHAP. XXXV.—*An Act relating to settlers on the lands of the United States.* (a)

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That any person or persons who, before the first day of February, one thousand eight hundred and sixteen, had taken possession of, occupied or made a settlement on, any lands ceded or secured to the United States, by any treaty made with a foreign nation, or by a cession from any state to the United States, which lands had not been previously sold, ceded, or leased, by the United States, or the claim to which lands had not been previously recognised or confirmed by the United States, and who, at the time of passing this act, does or do actually inhabit and reside on such lands, may, at any time prior to the first day of September next, apply to the proper register or recorder, as the case may be, of the land office established for the disposal, registering, or recording, of such lands; and where there is no register or recorder, to the marshal, or to such person or persons as may be, by the registers, recorders, or marshals, respectively, appointed for the purpose of receiving such applications, stating the tract or tracts of land thus occupied, settled, and inhabited, by such applicant or applicants, and requesting permission to continue thereon; and it shall thereupon be lawful for such register, recorder, or marshal, respectively, to permit, in conformity with such instructions as may be given by the Secretary of the Treasury, with the approbation of the President of the United States, for that purpose, such applicant or applicants to remain on such tract or tracts of land, provided the same shall at that time remain unsold by the United States, not exceeding three hundred and twenty acres for each applicant, as tenants at will, on such terms and conditions as shall prevent any waste or damage on such lands, and on the express condition that such applicant or applicants shall, whenever such tract or tracts of land may be sold or ceded by the United States, or whenever, from any other cause, he or they may be required, under the authority of the United States, so to do, give quiet possession, of such tract or tracts of land to the purchaser or purchasers, or to remove altogether from the land, as the case may be: *Provided, however*, That such permission shall not be granted to any such applicant unless he shall previously sign a declaration, stating that he does not lay any claim to such tract or tracts of land, and that he does not occupy the same by virtue of any claim, or pretended claim, derived, or pretended to be derived, from any other person or persons; *And provided also*, That in all cases where the tract of land applied for includes either a lead mine or salt spring, no permission to work the same shall be granted without the approbation of the President of the United States.

SEC. 2. *And be it further enacted*, That all the applications made,

(a) Public lands of the United States, notes of the acts of Congress, vol. i. 464.

and permissions granted, by virtue of the preceding section, shall be duly entered on books, to be kept for that purpose by the registers, recorders, and marshals aforesaid, respectively; and they shall be entitled to receive, from the party, for each application, fifty cents, and for each permission, one dollar.

SEC. 3. *And be it further enacted*, That this act shall continue and be in force for the term of one year, any law to the contrary notwithstanding.

APPROVED, March 25, 1816.

Applications and permission to be entered on books, &c.
Fees, &c.

Limitation of this act to the 25th March, 1817.

STATUTE I.

CHAP. XXXIX.—*An Act to limit the right of appeal from the Circuit Court of the United States for the District of Columbia.*(a)

April 2, 1816.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That no cause shall hereafter be removed from the Circuit Court of the United States for the District of Columbia to the Supreme Court of the United States, by appeal or writ of error, unless the matter in dispute in such cause shall be of the value of one thousand dollars or upwards, exclusive of costs.

No appeal unless the matter in dispute is of the value of \$1,000, &c.

SEC. 2. *Provided always, and be it further enacted*, That when any person or persons, body politic or corporate, shall think him, her, or themselves, aggrieved by any final judgment, order, or decree, of the said Circuit Court, where the matter in dispute, exclusive of costs, shall be of the value of one hundred dollars, and of less value than one thousand dollars, and shall have prayed an appeal, or shall desire to sue out a writ of error to the Supreme Court of the United States, such person or persons, body politic or corporate, may exhibit a petition, in writing, accompanied by a copy of the proceedings complained of, and an assignment of the errors relied on, to any judge of the said Supreme Court, who, if he should be of opinion that such errors, or any of them, involve questions of law of such extensive interest and operation as to render the final decision of them by the said Supreme Court desirable, may thereupon, at his discretion, and upon the terms and conditions prescribed by law, by his order, to be directed to the clerk of the county in which the proceedings shall have been had, direct such appeal to be allowed, or writ of error to be issued; which shall be done accordingly.

Appeals may be allowed in particular and important cases where the matter in dispute is \$100 in value on petition to a judge of the Supreme Court, &c.

SEC. 3. *And be it further enacted*, That when any appeal or writ of error shall have been directed in the manner prescribed by the second section of this act, and the order of the judge of the Supreme Court aforesaid thereon shall have been filed in the office of the clerk of the proper county, within thirty days after the end of the term at which the judgment, order, or decree, to be affected by such writ of error or appeal, shall have been rendered or made, such writ of error or appeal shall operate as a supersedeas of all proceedings under such judgment, order, or decree.

When appeals on petition, &c. have been directed, and the order of the judge has been filed, &c. the writ of error is to operate as a supersedeas.

APPROVED, April 2, 1816.

STATUTE I.

CHAP. XL.—*An Act to authorize the payment for property lost, captured, or destroyed by the enemy, while in the military service of the United States, and for other purposes.*

April 9, 1816.

[Obsolete.]

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

Act of March 3, 1817, ch. 110.

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

Act of March 3, 1825, ch. 67.

Act of April 20, 1818, ch. 119.

Horses killed in battle, or dying from wounds, or from failure of forage, &c. to be paid for.

Horses lost by the owner being dismounted, or detached, &c. by order, &c. or by the rider's being killed, &c. to be paid for.

Horses, mules, oxen, wagons, carts, boats, sleighs, or harness, lost in military service, except, &c. to be paid for.

Persons who furnished themselves with arms, &c. and have sustained damage by their capture, &c. to be paid the value of them.

Property impressed, &c., and destroyed, lost or consumed, to be paid for, deducting, &c.

No compensation where the owner, &c., has received satisfaction, &c.

Persons claiming compensation to release all claims against the person who impressed, &c.

Where the owner of the property has recovered from individuals, the latter to be entitled to the compensation.

At the rate of 40 cents per day for each horse furnished themselves by officers of volunteer cavalry, &c.

drafted militiaman, whether of cavalry, mounted riflemen, or infantry, who, in the late war between the United States and Great Britain, has sustained damage by the loss of any horse which has been killed in battle, or which has died in consequence of a wound therein received, or in consequence of failure on the part of the United States, to furnish such horse with sufficient forage, while in the military service of the United States, shall be allowed and paid the value thereof.

SEC. 2. *And be it further enacted*, That any person, whether of cavalry, mounted militia, or volunteers, who, in the late war aforesaid, has sustained damage by the loss of a horse, in consequence of the owner being dismounted, or separated and detached from the same, by order of the commanding officer, or in consequence of the rider being killed or wounded in battle, shall be allowed and paid the value of such horse at the time he was received into public service.

SEC. 3. *And be it further enacted*, That any person who, in the late war aforesaid, has sustained damage by the loss, capture, or destruction, by an enemy, 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, capture, or destruction, was without any fault or negligence on the part of the owner; and any person, who, during the time aforesaid, has sustained damage by the death of any such horse, mule, or ox, in consequence of failure on the part of the United States to furnish the same with sufficient forage, while in the service aforesaid, shall be allowed and paid the value thereof.

SEC. 4. *And be it further enacted*, That any person who, in the time aforesaid, has acted in the military service of the United States as a volunteer or drafted militiaman, and who has furnished himself with arms and military accoutrements, and has sustained damage by the capture or destruction of the same, without any fault or negligence on his part, shall be allowed and paid the value thereof.

SEC. 5. *And be it further enacted*, That where any property has been impressed, or taken by public authority, for the use or subsistence of the army, during the late war, and the same shall have been destroyed, lost, or consumed, the owner of such property shall be paid the value thereof, deducting therefrom the amount which has been paid, or may be claimed, for the use and risk for the same, while in the service aforesaid.

SEC. 6. *And be it further enacted*, That nothing in this act contained shall be so construed as to enable the owner of any such property, or his legal representatives, to receive compensation for such loss or damage as above mentioned, where the owner of such property, or his legal representatives, may have recovered or received satisfaction for such loss from the persons who may have taken or impressed such property into the public service; and that every person claiming such compensation shall, at the time of receiving the same, release all claims he may have against the officer or person who may have impressed, taken, or used, such property in the public service; and that, in all cases where the owner of such property, or his legal representative, may have recovered and received satisfaction for such loss or injury, from the person who shall so have taken such property into the public service, the said officer or person, who shall so have paid such loss or damage, shall be entitled to receive the compensation provided by this act for such loss or damage.

SEC. 7. *And be it further enacted*, That the accountant of the War Department, in adjusting and settling the accounts of the different paymasters, is hereby authorized to allow to the officers of volunteer cavalry, who furnished their own horses while in the public service, at the rate of forty cents per day for each horse so furnished, which any such

officer was entitled by law to keep in such service, agreeably to the rank of such officer.

SEC. 8. *And be it further enacted*, That when any officer, non-commissioned officer, or private, in the cavalry service, as aforesaid, having lost the horse or horses, which may have been taken by him into the said service, has received from the United States another horse or horses, in lieu, or in part payment, for the horse or horses so previously lost as aforesaid, such officer, non-commissioned officer, or private, shall be entitled to receive the allowance of forty cents per day, for the use and risk of the horse on which he may have been so remounted.

SEC. 9. *And be it further enacted*, That any person who, in the time aforesaid, has sustained damage by the destruction of his or her house or building by the enemy, while the same was occupied as a military deposite, under the authority of an officer or agent of the United States, shall be allowed and paid the amount of such damage: *Provided*, It shall appear that such occupation was the cause of its destruction.

SEC. 10. *And be it further enacted*, That the loss or destruction, as aforesaid, as well as the value, of such property shall be ascertained by the best evidence which the nature of the case will admit of, and which may be in the power of the party to produce; and the amount thereof, when established and ascertained, according to the provisions of this act, shall be paid to the sufferer or sufferers, out of any money in the treasury, not otherwise appropriated.

SEC. 11. *And be it further enacted*, That for the more speedy execution of the provisions of this act, the President of the United States, by and with the advice and consent of the Senate, is hereby authorized to appoint one commissioner, whose duty it shall be to decide upon all cases arising under this act; and who, in the discharge of his duties, shall be subject to such rules and regulations as shall be prescribed by the President of the United States. Such commissioner shall receive, as compensation for his services, at the rate of two thousand dollars per annum, for the time he shall be actually employed, which shall not exceed two years, to be computed from and after the passage of this act. All official communications to and from the commissioner appointed under this act, shall be free of postage.

SEC. 12. *And be it further enacted*, That the said commissioner, so to be appointed, before he enters upon the duties of his office, shall take the following oath, to wit: "I, A B, do solemnly swear, that I will well and truly, according to the best of my abilities, discharge the duties of commissioner under an act of Congress, entitled 'An act to authorize the payment for property lost, captured, or destroyed, by the enemy, while in the military service of the United States, and for other purposes;' so help me God." Upon which he shall proceed to appoint a clerk; and shall proceed, with all practicable despatch, to establish, under the direction, or with the assent, of the President of the United States, such rules, as well in regard to the receipt of applications of claimants to compensation for losses provided for by this act, as the species and degree of evidence, the manner in which such evidence shall be taken and authenticated, as shall, in his opinion, be the best calculated to attain the objects of this act; paying a due regard, in the establishment of such regulations, as well to the claims of individual justice as to the interest of the United States: which rules and regulations shall, upon his adoption, be published for eight weeks, successively, in the newspapers in the several states and territories in which the laws of the United States are published.

SEC. 13. *And be it further enacted*, That the said commissioner shall, in 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 commissioner in the vicinity of where the witnesses are

40 cents per day for each horse on which officers or privates in the cavalry service, &c. may have been re-mounted by the United States after the loss of their own, &c.

Houses occupied as military depositories, &c., and destroyed by the enemy in consequence of such occupation to be paid for.

The loss, destruction and value of property, to be ascertained by the best evidence, &c.

The President, &c. to appoint a commissioner.

His duty.

2,000 dollars compensation to the commissioner, &c.

Official communications free of postage.

Commissioner to take an oath. Form of the oath.

The commissioner to appoint a clerk, and establish rules, &c.

Rules, &c. to be published in the newspapers.

Where the claim exceeds 200 dollars a commission is to be awarded,

&c. for examination of witnesses.

Adjudications of the commissioner to be entered in a book by the clerk.

Payments to be made upon certified copies of judgments, &c.

Claims barred unless presented within two years.

stated to reside, accompanied by interrogatories to be propounded to such witnesses, which said commission, when executed, shall be returned, together with the examinations to be taken in virtue thereof, by mail, free of postage, to the office of the said commissioner.

SEC. 14. *And be it further enacted*, That, in all adjudications of the said commissioner upon the claims above-mentioned, whether such judgment be in favour of, or adverse to, the claim of the applicant, the same shall be entered by his clerk in a book to be provided for that purpose: And when such judgment shall be in favour of such claim, shall entitle the claimant, or his legal representative, upon the production of a copy of such judgment, duly certified by the clerk of said commissioner, to payment of the amount thereof at the treasury of the United States.

SEC. 15. *And be it further enacted*, That no claim authorized by this act shall be allowed or paid, unless the same shall be exhibited within two years from the passing hereof.

APPROVED, April 9, 1816.

STATUTE I.

April 9, 1816.

CHAP. XLI.—*An Act to repeal the act, entitled "An act to provide additional revenues for defraying the expenses of government and maintaining the public credit, by laying duties on household furniture and on gold and silver watches.*

So much of the act of Jan. 18, 1815, as lays duties on household furniture, and on watches, &c. repealed.

Act of Jan. 18, 1815, ch. 23.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of the act, entitled "An act to provide additional revenue for defraying the expenses of government and maintaining the public credit, by laying duties on household furniture and on gold and silver watches," as lays a duty on household furniture, and on watches kept for use, in the year one thousand eight hundred and sixteen, and in succeeding years, shall be, and the same is hereby, repealed.

APPROVED, April 9, 1816.

STATUTE I.

April 9, 1816.

[Repealed.]

1810, ch. 37.

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

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 May next, the following rates of postage be charged upon all letters and packets, (excepting such as are now excepted by law,) conveyed by the posts of the United States, viz:

Rates of postage after the 1st May, 1816.

For every letter composed of a single sheet of paper, conveyed not exceeding thirty miles, six cents; over thirty and not exceeding eighty, ten cents; over eighty and not exceeding one hundred and fifty, twelve and a half cents; over one hundred and fifty and not exceeding four hundred, eighteen and a half cents; over four hundred miles, twenty-five cents; and for every double letter, or letter composed of two pieces of paper, double those rates; and for every triple letter, or one composed of three pieces of paper, triple those rates; and for every packet composed of four or more pieces of paper, or one or more other articles, and weighing one ounce avoirdupois, quadruple those rates: and in that proportion for all greater weights: *Provided*, That no packet of letters conveyed by the water mails shall be charged with more than quadruple postage, unless the same shall contain more than four distinct letters.

Proviso.

Weight of packets restricted: evidence of lawful postage, &c.

No postmaster shall be obliged to receive, to be conveyed by the mail, any packet which shall weigh more than three pounds; and the postage marked on any letter or packet, and charged in the post bill which may accompany the same, shall be conclusive evidence, in favour of the postmaster who delivers the same, of the lawful postage thereon, unless such

letter or packet shall be opened in presence of the postmaster or his clerk.

Every four folio pages, or eight quarto pages, or sixteen octavo pages, of a pamphlet or magazine, shall be considered a sheet, and the surplus pages of any pamphlet or magazine shall also be considered a sheet; and the journals of the legislatures of the several states, not being stitched or bound, shall be liable to the same postage as pamphlets. Any memorandum which shall be written on a newspaper, or other printed paper, and transmitted by mail, shall be charged letter postage; and any person who shall deposit such memorandum in any office for the purpose of defrauding the revenue, shall forfeit, for every such offence, the sum of five dollars.

SEC. 2. *And be it further enacted*, That the Postmaster General be, and is hereby, authorized to allow to each postmaster such commission on the postages by him collected, as shall be adequate to his services: *Provided*, That his commission shall not exceed the following several rates on the amount received in one quarter; that is to say:

On a sum not exceeding one hundred dollars, thirty per cent.

On any sum over and above the first hundred dollars, and not exceeding four hundred dollars, twenty-five per cent.

On any sum over and above the first four hundred dollars, and not exceeding two thousand four hundred dollars, twenty per cent.

On any sum over and above the first two thousand four hundred dollars, eight per cent.

Except to the postmasters who may be employed in receiving and despatching foreign mails, whose compensation may be augmented not exceeding twenty-five dollars in one quarter; and excepting to the postmasters at offices where the mail is regularly to arrive between the hours of nine o'clock at night and five o'clock in the morning, whose commission, on the first hundred dollars collected in one quarter, may be increased to a sum not exceeding fifty per cent.

The Postmaster General may allow to the postmasters, respectively, a commission of fifty per cent. on the moneys arising from the postage of newspapers, magazines, and pamphlets; and to the postmaster whose compensation shall not exceed five hundred dollars in one quarter, two cents for every free letter delivered out of the office, excepting such as are for the postmaster himself; and each postmaster who shall be required to keep a register of the arrival and departure of the mails, shall be allowed ten cents for each monthly return which he makes thereof to the general post-office.

The Postmaster General may allow to the postmaster at New Orleans, at the rate of eight hundred dollars, and to the postmaster at Warrenton, in North Carolina, at the rate of two hundred dollars, and to the postmaster at Wheeling, in Virginia, at the rate of two hundred dollars a year, in addition to their ordinary commissions. The Postmaster General is hereby authorized to allow to the postmaster at the city of Washington, in addition to the allowance made by this act for postage collected, and for free letters received by him for delivery, a commission of five per centum on the amount of mails distributed at his office: *Provided, nevertheless*, That the whole annual emoluments of the said postmaster, including the extra compensation heretofore allowed to him by law, shall always be subject to the restriction imposed by the fortieth section of the act of Congress approved the thirtieth of April, one thousand eight hundred and ten, to which this act is in addition.

SEC. 3. *And be it further enacted*, That letters and packets to and from any member of the Senate, or member or delegate of the House of Representatives of the United States, the secretary of the Senate, and clerk of the House of Representatives, shall be conveyed free of postage, for thirty days previous to each session of Congress, and for thirty

Pamphlets,
magazines, &c.

Memoranda written
on newspapers,
&c. to be
charged letter
postage, &c.

The Postmaster
General to
allow commis-
sions to post-
masters, &c.

Act of April
30, 1810, ch.
37, sec. 40.

Members of
Congress, &c.,
may frank let-
ters, &c. for
thirty days be-

fore and after a session, &c.

Proviso: as to weight of letters, &c.

Certain sections of former acts repealed.

Act of April 30, 1810, ch. 37.

Act of February 27, 1815, ch. 65.

This act in force from 31st March, 1816.

days after the termination thereof: *Provided always*, That no letter or packet shall exceed two ounces in weight, and in case of excess of weight, that excess alone shall be paid for.

SEC. 4. *And be it further enacted*, That the eleventh and twenty-eighth sections of the act, entitled "An act regulating the post-office establishment," approved April thirtieth, one thousand eight hundred and ten, and the first and second sections of the act, entitled "An act in addition to the act regulating the post-office establishment," approved February twenty-seventh, one thousand eight hundred and fifteen, and the fourth and fifth sections of the same, except such parts as relate to steamboats, their masters, or managers, and persons employed on board the same, be, and the same are hereby repealed.

SEC. 5. *And be it further enacted*, That this act shall take effect from and after the thirty-first day of March, one thousand eight hundred and sixteen.

APPROVED, April 9, 1816.

STATUTE I.

April 10, 1816.

[Expired.]

Act of March 3, 1819, ch. 73.

A bank of the United States, with a capital of 35,000,000 dollars, &c.

CHAP. XLIV.—*An Act to incorporate the subscribers to the Bank of the United States. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That a bank of the United States of America shall be established, with a capital of thirty-five millions of dollars, divided into three hundred and fifty thousand shares, of one hundred dollars each share. Seventy thousand shares, amounting to the sum of seven millions of dollars, part of the capital of the said bank, shall be subscribed and paid for by the United States, in the manner hereinafter specified; and two hundred and eighty thousand shares, amounting to the sum of twenty-eight millions of dollars, shall be subscribed and paid for by individuals, companies, or corporations, in the manner hereinafter specified.

SEC. 2. *And be it further enacted*, That subscriptions for the sum of twenty-eight millions of dollars, towards constituting the capital of the said bank, shall be opened on the first Monday in July next, at the following places: that is to say, at Portland, in the District of Maine; at Portsmouth, in the state of New Hampshire; at Boston, in the state of Massachusetts; at Providence, in the state of Rhode Island; at Middletown, in the state of Connecticut; at Burlington, in the state of Vermont; at New York, in the state of New York; at New Brunswick, in the state of New Jersey; at Philadelphia, in the state of Pennsylvania; at Wilmington, in the state of Delaware; at Baltimore, in the state of Maryland; at Richmond, in the state of Virginia; at Lexington, in the state of Kentucky; at Cincinnati, in the state of Ohio; at Raleigh, in the state of North Carolina; at Nashville, in the state of Tennessee; at Charleston, in the state of South Carolina; at Augusta, in the state of Georgia; at New Orleans, in the state of Louisiana; and at Washington, in the district of Columbia. And the said subscriptions shall be opened under the superintendence of five commissioners at Philadelphia, and of three commissioners at each of the other places aforesaid, to be appointed by the President of the United States, who is hereby authorized to make such appointments, and shall continue open every day, from the time of opening the same, between the hours of ten o'clock in the forenoon and four o'clock in the afternoon, for the term of twenty days, exclusive of Sundays, when the same shall be closed, and immediately thereafter the commissioners, or any two of them, at the respective

Places, &c. for receiving subscriptions.

(a) For the act incorporating the first Bank of the United States, see vol. i. 191. Notes of decisions on the acts incorporating the Bank of the United States, vol. i. 192.

places aforesaid, shall cause two transcripts or copies of such subscriptions to be made, one of which they shall send to the Secretary of the Treasury, one they shall retain, and the original they shall transmit, within seven days from the closing of the subscriptions as aforesaid, to the commissioners at Philadelphia aforesaid. And on the receipt of the said original subscriptions, or of either of the said copies thereof, if the original be lost, mislaid, or detained, the commissioners at Philadelphia aforesaid, or a majority of them, shall immediately thereafter convene, and proceed to take an account of the said subscriptions. And if more than the amount of twenty-eight millions of dollars shall have been subscribed, then the said last mentioned commissioners shall deduct the amount of such excess from the largest subscriptions, in such manner as that no subscription shall be reduced in amount, while any one remains larger: *Provided*, That if the subscriptions taken at either of the places aforesaid shall not exceed three thousand shares, there shall be no reduction of such subscriptions, nor shall, in any case, the subscriptions taken at either of the places aforesaid be reduced below that amount. And in case the aggregate amount of the said subscriptions shall exceed twenty-eight millions of dollars, the said last mentioned commissioners, after having apportioned the same as aforesaid, shall cause lists of the said apportioned subscriptions, to be made out, including in each list the apportioned subscription for the place where the original subscription was made, one of which lists they shall transmit to the commissioners or one of them, under whose superintendence such subscriptions were originally made, that the subscribers may thereby ascertain the number of shares to them respectively apportioned as aforesaid. And in case the aggregate amount of the said subscriptions made during the period aforesaid, at all the places aforesaid, shall not amount to twenty-eight millions of dollars, the subscriptions to complete the said sum shall be and remain open at Philadelphia aforesaid, under the superintendence of the commissioners appointed for that place; and the subscriptions may be then made by any individual, company, or corporation, for any number of shares, not exceeding, in the whole, the amount required to complete the said sum of twenty-eight millions of dollars.

SEC. 3. *And be it further enacted*, That it shall be lawful for any individual, company, corporation, or state, when the subscriptions shall be opened as herein before directed, to subscribe for any number of shares of the capital of the said bank, not exceeding three thousand shares, and the sums so subscribed shall be payable, and paid, in the manner following; that is to say, seven millions of dollars thereof in gold or silver coin of the United States, or in gold coin of Spain, or the dominions of Spain, at the rate of one hundred cents for every twenty-eight grains and sixty hundredths of a grain of the actual weight thereof, or in other foreign gold or silver coin at the several rates prescribed by the first section of an act regulating the currency of foreign coins in the United States, passed tenth day of April, one thousand eight hundred and six, and twenty-one millions of dollars thereof in like gold or silver coin, or in the funded debt of the United States contracted at the time of the subscriptions respectively. And the payments made in the funded debt of the United States, shall be paid and received at the following rates: that is to say, the funded debt bearing an interest of six per centum per annum, at the nominal or par value thereof; the funded debt bearing an interest of three per centum per annum, at the rate of sixty-five dollars for every sum of one hundred dollars of the nominal amount thereof; and the funded debt bearing an interest of seven per centum per annum, at the rate of one hundred and six dollars and fifty-one cents, for every sum of one hundred dollars of the nominal amount thereof; together with the amount of the interest accrued on the said

Places, &c.
for receiving
subscriptions,
&c.

Regulations
concerning sub-
scriptions and
payments on
them, &c.

April 10, 1806,
ch. 22.

Regulations concerning subscriptions and payments on them, &c.

several denominations of funded debt, to be computed and allowed to the time of subscribing the same to the capital of the said bank as aforesaid. And the payments of the said subscriptions shall be made and completed by the subscribers, respectively, at the times and in the manner following; that is to say, at the time of subscribing there shall be paid five dollars on each share, in gold or silver coin as aforesaid, and twenty-five dollars more in coin as aforesaid, or in funded debt as aforesaid; at the expiration of six calendar months after the time of subscribing, there shall be paid the further sum of ten dollars on each share, in gold or silver coin as aforesaid, and twenty-five dollars more in coin as aforesaid, or in funded debt as aforesaid; at the expiration of twelve calendar months from the time of subscribing, there shall be paid the further sum of ten dollars on each share, in gold or silver coin as aforesaid, and twenty-five dollars more, in coin as aforesaid, or in funded debt as aforesaid.

SEC. 4. *And be it further enacted*, That at the time of subscribing to the capital of the said bank as aforesaid, each and every subscriber shall deliver to the commissioners, at the place of subscribing, as well the amount of their subscriptions respectively in coin as aforesaid, as the certificates of funded debt, for the funded debt proportions of their respective subscriptions, together with a power of attorney, authorizing the said commissioners, or a majority of them, to transfer the said stock in due form of law to "the president, directors, and company, of the bank of the United States," as soon as the said bank shall be organized. *Provided always*, That if, in consequence of the apportionment of the shares in the capital of the said bank among the subscribers, in the case, and in the manner, herein before provided, any subscriber shall have delivered to the commissioners, at the time of subscribing, a greater amount of gold or silver coin and funded debt than shall be necessary to complete the payments for the share or shares to such subscribers, apportioned as aforesaid, the commissioners shall only retain so much of the said gold or silver coin, and funded debt, as shall be necessary to complete such payments, and shall, forthwith, return the surplus thereof, on application for the same, to the subscribers lawfully entitled thereto. And the commissioners, respectively, shall deposit the gold and silver coin, and certificates of public debt by them respectively received as aforesaid from the subscribers to the capital of the said bank, in some place of secure and safe keeping, so that the same may and shall be specifically delivered and transferred, as the same were by them respectively received, to the president, directors, and company, of the bank of the United States, or to their order, as soon as shall be required after the organization of the said bank. And the said commissioners appointed to superintend the subscriptions to the capital of the said bank as aforesaid, shall receive a reasonable compensation for their services respectively, and shall be allowed all reasonable charges and expenses incurred in the execution of their trust, to be paid by the president, directors, and company, of the bank, out of the funds thereof.

Reasonable compensation to the commissioners.

The United States may redeem the funded debt, &c. and the bank may sell for gold and silver, &c.

SEC. 5. *And be it further enacted*, That it shall be lawful for the United States to pay and redeem the funded debt subscribed to the capital of the said bank at the rates aforesaid, in such sums, and at such times, as shall be deemed expedient, any thing in any act or acts of Congress to the contrary thereof notwithstanding. And it shall also be lawful for the president, directors, and company, of the said bank, to sell and transfer for gold and silver coin, or bullion, the funded debt subscribed to the capital of the said bank as aforesaid: *Provided always*, That they shall not sell more thereof than the sum of two millions of dollars in any one year; nor sell any part thereof at any time within the United States, without previously giving notice of their intention to the

Secretary of the Treasury, and offering the same to the United States for the period of fifteen days, at least, at the current price, not exceeding the rates aforesaid.

SEC. 6. *And be it further enacted*, That at the opening of subscription to the capital stock of the said bank, the Secretary of the Treasury shall subscribe, or cause to be subscribed, on behalf of the United States, the said number of seventy thousand shares, amounting to seven millions of dollars as aforesaid, to be paid in gold or silver coin, or in stock of the United States, bearing interest at the rate of five per centum per annum; and if payment thereof, or of any part thereof, be made in public stock, bearing interest as aforesaid, the said interest shall be payable quarterly, to commence from the time of making such payment on account of the said subscription, and the principal of the said stock shall be redeemable in any sums, and at any periods, which the government shall deem fit. And the Secretary of the Treasury shall cause the certificates of such public stock to be prepared, and made in the usual form, and shall pay and deliver the same to the president, directors, and company, of the said bank on the first day of January, one thousand eight hundred and seventeen, which said stock it shall be lawful for the said president, directors, and company, to sell and transfer for gold and silver coin or bullion at their discretion: *Provided*, They shall not sell more than two millions of dollars thereof in any one year.

The Secretary of the Treasury to subscribe on behalf of the United States, &c.

SEC. 7. *And be it further enacted*, That the subscribers to the said bank of the United States of America, their successors and assigns, shall be, and are hereby, created a corporation and body politic, by the name and style of "The president, directors, and company, of the bank of the United States," and shall so continue until the third day of March, in the year one thousand eight hundred and thirty-six, and by that name shall be, and are hereby, made able and capable, in law, to have, purchase, receive, possess, enjoy, and retain, to them and their successors, lands, rents, tenements, hereditaments, goods, chattels and effects, of whatsoever kind, nature, and quality, to an amount not exceeding, in the whole, fifty-five millions of dollars, including the amount of the capital stock aforesaid; and the same to sell, grant, demise, alien or dispose of; to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in all state courts having competent jurisdiction, and in any circuit court of the United States: and also to make, have, and use, a common seal, and the same to break, alter, and renew, at their pleasure: and also to ordain, establish, and put in execution, such by-laws, and ordinances, and regulations, as they shall deem necessary and convenient for the government of the said corporation, not being contrary to the Constitution thereof, or to the laws of the United States; and generally to do and execute all and singular the acts, matters, and things, which to them it shall or may appertain to do; subject, nevertheless, to the rules, regulations, restrictions, limitations, and provisions, hereinafter prescribed and declared.

The subscribers to the bank incorporated, &c.

SEC. 8. *And be it further enacted*, That for the management of the affairs of the said corporation, there shall be twenty-five directors, five of whom, being stockholders, shall be annually appointed by the President of the United States, by and with the advice and consent of the Senate, not more than three of whom shall be residents of any one state; and twenty of whom shall be annually elected at the banking house in the city of Philadelphia, on the first Monday of January, in each year, by the qualified stockholders of the capital of the said bank, other than the United States, and by a plurality of votes then and there actually given, according to the scale of voting hereinafter prescribed: *Provided always*, That no person, being a director in the bank of the United States, or any of its branches, shall be a director of any other bank; and should any such director act as a director in any other bank, it shall forthwith

Twenty-five directors; five to be appointed by the President, &c.

Regulations concerning the direction of the bank, &c.

vacate his appointment in the direction of the bank of the United States. And the directors, so duly appointed and elected, shall be capable of serving, by virtue of such appointment and choice, from the first Monday in the month of January of each year, until the end and expiration of the first Monday in the month of January of the year next ensuing the time of each annual election to be held by the stockholders as aforesaid. And the board of directors, annually, at the first meeting after their election in each and every year, shall proceed to elect one of the directors to be president of the corporation, who shall hold the said office during the same period for which the directors are appointed and elected as aforesaid: *Provided also*, That the first appointment and election of the directors and president of the said bank shall be at the time and for the period hereinafter declared: *And provided also*, That in case it should at any time happen that an appointment or election of directors, or an election of the president of the said bank, should not be so made as to take effect on any day when, in pursuance of this act, they ought to take effect, the said corporation shall not, for that cause, be deemed to be dissolved; but it shall be lawful at any other time to make such appointments, and to hold such elections, (as the case may be,) and the manner of holding the elections shall be regulated by the by-laws and ordinances of the said corporation: and until such appointments or elections be made, the directors and president of the said bank, for the time being, shall continue in office: *And provided also*, That in case of the death, resignation, or removal of the president of the said corporation, the directors shall proceed to elect another president from the directors as aforesaid: and in case of the death, resignation, or absence, from the United States, or removal of a director from office, the vacancy shall be supplied by the President of the United States, or by the stockholders, as the case may be. But the President of the United States alone shall have power to remove any of the directors appointed by him as aforesaid.

Manner and time of the banks going into operation, &c.

SEC. 9. *And be it further enacted*, That as soon as the sum of eight millions four hundred thousand dollars in gold and silver coin, and in the public debt, shall have been actually received on account of the subscriptions to the capital of the said bank (exclusively of the subscription aforesaid, on the part of the United States) notice thereof shall be given by the persons under whose superintendence the subscriptions shall have been made at the city of Philadelphia, in at least two newspapers printed in each of the places, (if so many be printed in such places respectively,) where subscriptions shall have been made, and the said persons shall, at the same time, and in like manner, notify a time and place within the said city of Philadelphia, at the distance of at least thirty days from the time of such notification, for proceeding to the election of twenty directors as aforesaid, and it shall be lawful for such election to be then and there made. And the President of the United States is hereby authorized, during the present session of Congress, to nominate, and, by and with the advice and consent of the Senate, to appoint, five directors of the said bank, though not stockholders, any thing in the provisions of this act to the contrary notwithstanding; and the persons who shall be elected and appointed as aforesaid, shall be the first directors of the said bank, and shall proceed to elect one of the directors to be President of the said bank; and the directors and president of the said bank so appointed and elected as aforesaid, shall be capable of serving in their respective office, by virtue thereof, until the end and expiration of the first Monday of the month of January next ensuing the said appointments and elections; and they shall then and thenceforth commence, and continue the operations of the said bank, at the city of Philadelphia.

The directors empowered to appoint officers, clerks, servants, &c.

SEC. 10. *And be it further enacted*, That the directors, for the time being shall have power to appoint such officers, clerks, and servants, under them as shall be necessary for executing the business of the said corpo-

ration, and to allow them such compensation for their services, respectively, as shall be reasonable; and shall be capable of exercising such other powers and authorities for the well governing and ordering of the officers of the said corporation, as shall be prescribed, fixed, and determined, by the laws, regulations, and ordinances, of the same.

SEC. 11. *And be it further enacted,* That the following rules, restrictions, limitations, and provisions, shall form and be fundamental articles of the constitution of the said corporation, to wit:

1. The number of votes to which the stockholders shall be entitled, in voting for directors, shall be according to the number of shares he, she, or they, respectively, shall hold, in the proportions following, that is to say; for one share and not more than two shares, one vote; for every two shares above two, and not exceeding ten, one vote; for every four shares above ten, and not exceeding thirty, one vote; for every six shares above thirty, and not exceeding sixty, one vote; for every eight shares above sixty, and not exceeding one hundred, one vote; and for every ten shares above one hundred, one vote; but no person, co-partnership, or body politic, shall be entitled to a greater number than thirty votes; and after the first election, no share or shares shall confer a right of voting, which shall not have been holden three calendar months previous to the day of election. And stockholders actually resident within the United States, and none other, may vote in elections by proxy.

Second. Not more than three-fourths of the directors elected by the stockholders, and not more than four-fifths of the directors appointed by the President of the United States, who shall be in office at the time of an annual election, shall be elected or appointed for the next succeeding year; and no director shall hold his office more than three years out of four in succession: but the director who shall be the president at the time of an election may always be re-appointed, or re-elected, as the case may be.

Third. None but a stockholder, resident citizen of the United States, shall be a director; nor shall a director be entitled to any emoluments; but the directors may make such compensation to the president for his extraordinary attendance at the bank, as shall appear to them reasonable.

Fourth. Not less than seven directors shall constitute a board for the transaction of business, of whom the president shall always be one, except in case of sickness or necessary absence: in which case his place may be supplied by any other director whom he, by writing, under his hand, shall depute for that purpose. And the director so deputed may do and transact all the necessary business, belonging to the office of the president of the said corporation, during the continuance of the sickness or necessary absence of the president.

Fifth. A number of stockholders, not less than sixty, who, together, shall be proprietors of one thousand shares or upwards, shall have power at any time to call a general meeting of the stockholders, for purposes relative to the institution, giving at least ten weeks' notice in two public newspapers of the place where the bank is seated, and specifying in such notice the object or objects of such meeting.

Sixth. Each cashier or treasurer, before he enters upon the duties of his office, shall be required to give bond, with two or more sureties, to the satisfaction of the directors, in a sum not less than fifty thousand dollars, with a condition for his good behaviour, and the faithful performance of his duties to the corporation.

Seventh. The lands, tenements, and hereditaments, which it shall be lawful for the said corporation to hold, shall be only such as shall be requisite for its immediate accommodation in relation to the convenient transacting of its business, and such as shall have been *bona fide* mortgaged to it by way of security, or conveyed to it in satisfaction of debts pre-

Fundamental articles, &c.

Rules concerning voting for directors.

A part of the directors appointed by the stockholders and president, alone eligible a second year, successively. President always eligible.

Stockholders, citizens, may be only appointed directors. Directors to have no compensation, other than the president.

Seven directors, including the president, may constitute a board.

How his place is supplied in case of absence or sickness.

General meetings of the stockholders—how to be called.

Cashier to give bonds and security.

Limitation concerning, and a description of the real estate which may be held by the corporation.

Maximum of debts which the corporation may at one time contract.

Remedy against the directors under whose administration an excess of debt shall be created.

Directors absent or dissenting exempted.

In what the corporation may transact business and trade.

Loans exceeding certain sums not to be made the U. S. or particular states, or foreign states, but by acts of Congress.

Rules to be prescribed for making the stock assignable.

The bills, obligatory and of credit, under the seal of the corporation; how assignable.

Proviso.

viously contracted in the course of its dealings, or purchased at sales, upon judgments which shall have been obtained for such debts.

Eighth. The total amount of debts which the said corporation shall at any time owe, whether by bond, bill, note, or other contract, over and above the debt or debts due for money deposited in the bank, shall not exceed the sum of thirty-five millions of dollars, unless the contracting of any greater debt shall have been previously authorized by law of the United States. In case of excess, the directors under whose administration it shall happen, shall be liable for the same in their natural and private capacities: and an action of debt may in such case be brought against them, or any of them, their or any of their heirs, executors, or administrators, in any court of record of the United States, or either of them, by any creditor or creditors of the said corporation, and may be prosecuted to judgment and execution, any condition, covenant, or agreement to the contrary notwithstanding. But this provision shall not be construed to exempt the said corporation or the lands, tenements, goods, or chattels of the same from being also liable for, and chargeable with, the said excess.

Such of the said directors, who may have been absent when the said excess was contracted or created, or who may have dissented from the resolution or act whereby the same was so contracted or created, may respectively exonerate themselves from being so liable, by forthwith giving notice of the fact, and of their absence or dissent, to the President of the United States, and to the stockholders, at a general meeting, which they shall have power to call for that purpose.

Ninth. The said corporation shall not, directly or indirectly, deal or trade in any thing except bills of exchange, gold or silver bullion, or in the sale of goods really and truly pledged for money lent and not redeemed in due time, or goods which shall be the proceeds of its lands. It shall not be at liberty to purchase any public debt whatsoever, nor shall it take more than at the rate of six per centum per annum for or upon its loans or discounts.

Tenth. No loan shall be made by the said corporation, for the use or on account of the government of the United States, to an amount exceeding five hundred thousand dollars, or of any particular state, to an amount exceeding fifty thousand dollars, or of any foreign prince or state, unless previously authorized by a law of the United States.

Eleventh. The stock of the said corporation shall be assignable and transferable, according to such rules as shall be instituted in that behalf, by the laws and ordinances of the same.

Twelfth. The bills, obligatory and of credit, under the seal of the said corporation, which shall be made to any person or persons, shall be assignable by endorsement thereupon, under the hand or hands of such person or persons, and his, her, or their executors or administrators, and his, her or their assignee or assignees, and so as absolutely to transfer and vest the property thereof in each and every assignee or assignees successively, and to enable such assignee or assignees, and his, her or their executors or administrators, to maintain an action thereupon in his, her, or their own name or names: *Provided*, That said corporation shall not make any bill obligatory, or of credit, or other obligation under its seal for the payment of a sum less than five thousand dollars. And the bills or notes which may be issued by order of the said corporation, signed by the president, and countersigned by the principal cashier or treasurer thereof, promising the payment of money to any person or persons, his, her or their order, or to bearer, although not under the seal of the said corporation, shall be binding and obligatory upon the same, in like manner, and with like force and effect, as upon any private person or persons, if issued by him, her or them, in his, her or their private or natural ca-

capacity or capacities, and shall be assignable and negotiable in like manner as if they were so issued by such private person or persons; that is to say, those which shall be payable to any person or persons, his, her or their order, shall be assignable by endorsement, in like manner, and with the like effect as foreign bills of exchange now are; and those which are payable to bearer shall be assignable and negotiable by delivery only: *Provided*, That all bills or notes, so to be issued by said corporation, shall be made payable on demand, other than bills or notes for the payment of a sum not less than one hundred dollars each, and payable to the order of some person or persons, which bills or notes it shall be lawful for said corporation to make payable at any time not exceeding sixty days from the date thereof.

Thirteenth. Half yearly dividends shall be made of so much of the profits of the bank as shall appear to the directors advisable; and once in every three years the directors shall lay before the stockholders, at a general meeting, for their information, an exact and particular statement of the debts which shall have remained unpaid after the expiration of the original credit, for a period of treble the term of that credit, and of the surplus of the profits, if any, after deducting losses and dividends. If there shall be a failure in the payment of any part of any sum subscribed to the capital of the said bank, by any person, co-partnership or body politic, the party failing shall lose the benefit of any dividend which may have accrued prior to the time for making such payment, and during the delay of the same.

Fourteenth. The directors of the said corporation shall establish a competent office of discount and deposit in the District of Columbia, whenever any law of the United States shall require such an establishment; also one such office of discount and deposit in any state in which two thousand shares shall have been subscribed or may be held, whenever, upon application of the legislature of such state, Congress may, by law, require the same: *Provided*, the directors aforesaid shall not be bound to establish such office before the whole of the capital of the bank shall have been paid up. And it shall be lawful for the directors of the said corporation to establish offices of discount and deposit, wheresoever they shall think fit, within the United States or the territories thereof, and to commit the management of the said offices, and the business thereof, respectively to such persons, and under such regulations as they shall deem proper, not being contrary to law or the constitution of the bank. Or instead of establishing such offices, it shall be lawful for the directors of the said corporation, from time to time, to employ any other bank or banks, to be first approved by the Secretary of the Treasury, at any place or places that they may deem safe and proper, to manage and transact the business proposed as aforesaid, other than for the purposes of discount, to be managed and transacted by such offices, under such agreements, and subject to such regulations, as they shall deem just and proper. Not more than thirteen nor less than seven managers or directors, of every office established as aforesaid, shall be annually appointed by the directors of the bank, to serve one year; they shall choose a president from their own number; each of them shall be a citizen of the United States, and a resident of the state, territory or district, wherein such office is established; and not more than three-fourths of the said managers or directors, in office at the time of an annual appointment, shall be re-appointed for the next succeeding year; and no director shall hold his office more than three years out of four, in succession; but the president may be always re-appointed.

Fifteenth. The officer at the head of the Treasury Department of the United States shall be furnished, from time to time, as often as he may require, not exceeding once a week, with statements of the amount of the capital stock of the said corporation and of the debts due to the same; of the

Proviso.

Half yearly dividends to be made.

A statement of the affairs of the company to be laid before the stockholders.

Delinquent subscribers to lose the benefit of dividends.

Offices to be established in the District of Columbia and the several states when authorized and required by law.

Proviso.

Secretary of the Treasury authorized to call upon the bank for a statement,

not exceeding a weekly one, of its concerns.
 Proviso.

No stockholder but a citizen of the United States may vote in choice of directors.

No smaller notes than five dollars to be issued.

Penalties for dealing in a way or in articles interdicted.

Penalties for making unlawful loans to the United States or particular states or to foreign governments.

Notes of the bank, unless specially prohibited by law, receivable in payments of all dues to United States.

The bank to give the necessary facilities without any charge, for transferring the funds of the United States to different quarters.

Deposits of the public moneys to be made in the bank or its branches, or the reasons to be laid before Congress by the Secretary of the Treasury for its not being done.

Corporation prohibited from suspending payments in specie, by being made chargeable with the payment of

moneys deposited therein; of the notes in circulation, and of the specie in hand; and shall have a right to inspect such general accounts in the books of the bank as shall relate to the said statement: *Provided*, That this shall not be construed to imply a right of inspecting the account of any private individual or individuals with the bank.

Sixteenth. No stockholder, unless he be a citizen of the United States, shall vote in the choice of directors.

Seventeenth. No note shall be issued of less amount than five dollars.

SEC. 12. *And be it further enacted*, That if the said corporation, or any person or persons, for or to the use of the same, shall deal or trade in buying or selling goods, wares, merchandise, or commodities whatsoever, contrary to the provisions of this act, all and every person and persons by whom any order or direction for so dealing or trading shall have been given; and all and every person and persons who shall have been concerned as parties or agents therein, shall forfeit and lose treble the value of the goods, wares, merchandise and commodities in which such dealing and trade shall have been, one half thereof to the use of the informer, and the other half thereof, to the use of the United States, to be recovered in any action of law with costs of suit.

SEC. 13. *And be it further enacted*, That if the said corporation shall advance or lend any sum of money for the use or on account of the government of the United States, to an amount exceeding five hundred thousand dollars; or of any particular state, to an amount exceeding fifty thousand dollars; or of any foreign prince or state, (unless previously authorized thereto by a law of the United States,) all and every person and persons, by and with whose order, agreement, consent, approbation and connivance, such unlawful advance or loan shall have been made, upon conviction thereof shall forfeit and pay, for every such offence, treble the value or amount of the sum or sums which have been so unlawfully advanced or lent; one fifth thereof to the use of the informer, and the residue thereof to the use of the United States.

SEC. 14. *And be it further enacted*, That the bills or notes of the said corporation originally made payable, or which shall have become payable on demand, shall be receivable in all payments to the United States, unless otherwise directed by act of Congress.

SEC. 15. *And be it further enacted*, That during the continuance of this act, and whenever required by the Secretary of the Treasury, the said corporation shall give the necessary facilities for transferring the public funds from place to place, within the United States, or the territories thereof, and for distributing the same in payment of the public creditors, without charging commissions or claiming allowance on account of difference of exchange, and shall also do and perform the several and respective duties of the commissioners of loans for the several states, or of any one or more of them, whenever required by law.

SEC. 16. *And be it further enacted*, That the deposits of the money of the United States, in places in which the said bank and branches thereof may be established, shall be made in said bank or branches thereof, unless the Secretary of the Treasury shall at any time otherwise order and direct; in which case the Secretary of the Treasury shall immediately lay before Congress, if in session, and if not, immediately after the commencement of the next session, the reasons of such order or direction.

SEC. 17. *And be it further enacted*, That the said corporation shall not at any time suspend or refuse payment in gold and silver, of any of its notes, bills or obligations; nor of any moneys received upon deposit in said bank, or in any of its offices of discount and deposit. And if the said corporation shall at any time refuse or neglect to pay on demand any bill, note or obligation issued by the corporation, according to the contract, promise or undertaking therein expressed; or shall neglect or

refuse to pay on demand any moneys received in said bank, or in any of its offices aforesaid, on deposit, to the person or persons entitled to receive the same, then, and in every such case, the holder of any such note, bill, or obligation, or the person or persons entitled to demand and receive such moneys as aforesaid, shall respectively be entitled to receive and recover interest on the said bills, notes, obligations or moneys, until the same shall be fully paid and satisfied, at the rate of twelve per centum per annum from the time of such demand as aforesaid; *Provided*, That Congress may at any time hereafter enact laws enforcing and regulating the recovery of the amount of the notes, bills, obligations or other debts, of which payment shall have been refused as aforesaid, with the rate of interest above mentioned, vesting jurisdiction for that purpose in any courts, either of law or equity, of the courts of the United States, or territories thereof, or of the several states, as they may deem expedient.

interest at the rate of 12 per centum per annum.

Proviso.

SEC. 18. *And be it further enacted*, That if any person shall falsely make, forge or counterfeit, or cause or procure to be falsely made, forged or counterfeited, or willingly aid or assist in falsely making, forging or counterfeiting any bill or note in imitation of or purporting to be a bill or note issued by order of the president, directors and company of the said bank, or any order or check on the said bank or corporation, or any cashier thereof; or shall falsely alter, or cause or procure to be falsely altered, or willingly aid or assist in falsely altering any bill or note issued by order of the president, directors and company of the said bank, or any order or check on the said bank or corporation, or any cashier thereof; or shall pass, utter or publish, or attempt to pass, utter or publish as true, any false, forged or counterfeited bill or note purporting to be a bill or note issued by order of the president, directors and company of the said bank, or any false, forged or counterfeited order or check upon the said bank or corporation, or any cashier thereof, knowing the same to be falsely forged or counterfeited; or shall pass, utter or publish, or attempt to pass, utter or publish as true, any falsely altered bill or note issued by order of the president, directors, and company of the said bank, or any falsely altered order or check on the said bank or corporation, or any cashier thereof, knowing the same to be falsely altered with intention to defraud the said corporation or any other body politic or person; or shall sell, utter or deliver, or cause to be sold, uttered or delivered, any forged or counterfeit note or bill in imitation, or purporting to be a bill or note issued by order of the president and directors of the said bank, knowing the same to be false, forged, or counterfeited; every such person shall be deemed and adjudged guilty of felony, and being thereof convicted by due course of law, shall be sentenced to be imprisoned and kept to hard labour for not less than three years, nor more than ten years, or shall be imprisoned not exceeding ten years, and fined not exceeding five thousand dollars. *Provided*, That nothing herein contained shall be construed to deprive the courts of the individual states, of a jurisdiction under the laws of the several states, over any offence declared punishable by this act.

Penalties for forging, counterfeiting, &c.

Proviso.

SEC. 19. *And be it further enacted*, That if any person shall make or engrave, or cause, or procure to be made or engraved, or shall have in his custody or possession, any metallic plate, engraved after the similitude of any plate from which any notes or bills, issued by the said corporation, shall have been printed, with intent to use such plate, or to cause, or suffer the same to be used in forging or counterfeiting any of the notes or bills issued by the said corporation; or shall have in his custody or possession, any blank note or notes, bill or bills, engraved and printed after the similitude of any notes or bills issued by said corporation, with intent to use such blanks, or cause, or suffer the same to be used in forging or counterfeiting any of the notes or bills issued by the said corporation; or shall have in his custody or possession, any paper adapted

For engraving after the similitude of the plates used for the bank, any plates, &c.

Punishment.

to the making of bank notes or bills, and similar to the paper upon which any notes or bills of the said corporation shall have been issued, with intent to use such paper, or cause, or suffer the same to be used in forging or counterfeiting any of the notes or bills issued by the said corporation, every such person, being thereof convicted, by due course of law, shall be sentenced to be imprisoned, and kept to hard labour, for a term not exceeding five years, or shall be imprisoned for a term not exceeding five years, and fined in a sum not exceeding one thousand dollars.

Bonus to be paid to the United States for this charter.

SEC. 20. *And be it further enacted*, That in consideration of the exclusive privileges and benefits conferred by this act, upon the said bank, the president, directors, and company thereof, shall pay to the United States, out of the corporate funds thereof, the sum of one million and five hundred thousand dollars, in three equal payments; that is to say: five hundred thousand dollars at the expiration of two years; five hundred thousand dollars at the expiration of three years; and five hundred thousand dollars at the expiration of four years after the said bank shall be organized, and commence its operations in the manner herein before provided.

Congress to establish no other bank except in the District of Columbia.

SEC. 21. *And be it further enacted*, That no other bank shall be established by any future law of the United States during the continuance of the corporation hereby created, for which the faith of the United States is hereby pledged. *Provided*, Congress may renew existing charters for banks in the District of Columbia, not increasing the capital thereof, and may also establish any other bank or banks in said district, with capitals not exceeding, in the whole, six millions of dollars, if they shall deem it expedient. And, notwithstanding the expiration of the term for which the said corporation is created, it shall be lawful to use the corporate name, style, and capacity, for the purpose of suits for the final settlement and liquidation of the affairs and accounts of the corporation, and for the sale and disposition of their estate, real, personal, and mixed: but not for any other purpose, or in any other manner whatsoever, nor for a period exceeding two years after the expiration of the said term of incorporation.

Authority to use the name of the corporation, &c., for two years after the charter shall expire.

Limitation of time prescribed for the bank's going into operation.

SEC. 22. *And be it further enacted*, That if the subscriptions and payments to said bank shall not be made and completed so as to enable the same to commence its operations, or if the said bank shall not commence its operations on or before the first Monday in April next, then, and, in that case, Congress may, at any time, within twelve months thereafter, declare, by law, this act null and void.

Committees of either house of Congress may inspect the books, &c. of the bank.

For what purpose.

SEC. 23. *And be it further enacted*, That it shall, at all times, be lawful, for a committee of either house of Congress, appointed for that purpose, to inspect the books, and to examine into the proceedings of the corporation hereby created, and to report whether the provisions of this charter have been, by the same, violated or not; and whenever any committee, as aforesaid, shall find and report, or the President of the United States shall have reason to believe that the charter has been violated, it may be lawful for Congress to direct, or the President to order a scire facias to be sued out of the circuit court of the district of Pennsylvania, in the name of the United States, (which shall be executed upon the president of the corporation for the time being, at least fifteen days before the commencement of the term of said court,) calling on the said corporation to show cause wherefore the charter hereby granted, shall not be declared forfeited; and it shall be lawful for the said court, upon the return of the said scire facias, to examine into the truth of the alleged violation, and if such violation be made appear, then to pronounce and adjudge that the said charter is forfeited and annulled. *Provided, however*, Every issue of fact which may be joined between the United States and the corporation aforesaid, shall be tried by a jury.

Proviso.

And it shall be lawful for the court aforesaid to require the production of such of the books of the corporation as it may deem necessary for the ascertainment of the controverted facts: and the final judgment of the court aforesaid, shall be examinable in the Supreme Court of the United States, by writ of error, and may be there reversed or affirmed, according to the usages of law.

APPROVED, April 10, 1816.

STATUTE I.

CHAP. XLV.—*An Act making appropriations for the support of government, for the year one thousand eight hundred and sixteen.* April 16, 1816.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the expenditure of the civil list in the present year, including the contingent expenses of the several departments and offices; for the compensation of the several loan officers and their clerks, and for books and stationery for the same; for the payment of annuities and grants; for the support of the mint establishment; for the expenses of intercourse with foreign nations; for the support of light-houses, beacons, buoys, and public piers; for surveying the coast of the United States; for making the Cumberland Road; for ascertaining the titles to lands in Louisiana; for providing certificates of registry and lists of crews; and for satisfying certain miscellaneous claims, the following sums be, and the same are hereby respectively appropriated, that is to say:

For compensation granted by law to the members of the Senate and House of Representatives, their officers, and attendants, five hundred and ninety-five thousand two hundred and fifty dollars, and the deduction to be made on account of the absence of members or delegates for any part of the present session, shall be in the proportion which the days of their absence respectively bear to the whole number of the days of the session.

Specific appropriations.
Senate and House of Representatives.

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

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

Library of Congress.

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

President of the United States.

For rent and repairs of the tenement occupied by the President of the United States since August, one thousand eight hundred and fourteen, three thousand five hundred and fifty dollars.

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

For compensation to the clerks employed in the Department of State, being the sum appropriated for the service of the year one thousand eight hundred and fifteen, eleven thousand three hundred and fifty dollars and fifty cents.

Compensation to officers of the departments.

For compensation to the messenger in said department and in 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 ten thousand four hundred copies of the laws of the first session of the fourteenth Congress, and printing the laws in newspapers, sixteen thousand nine hundred and thirty dollars.

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, being the sum appropriated for the service of the year one thousand eight hundred and fifteen, ten thousand four hundred and thirty-three dollars and twenty-eight cents.

Specific appropriations.

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, allowance to the person employed in transmitting passports and sea letters, and for stationery and printing in the office of the Secretary of the Treasury, one thousand one hundred dollars.

For defraying the expenses of issuing treasury notes, a sum not exceeding thirty thousand dollars.

For stating and printing the public accounts, for the years one thousand eight hundred and fifteen, and one thousand eight hundred and sixteen, two thousand four hundred dollars.

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

For compensation to the clerks employed in the office of the comptroller of the treasury, being the sum appropriated for the service of the year one thousand eight hundred and fifteen, thirteen thousand three hundred and sixteen dollars and five cents.

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

For compensation to additional clerks to be employed in the office of the comptroller of the treasury, two thousand two hundred 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.

For compensation to the clerks employed in the auditor's office, being the sum appropriated for the service of the year one thousand eight hundred and fifteen, ten thousand one hundred and thirty-two dollars and sixty-five cents, and the further sum of two thousand five hundred dollars.

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

For compensation to additional clerks to be employed in the office of the auditor, four thousand dollars.

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

For compensation to the treasurer, three thousand dollars.

For compensation to the clerks employed in the treasurer's office, being the sum appropriated for the service of the year one thousand eight hundred and fifteen, four thousand two hundred and forty dollars and four cents.

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

For compensation to additional clerks to be employed in the treasurer's office, one thousand two hundred dollars.

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

For compensation to the Commissioner of the General Land Office, three thousand dollars.

For compensation to the clerks employed in the office of the Commissioner of the General Land Office, ten thousand two hundred and fifty dollars.

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

For stationery, printing, and contingent expenses in the General Land Office, including vellum for land patents, three thousand seven hundred dollars.

For arrears of compensation due to the chief clerk in the office of the said commissioner, three hundred and twelve dollars and fifty cents.

For compensation to the Commissioner of the Revenue, three thousand dollars.

For compensation to the clerks employed in the office of the Commissioner of the Revenue, being the sum appropriated for the service of the year one thousand eight hundred and fifteen, nine thousand dollars.

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

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

For compensation to the register of the treasury, two thousand four hundred dollars.

For compensation to the clerks employed in the office of the register of the treasury, being the sum appropriated for the service of the year one thousand eight hundred and fifteen, sixteen thousand two hundred and twenty-eight dollars and thirty-two cents.

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

For compensation to additional clerks to be employed in the office of the register of the treasury, eight hundred dollars.

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

For fuel and other contingent expenses of the treasury department, including rent of the buildings now occupied by the department, expense of removing the records during the late war, transporting the same to the building preparing for them, cost of furniture for the offices, cases for the fire proof, and compensation to a superintendent and two watchmen employed for the security of the treasury buildings, fifteen thousand dollars.

For the purchase of books, maps, and charts for the treasury department, one thousand dollars.

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

For cost of vellum for patents for military bounty lands, printing them, and record books and wheels for military bounty lottery, in the office of the Commissioner of the General Land Office, seventeen thousand three hundred dollars.

For compensation to two clerks to be employed in the said office, to write and record the patents, seventeen hundred dollars.

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, being the sum appropriated for the service of the year one thousand eight hundred and fifteen, 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, three thousand dollars.

For compensation to the accountant of the war department, two thousand dollars.

For compensation to the clerks employed in the office of the accountant of the war department, being the sum appropriated for the service of the year one thousand eight hundred and fifteen, fourteen thousand seven hundred and seventy-five dollars.

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

For compensation for additional clerks to be employed in the office

Specific appropriations.

of the accountant of the war department, six thousand five hundred dollars.

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

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

For compensation to the clerks employed in the paymaster's office, being the sum appropriated for the service of the year one thousand eight hundred and fifteen, thirteen thousand three hundred dollars.

For additional compensation of fifteen per cent. to the clerks employed in said office, on the sum hereinbefore appropriated, one thousand nine hundred and ninety-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 of the office of the paymaster, two thousand dollars.

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

For compensation to the clerks employed in the office of the superintendent general of military supplies, being the sum appropriated for the service of the year one thousand eight hundred and fifteen, seven thousand dollars.

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

For expenses of fuel, stationery, printing and other contingent expenses in the office of the superintendent general of military supplies, six hundred dollars.

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

For compensation to the clerks employed in the office of the said commissary, being the sum appropriated for the service of the year one thousand eight hundred and fifteen, two thousand eight hundred dollars.

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

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

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

For compensation to the clerks employed in the office of the Secretary of the Navy, being the sum appropriated for the service of the year one thousand eight hundred and fifteen, 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, two thousand dollars.

For compensation to the clerks employed in the office of the accountant of the navy, being the sum appropriated for the service of the year one thousand eight hundred and fifteen, twelve thousand two hundred dollars.

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

For compensation to additional clerks to be employed in the office of said accountant, two thousand five hundred dollars.

For contingent expenses of the office of said accountant, one thousand two hundred and fifty dollars.

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

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

For compensation of the clerks employed in the office of the navy board, including the sum of two hundred and fifty dollars for the service of the preceding year, two thousand five hundred dollars.

For compensation of the messenger, including the sum of three hundred and seven dollars and fifty cents for the service of the preceding year, seven hundred and seventeen dollars and fifty cents.

For the contingent expenses of the navy board, including the sum of one thousand five hundred dollars for the service of the preceding year, four thousand dollars.

For compensation to the Postmaster General, three thousand dollars.

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, being the amount appropriated for the service of the year one thousand eight hundred and fifteen, fifteen thousand one hundred dollars.

For compensation to additional clerks, four thousand two hundred and five dollars.

For deficiency in appropriation for clerk hire for the year one thousand eight hundred and fifteen, nine hundred and thirty-five dollars.

For compensation to the messenger and assistant messenger, six hundred and sixty dollars.

For contingent expenses of the General Post-office, three thousand six hundred dollars.

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

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

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

For compensation to the surveyor of lands south of Tennessee, and his clerks, and for the contingent expenses of his office, three thousand two hundred dollars.

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 of furnaces, cost of iron and machinery, rents and other contingent expenses of the mint, two thousand four hundred and eighty 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 compensation to the governor, judges and secretary of the Indiana 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 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 Missouri territory, seven thousand eight hundred dollars.

Specific ap-
propriations.

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

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

For defraying the expenses incurred by printing the laws of said territory, one thousand one hundred and seventy-six dollars and twenty-five cents.

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

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

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

For the 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.

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 invalid pensioners of the United States, one hundred and twenty thousand dollars.

For making the road from Cumberland, in the state of Maryland, to the state of Ohio, three hundred thousand dollars, to be repaid out of the fund reserved for laying out and making roads to the state of Ohio, by virtue of the seventh section of an act, passed on the thirtieth of April, one thousand eight hundred and two, entitled "An act to enable the people of the eastern division of the territory north-west of the river Ohio to form a constitution and state government, and for the admission of such state into the Union, on an equal footing with the original states, and for other purposes."

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, ninety-seven thousand four hundred and sixty-four dollars.

To replace the amount heretofore appropriated for defraying the expense of surveying the coasts of the United States, which was carried to the surplus fund on the thirty-first of December, one thousand eight hundred and fourteen, twenty-nine thousand seven hundred and twenty dollars and fifty-seven cents.

For defraying the expense of ascertaining and adjusting land titles in Louisiana, five thousand dollars.

For defraying the expense of surveying the public lands within the several territories of the United States, including the expense of surveys

of private claims in Louisiana; for ascertaining the boundaries of the state of Ohio; of surveying the township lines in the Creek purchase, and of the salaries of two principal deputies in the state of Louisiana, one hundred and sixty-three thousand four hundred dollars.

Specific appropriations.

For defraying the expense of printing certificates of registry and other documents for vessels, five thousand seven hundred and fifty dollars.

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

For the salaries, allowances and contingent expenses of ministers to foreign nations, and of secretaries of legation, one hundred and fourteen thousand dollars.

For the contingent expenses of intercourse between the United States and foreign nations, fifty 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 at Ghent, on the twenty-fourth December, one thousand eight hundred and fourteen, including the compensation of the commissioners appointed under those articles, twenty-three thousand three hundred and thirty-two dollars.

For the salaries of the agents of claims on account of captures at London, Paris, and Copenhagen, at two thousand dollars each, six thousand dollars.

For replacing the sum of twenty-five thousand dollars, heretofore appropriated and carried to the surplus fund in the year one thousand eight hundred and fifteen, for objects in relation to the intercourse with the Barbary states, twenty-five thousand dollars.

For making good a deficiency in the appropriation of last year for the intercourse with foreign nations, arising from the difference in the exchange in transmitting the money to Europe, and in the drafts of ministers and agents there upon bankers, and to meet similar expenses the present year, fifty thousand dollars.

To replace the sum of two thousand dollars, being part of an appropriation of five thousand dollars, appropriated by an act of the third of March, one thousand eight hundred and eleven, to discharge claims on account of depredations committed by the Osage Indians, and since carried to the surplus fund, two thousand dollars.

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

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 in the treasury not otherwise appropriated.

Act of Aug. 4, 1790, ch. 39.

APPROVED, April 16, 1816.

STATUTE I.

CHAP. XLVI.—*An Act providing for the settlement of certain accounts against the library of Congress, for extending the privilege of using the books therein, and for establishing the salary of the librarian.*

April 16, 1816.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the accounting officers of the treasury be, and they are hereby authorized and required to investigate and settle the accounts against the library of Congress, exhibited by George Waterston, Daniel Rapine and William Elliott; and

Certain accounts against library to be adjusted and settled.

the amount thereof, which shall be deemed equitable, shall be paid out of any moneys in the treasury not otherwise appropriated.

Librarian's salary fixed.

Repealed by act of April 18, 1818, ch. 69.

Attorney general to have the use of the books in the library.

SEC. 2. *And be it further enacted*, That there shall be allowed to the librarian for attending said library, an annual salary of one thousand dollars, payable quarterly at the treasury of the United States, to commence and take effect from and after the twenty-first day of March, one thousand eight hundred and fifteen.

SEC. 3. *And be it further enacted*, That the privilege of using the books in the library shall be extended to the attorney general of the United States and the members of the diplomatic corps on the same terms and conditions, as it is enjoyed by the judges of the supreme court.

APPROVED, April 16, 1816.

STATUTE I.

April 16, 1816.

CHAP. XLVII.—*An Act supplementary to an act, entitled "An act to incorporate a company for making certain turnpike roads within the district of Columbia."*

The company incorporated by the act of April 20, 1810, ch. 26, may extend the road.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the company for making certain turnpike roads in the district of Columbia, established by an act of Congress, passed on the twentieth day of April, one thousand eight hundred and ten, be authorized and empowered to open and make a turnpike road, at their own risk and expense, from the eastern branch bridge, to meet a road to be opened and made under the authority of the state of Maryland, from Edward H. Calvert's mill, in Prince George's county, to the line of the district of Columbia.

Tolls.

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 to which this is a supplement, and shall possess and enjoy the same rights and privileges, and be subject to the same limitations, pains and penalties, as are prescribed, enjoined and directed by the aforesaid act, and an act in addition thereto, passed on the twenty-fifth day of April, one thousand eight hundred and ten.

1810, ch. 27.

APPROVED, April 16, 1816.

STATUTE I.

April 16, 1816.

CHAP. XLIX.—*An Act further extending the time for issuing and locating military land warrants, and for other purposes.*

[Obsolete.]

Certain military land warrants to be issued by the Secretary of War.

Act of March 9, 1818, ch. 16.

Act of Feb. 24, 1819, ch. 41.

Act of March 2, 1821, ch. 15.

Act of March 3, 1823, ch. 38.

Act of March 3, 1825, ch. 111.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of War be authorized to issue military land warrants to such persons as have or shall, before the first day of March, one thousand eight hundred and eighteen, produced to him satisfactory evidence of the validity of their claims; which warrants, with those heretofore issued, and not yet satisfied, shall and may be located in the name of the holders or proprietors thereof, prior to the first day of October, one thousand eight hundred and eighteen, on any unlocated parts of the fifty quarter townships, and the fractional quarter townships, reserved by law for original holders of military land warrants. And patents shall be granted, for the land located under this act, in the same manner as is directed by former acts for granting military lands.

At the expiration of the term limited by this act, the surveyor general to be furnished by commissioner

SEC. 2. *And be it further enacted*, That at the expiration of the term limited by this act, for the location of the military land warrants aforesaid, it shall be the duty of the commissioner of the general land office, to transmit to the surveyor general a list of all the lots of land within the fifty quarter townships and fractional quarter townships, which shall at that time remain unlocated; and the surveyor general shall prepare and

transmit to the registers of the land office at Chilicothe and Zanesville, respectively, general plats of the aforesaid unlocated lots, which lots shall, after the first day of March, one thousand eight hundred and nineteen, be offered for sale at the land offices in the districts in which they are situated, in the same manner, on the same terms and conditions, in every respect, as other public lands are offered at private sale, in the same districts.

APPROVED, April 16, 1816.

of general land office with a list of lots there unlocated.

Unlocated lots to be sold.

STATUTE I.

CHAP. LII.—*An Act for the relief of certain claimants to land in the district of Vincennes.*

April 16, 1816.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the several persons whose claims were confirmed by the act of Congress, entitled "An act confirming certain claims to land in the district of Vincennes, and for other purposes," approved the third day of March, one thousand eight hundred and seven; and the act entitled "An act confirming certain claims to land in the district of Vincennes," approved the thirteenth day of February, one thousand eight hundred and thirteen, which having been located cannot be surveyed agreeably to law, or which having been located have, in the opinion of the register of the land office, for the said district, been removed by the surveys of prior locations, from the spot intended to be occupied, are hereby authorized to enter their locations with the register of the land office at Vincennes, on any part of the tract set apart for that purpose in the said district, by virtue of the act, entitled "An act respecting claims to lands in the Indiana Territory and state of Ohio," and in conformity to the provisions of this act.

Claims to lands in the district of Vincennes, confirmed by act of March 3, 1807, ch. 47.

Act of Feb. 13, 1813, ch. 23.

Act of April 16, 1816, ch. 52.

Act of March 13, 1818, ch. 18.

APPROVED, April 16, 1816.

STATUTE I.

CHAP. LIII.—*An Act to authorize the President of the United States to alter the road laid out from the foot of the rapids of the river Miami of lake Erie, to the western line of the Connecticut reserve.*

April 16, 1816.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and is hereby authorized to cause to be made, in such manner as he may deem most proper, an alteration in the road laid out under the authority of an act, entitled "An act to authorize the surveying and making of certain roads in the state of Ohio, as contemplated by the treaty of Brownstown in the territory of Michigan," so that the said road may pass through the United States' reservation at Lower Sandusky, or north thereof not exceeding three miles.

Alteration authorized of a road laid out by act of Dec. 12, 1811, ch. 8, in the state of Ohio.

SEC. 2. *And be it further enacted,* That the necessary expenses which shall be incurred in altering the said road shall be paid out of the moneys appropriated for the surveying of the public lands of the United States.

Expenses to be paid.

APPROVED, April 16, 1816.

STATUTE I.

CHAP. LV.—*An Act making further provision for military services during the late war, and for other purposes.*

April 16, 1816.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That when any officer or private soldier of the militia, including rangers, sea fencibles and

See act of March 3, 1817, ch. 107.

Representatives of officers and soldiers of militia, &c., provided for.

volunteers, or any non-commissioned officer, musician or private, enlisted for either of the terms of one year or eighteen months, or any commissioned officer of the regular army shall have died while in the service of the United States, during the late war, or in returning to his place of residence, after being mustered out of service, or who shall have died at any time thereafter, in consequence of wounds received whilst in the service, and shall have left 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, for and during the term of five years; and in case of death or intermarriage of such widow before the expiration of said five years, the half pay for the remainder of the time shall go to the child or children of said decedent. *Provided always*, That the secretary of war shall adopt such forms of evidence in applications under this act, as the President of the United States may prescribe.

Provido. *Provided also*, That the officers and private soldiers of the militia, as aforesaid, who have been disabled by wounds or otherwise, while in the service of the United States in the discharge of their duty, during the late war, shall be placed on the list of pensioners in the same manner as the officers and soldiers of the regular army, under such forms of evidence, as the President of the United States may prescribe. *Provided also*, That the provisions of this act shall not extend to any person embraced in the provision of an act, entitled "An act to provide for the widows and orphans of militia slain, and for militia disabled in the service of the United States," passed the second day of August, one thousand eight hundred and thirteen.

Act of Aug. 2, 1813, ch. 40.

Guardians of children of deceased officers may take the half pay for five years in lieu of their land.

See act of March 3, 1819, ch. 94.

SEC. 2. *And be it further enacted*, That when any non-commissioned officer, musician or private soldier of the regular army of the United States shall have been killed in battle, or have died of wounds or disease, while in the service of the United States, during the late war, and have left a child or children under sixteen years of age, it shall be lawful for the guardian of such child or children, within one year from the passing of this act, to relinquish the bounty land, to which such non-commissioned officer, musician or private soldier, had he survived the war, would have been entitled; and, in lieu thereof, to receive half the monthly pay to which such deceased person was entitled, at the time of his death, for and during the term of five years, to be computed from and after the seventeenth day of February, one thousand eight hundred and fifteen, the payment thereof to be made when and where other military pensions are or shall be paid; and where a warrant for the military bounty land aforesaid shall have been issued to or for the use of the child or children of any such deceased non-commissioned officer, musician or private soldier, such child or children, or either of them, being under sixteen years of age, it shall be lawful for the guardian of such minor or minors, to surrender and deliver such warrant into the office for the department of war, within one year from the passing of this act; of which surrender and delivery, the secretary of that department shall give notice to the Secretary of the Treasury, who shall thereupon give the requisite orders for the payment of the half pay hereby provided for.

Bounty in land to be given to soldiers, &c.

SEC. 3. *And be it further enacted*, That all soldiers who have been enlisted to serve for five years, or during the war, and were above the age of forty-five, or under the age of eighteen years, who have faithfully served during the late war, and have been regularly discharged, and the representatives of such soldiers as shall have died whilst in the service of the United States, and all soldiers who have been enlisted, and have faithfully served during the late war, until they have been promoted to the rank of commissioned officers, who, if they had served during the war under their enlistment, and been regularly discharged, would have been entitled to a bounty in land, shall be entitled to one hundred and

sixty or three hundred and twenty acres of land, according to the term of enlistment: the warrants and patents to issue in the same manner as in the case of soldiers enlisted of proper age, and discharged under similar circumstances.

SEC. 4. *And be it further enacted*, That for the purpose of carrying the provisions of this act into effect, and other acts giving bounty lands to soldiers of the regular army, the President of the United States is hereby authorized to cause to be surveyed and laid off in one or more surveys, two millions of acres not otherwise appropriated, in addition to the appropriations of lands by the act of May the sixth, one thousand eight hundred and twelve, for designating, surveying and granting military bounty lands according to the provisions of said act.

SEC. 5. *And be it further enacted*, That no transfer of land, granted in virtue of this or any other law, giving bounties of land to non-commissioned officers, musicians and privates enlisted during the late war, shall be valid, unless the contract or agreement therefor, or letter of attorney, giving power to sell or convey, shall have been executed after the patents shall be issued and delivered to the persons entitled thereto.

APPROVED, April 16, 1816.

Land appropriated for satisfying this act. 1812, ch. 77.

Transfers of the land not valid until patents shall be issued.

CHAP. LVI.—*An Act in addition to an act, entitled "An act in relation to the navy pension fund."*

STATUTE I.

April 16, 1816.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in all cases of prizes captured by the public armed ships of the United States, which shall be sold under the order of the proper prize court, by interlocutory or final decree, it shall be the duty of the marshal of the United States, making the sale, to pay the proceeds thereof into the registry of the proper court, within thirty days after such sale shall be made and closed, and immediately upon the payment into the registry of the proceeds as aforesaid, it shall be the duty of the clerk of the court to deposit the same in some bank to be designated by the judge or judges of the court, subject to the order and distribution of the court as in other cases, and when the said prizes shall have been duly condemned, it shall be the duty of the court to direct the share of such prizes belonging to the United States, to be forthwith carried in the account with such bank, to the credit of the treasurer of the United States, on account of the navy pension fund, and copies of the certificate of such deposit and credit shall be thereupon transmitted to the treasurer of the United States and to the Secretary of the Navy, as soon as may be, by the clerk of such court; and the share of such prizes belonging to the captors, deposited as aforesaid, shall be paid over to the parties entitled, or to their authorized agent or agents, upon the order of the proper court in term, or of the judge or judges of such court in vacation.

Act of March 2, 1799, ch. 24, sect. 9, 10.

Act of March 26, 1804, ch. 48.

Proceeds of the sales of prize vessels—how to be paid over and disposed of.

SEC. 2. *And be it further enacted*, That it shall be the duty of the marshals of the several districts of the United States, and of the clerks of the respective courts of the United States, to state and settle their respective accounts in all cases of prizes captured as aforesaid, specifying therein all costs and charges taxed, claimed and paid by them, and to submit the same to the proper court, having cognisance thereof, for examination and allowance, within sixty days after a final adjudication of such causes, unless a different time shall be assigned by such court; and thereupon such courts in term, or any judge thereof in vacation may proceed summarily to hear, examine, and allow the same accounts, and, after such allowance, one copy of the same accounts shall be filed among the records of the court, and another copy shall be transmitted by the clerk of the court to the Secretary of the Navy, within thirty days after the allowance thereof.

Marshal's and clerk's duty prescribed with respect to prize accounts.

District attorney's duty also prescribed.

SEC. 3. *And be it further enacted*, That it shall be the duty of the district attorneys of the respective districts of the United States to transmit to the Secretary of the Navy a statement of all prizes captured as aforesaid which shall be libelled, condemned, or restored, at each term of the district and circuit courts, within their respective districts, as soon as may be after the conclusion of each term, and to accompany such list with a schedule and invoice of the various articles composing the cargoes of such prizes.

Clerks may be compelled to fulfil the directions prescribed.

SEC. 4. *And be it further enacted*, That the respective courts of the United States, before whom a libel against any prizes captured as aforesaid, shall be pending, or by whom a decree of condemnation and distribution of such prizes shall have been awarded, shall have full power and authority, in the exercise of their admiralty and maritime jurisdiction, to issue a monition and other proper process to compel the marshal and clerk to perform, and obey the requisitions of this act; and upon the complaint of the United States or any person interested in the premises, summarily to hear and examine the same, and to make such award, order and decree therein, as to justice and law shall appertain. And if the marshal or clerk shall wilfully refuse, or unreasonably neglect to perform and obey any of the requisitions of this act; the party so refusing or neglecting shall further forfeit and pay to the United States the sum of five hundred dollars for every such refusal or neglect.

Extra allowance to accountant of navy department.

SEC. 5. *And be it further enacted*, That there shall be allowed to the accountant of the Navy Department for his extra services in collecting, stating and settling the accounts of prize money belonging to the navy pension fund, the annual sum of three hundred dollars, to be paid quarter yearly out of the navy pension fund.

Marshals to make payments for proceeds of prize vessels into the registry of the court.

SEC. 6. *And be it further enacted*, That wherever sales of prizes, captured as aforesaid, have been made before the passing of this act, and the proceeds thereof have not been paid into the registry of the proper court, or finally distributed under its order, it shall be the duty of the marshal, who made the sale, within six calendar months from the passing of this act, or such shorter reasonable time as may be assigned by the court, or the judge or judges thereof, to pay into the registry of the court the proceeds of such sale, with a written account of the costs and charges, attending the same, and to submit the same account for examination and allowance to the court, or the judge or judges thereof; and in like manner it shall be the duty of the respective clerks of the district courts, within six calendar months from the passing of this act, or such shorter reasonable time as may be assigned by the proper court, or the judge or judges thereof to present to such court, or the judge or judges thereof, for examination and allowance, a particular account of their fees and charges, in all cases of prizes captured as aforesaid, where such account has not been already presented and allowed; and after such account shall be examined and allowed, it shall be filed among the records of the court, and a copy thereof, duly attested, shall be transmitted by the clerk of the court to the Secretary of the Navy; and if any marshal or clerk shall neglect or refuse to perform the duties herein required, he may be proceeded against in the proper court, in the manner provided in the fourth section of this act.

Commissioners of navy pension fund may increase the allowance to invalids.

SEC. 7. *And be it further enacted*, That in cases where the allowance of the half monthly pay, which may now be granted by law, to officers, seamen, and marines, disabled in the service of the United States, shall, in the opinion of the commissioners of the navy pension fund, from the nature and extent of the disability, and the situation of the party disabled, be inadequate to his necessary subsistence, the said commissioners shall be, and hereby are, authorized, in their discretion, to increase such allowance to any sum not exceeding the full amount of the monthly pay to which the party so disabled was by law entitled in the said service.

APPROVED, April 16, 1816.

STATUTE I.

April 19, 1816.

CHAP. LVII.—*An Act to enable the people of the Indiana 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. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the inhabitants of the territory of Indiana be, and they are hereby 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.

Inhabitants authorized to form a government with such name as they please—to be admitted into the union.

SEC. 2. *And be it further enacted,* That the said state shall consist of all the territory included within the following boundaries, to wit: bounded on the east, by the meridian line which forms the western boundary of the state of Ohio; on the South, by the river Ohio, from the mouth of the Great Miami river, to the mouth of the river Wabash; on the west, by a line drawn along the middle of the Wabash, from its mouth to a point, where a due north line drawn from the town of Vincennes, would last touch the north western shore of the said river; and from thence by a due north line, until the same shall intersect an east and west line, drawn through a point ten miles north of the southern extreme of lake Michigan; on the north, by the said east and west line, until the same shall intersect the first mentioned meridian line which forms the western boundary of the state of Ohio: *Provided,* That the convention hereinafter provided for, when formed, shall ratify the boundaries aforesaid; otherwise they shall be and remain as now prescribed by the ordinance for the government of the territory northwest of the river Ohio: *Provided, also,* That the said state shall have concurrent jurisdiction on the river Wabash, with the state to be formed west thereof, so far as the said river shall form a common boundary to both.

Limits.

Proviso.

SEC. 3. *And be it further enacted,* That all male citizens of the United States, who shall have arrived at the age of twenty-one years, and resided within the said territory, at least one year previous to the day of election, and shall have paid a 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 amongst the several counties within the said territory, according to the apportionment made by the legislature thereof, at their last session, to wit: from the county of Wayne, four representatives; from the county of Franklin, five representatives; from the county of Dearborn, three representatives; from the county of Switzerland, one representative; from the county of Jefferson, three representatives; from the county of Clark, five representatives; from the county of Harrison, five representatives; from the county of Washington, five representatives; from the county of Knox, five representatives; from the county of Gibson, four representatives; from the county of Posey, one representative; from the county of Warrick, one representative; and from the county of Perry, one representative. And the election for the representatives aforesaid, shall be holden on the second Monday of May, one thousand eight hundred and sixteen, throughout the several counties in the said territory; and shall be conducted in the same manner, and under the same penalties, as prescribed by the laws of the said territory, regulating elections therein for members of the House of representatives.

Qualifications of electors of members of the convention.

Apportionment among the counties of the members.

SEC. 4. *And be it further enacted,* That the members of the convention, thus duly elected be, and they are hereby authorized to meet at the

(a) Indiana was admitted into the Union by resolution of December 11, 1816.

Time and place of the meeting of the convention.

seat of the government of the said territory, on the second Monday of June 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: or if it be deemed more expedient, the said convention shall provide by ordinance for electing representatives to form a constitution, or frame of government; which said representatives shall be chosen in such manner, and in such proportion, and shall meet at such time and place, as shall be prescribed by the said ordinance, and shall then form, for the people of said territory, a constitution and state government: *Provided*, That the same, whenever formed, shall be republican, and not repugnant to those articles of the ordinance of the thirteenth of July, one thousand seven hundred and eighty-seven, which are declared to be irrevocable between the original states, and the people and states of the territory northwest of the river Ohio; excepting so much of said articles as relate to the boundaries of the states therein to be formed.

Proviso.

Vol. i. 51.

Representative until another census.

Sec. 5. *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.

Propositions on the part of the United States, offered to the convention of the territory. If accepted, to be obligatory upon the United States.

Sec. 6. *And be it further enacted*, That the following propositions be, and the same are hereby offered to the convention of the said territory of Indiana, when formed, for their free acceptance or rejection, which, if accepted by the convention, shall be obligatory upon the United States.

Grant of land for schools.
Salt springs.

First. That the section numbered sixteen, in every township, and when such section has been sold, granted or disposed of, other lands, equivalent thereto, and most contiguous to the same, shall be granted to the inhabitants of such township for the use of schools.

Second. That all salt springs within the said territory, and the land reserved for the use of the same, together with such other lands as may, by the President of the United States, be deemed necessary and proper for working the said salt springs, not exceeding, in the whole, the quantity contained in thirty-six entire sections, shall be granted to the said state, for the use of the people of the said state, the same to be used under such terms, conditions, and regulations as the legislature of the said state shall direct: provided the said legislature shall never sell nor lease the same, for a longer period than ten years at any one time.

Five per cent. of the proceeds of the public lands reserved for roads and canals.

Act of April 11, 1818, ch. 49.

Third. 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.

An additional township for a seminary of learning.

Fourth. That one entire township, which shall be designated by the President of the United States, in addition to the one heretofore reserved for that purpose, shall be reserved for the use of a seminary of learning, and vested in the legislature of the said state, to be appropriated solely to the use of such seminary by the said legislature.

Act of March 3, 1819, ch. 83.
Four sections for the seat of government.

Fifth. That four sections of land be, and the same are hereby granted to the said state, for the purpose of fixing their seat of government thereon, which four sections shall, under the direction of the legislature of said state, be located at any time, in such township and range, as the legislature aforesaid may select, on such lands as may hereafter be acquired by the United States, from the Indian tribes within the said territory: *Provided*, That such locations shall be made prior to the public

Proviso.

sale of the lands of the United States, surrounding such location: *And provided always*, That the five foregoing provisions, herein offered, are on the conditions that the convention of the said state shall provide by an ordinance irrevocable, without the consent of the United States, that every and each tract of land sold by the United States, from and after the first day of December next, shall be and remain exempt from any tax, laid by order or under any authority of the state, whether for state, county or township, or any other purpose whatever, for the term of five years, from and after the day of sale.

APPROVED, April 19, 1816.

Proviso.

CHAP. LVIII.—*An Act to abolish the existing duties on spirits distilled within the United States, and to lay other duties, in lieu of those at present imposed, on licenses to distillers of spirituous liquors.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the thirtieth day of June next, the act entitled “An act, to provide additional revenues for defraying the expenses of government, and maintaining the public credit by laying duties on spirits distilled within the United States and territories thereof, and by amending the act, laying duties on licenses to distillers of spirituous liquors, passed the twenty-first day of December, one thousand eight hundred and fourteen, shall cease and determine, excepting inasmuch as the same is applicable to the duty payable for licenses for stills or boilers granted previously to the first day of July next: *Provided*, That the provisions of the aforesaid act shall remain in full force and virtue, so far as the same may relate to the rendering of the accounts of spirits distilled previous to the first day of July next, and to the collection and recovery of all duties laid by the said act, that may have accrued previous thereto, and which shall then remain outstanding, and to the recovery, distribution, and remission of fines, penalties and forfeitures, which may be incurred in relation to the said duties.

SEC. 2. *And be it further enacted*, That every person who, after the thirtieth day of June next, shall be the owner of any still or stills, or other implements in lieu of stills, used for the purpose of distilling spirituous liquors, or who shall have such still or stills, or implements as aforesaid, under his superintendence, either as agent for the owner, or on his own account, and for which a license extending beyond said day shall not have been previously obtained, and every person who, having such license, shall after its expiration, use or intend to use any still or stills, or implements as aforesaid, either as owner, agent, or otherwise, shall, before he shall so begin to use such still or stills, or other implements in lieu thereof, for the purpose of distilling spirituous liquors, apply for, and obtain from the collector appointed by virtue of the act, entitled “An act, for the assessment and collection of direct taxes, and internal duties,” for the collection district in which such person resides (or to the deputy of such collector duly authorized) a license for using the said still or stills, or other implements as aforesaid; which licenses respectively shall be granted at the option of the proprietor or possessor of such still or stills, for any or either of the terms mentioned in this act, upon the payment in money by such proprietor or possessor, of the duties payable on the said license or licenses, according to the provisions of this act, if the said duties upon such still or stills, or other implements, when added together, if there be more than one still or other implement for distilling spirits shall not exceed twenty dollars; and if they shall exceed twenty dollars, on such proprietor or possessor executing and delivering to the collector, or to his deputy as aforesaid, a bond with two or more sureties, to the satisfaction of such collector or deputy, conditioned

STATUTE I.

April 19, 1816.

[Repealed.]

Act of Dec. 23, 1817, ch. 1.
Act of Dec. 21, 1814, ch. 15, cease after June 30, 1816.
Exceptions.

Repeal of a former act.

Proviso as to spirits distilled.

Licenses to be obtained for using stills, &c.

Owners of stills or superintendents to obtain licenses.

Act of July 22, 1813, ch. 16.

These duties are to be paid or secured.

for the payment of said duties, at the end of twelve months after the expiration of the term for which such license or licenses, respectively, shall have been granted. And the said bond shall be taken in the name of the United States of America, and in such form, as shall be prescribed by the Treasury Department. And if any person shall, after the said thirtieth day of June next, use or cause to be used any still or stills, or other implements as aforesaid, in distilling spirituous liquors; or shall be the owner of, or have under his superintendence, either as agent or otherwise, any still or stills, or other implements as aforesaid, which shall, after the said day, have been used as aforesaid, without having a license therefor as aforesaid, continuing in force for the whole time, during which the said still or stills, or implements as aforesaid, shall have been thus used, or who shall keep, during any period for which a license has been granted to such person, any still or boiler, or other implement liable to duty in their fixtures in a situation for use, without having first obtained a license for the same, agreeably to the provisions of this act, every such person shall forfeit and pay the sum of one hundred dollars, together with double the amount of duties which would have been payable for the term during which such still or stills, or implements as aforesaid, shall be thus used, or kept in a situation for use, as aforesaid, had the said still or stills, or implements aforesaid, been entered according to the provisions of this act, to be recovered with costs of suit.

Penalties and forfeitures.

Penalties for keeping prepared materials for distillation in cases in which licenses have not been granted.

Periods for which licenses may be granted.

SEC. 3. *And be it further enacted*, That if any person shall keep in or about his distillery any beer or other liquor, prepared from grain, for the purpose of distillation, for more than eight days, during any time for which such person shall not have obtained a license for distillation, he shall forfeit and pay the sum of one hundred dollars for every such offence.

SEC. 4. *And be it further enacted*, That the licenses aforesaid shall and may be granted, for and during the following terms or periods, and on the securing of payment as aforesaid, of the duties under-mentioned, namely :

For a still or stills employed in distilling spirits from domestic materials, for a license for the employment thereof, for and during the term of one week, four and a half cents for each gallon of the capacity of every such still, including the head thereof; for a license for and during the term of two weeks, nine cents for each gallon of its capacity as aforesaid; for a license for and during the term of one month, eighteen cents for each gallon of its capacity as aforesaid; for a license for and during the term of two months, thirty-six cents for each gallon of its capacity as aforesaid; for a license for and during the term of three months, fifty-four cents for each gallon of its capacity as aforesaid; for a license for and during the term of four months, seventy-two cents for each gallon of its capacity as aforesaid; for a license for five months, ninety cents for each gallon of its capacity as aforesaid; for a license for and during the term of six months, one hundred and eight cents for each gallon of its capacity as aforesaid; for a license for one year, two hundred and sixteen cents for each gallon of its capacity as aforesaid: *Provided*, That there shall be paid upon each still employed wholly in the distillation of roots, but one half the rates of duties above mentioned, according to the capacity of such still.

For a still or stills employed in distilling spirits from foreign materials, for a license for the employment thereof for and during the term of one month, twenty-three cents for each gallon of the capacity of every such still, including the head thereof; for a license for and during the term of two months, forty-six cents for each gallon of its capacity as aforesaid; for a license for and during the term of three months, sixty-eight cents for each gallon of its capacity as aforesaid; for a license for and during the term of four months, ninety cents for each gallon of its capacity as aforesaid: for a license for and during the term of six months, one hundred and thirty-five cents for each gallon of its capacity as aforesaid; for

a license for and during the term of eight months, one hundred and eighty cents for each gallon of its capacity as aforesaid; for a license for one year, two hundred and seventy cents for each gallon of its capacity as aforesaid.

And for every boiler, however constructed, employed for the purpose of generating steam in those distilleries where wooden or other vessels are used instead of metal stills, and the action of steam is substituted for the immediate application of fire to the materials from which the spirituous liquors are distilled, for a license for the employment thereof, double the amount on each gallon of the capacity of the said boiler, including the head thereof, which would be payable for the said license, if granted for the same term, and for the employment on the same materials of a still or stills to the contents of which, being the materials from whence the spirituous liquors are drawn, an immediate application of fire, during the process of distillation, is made.

SEC. 5. *And be it further enacted*, That it shall be the duty of the collectors, within their respective districts, to grant licenses for distilling, which licenses shall be marked with a mark denoting the rate of duty thereupon, and shall be signed by the commissioner of the revenue, and being countersigned by the collector who shall issue the same, or cause the same to be issued, shall be granted to any person who shall desire the same, upon application in writing, and upon payment or securing of payment as aforesaid, of the sum or duty payable by this act, upon each license requested.

Licenses for distilling to be marked with a mark denoting the rate of duty.

SEC. 6. *And be it further enacted*, That the application in writing, to be made by any person applying for a license for distilling as aforesaid, shall state the place or places of distilling, the number and contents of the still or stills, boiler or boilers, and whether intended to distil spirituous liquors from foreign or domestic materials. And no person having obtained a license in one collection district shall be required to take out an additional license in another district for the same still within the period of the first license. And every person making a false statement in either of the said particulars, or who shall distil spirituous liquors from materials other than those stated in the application aforesaid, as well as the owner or superintendent of any distillery, still or stills, with respect to which such false statement shall have been made, or which shall be thus unlawfully employed, shall forfeit and pay the sum of one hundred and fifty dollars, to be recovered with costs of suit.

Particulars to be stated in applications for licenses.

SEC. 7. *And be it further enacted*, That every such collector, or his deputy duly authorized under his hand and seal, shall be authorized to enter at any time any distillery, or place where any still, boiler or other vessel used in distillation are kept or used within his collection district, for the purpose of inspecting, examining or measuring the same, and the other vessels therein. And every owner of such distillery, stills, or boilers, or other vessels, or person having the care, superintendence or management of the same, who shall refuse to admit such officer as aforesaid, or to suffer him to inspect, examine or measure the same, shall for every such refusal, forfeit and pay the sum of five hundred dollars.

Collectors may enter distilleries, &c., to inspect, &c.

SEC. 8. *And be it further enacted*, That in cases in which a license for stills or boilers may have been granted for their employment, according to the present rates of duty, for a period extending beyond the thirtieth day of June, one thousand eight hundred and sixteen, the person to whom the same may have been granted or transferred shall, on or before the said day, pay, or secure the payment, in manner aforesaid, of a sum equal to such proportion of the additional duty hereby imposed on licenses for stills and boilers as said period bears to that for which the said license was granted; the payment of which sum shall be endorsed by the collector on said license. And if any still or boiler shall, after the said thirtieth day of June, be employed in distilling spirituous liquors without

Additional duties to be paid in certain cases.

the additional duty having been previously paid or secured as aforesaid, the owner, agent, or superintendent thereof shall forfeit and pay the sum of one hundred dollars, together with double the amount of the said additional duties.

SEC. 9. *And be it further enacted*, That all the provisions of this act shall be deemed to apply to any still or boiler, or other vessel, used in distillation, which shall be employed in the rectification of spirituous liquors.

Licenses for distilling from domestic, extended to foreign materials.

Discount allowed for paying the duty upon obtaining license.

Distillers authorized to sell in quantities not less than a gallon, without license.

Provisions of a former act adopted by this. Act of Aug. 3, 1813, ch. 56.

Duty of the collectors to make collections, &c.

SEC. 10. *And be it further enacted*, That any license heretofore or hereafter granted for employing a still, boiler, or other vessel, in distilling spirits from foreign materials, shall authorize the distilling spirits from domestic materials also.

SEC. 11. *And be it further enacted*, That a deduction at the rate of eight per centum shall be made from the duty payable for a license to distil spirituous liquors, on the payment thereof at the time of obtaining the same, whether the same be payable on a credit or not, according to the provisions of this act.

SEC. 12. *And be it further enacted*, That in future it shall be lawful for the distiller or distillers of domestic spirits, and all persons from whose materials such spirits shall be distilled, to sell without a license, by retail, any quantity thereof, not less than one gallon.

SEC. 13. *And be it further enacted*, That the several provisions of "An act making further provision for the collection of internal duties, and for the appointment and compensation of assessors," passed on the second day of August, one thousand eight hundred and thirteen, shall, and are hereby declared to apply in full force to the duties laid by, and to be collected under, this act, the same as if such duties and this act were recognised therein; which said duties shall be collected by the same collectors, in the same manner, for the same commissions, and under the same directions, as are thereby established in relation to the other internal duties: and all the obligations, duties and penalties thereby imposed upon collectors, are hereby imposed upon the collectors of the duties laid by this act.

SEC. 14. *And be it further enacted*, That it shall be the duty of the collectors aforesaid, in their respective districts, and they are hereby authorized to collect the duties imposed by this act, and to prosecute for the recovery of the same, and for the recovery of any sum or sums which may be forfeited by virtue of this act. And all fines, penalties and forfeitures, which shall be incurred by force of this act, shall and may be sued for and recovered in the name of the United States by bill, plaint, information or action of debt, one moiety thereof to the use of the United States, and the other moiety thereof to the use of the person who, if a collector, shall first discover, if other than a collector, shall first inform of the cause, matter or thing, whereby any such fine, penalty or forfeiture, shall have been incurred, unless the breach of this act, for which such fine, penalty, or forfeiture may be incurred, cannot be established without the testimony of such collector or other informant, in which case the whole of such fine, penalty or forfeiture shall be to the use of the United States.

APPROVED, April 19, 1816.

STATUTE I.

April 20, 1816.

[Obsolete.]

Act of March 31, 1814, ch. 39.

CHAP. LXIII.—*An Act, further supplementary to the act, entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi territory."*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That every person or persons claiming public lands in the Mississippi territory, under the act or pre-

tended act of the state of Georgia, passed January the seventh, one thousand seven hundred and ninety-five, who have not duly released their claims to the United States, so as to entitle them to the indemnification provided by the act of Congress, passed the thirty-first day of March, one thousand eight hundred and fourteen, entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi territory," and the acts supplementary thereto, shall be allowed further time to execute and file with the commissioners appointed to decide on such claims, good and sufficient legal releases of their claim, as by said acts are required, until the first Monday of March next. And the commissioners aforesaid are hereby authorized and empowered to decide on such claims, and to adjudge to every such claimant or claimants the proportion of indemnification to which he or they may be respectively entitled.

Further time allowed to claimants.

1814, ch. 39.

1815, ch. 24, 96.

SEC. 2. *And be it further enacted*, That the commissioners aforesaid shall be, and they are hereby authorized, in all cases where they shall direct suits to be commenced for the recovery of money fraudulently withdrawn from the treasury of Georgia, to transmit to the counsel or attorney appointed to institute and conduct such suits or prosecutions, all original papers or documents in their possession, that may furnish evidence to sustain the same.

Commissioners authorized to send to the counsel employed by them original papers and documents.

SEC. 3. *And be it further enacted*, That there shall be allowed and paid, out of the treasury of the United States, to each of the said commissioners and their secretary, the further sum of one thousand dollars, as a compensation for the additional services required by this act.

Additional compensation to commissioners and their secretary.

APPROVED, April 20, 1816.

STATUTE I.

CHAP. LXIV.—*An Act concerning field officers of the militia.*

April 20, 1816.

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 May next, instead of one lieutenant colonel commandant to each regiment, and one major to each battalion of the militia, as is provided by the act entitled "An act more effectually to provide for the national defence, by establishing an uniform militia throughout the United States," approved May the eighth, one thousand seven hundred and ninety-two, there shall be one colonel, one lieutenant colonel and one major to each regiment of the militia, consisting of two battalions. Where there shall be only one battalion, it shall be commanded by a major: *Provided*, that nothing contained herein shall be construed to annul any commission in the militia which may be in force, as granted by authority of any state or territory, in pursuance of the act herein recited, and bearing date prior to the said first day of May next.

Officers of the militia after May 1, 1816.

Act of May 8, 1792, ch. 33.

APPROVED, April 20, 1816.

STATUTE I.

CHAP. LXV.—*An Act respecting the late officers and crew of the sloop of war Wasp.*

April 20, 1816.

[Obsolete.]

Whereas, there is reason to apprehend that the sloop of war Wasp, an armed ship of the United States, and lately commanded by Captain Johnson Blakely, is lost:

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there be allowed and paid to the representatives of Captain Johnson Blakely, and of each of the officers and crew aforesaid, as is hereinafter directed, twelve months' wages; and that there be paid to the aforesaid representatives,

Twelve months' pay allowed to the representatives of Capt. Blakely, his officers and crew.

Fifty thousand dollars to be distributed as prize money.

How the distribution is to be made.

Shares not called for to go into the navy pension fund. Proviso.

Prize agent to be appointed under this act.

and to the survivors of said officers and crew, if such there be, the sum of fifty thousand dollars, to be distributed as prize money for the capture and destruction, by said sloop of war, of the British armed vessels *Reindeer* and *Avon*.

SEC. 2. *And be it further enacted*, That the distribution of said wages and compensation shall be as follows, viz: one third to the widow, and two third parts to the children of the deceased; and in case there be no child, the whole to the widow; and if there be no widow, then to the child or children; and if there be neither widow nor child, then to the parent or parents; and if there be no parent, then to the brothers and sisters; and if there be neither brother nor sister, then such share or shares not claimed as aforesaid, shall be and remain part of the navy pension fund; and the sums aforesaid shall be paid out of any moneys in the treasury not otherwise appropriated: *Provided*, that in all cases in which there shall be only one child, the widow shall have an equal share with the child.

SEC. 3. *And be it further enacted*, That the Secretary of the Navy be, and he is hereby authorized and required to appoint a prize agent, whose duty it shall be to disburse the moneys aforesaid, or to refund any balance thereof, under such rules and regulations as the said secretary may prescribe; and that all moneys not claimed by virtue of this act within two years from the day when said sums shall be put at the disposal of the said prize agent, shall be deemed and held a part of the navy pension fund.

APPROVED, April 20, 1816.

STATUTE I.

April 24, 1816.

CHAP. LXVII.—*An Act authorizing the President of the United States to lease the saline near the Wabash river, for a term not exceeding seven years.*

The President authorized to lease the United States' saline.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby authorized to lease the United States' saline, near the Wabash river, for a term not exceeding seven years, from and after the end of the present term, on such conditions as will ensure the working the same most extensively and most advantageously to the United States.

APPROVED, April 24, 1816.

STATUTE I.

April 24, 1816.

CHAP. LXVIII.—*An Act to increase the pensions of invalids in certain cases; for the relief of invalids of the militia; and for the appointment of pension agents in those states where there is no commissioner of loans. (a)*

Rates of pensions apportioned by disabilities.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all persons, of the ranks hereinafter named, who are now on the military pension roll of the United States, shall, from and after the passage of this act, be entitled to, and receive, for disabilities of the highest degree, the following sums, in lieu of those to which they are now entitled, to wit: a first lieutenant, seventeen dollars; a second lieutenant, fifteen dollars; a third lieutenant, fourteen dollars; an ensign, thirteen dollars; and a non-commissioned officer, musician or private, eight dollars per month; and for disabilities of a degree less than the highest, a sum proportionably less.

SEC. 2. *And be it further enacted*, That all persons of the aforesaid ranks, who may hereafter be placed on the military pension roll of the

(a) Act of March 3, 1817, ch. 64.

Acts of March 3, 1819, ch. 81, 91, 94.

United States, shall, according to their ranks and degrees of disabilities, be placed on at the aforesaid rates of pensions in lieu of those heretofore established: *Provided*, That nothing herein contained shall be construed to lessen the pension of any person who, by special provision, is entitled to a higher pension than is herein provided.

SEC. 3. *And be it further enacted*, That all laws and regulations relating to the admission of the officers and soldiers of the regular army to be placed on the pension roll of the United States shall, and they are hereby declared to relate equally to the officers and soldiers of the militia, whilst in the service of the United States.

SEC. 4. *And be it further enacted*, That the Secretary for the department of War be, and he is hereby authorized and required to appoint some fit and proper person in those states and territories where there is no commissioner of loans, and also in the district of Maine, to perform the duties in those states and territories, and in said district respectively, relating to pensions and pensioners, which are now required of said commissioners in their respective states.

APPROVED, April 24, 1816.

Persons provided for by the first section to be put on the pension bill according to the rates therein prescribed.

Laws and regulations relating to the regular army to extend to the militia.

Secretary of War may appoint persons in lieu of the commissioners of loans, where there are no commissioners.

STATUTE I.

CHAP. LXIX.—*An Act for organizing the general staff, and making further provisions for the army of the United States.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in addition to the act providing for a military peace establishment, the provisions of the act of March the third, one thousand eight hundred and thirteen, for the better organization of the general staff be, and the same are hereby so far established, that the general staff shall in future consist of one adjutant and inspector general of the army, and one adjutant general, one inspector general, three topographical engineers, and one quartermaster general, with one deputy quartermaster general to a division; and an assistant of each to every brigade, which shall supersede the brigade quartermasters and inspectors now existing; and that the apothecary general, as heretofore authorized, be allowed two assistant apothecaries.

SEC. 2. *And be it further enacted*, That the medical staff shall be so extended, that there shall be four hospital surgeons, and eight hospital surgeon's mates to each division, with as many post surgeons as the service may require, not exceeding twelve to each division, who shall receive the same pay and emoluments as hospital surgeon's mates, and that there be three judge advocates to each division, and one chaplain to each brigade of the army, who shall receive the pay and emoluments of major, as heretofore allowed.

SEC. 3. *And be it further enacted*, That the pay department shall consist of one paymaster general of the army, with the annual salary of two thousand five hundred dollars, and that in addition to regimental paymasters, (a) there be appointed one paymaster to each battalion of the corps of artillery, who, as well as the regimental paymasters, in addition to the regular and punctual payment of their respective regiments or corps, shall discharge the duties of district paymasters within such district as shall from time to time be assigned them by the paymaster general, under the direction of the Secretary of War. *Provided*, That regimental and battalion paymasters may be taken either from the subalterns of the army, or citizens, and appointed by the President of the United States. *Provided also*, That regimental and battalion paymasters shall receive the pay and emoluments of major, and shall each be allowed a capable non-

April 24, 1816.

Repealed by act of April 14, 1818, ch. 61.

See act of March 3, 1815, ch. 78.

Act of March 3, 1813, ch. 52.

Provisions of a former act re-enacted—some supplemental provisions established.

Act of March 2, 1821, ch. 13.

Act of March 3, 1815, ch. 78.

Act of May 8, 1820, ch. 75.

Medical staff.

Judge advocates and chaplain.

Pay department.

Proviso.

Proviso.

(a) *Paymaster in the army of the United States.*—A paymaster in the army of the United States, appointed under the act of Congress passed April 24, 1816, is entitled to the pay and emoluments of a major of infantry, and not to that of a major of cavalry. *Wetmore v. The United States*, 10 Peters, 647.

commissioned officer as clerk, who, while so employed, shall receive double pay, and the actual expense of transportation while travelling under orders in the discharge of his duty.

Duty of the regimental and battalion paymasters in making returns, &c.

SEC. 4. *And be it further enacted*, That it shall be the duty of the regimental and battalion paymasters to pay all the regular troops; and to ensure punctuality and responsibility, correct reports shall be made to the paymaster general once in two months, showing the disposition of the funds previously transmitted, with accurate estimates for the next payment of such regiment, garrison or department, as may have been assigned to each, and whenever any paymaster shall fail to transmit such estimate, or neglect to render his vouchers to the paymaster general for settlement of his accounts, more than six months after receiving funds, he shall be recalled, and another appointed in his place.

Purchasing department.

SEC. 5. *And be it further enacted*, That the purchasing department shall consist of one commissary general of purchases, as heretofore authorized, with the annual salary of three thousand dollars, and one deputy commissary to each division, with the annual salary of two thousand dollars, and six assistant commissaries of issues, with the annual salary of one thousand three hundred dollars, and as many military storekeepers as the service may require, whose salaries shall be regulated by the Secretary of War, according to the duty they may perform: *Provided*, That the pay and emoluments shall not exceed that of a captain of infantry.

Proviso.

All officers of the pay, commissary, and quartermaster's departments to give bonds and security, and to be subject to the rules and articles of war.

Proviso.

SEC. 6. *And be it further enacted*, That all officers of the pay, commissary and quartermaster's department, shall, previous to their entering on the duties of their respective offices, give good and sufficient bonds to the United States, fully to account for all moneys and public property which they may receive, in such sum as the Secretary of War shall direct. And all paymasters, commissaries and storekeepers, shall be subject to the rules and articles of war, in the same manner as commissioned officers: *Provided also*, That all officers of the pay and commissary's departments be submitted to the Senate for their confirmation, in the same manner as the officers of the army.

President may prescribe the quantity and kind of clothing.

Proviso.

SEC. 7. *And be it further enacted*, That the President of the United States be, and he hereby is authorized to prescribe the quantity and kind of clothing to be issued annually to the troops of the United States. *Provided*, That whenever more than the authorized quantity is required the value of the extra articles shall be deducted from the soldiers' pay, and in like manner the soldiers shall receive pay, according to the annual estimated value for such authorized articles of uniform as shall not have been issued to him in each year. *Provided also*, That the manner of issuing and accounting for clothing, shall be established in the general regulations of the war department.

Proviso.

At what rate soldiers discharged are to be paid for deficient articles of clothing.

SEC. 8. *And be it further enacted*, That in all cases where a soldier of the regular army shall have been discharged from the service of the United States, and clothing shall be due to said soldier, it shall be the duty of the paymaster general to cause the same to be paid for according to the price paid in the seventh section of this act.

Pay and emoluments of the several officers of the staff.

1813, ch. 52.

SEC. 9. *And be it further enacted*, That the several officers of the staff shall respectively receive the pay and emoluments, and retain all the privileges secured to the staff of the army, by the act of March third, one thousand eight hundred and thirteen, and not incompatible with the provisions of this act; and that the regulations in force before the reduction of the army, be recognised, as far as the same shall be found applicable to the service, subject however to such alterations as the Secretary of War may adopt, with the approbation of the President.

Certain officers of the staff, provisionally retained in service, to be con-

SEC. 10. *And be it further enacted*, That the officers of the staff, provisionally retained by the President, and in this act enumerated and made permanent, be recognised in service under this act, and that the garrison surgeons and mates be hereafter considered as post surgeons; and here-

after the staff of the army may be taken from the line of the army, or from citizens.

SEC. 11. *And be it further enacted*, That the ordnance department be continued as at present organized under the act of February eighth, one thousand eight hundred and fifteen, and that ordnance officers be assigned to their duties with the staff of the army, in the same manner as from the corps of engineers.

SEC. 12. *And be it further enacted*, That when forage is not drawn in kind by officers of the army entitled thereto, eight dollars per month, for each horse, not exceeding the number authorized by existing regulations, shall be allowed in lieu thereof: *Provided*, That neither forage, nor money shall be drawn by officers, but for horses actually kept by them in service: *Provided also*, That none, except company officers shall be allowed to take as servants or waiters, soldiers of the army, and that all officers be allowed, for each private servant actually kept in service, not exceeding the number authorized by existing regulations, the pay, rations and clothing of a private soldier, or money in lieu thereof, on a certificate setting forth the name and description of the servant or servants, in the pay account: *Provided also*, That one additional ration be allowed to all subaltern officers of the army.

APPROVED, April 24, 1816.

tinued permanently under this act.

Ordnance department to be continued as at present organized.

Act of Feb. 8, 1815, ch. 38.

Rate of forage when not received in kind.

Proviso.

Proviso.

CHAP. LXXI.—*An Act concerning the entry of vessels at the ports of Middletown and Plymouth.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall be lawful to make entry of foreign ships or vessels, and of cargoes which may be on board the same, and to unlade such cargoes respectively, or any part thereof, at the port of Middletown, in the state of Connecticut, and at Plymouth, in the state of North Carolina, under the regulations in such cases by law provided.

APPROVED, April 24, 1816.

STATUTE I.

April 24, 1816.

Entry of vessels at Middletown and Plymouth.

CHAP. LXXIII.—*An Act making appropriations for the support of the navy of the United States for the year 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 for defraying the expenses of the navy for the year one thousand eight hundred and sixteen, the following sums be, and they are hereby respectively appropriated, that is to say:

For pay and subsistence of the officers, and pay of the seamen, one million, one hundred and forty-two thousand and fifteen dollars.

For provisions, three hundred and fifty-six thousand eight hundred and seventy dollars.

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

For repairs of vessels, three hundred thousand dollars.

For ordnance, ammunition and military stores, two hundred and ten thousand dollars.

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

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

For pay and subsistence of the marine corps, one hundred and forty-one thousand one hundred and seventy-two dollars.

STATUTE I.

April 24, 1816.

[Obsolete.]

Specific appropriations.

Specific appropriations.

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 five hundred dollars.

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

APPROVED, April 24, 1816.

STATUTE I.

April 24, 1816.

CHAP. LXXIV.—*An Act for the more convenient arrangement of the times and places of holding the Circuit Courts of the United States, for the districts of South Carolina and Georgia.*

Circuit courts in Georgia, vol. i. 74, 184, 252.

Circuit courts in South Carolina, vol. i. 74, 184.

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 June next, the circuit courts in and for the sixth circuit of the United States, shall be held at the following times and places, and no others; that is to say, for the district of Georgia, at Savannah, on the fourteenth day of December, in every year, and at Milledgeville, on the sixth day of May in every year; for the district of South Carolina, at Charleston, on the twentieth day of November in every year, and at Columbia on the twentieth day of April in every year; and the circuit court for the said districts respectively, or the circuit judge of the said sixth circuit is authorized and required to make all such rules and orders as may be necessary to carry into effect the change in time and place of holding the said courts according to the true intent and meaning of this act.

APPROVED, April 24, 1816.

STATUTE I.

April 24, 1816.

CHAP. LXXV.—*An Act for the relief of certain purchasers of public lands in the Mississippi territory.*

Further time allowed to certain purchasers of land.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That every person who, since the first day of April, one thousand eight [hundred] and eleven, and prior to the eighteenth day of June, one thousand eight hundred and twelve, had purchased any tract or tracts of public land in the Mississippi territory, not exceeding in the whole six hundred and forty acres, unless the tract purchased be a fractional section or sections, or fractional sections classed with an entire section, and whose lands have not already been actually sold or reverted to the United States for non-payment of part of the purchase money, shall be allowed the further time of two years and eight months from and after the expiration of the present period already given by law for completing the payment of the said purchase money; which further term of two years and eight months shall be allowed only on the condition, that all arrears of interest on the purchase money shall have been paid on or before the time shall have expired for completing the payment of the purchase money: *Provided*, That in all cases in which the time for completing the payment of the purchase money may have expired, or shall expire, before the first day of July next, the interest may be paid on or before that day. But in case of failure in paying either the arrears, or the residue of principal with the accruing interest, as is herein provided, the tract of land shall forthwith be advertised and offered for sale, in the same manner, and on the same terms, as is directed by law in case of lands not paid for within the limited term, and shall revert

Proviso.

in like manner, if the sum due, with interest, be not at such sale bidden and paid. And in cases where any tract or tracts of land in said territory, not exceeding, in the whole, six hundred and forty acres, unless the tract be a fractional section or sections, or fractional sections classed with an entire section, have, since the first day of October last, reverted to the United States, for default of payment, the original purchaser may again enter the same tract or tracts at the price at which such tract or tracts were originally sold; and all moneys which such original purchaser may have paid shall be replaced to his credit by the receiver of public moneys for the district in which the land may lie, and such re-purchasers shall be allowed the same benefits of the extension of the time of payment created by this act, as though no such reversion had occurred: *Provided*, That such original purchaser shall make to the proper officer such application for such re-entry as is required by law for the entry of lands on or before the first day of July next, and that the land so reverted shall not have then been previously re-sold.

APPROVED, April 24, 1816.

STATUTE I.

CHAP. LXXVI.—*An Act supplementary to an act, entitled "An act granting bounties in lands and extra pay to certain Canadian volunteers."*

April 26, 1816.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That instead of the treasurer of the United States, as is prescribed by the third section of the act to which this is a supplement, the paymaster of the army of the United States be, and he is hereby, authorized and required to pay to each of the persons described in the act above recited according to the provisions thereof, three months' pay in addition to that to which they may have been previously entitled, according to the rank they respectively held in the army of the United States during the late war.

APPROVED, April 26, 1816.

Act of March 5, 1816, ch. 25.
Further allowance of pay.

STATUTE I.

CHAP. LXXVII.—*An Act declaring the assent of Congress to an act of the general assembly of the state of Virginia.*

April 26, 1816.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the assent of Congress is hereby given and declared to an act of the general assembly of Virginia, entitled "An act incorporating a company for the purpose of improving the navigation of James river from Warwick to Rockett's landing," which act was passed on the twenty-second day of February, in the year one thousand eight hundred and sixteen.

APPROVED, April 26, 1816.

Assent of Congress to a law of Virginia relative to the navigation of James River.

STATUTE I.

CHAP. LXXIX.—*An Act rewarding the officers and crew of the Constitution, for the capture of the British sloop of war Levant.*

April 26, 1816.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he hereby is authorized to have distributed as prize money, to Captain Charles Stewart, late of the frigate Constitution, his officers and crew, the sum of twenty-five thousand dollars, for the capture of the British sloop of war Levant; and that the sum of twenty-five thousand dollars, out of any money in the treasury not otherwise appropriated, be, and the same is hereby appropriated, for the purpose aforesaid.

APPROVED, April 26, 1816.

Reward for capturing the sloop of war Levant.

STATUTE I.

April 26, 1816.

CHAP. LXXXI.—*An Act establishing a port of delivery at the town of the Bayou St. John.*

Bayou St. John a port of entry.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the town of the Bayou St. John, in the state of Louisiana, shall be a port of delivery; that a surveyor shall be appointed to reside at said port; that all ships and vessels bound to said port shall, after proceeding thereto, and making report and entry at the port of New Orleans, within the time limited by law, be permitted to unlade their cargoes at the said town of the Bayou St. John, or at the basin of the canal of Carondelet, adjoining the city of New Orleans, under the rules and regulations prescribed by law.

Act of Feb. 24, 1804, ch. 13.

SEC. 2. *And be it further enacted,* That so much of the sixth section of the act of Congress, passed on the twenty-fourth day of February, one thousand eight hundred and four, entitled "An act for laying and collecting duties on imports and tonnage, within the territories ceded to the United States by the treaty of the thirtieth of April, one thousand eight hundred and three, between the United States and the French republic, and for other purposes," as is contrary to this act, is hereby repealed.

APPROVED, April 26, 1816.

STATUTE I.

April 26, 1816.

[Obsolete.]

CHAP. LXXXII.—*An Act supplementary to 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.*

Valuations and assessments formerly made to remain unchanged, with same qualification.

Act of March 5, 1816, ch. 24.

Act of March 3, 1817, ch. 103.

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 in regard to the direct tax imposed by the act of Congress, passed the fifth of March, one thousand eight hundred and sixteen, and to any other direct tax, that may be hereafter imposed, the enumerations, valuations, and assessments first made, or to be made, in virtue 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 of January, one thousand eight hundred and fifteen, shall remain unchanged, except inasmuch as the respective amounts of tax may be affected by the augmentation or diminution of the aggregate tax laid, or to be laid, and the property so enumerated, valued and assessed, shall continue liable, with such qualification, to the taxes so assessed, subject only to the changes hereinafter provided for, and to those that may arise from the correction of errors, as authorized by the last recited act.

Times to which the changes that are made have reference.

SEC. 2. *And be it further enacted,* That the changes to be made in the said enumerations, valuations and assessments and in the subsequent revisions thereof, shall be relative to the first day of June in the present year, and in every subsequent year in which a direct tax may be imposed, shall be effected by the principal assessors, without the employment of assistant assessors, and shall extend to the supplying omissions of assessable property, to the transfers of real estate and slaves, to the changes of residents and non-residents, to the burning or destruction of houses or other fixed improvements of real estate, to the exemption of property that may have ceased to be assessable, and to the assessment of property that may have ceased to be exempted from assessment, to such other cases as the Secretary of the Treasury may find it necessary in the furtherance of justice specially to authorize, and to the birth or death of slaves, or their running away, or otherwise becoming useless: *Provided,* That changes in the last case shall be solely where the tax standing

Proviso.

chargeable to any person for slaves would be diminished by the valuation on the said first day of June of all those then owned by such person, excepting those obtained by transfer, in which case the reduction in the valuation shall be equal to the difference between the amount of the original and existing valuation.

SEC. 3. *And be it further enacted*, That it shall be the duty of each of the principal assessors, within fifteen days from the first of June, to attend in person, or in case of his sickness, by a deputy to be appointed by him, at six several places within his district most convenient to the inhabitants, the courthouses being of the number, except where they exceed six, and then at each courthouse within the district, for one full day at each place, for the purpose of receiving any information as to the changes as aforesaid, which may have taken place since the preceding assessment or revision, which information shall be given in writing under the signature of the person, whose tax may be affected thereby, of which attendance, and the object thereof the said principal assessor shall, on or before the fifteenth day of May preceding, cause notice to be given, which notice shall be inserted three times weekly in all the newspapers published within his district, and in handbills, to be posted up at all the courthouses therein; causing at the same time and in the same mode, notice to be given that he will attend to hear appeals relative to any such changes at the times and places hereinafter specified therefor.

SEC. 4. *And be it further enacted*, That each of the said principal assessors shall, within ten days after the said fifteen days, according to the information so received, or to any other information satisfactory to him, revise the general lists for his district, and note in a supplementary form such changes as shall appear to him to have occurred, and shall within the said term of ten days, make out a distinct statement of each change, which shall include the name of the person so liable to tax, and the valuation of the property, and shall either cause the same to be delivered to such person, or to be put in the mail addressed to him or her, and directed to the post-office nearest to his or her abode, agreeably to the best information of the said principal assessor, with a notification of the times and places of hearing any appeals that may be made, as hereinafter provided for: *Provided*, That no such notice need be given to persons not residing within the district.

SEC. 5. *And be it further enacted*, That it shall be the duty of the said principal assessor to attend at the several places aforesaid within his district, within fifteen days from the expiration of the ten days aforesaid, for at least one day at each courthouse, for the purpose of receiving any appeals that may be made in writing as to the changes aforesaid, which changes shall be open to the inspection of any person who may apply to inspect the same.

SEC. 6. *And be it further enacted*, That the changes aforesaid shall be made in the following manner, and according to the following principles, in addition to those hereinbefore stated, that is to say:

In all cases that relate to real estate, and to the transfer of slaves, other than is herein specially provided for, the rate at which the same were or would have been valued under the act aforesaid, passed the ninth of January, one thousand eight hundred and fifteen, shall, as near as may be, be maintained; excepting where a partial alienation of real estate shall occur, in which case the original tax shall be apportioned among the several parts according to their existing value.

In all other cases relative to slaves the valuation shall be made according to their existing value.

In cases in which real property shall have been once sold for taxes, and purchased on behalf of the United States, such property shall, notwithstanding, continue to be entered on the general lists, and the tax lists, in the name of the original proprietor, until the period allowed for

Duty of the principal assessors to attend at certain places in person or by deputy, to perform certain duties, &c.

General lists of taxable property, with a view to their noting changes and transfers, to be revised by principal assessors.

Proviso.

Principal assessors to attend at certain places in their district to receive appeals, &c.

Principles in regard to changes in the property of real estate and slaves.
1815, ch. 21.

the redemption thereof shall have expired, after which, unless redeemed, it shall be stricken therefrom; but after being so purchased it shall not, while it remains unredeemed, be again sold for any other direct tax; and, during such period, the redemption thereof shall only be effected on the payment of all the taxes, additions, and charges due thereon, the same as if it still continued the property of the original owner, and as if it had been sold for each accruing tax; and the collectors shall, on rendering the proper accounts, be credited for the amount of taxes on property thus continuing unredeemed.

Act of May
11, 1820, ch. 88.

Any person becoming the owner of a slave by transfer to him from a district other than that in which he resides, shall at the time and place prescribed by the third section of this act, furnish the principal assessor with a statement, specifying the sex and age of such slave, who shall be valued according to his or her existing value; and any such person who shall neglect so to furnish a statement shall forfeit and pay a sum not exceeding ten dollars: one half thereof for the use of the United States and the other half for the use of the informer. And where a transfer of a slave shall be made by a person residing within one district to a person residing in another, which shall become known to the principal assessor of the former district, he shall forthwith advise, through the mail, the principal assessor of the latter district thereof, who shall, in case the statement aforesaid shall not have been rendered as aforesaid, institute a prosecution against the person to whom the transfer has been made for the said penalty.

In all cases the individual statements of changes shall be made out in such a manner as may be directed by the principal assessor, and shall, in their form, be as similar as practicable to the lists taken at the preceding assessment.

Principal assessors may examine records, for the correct execution of their duties.

SEC. 7. *And be it further enacted*, That for the purpose of insuring a correct execution of the objects aforesaid, the principal assessors shall take and pursue all other lawful measures, by the examination of records, the entry on the premises, or by any other satisfactory proof, which they shall consider necessary.

Enumerations and valuations subject to revisions and alterations by principal assessors.

1815, ch. 21.

SEC. 8. *And be it further enacted*, That within thirty days after the expiration of the time allotted as aforesaid to the hearing of appeals, it shall be the duty of the principal assessor in each district to revise, agreeably to his decision and the information he may possess, the enumerations and valuations aforesaid, correcting the same agreeably to the changes aforesaid, and to make out a complete corrected list of all the enumerations and valuations in his district, agreeable to the form prescribed by the act aforesaid, passed the ninth of January, one thousand eight hundred and fifteen, which the said principal assessor shall sign and preserve among his official papers, and further to make out and deliver to the collector, within the same time agreeably to the twenty-first section of the said act, the tax lists therein designated, made to conform to such changes: whereupon the respective steps required by the provisions of the said act, not incompatible with those prescribed by this act, shall be pursued.

Part of former act repealed.
1815, ch. 21,
sec. 32.

SEC. 9. *And be it further enacted*, That so much of the thirty-ninth section of the act aforesaid, passed the ninth of January, one thousand eight hundred and fifteen, as respects the time within which transfers and changes of property shall be ascertained, and the making out and delivery of the lists thereof, be, and the same is hereby repealed.

Certain measures prescribed by this act may be executed after the time particularly limited for their execution.

SEC. 10. *And be it further enacted*, That in case any circumstance shall prevent a compliance, in point of time, with the foregoing provisions, the steps required shall nevertheless be taken thereafter, in which event the same notices shall be given and the same terms of time be allotted to the performance of the several duties that would have been requisite had no such failure existed.

SEC. 11. *And be it further enacted*, That the duties aforesaid, required of the principal assessors, and the compensation for the performance thereof, shall be confined to those states which shall not have assumed the payment of the direct tax laid in any year, or having assumed, shall not have duly paid, the same.

Limitation of the duties.

SEC. 12. *And be it further enacted*, That in default of the performance of the duties enjoined by this act on any principal assessor, he shall forfeit and pay, for the use of the United States, a sum not exceeding five hundred dollars, to be sued for and recovered in the name of the United States, in any court having competent jurisdiction.

Penalties upon principal assessors for not performing duties required by this act.

SEC. 13. *And be it further enacted*, That all letters to and from the principal assessors, relative to their official duties, shall be transmitted free of postage. And any principal assessor who shall put his frank on any other letter shall forfeit and pay the sum of ten dollars, the whole of which shall be for the use of the person who shall give information thereof.

Letters to and from principal assessors on official subjects exempt from postage. Penalties imposed for infringing this provision.

SEC. 14. *And be it further enacted*, That in lieu of the compensations heretofore allowed to the principal assessors, they shall respectively receive, for every year in which a direct tax shall be laid, a salary of two hundred dollars, and three dollars for every hundred taxable persons contained in the tax lists delivered to the collectors, together with an allowance for their necessary and reasonable charges for books and stationery used in the execution of their duties, which said duties shall be considered as embracing the correction of errors, as authorized by law. And the President of the United States shall be, and he is hereby authorized to augment, in cases where he shall deem it necessary, the foregoing compensations: *Provided*, That there shall not be allowed to any one principal assessor, in any such year, more than two hundred dollars, in addition to his fixed compensation: *And provided*, That the whole extra amount thus allowed shall not exceed in such year ten thousand dollars. And for the purpose of carrying this act into effect, there is hereby appropriated in each year in which a direct tax shall be laid, a sum of one hundred thousand dollars, to be paid out of any money in the treasury not otherwise appropriated: *Provided*, That any other existing appropriation for the said purposes be, and the same is hereby repealed.

Compensations of principal assessors.

President in his discretion may augment them.

Proviso.

Proviso.

SEC. 15. *And be it further enacted*, That in lieu of the time now fixed by law for the commencement of the collection of the direct tax, it shall be in each district immediately subsequent to the day on which the tax lists shall be delivered to the collector thereof.

Commencement of the collection of direct tax.

SEC. 16. *And be it further enacted*, That in all cases in which a tax shall be charged for slaves, the real estate of the person charged therewith may be sold therefor, in the same manner as for a tax due thereon: but no slave sold for taxes shall be purchased on behalf of the United States.

Lands made liable for tax upon slaves.

In no instance are slaves to be bought on account of the United States.

SEC. 17. *And be it further enacted*, That it shall be lawful for the Secretary of the Treasury to assign to the commissioner of the revenue the duty of superintending the assessor's valuations and assessments, under the laws imposing a direct tax, as well as the collection of the tax, subject to his directions and control, according to the powers vested in him by law.

Secretary of Treasury may assign to commissioner of the revenue the superintendence of assessors' valuations, &c.

SEC. 18. *And be it further enacted*, That the foregoing provisions shall apply to any direct tax imposed or to be imposed upon the District of Columbia, and shall be and remain in force, any thing in any former act or acts to the contrary notwithstanding.

Provisions of this act extended to the District of Columbia.

SEC. 19. *Provided always, and be it further enacted*, That the equalization and apportionment of the direct tax made in the year eighteen hundred and fifteen by the board of principal assessors for the state of Delaware in virtue of the before-recited act, entitled "An act to provide additional revenues for defraying the expenses of government and main-

Proviso—the board of principal assessors for

the state of Delaware to convene in general meeting to equalize and apportion the direct tax upon that state.

1815, ch. 21.
1816, ch. 24.

taining the public credit, by laying a direct tax upon the United States, and to provide for the assessing and collecting the same," shall not be in force or have any effect as it relates to that state's quota of the direct tax imposed by the act of Congress, passed the fifth day of March, one thousand eight hundred and sixteen, or that shall be imposed by any subsequent act of Congress; and it shall be the duty of the said board of principal assessors again to convene in general meeting on the first Monday in June next, at Dover, in the said state, and then and there diligently and carefully re-consider and re-examine the several lists of valuation for the direct tax for the said state, for the year one thousand eight hundred and fourteen, and they shall have power to revise, alter, re-adjust and equalize the several lists of valuation aforesaid for the counties of the said state respectively, by adding thereto, or deducting therefrom such a rate per centum, as shall render the valuation of the said counties relatively equal according to the present actual ready money value of the property assessed and contained in the said lists of valuation; and shall thereupon apportion to each county in the said state a quota of the tax bearing the same proportion to the whole direct tax imposed on the state, as the aggregate valuation of each county bears to the aggregate valuation of the state; and the valuation, equalization and apportionment so made by the board of principal assessors aforesaid shall be in full force and operation, and remain unchanged, subject only to the exceptions contained in the first section of this act; and the said board of principal assessors shall, within twenty days after their meeting, as herein before directed, complete the said revision, equalization and apportionment, and shall record the same, and in all respects, not herein otherwise directed, shall conform to the provisions contained in the act in this section first above recited.

APPROVED, April 26, 1816.

STATUTE I.

April 26, 1816.
[Obsolete.]

Increase of inspectors' compensation. Act of March 2, 1799, ch. 23.

CHAP. XCV.—*An Act to increase the compensations now allowed by law to inspectors, measurers, weighers and gaugers, employed in the collection of the customs. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That an addition of fifty per cent. upon the sums allowed as compensation to inspectors, or persons acting as occasional inspectors, employed in aid of the customs, and to the measurers, weighers or gaugers, by the act, entitled "An act to establish the compensations of the officers employed in the collection of the duties on imposts and tonnage, and for other purposes," passed on the second of March, one thousand seven hundred and ninety-nine, be, and the same is hereby allowed, to the said inspectors, measurers, weighers, or gaugers, to be ascertained, certified and paid, under the regulations prescribed in the above-mentioned act.

APPROVED, April 26, 1816.

STATUTE I.

April 26, 1816.
[Obsolete.]

Act of April 9, 1816, ch. 40.

CHAP. XCVIII.—*An Act authorizing the payment for the courthouse of Hamilton, in the state of Ohio.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the commissioner to be appointed by virtue of the act, entitled "An act to authorize the

(a) The act of March 2, 1799, ch. 23, amended by the act of April 26, 1816, ch. 95, authorizing the collector to pay the fees due to the officers of the customs, out of the revenue of the United States. Held, 1. That this act creates no lien or specific claim on moneys in the hands of the collector arising from the revenue. 2. That an ex-collector, who is not in office, cannot lawfully appropriate the moneys of the United States in his hands to such a payment, for the act is an official act, and the authority can be exercised only by the collector actually in office. *Champney v. Bancroft*, 1 Story's C. C. R. 423.

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, be, and he is hereby authorized and directed to audit and settle the claim of the county of Hamilton, in the state of Ohio, for the destruction by fire of the county courthouse while occupied by the troops of the United States, by ascertaining, or causing to be ascertained the value thereof, in the manner and form prescribed by the aforesaid act.

SEC. 2. *And be it further enacted*, That the amount thereof, when so ascertained, shall be paid to the proper authority out of any money in the treasury not otherwise appropriated.

APPROVED, April 26, 1816.

Payments to be made for the destruction of the courthouse.

STATUTE 1.

CHAP. CI.—*An Act making further provision for settling claims to land in the territory of Illinois.*

April 27, 1816.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That every person, and the legal representatives of every person, who, before the fifth day of February, one thousand eight hundred and thirteen, settled on and improved any tract of land reserved for the use of schools or seminaries of learning, and who, had not the same been reserved, would have had the right of pre-emption within the tract of country set apart by the third section of the act of the sixteenth day of April, one thousand eight hundred and fourteen, entitled "An act confirming certain claims to land in the Illinois territory, and providing for their location," to satisfy the unlocated claims to land in the said territory, shall be, and they hereby are authorized and allowed, until the first day of October, one thousand eight hundred and sixteen, to enter the same, for purchase, with the register and receiver of public moneys of the land office at Kaskaskia; and it shall be the duty of the register and receiver to enter the same for purchase, according to the provisions of this and the said recited act: *Provided*, That such person or persons shall not have entered, in right of pre-emption, other lands in lieu thereof, in virtue of the third section of an act to amend the aforesaid act, passed the twenty-seventh day of February, one thousand eight hundred and fifteen.

Further time allowed to certain settlers on the public lands of the United States for making good their pre-emption right.

Act of April 16, 1814, ch. 61.

Act of Feb. 27, 1815, ch. 63.

SEC. 2. *And be it further enacted*, That the register and receiver of public money shall have power, and they are hereby authorized to select any other vacant and unappropriated lands within the tract set apart to satisfy confirmed claims as aforesaid, in lieu of such of the lands formerly reserved for a seminary of learning, and for the support of schools, as have been appropriated in satisfaction of ancient grants or confirmed improvement claims, or as shall be entered in right of pre-emption, according to the provisions of the preceding section of this act: *Provided*, That the lands thus to be selected shall be taken as near adjacent to those in lieu of which they are selected as an equal quantity of land of like quality can be obtained, and shall be reserved and appropriated for the same purpose.

Register and receiver of public lands authorized to select other lands than those settled upon and reserved for the use of schools, &c., for satisfying the pre-emption.

Proviso.

SEC. 3. *And be it further enacted*, That the provisions of the second section of an act passed the twenty-seventh day of February, one thousand eight hundred and fifteen, respecting the settlers on the fractional sections and quarter sections within the aforesaid reserved tract, shall extend to all other settlers on the fractional section or quarter sections within the Kaskaskia district.

Provisions of second section of act of 1815, ch. 63, to extend to settlers on a fractional section within the Kaskaskia district.

SEC. 4. *And be it further enacted*, That all the claims filed in the name of the original claimants, or their heirs, not exceeding four hundred acres, contained in a list transmitted to the commissioner of the

Claims reported by Michael Jones, register, and S. Bond, receiver, confirmed.
 Proviso.

Further time allowed to claimants to register their claims.
 1814, ch. 61.

Further time allowed for making entries with the register of land office.
 1814, ch. 61.

Persons whose claims are perfected to receive certificates to that effect.

Fee of office to the register.

General Land-office, by Michael Jones, register, and S. Bond, receiver of public moneys of the land office of the district of Kaskaskia, bearing date the twenty-ninth day of March, one thousand eight hundred and fifteen, be, and they hereby are confirmed to the original claimants or their heirs: *Provided*, That the said claims, hereby confirmed, be, and they hereby are deemed and taken to be unlocated claims, and they shall not in any wise defeat or interfere with locations made in virtue of other authorized claims on lands improved by the said claimants or others.

SEC. 5. *And be it further enacted*, That the claimants whose claims are confirmed by virtue of the fourth section of this act, and all others lawfully holding confirmed unlocated claims for lands within the tract reserved by the before-recited act of the sixteenth day of April, one thousand eight hundred and fourteen, be allowed until the first day of October, one thousand eight hundred and sixteen, to register the same: and the said claims shall be receivable in payment for public lands, within the said reserved tract, conformably with the provisions of the last above-mentioned act, and of the present act, any time prior to the first day of October, one thousand eight hundred and sixteen.

SEC. 6. *And be it further enacted*, That all persons, or their legal representatives, entitled to the right of pre-emption of lands within the boundary specified in the before-recited act of the sixteenth day of April, one thousand eight hundred and fourteen, which lands have not been surveyed under the authority of the United States, shall be, and they hereby are allowed, a further time for making their entries with the register of the land office, until the lands upon which they have respectively settled and improved shall be surveyed by the United States, and until the expiration of six months next thereafter.

SEC. 7. *And be it further enacted*, That every person and the legal representative of every person, whose claim to a tract of land within the Illinois territory is confirmed by this or any former act, and who has not previously obtained a patent for the same from the governor either of the territory north-west of the Ohio, or of the Indiana territory, shall, whenever his claim shall have been located and surveyed, be entitled to receive from the register of the land office at Kaskaskia a certificate stating that the claimant is entitled to receive a patent for such tract of land by virtue of this act, for which certificate the register shall receive one dollar; and which certificate shall entitle the party to a patent for the said tract, which shall issue in like manner as is provided by law, for lands purchased of the United States.

APPROVED, April 26, 1816.

STATUTE I.

April 27, 1816.

CHAP. CII.—*An Act providing for the sale of the tract of land at the lower rapids of Sandusky river.*

Part of a tract to be laid off into town and out-lots.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of the tract of land of two miles square, at the lower rapids of Sandusky river, ceded by the Wyandots, Delawares, Shawanoes, Ottawas, Chippewas, Patawatimies, Miamis, Eel river, Weeas, Kickapoos, Piankashaws, and Kaskaskias tribes of Indians to the United States, by the treaty of Greenville, of the third of August, one thousand seven hundred and ninety-five, shall, under the direction of the surveyor general, be laid off into town lots, streets and avenues, and into out-lots, in such manner and of such dimensions as he may judge proper: *Provided*, the tract so to be laid off shall not exceed the quantity of land contained in one entire section, nor the town lots one quarter of an acre each. When the survey of the lots shall be completed, a plat thereof shall be returned to the surveyor general, on which the town lots and out-lots shall respectively be designated by progressive

Proviso.

numbers, who shall cause two copies to be made, one to be transmitted, with a copy of the field notes, to the commissioner of the general land office, and the other to the register of the land office at Wooster.

SEC. 2. *And be it further enacted*, That previously to the disposal at public sale of the before-mentioned tract of land, the surveyor general shall, and he is hereby directed to re-survey and mark the exterior lines of the said tract, conformably to the survey made in [the] year one thousand eight hundred and seven, by virtue of the act of the third of March, one thousand eight hundred and five, and also to cause divisional lines to be run through each fractional section, and of the adjoining quarter section, so that each subdivision, having one front on the river, may contain, as nearly as may be, eighty acres each. And in like manner to cause the large island, lying in the west half of section number one, to be surveyed, and the same to be divided into two equal parts: *Provided*, That in running the subdivisional lines, no interference shall be made affecting the selection or location hereafter to be made under the direction of the Secretary of War: *Provided also*, That in no case shall the subdivisional lines be so run, as to extend to, or embrace the bed of the river, which shall be deemed, and is hereby declared to be a public highway: *And provided also*, That the whole expense of re-surveying and marking the exterior lines of the said cession, and running and marking the subdivisional lines of the fractional and quarter sections, lying adjacent to the river, shall not exceed three dollars for every mile actually surveyed, re-surveyed and marked, by virtue of this and the preceding section.

Surveyor general to lay off the tract of land directed to be sold by this act.
1805, ch. 43.

Proviso.

Proviso.

SEC. 3. *And be it further enacted*, That all the land contained within the aforesaid cession, of two miles square, shall, with the exception of as many town lots and out lots, as in the opinion of the Secretary of the Treasury may be necessary to reserve for the support of schools within the same, and with exception also of the salt springs, and land reserved for the use of the same, be offered for sale to the highest bidder at Wooster in the state of Ohio, under the direction of the register and receiver of the land office, and on such day or days as shall, by a public proclamation of the President of the United States, be designated for that purpose. The sale for the divided quarter sections, fractional sections, and of the town lots and out lots, shall remain open at Wooster for seven days, and no longer: The divided quarter sections and fractional sections shall not be sold for less than two dollars an acre; the in lots for less than twenty dollars each, nor any out lot for less than at the rate of five dollars per acre; and shall in every other respect, be sold on the same terms and conditions as have been or may be provided by law for the lands sold north of the river Ohio, and above the mouth of Kentucky river. All the land other than what is excepted as above mentioned, remaining unsold at the closing of the public sales, may be disposed of at private sale by the register of the land office at Wooster, agreeably to the provisions of this act, and in the same manner, under the same regulations and conditions as are or may be provided by law, for the sale of the public lands of the United States north of the river Ohio, and above the mouth of Kentucky river, and patents shall be obtained for all lands granted or sold within the said cession, in the same manner and on the same terms as are or may be provided by law for land sold in the state of Ohio. The superintendents of the public sales directed by this section, shall receive four dollars each, for each day's attendance on the said sales.

Lands to be sold with certain reservations, at public sale.

APPROVED, April 26, 1816.

STATUTE I.

April 27, 1816.

CHAP. CIII.—*An Act continuing the salaries of certain officers of government.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the annual compensations of the different officers enumerated in the act passed the

Act of Feb. 20, 1804, ch. 12.

Act of Feb. 20,
1819, ch. 27.

twentieth day of February, one thousand eight hundred and four, entitled "An act continuing, for a limited time, the salaries of the officers of government therein mentioned," shall be continued as if the said act had not expired, or contained any provision for limiting its continuance.

APPROVED, April 27, 1816.

STATUTE I.

April 27, 1816.

CHAP. CIV.—*An Act for the payment of the militia, in the case therein mentioned.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the detachment of the militia of Kentucky, lately under the command of Colonel Dudley, for the term of six months, who were captured at fort Meigs, and paroled, be paid for the said term of six months, and that the proper officers of the War department liquidate and pay their claims, in the same manner that the claims of the regular troops of the United States would be liquidated and paid in like cases.

APPROVED, April 27, 1816.

STATUTE I.

April 27, 1816.

CHAP. CVII.—*An Act to regulate the duties on imports and tonnage.*

Act of April
30, 1816, ch.
172.

Act of March
3, 1817, ch. 51.

Act of April
20, 1818, ch. 103.

Act of April
20, 1818, ch. 98.

Act of March
3, 1819, ch. 75.

Act of April
18, 1820, ch. 44.

Act of May
15, 1820, ch.
126.

Time fixed for
the abolition of
the present du-
ties upon goods,
wares and mer-
chandise im-
ported into the
United States.

Substitution
of other ad va-
lorem and spe-
cific duties.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the thirtieth day of June, one thousand eight hundred and sixteen, the duties heretofore laid by law, on goods, wares and merchandisc, imported into the United States, shall cease and determine, and there shall be levied, and collected, and paid, the several duties hereinafter mentioned, that is to say:

First. A duty of seven and a half per centum ad valorem, on all dyeing drugs and materials for composing dyes, not subject to other rates of duty; gum arabic, gum senegal, saltpetre; jewelry, gold, silver, and other watches, and parts of watches; gold and silver lace, embroidery and epaulettes; precious stones and pearls of all kinds, set or not set; bristol stones or paste work, and all articles composed wholly or chiefly of gold, silver, pearl and precious stones; and laces, lace veils, lace shawls, or shades, of thread on silk.

Second. A duty of fifteen per centum ad valorem on gold leaf, and on all articles not free, and not subject to any other rate of duty.

Third. A duty of twenty per centum ad valorem on hempen cloth or sail cloth, (except Russian and German linens, Russia and Holland duck) stockings, of wool or cotton; printing types; all articles manufactured from brass, copper, iron, steel, pewter, lead or tin, or of which these metals, or either of them, is the material of chief value; brass wire, cutlery, pins, needles, buttons, button moulds and buckles of all kinds; gilt, plated and japanned wares of all kinds: cannon, muskets, fire arms and side arms; Prussian blue, china ware, earthen ware, stone ware, porcelain and glass manufactures, other than window glass and black glass quart bottles.

Fourth. A duty of twenty-five per centum ad valorem, on woollen manufactures of all descriptions, or of which wool is the material of chief value, excepting blankets, woollen rugs and worsted or stuff goods, shall be levied, collected and paid, from and after the thirtieth day of June next, until the thirtieth day of June, one thousand eight hundred and nineteen, and after that day, twenty per centum on the said articles; and on cotton manufactures of all descriptions, or of which cotton is the material of chief value, and on cotton twist, yarn or thread, as follows, viz: for three years next ensuing the thirtieth day of June next, a duty

of twenty-five per centum ad valorem; and after the expiration of the three years aforesaid, a duty of twenty per centum ad valorem: *Provided*, That all cotton cloths, or cloths of which cotton is the material of chief value, (excepting nankeens, imported directly from China) the original cost of which at the place whence imported, with the addition of twenty per centum, if imported from the cape of Good Hope, or from places beyond it, and of ten per cent. if imported from any other place, shall be less than twenty-five cents per square yard, shall, with such addition, be taken and deemed to have cost twenty-five cents per square yard, and shall be charged with duty accordingly: *Provided also*, that all unbleached and uncoloured cotten twist, yarn or thread, the original cost of which shall be less than sixty cents per pound, shall be deemed and taken to have cost sixty cents per pound, and shall be charged with duty accordingly; and all bleached or coloured yarn, the original cost of which shall have been less than seventy-five cents per pound, shall be taken and deemed to have cost seventy-five cents per pound, and shall be charged with duty accordingly: *And provided further*, that cotton piece goods imported in ships or vessels of the United States which shall have sailed from the United States before the passage of this act, and shall arrive therein between the thirtieth day of June, one thousand eight hundred and sixteen, and the first day of June, one thousand eight hundred and seventeen, the original cost of which cotton piece goods, at the place whence imported, shall have been less than twenty-five cents per square yard, shall be admitted to entry, subject only to a duty of thirty-three and a third per centum on the cost of the said cotton piece goods in India, and on the usual addition of twenty per centum on that cost.

Ad valorem
and specific du-
ties.

Fifth. A duty of thirty per centum ad valorem on umbrellas, parasols, of whatever materials made, and sticks or frames for umbrellas or parasols; bonnets and caps for women, fans, feather ornaments for head-dresses, artificial flowers, millinery of all sorts; hats or caps of wool, fur, leather, chip, straw or silk; cosmetics, washes, balsams, perfumes; painted floor cloths; mats, of grass or flags; salad oil, pickles, capers, olives, mustard, comfits or sweetmeats, preserved in sugar or brandy, wafers, cabinet wares, and all manufactures of wood; carriages of all descriptions, and parts thereof; leather, and all manufactures of leather, or of which leather is the material of chief value; saddles, bridles, harness; paper of every description, paste-board, paper hangings, blank books, parchment, vellum; brushes, canes, walking sticks, whips; and clothing ready made. And 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 and all 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 centum on articles imported from all other places.

Sixth. The following duties, severally and specifically: on ale, beer and porter, in bottles, fifteen cents per gallon; on ale, beer and porter, imported otherwise than in bottles, ten cents per gallon; on alum, one dollar per hundred weight; on almonds, three cents per pound; on black glass quart bottles, one hundred and forty-four cents per groce; on boots, one dollar and fifty cents per pair; on bristles, three cents per pound; on playing cards, thirty cents per pack; on tarred cables and cordage, three cents per pound; on untarred cordage, yarns, twine, packthread, and seinés, four cents per pound; on tallow candles, three cents per pound; on wax and spermaceti candles, six cents per pound; on Chinese cassia, six cents per pound; on cinnamon, twenty-five cents per pound; on cloves, twenty-five cents per pound: on cheese, nine cents per pound; on chocolate, three cents per pound; on cocoa, two cents per pound; on coal, five cents per heaped bushel: on copperas, one dollar per hundred weight; on copper rods, bolts, spikes or nails, and com-

Ad valorem
and specific du-
ties.

position rods, bolts, spikes or nails, four cents per pound; on coffee, five cents per pound; on cotton, three cents per pound: on currants, three cents per pound; on figs, three cents per pound; on foreign caught fish, one dollar per quintal; on mackerel, one dollar and fifty cents per barrel; on salmon, two dollars per barrel, and on all other pickled fish, one dollar per barrel: on window glass, not above eight inches by ten inches in size, two dollars and fifty cents per hundred square feet; on the same, not above ten inches by twelve inches in size, two dollars and seventy-five cents per hundred square feet; on the same, if above ten inches by twelve inches in size, three dollars and twenty-five cents per hundred square feet; on glue, five cents per pound; on gunpowder, eight cents per pound; on hemp, one dollar and fifty cents per hundred weight; on iron or steel wire not exceeding number eighteen, five cents per pound, and over number eighteen, nine cents per pound; on iron, in bars and bolts, excepting iron manufactured by rolling, forty-five cents per hundred weight; on iron in sheets, rods and hoops, two dollars and fifty cents per hundred weight, and in bars or bolts, when manufactured by rolling, and on anchors, one dollar and fifty cents per hundred weight; on indigo, fifteen cents per pound; on lead, in pigs, bars or sheets, one cent per pound; on shot manufactured of lead, two cents per pound; on red and white lead, dry or ground in oil, three cents per pound; on mace, one dollar per pound; on molasses, five cents per gallon; on nails, three cents per pound: on nutmegs, sixty cents per pound; on pepper, eight cents per pound; on pimento, six cents per pound; on plums, and prunes, three cents per pound; on muscatel raisins, and raisins in jars and boxes, three cents per pound; on all other raisins, two cents per pound; on salt, twenty cents per bushel of fifty-six pounds; on ochre, dry, one cent per pound, in oil, one and a half cents per pound; on steel, one dollar per hundred weight; on segars, two dollars and fifty cents per thousand; on spirits, from grain of first proof, forty-two cents per gallon; of second proof, forty-five cents per gallon; of third proof, forty-eight cents per gallon; of fourth proof, fifty-two cents per gallon; of fifth proof, sixty cents per gallon; above fifth proof, seventy-five cents per gallon; on spirits from other materials than grain, of first and second proof, thirty-eight cents per gallon; of third proof, forty-two cents per gallon; of fourth proof, forty-eight cents per gallon; of fifth proof, fifty-seven cents per gallon; above fifth proof, seventy cents per gallon; on shoes, and slippers of silk, thirty cents per pair; on shoes, and slippers of leather, twenty-five cents per pair; on shoes and slippers for children, fifteen cents per pair; on spikes, two cents per pound; on soap, three cents per pound; on brown sugar, three cents per pound; on white clayed or powdered sugar, four cents per pound; on lump sugar, ten cents per pound; on loaf sugar and on sugar candy, twelve cents per pound; (a) on snuff, twelve cents per pound; on tallow, one cent per pound; on tea, from China, in ships or vessels of the United States, as follows, viz. bohea, twelve cents per pound; souchong and other black, twenty-five cents per pound; imperial, gunpowder, and gomee, fifty cents per pound; hyson and young hyson, forty cents per pound: hyson skin and other green, twenty-eight cents per pound; on teas, from any other place, or in any other than ships or vessels of the United States, as follows, viz. bohea, fourteen cents per pound; souchong and other black, thirty-four

(a) The revenue or tariff act of 1816, ch. 107, lays a duty on "loaf sugar," of twelve cents a pound. Held that the words "loaf sugar," must be understood according to their general meaning in trade and commerce, and buying and selling; and if upon evidence it appeared that loaf sugar meant sugar in loaves, then crushed loaf sugar was not loaf sugar within the act. *The United States v. Ebenezer Breed and others*, 1 Sumner's C. C. R. 159.

To constitute an evasion of a revenue act, which shall be deemed, in point of law, a fraudulent evasion, it is not sufficient that the party introduces another article perfectly lawful, which defeats the policy contemplated by the act, or which supersedes or diminishes the use of the article taxed by the act. There must be substantially an introduction of the very thing taxed, under a false denomination or cover, with the intent to evade or defraud the act. *Ibid.* 166.

cents per pound; imperial, gunpowder and gomee, sixty-eight cents per pound; hyson and young hyson, fifty-six cents per pound; hyson skin and other green, thirty-eight cents per pound; on manufactured tobacco, other than snuff and segars, ten cents per pound; on whiting and Paris white, one cent per pound; on wine, as follows, viz. on Madeira, Burgundy, Champaign, Rhenish and Tokay, one dollar per gallon; on Sherry and St. Lucar, sixty cents per gallon; on other wine, not enumerated, when imported in bottles or cases, seventy cents per gallon; on Lisbon, Oporto and other wines of Portugal, and on those of Sicily, fifty cents per gallon; on Teneriffe, Fayal, and other wines of the western islands, forty cents per gallon; on all other wines when imported otherwise than in cases and bottles, twenty-five cents per gallon; on Russia duck, (not exceeding fifty-two archeens each piece,) two dollars; on ravens duck, (not exceeding fifty-two archeens each piece,) one dollar and twenty-five cents; on Holland duck, (not exceeding fifty-two archeens each piece,) two dollars and fifty cents; on spermaceti oil of foreign fishing, twenty-five cents per gallon; on whale and other fish oil, of foreign fishing, fifteen cents per gallon; and on olive oil in casks, at twenty-five cents per gallon.

Specific duties.

SEC. 2. *And be it further enacted*, That the following articles shall be imported into the United States free of duties; that is to say, all articles imported for the use of the United States; philosophical apparatus, instruments, books, maps, charts, statues, busts, casts, paintings, drawings, engravings, specimens of sculpture, cabinets of coins, gems, medals, and all other collections of antiquities, statuary, modelling, painting, drawing, etching or engraving, specially imported by order and for the use of any society incorporated for philosophical or literary purposes, or for the encouragement of the fine arts, or by order, and for the use of any seminary of learning; specimens in natural history, mineralogy, botany, and anatomical preparations, models of machinery and other inventions, plants and trees; wearing apparel and other personal baggage in actual use, and the implements or tools of trade of persons arriving in the United States; regulus of antimony, bark of the cork tree, unmanufactured; animals imported for breed; burr stones, unwrought; gold coin, silver coin, and bullion; clay; unwrought copper; imported in any shape for the use of the mint; copper and brass, in pigs, bars, or plates, suited to the sheathing of ships; old copper and brass, and old pewter, fit only to be re-manufactured; tin, in pigs or bars; furs, undressed, of all kinds; raw hides and skins; lapis calaminaris; plaster of Paris; rags of any kind of cloth; sulphur or brimstone; barilla; Brazil wood, braziletto, red wood, camwood, fustic, logwood, Nicaragua, and other dye woods; wood, unmanufactured, of any kind; zinc, teutenague or spelter.

Articles exempt from duties.

SEC. 3. *And be it further enacted*, That an addition of ten per centum shall be made to the several rates of duties above specified and imposed, in respect to all goods, wares, and merchandise, on the importation of which in American or foreign vessels a specific discrimination has not been herein already made, which, after the said thirtieth day of June, one thousand eight hundred and sixteen, shall be imported, in ships or vessels not of the United States: *Provided*, That this additional duty shall not apply to goods, wares and merchandise, imported in ships or vessels not of the United States, entitled by treaty, or by any act or acts of Congress, to be entered in the ports of the United States, on the payment of the same duties as are paid on goods, wares and merchandise, imported in ships or vessels of the United States.

SEC. 4. *And be it further enacted*, That there shall be allowed a drawback of the duties, by this act imposed, on goods, wares, and merchandise imported into the United States, upon the exportation thereof within the time, and in the manner prescribed by the existing laws, subject to the following provisions, that is to say: that there shall not be an allow-

Regulations as to drawback.

ance of the drawback of duties in the case of goods imported in foreign vessels from any of the dominions, colonies or possessions of any foreign power, to and with which the vessels of the United States are not permitted to go and trade; that there shall not be an allowance of the drawback of duties for the amount of the additional duties by this act imposed on goods imported in vessels not of the United States; that there shall not be an allowance of the drawback in case of foreign dried and pickled fish, and other salted provisions, fish oil, or playing cards; that there shall be deducted and retained from the amount of the duties on goods exported, with the benefit of drawback, (other than spirits) two and a half per centum; and that there shall be retained in the case of spirits exported with the benefit of drawback, two cents per gallon upon the quantity of spirits, and also three per centum on the amount of duties payable on the importation thereof. But, nevertheless, the provisions of this act shall not 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, upon the subject of exporting goods from the United States, with the benefit of a drawback of the duties payable upon the importation thereof.

Time allowed for giving exportation bonds.

SEC. 5. *And be it further enacted*, That after the thirtieth day of June next, in all cases of entry of merchandise for the benefit of drawback, the time of twenty days shall be allowed from the date of the entry, for giving the exportation bonds for the same: *Provided*, That the exporter shall, in every other particular, comply [with] the regulations and formalities heretofore established for entries of exportation for the benefit of drawback.

Duties on tonnage, &c., to remain as they are.

SEC. 6. *And be it further enacted*, That the duty on the tonnage of vessels, and the bounties, advances, and drawbacks in the case of exporting pickled fish, of the fisheries of the United States, in the case of American vessels employed in the fisheries, and in the case of exporting sugar, refined within the United States, shall be and continue the same as the existing law provides. *Provided always*, That this provision shall not be deemed in anywise 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 of tonnage on vessels.

Proviso.

Provisions of existing laws adopted with respect to this.

SEC. 7. *And be it further enacted*, That the existing laws shall extend to, and be in force for the collection of the duties imposed by this act, on goods, wares, and merchandise, imported into the United States; and for the recovery, collection, distribution and remission of all fines, penalties, and forfeitures; and for the allowance of the drawbacks and bounties by this act authorized, as fully and effectually as if every regulation, restriction, penalty, forfeiture, provision, clause, matter and thing, in the existing laws contained, had been inserted in, and re-enacted by this act. And that all acts, and parts of acts, which are contrary to this act, and no more, shall be, and the same are hereby repealed.

Parts of former laws also to apply.

Discriminating duties. Act of March 3, 1815, ch. 76.

SEC. 8. *And be it further enacted*, That the act passed the third day of March, one thousand eight hundred and fifteen, entitled "An act to repeal so much of the several acts imposing duties on the tonnage of ships and vessels, and on goods, wares and merchandise imported into the United States, as imposes a discriminating duty on tonnage between foreign vessels and vessels of the United States, and between goods imported into the United States in foreign vessels and vessels of the United States," shall apply and be in full force as to the discriminating duties established by this act on the tonnage of foreign vessels, and the goods, wares, and merchandise therein imported.

APPROVED, April 27, 1816.

CHAP. CX.—*An Act to fix the commissions of the collectors of the direct tax and internal duties, and to revive and continue in force "An act further to provide for the collection of duties on imports and tonnage."*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the collectors of the direct tax and internal duties shall be allowed, in lieu of the commissions authorized by any existing law, in each calendar year, the following commissions upon moneys accounted for and paid by them into the treasury, from and after the thirty-first day of December, one thousand eight hundred and fifteen, that is to say: six per centum upon all sums until the same shall amount to forty thousand dollars; three per centum upon all sums above forty thousand until the same shall amount to one hundred thousand dollars; and two per centum upon all sums above one hundred thousand dollars: *Provided,* That the entire amount of commissions allowed during such year in any collection district shall not, exclusive of the commission allowed to the collectors designated by the Secretary of the Treasury to receive the lists of taxes due on the property of non-residents, exceed five thousand dollars: *And provided,* That the said allowance exceeding five thousand dollars, shall be made only in the calendar years in which the collector shall have received for the lists of taxes.

SEC. 2. *And be it further enacted,* That all the provisions of the act "to fix the compensations, and increase the responsibility of the collectors of the direct tax and internal duties, and for other purposes, connected with the collection thereof," passed the third of March, one thousand eight hundred and fifteen, excepting those contained in the first section thereof, be, and the same are hereby continued in force.

SEC. 3. *And be it further enacted,* That the act entitled "An act further to provide for the collection of duties on imports and tonnage," passed on the third day of March, one thousand eight hundred and fifteen, be, and the same is hereby revived and made of force until the end of the next session of Congress, and no longer.

APPROVED, April 27, 1816.

STATUTE I.

April 27, 1816.

1815, ch. 93.

Act of March 3, 1815, ch. 99.
Act of Dec. 23, 1817, ch. 1.
Compensation to collectors.

Proviso.

Proviso.

Provisions of a former act continued in force.
1815, ch. 99.

Act of March 3, 1815, ch. 99.

STATUTE I.

CHAP. CXII.—*An Act making appropriations for repairing certain roads therein described.*

April 27, 1816.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of ten 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 repairing, and keeping in repair the road between Columbia, on Duck river, in the state of Tennessee, and Madisonville, in the state of Louisiana, by the Choctaw agency; and also the road between Fort Hawkins, in the state of Georgia, and Fort Stoddard, under the direction of the Secretary of War.

APPROVED, April 27, 1816.

Repairs of certain roads.

STATUTE I.

CHAP. CXIX.—*An Act providing for the distribution of one hundred thousand dollars among the captors of the Algerine vessels captured and restored to the Dey of Algiers.*

April 27, 1816.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of one hundred thousand dollars be, and the same is hereby appropriated, to be paid out of any moneys in the treasury, not otherwise appropriated, and

Distribution of appropriation for the capture of the Algerine vessels.

distributed in the same proportions and under the same regulations as prize money is now by law directed to be distributed, among the captors of the Algerine vessels, captured by the American squadron, under the command of Commodore Decatur, and afterwards restored to the Dey of Algiers.

APPROVED, April 27, 1816.

STATUTE I.

April 27, 1816.

[Obsolete.]

Specific appropriations for rebuilding light-houses, &c.

CHAP. CXX.—*An Act making appropriations for rebuilding light-houses and for completing the plan of lighting them, according to the improvements of Winslow Lewis, for placing beacons and buoys, for preserving Little Gull Island, and for surveying the coast 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 sums herein after mentioned be, and the same are hereby, appropriated for the following purposes, to wit: For rebuilding the light-house on Point Judith, Rhode Island, seven thousand five hundred dollars. For completing the fitting up of all the light-houses with Winslow Lewis's improvements, in addition to the sums heretofore appropriated for that purpose, sixteen thousand dollars. For the construction of works deemed necessary for the preservation of Little Gull Island, thirty thousand dollars. For rebuilding the light-house on New Point Comfort, Virginia, seven thousand dollars. For rebuilding the light-house on Baker's Island, Massachusetts, four thousand dollars. For the following objects, being the balances of former appropriations for the same purposes, carried to the surplus fund: For erecting light-houses at the mouth of the Mississippi, and at or near the pitch of Cape Look Out, North Carolina, thirty-four thousand nine hundred and ninety-five dollars. For rebuilding a light-house at Naushawn Island, near Tarpaulen Cove, Massachusetts, two thousand four hundred and seventy-five dollars. For erecting a beacon and placing buoys near the entrance of Savannah river, two thousand four hundred and ninety-four dollars and eighty-five cents. For placing buoys and beacons at or near the entrance of the harbour of Beverly, Massachusetts, three hundred and forty-one dollars and ninety-five cents. For erecting two lights on Lake Erie, to wit: at or near Bird Island, and on or near Presque Isle, one thousand five hundred and ninety dollars. For placing beacons and buoys on Georgetown bar, and in Winyaw Bay, South Carolina, one thousand five hundred dollars. For rebuilding the Baldhead light-house in North Carolina, fifteen thousand dollars. For defraying the expense of surveying the coast of the United States, fifty-four thousand seven hundred and twenty dollars and fifty-seven cents. For repairing piers in the harbour of Newburyport, Massachusetts, a sum not exceeding seven hundred dollars. *Provided,* That the jurisdiction of the site where such piers are erected shall be first ceded to the United States.

APPROVED, April 27, 1816.

STATUTE I.

April 27, 1816.

[Obsolete.]

Certain light-houses to be built.

CHAP. CXXI.—*An Act to authorize the building of three light-houses, viz. one on Race Point, one on Point Gammon, and one on the Island of Petite Manon, in the state of Massachusetts.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That as soon as a cession shall be made by the state of Massachusetts to the United States, of the jurisdiction over the land sufficient 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

three light-houses, viz. one on Race Point, one on Point Gammon, in the town of Yarmouth, and one on the island called Petite Manon, near Naraguages river, in the state of Massachusetts; and to furnish the same with all necessary supplies, and also to agree for the salaries or wages of the persons who shall be appointed by the President for the superintendence and care of the same; and the President shall be authorized to make the said appointments.

SEC. 2. *And be it further enacted*, That the sum of eight thousand dollars be, and the same is hereby appropriated, out of any moneys in the treasury not otherwise appropriated, for the purposes aforesaid, and also for purchasing such lots of land as shall be required for the erection of the said light-houses, and other buildings necessarily connected therewith.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby authorized to cause the light of Scituate light-house to be extinguished, should the extinguishment thereof be deemed expedient for the safety of navigation on that coast.

APPROVED, April 27, 1816.

Specific appropriations.

Light of Scituate light-house may be extinguished.

CHAP. CXXIII.—*An Act to authorize the sale of lands forfeited to the United States, in the district of Jeffersonville, at the land office in said district.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the register and receiver of the land office for the district of Jeffersonville be, and they are hereby authorized to expose to public sale, to the highest bidder, at the land office aforesaid, any tract or tracts of land which may hereafter become forfeited to the United States for non-payment, under such terms and conditions as are, or may be, prescribed by law.

SEC. 2. *And be it further enacted*, That so much of any former act of Congress as requires the register and receiver of the district aforesaid, to expose to public sale, at the courthouse of the county in which the said land office is established, any tract or tracts of land which may become forfeited to the United States for non-payment, be, and the same is hereby repealed.

APPROVED, April 27, 1816.

STATUTE I.

April 27, 1816.

[Obsolete.]

Sale of lands in the district of Jeffersonville.

CHAP. CXXVII.—*An Act providing for cases of lost military land warrants, and discharges for faithful services.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That when any soldier of the regular army having obtained a military land warrant shall have lost, or shall hereafter lose the same, or the said warrant shall have been or may be by accident destroyed, every such soldier shall, upon proof thereof, to the satisfaction of the Secretary of War, be entitled to a patent in like manner as if the said warrant was produced.

SEC. 2. *And be it further enacted*, That in all cases of discharges from the military service of the United States of any soldier of the regular army, when it shall appear to the satisfaction of the Secretary of War, that a certificate of faithful services has been omitted by the neglect of the discharging officer, by misconstruction of the law, or by any other neglect or casualty, such omission shall not prevent the issuing of the warrant and patent as in other cases. And when it shall be proven as aforesaid, that any soldier of the regular army has lost his discharge and certificate of faithful service, the Secretary of War shall cause such papers to be furnished such soldier of the regular army as will entitle

STATUTE I.

April 27, 1816.

Cases of lost military land warrants provided for.

Cases of omissions as to discharges of "faithful services," provided for.

Proviso.

him to his land warrant and patent: *Provided*, such measure be justified by the time of his enlistment, the period of service, and the report of some officer of the corps to which he was attached.

APPROVED, April 27, 1816.

STATUTE I.

April 27, 1816.

[Obsolete.]

Additional compensation to the district judge of New York.

CHAP. CXXIX.—*An Act providing an additional compensation to the district judge of the southern district of New York.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there be paid to the district judge of the southern district of the state of New York, out of any moneys in the treasury not otherwise appropriated, the sum of one thousand five hundred dollars, for a compensation for his services in holding the courts of the United States, in the northern district of said state.

APPROVED, April 27, 1816.

STATUTE I.

April 27, 1816.

A tax to be laid on the county of Alexandria for building a jail and courthouse in Alexandria.

CHAP. CXXX.—*An Act to enable the Levy Court of the county of Alexandria to lay a tax for the purpose of defraying the expense of erecting a jail and courthouse.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall and may be lawful for the levy court of the county of Alexandria, in the District of Columbia, to raise, by a tax upon the taxable inhabitants of the said county, a sum sufficient to defray the expense of building a jail and courthouse, for the said county, which sum shall be appropriated to the erection of such buildings accordingly under the direction of the said court.

APPROVED, April 27, 1816.

STATUTE I.

April 27, 1816.

Commissioners to be appointed for laying off the road.

CHAP. CXXXI.—*An Act to authorize the surveying and making a road in the territory of Illinois.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby authorized to appoint three commissioners, who shall explore, survey, and mark in the most eligible course, a road from Shawanee town, on the Ohio river, to the United States' Saline, and to Kaskaskia, in the Illinois territory; and said commissioners shall make out accurate plats of such surveys, accompanied with field notes, and certify and transmit the same to the President of the United States, who, if he approves of said survey, shall cause the plats thereof to be deposited in the office of the treasury of the United States, and the said road shall be considered as established and accepted.

SEC. 2. *And be it further enacted,* That the said road shall be opened and made under the direction of the President of the United States, in such manner as he shall direct.

SEC. 3. *And be it further enacted,* That the said commissioners shall each be entitled to receive three dollars, and their assistants one dollar and fifty cents, for each and every day which they shall be necessarily employed in the exploring, surveying and marking, said road: and for the purpose of compensating the aforesaid commissioners and their assistants, and opening and marking said road, there shall be, and hereby is appropriated the sum of eight thousand dollars, to be paid out of any moneys in the treasury not otherwise appropriated.

APPROVED, April 27, 1816.

Road to be opened under direction of the President.

Compensation payable to commissioners, &c.

STATUTE I.

April 27, 1816.

CHAP. CXXXII.—*An Act providing for the sale of the tract of land, at the British fort at the Miami of the Lake, at the foot of the Rapids, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of the tract of land of twelve miles square, at the "British Fort of the Miami of the Lake, at the foot of the Rapids," ceded by the Wyandots, Delawares, Shawanoes, Ottawas, Chippewas, Patawatamies, Miamis, Eel River, Weeas, Kickapoos, Piankshaws, and Kaskaskias tribes of Indians, to the United States, by the treaty of Greenville, of the third of August, one thousand seven hundred and ninety-five, shall, under the direction of the surveyor general, be laid off into town lots, streets, and avenues, and into out lots, in such manner and of such dimensions, as he may judge proper: *Provided*, the tract so to be laid off shall not exceed the quantity of land contained in two entire sections, nor the town lots one quarter of an acre each. When the survey of the lots shall be completed, a plat thereof shall be returned to the surveyor general, on which the town lots and out lots shall, respectively, be designated, by progressive numbers, who shall cause two copies to be made, one to be transmitted, with a copy of the field notes, to the commissioner of the general land office, and the other to the register of the land office at Wooster.

Tract of land to be laid off into lots by the surveyor general.

Proviso.

SEC. 2. *And be it further enacted,* That previously to the disposal at public sale of the before-mentioned tract of land, the surveyor general shall, and he is hereby directed, to re-survey and mark the exterior lines of the said tract, conformably to the survey made in December, one thousand eight hundred and five, by virtue of the act of the third of March, one thousand eight hundred and five, and also to cause divisional lines to be run through each section and fractional section binding on the said river, so that each subdivision may contain, as nearly as may be, one hundred and sixty acres each. And in like manner to cause the "Great Island," lying at the foot of the rapids, in the said river, to be surveyed, and by lines, running north and south, to divide the same, as nearly as may be, into six equal parts, that is to say, that part of the said island, described in the survey of the said cession, as lying in township number three, in four parts; and that part of the said island lying in township number four, into two parts; *Provided*, That in running the subdivisional lines no interference shall be made affecting or impairing the rights of persons to whom letters patent have been granted for land lying within the limits of the said twelve miles square, nor affecting the selection or location hereafter to be made under the direction of the Secretary of War, for military purposes: *Provided, also*, That in no case shall the subdivisional lines be so run as to extend to, or embrace the bed of the river, which shall be deemed, and is hereby declared to be a public highway: *And provided, also*, That the whole expense of re-surveying and marking the exterior lines of the said cession and of the subdivisional lines of the sections, lying adjacent to the river, shall not exceed three dollars for every mile actually surveyed, re-surveyed, and marked, by virtue of this and the preceding section.

Surveyor general to cause the exterior lines of said tract to be run before the land is disposed of. 1805, ch. 43.

Proviso.

Proviso.

Proviso.

SEC. 3. *And be it further enacted,* That all the land contained within the aforesaid cession of twelve miles square, not excepted by virtue of any section of this act, shall, with the exception of number sixteen, which shall be reserved in each township, for the support of schools within the same, and with the exception also of the salt springs and land reserved for the use of the same, be offered for sale to the highest bidder, at Wooster, in the state of Ohio, under the direction of the register and receiver of the land office, and on such day or days as shall, by a public proclamation of the President of the United States, be designated for that purpose. The sale for the quarter sections, fractional quarter sections, and of the

Lands to be sold; when and where.

town lots and out lots, shall remain open at Wooster, for seven days and no longer. The quarter sections and fractional quarter sections, shall not be sold for less than two dollars an acre; the in lots for less than twenty dollars each, nor any out lot for less than at the rate of five dollars per acre; and shall, in every other respect, be sold on the same terms and conditions as have been, or may be, by law, provided for the lands sold north of the river Ohio, and above the mouth of Kentucky river. All the lands other than the reserved sections and those excepted as above mentioned, remaining unsold at the closing of the public sales, may be disposed of at private sale by the register of the land office, at Wooster, agreeably [to] the provisions of this act, and in the same manner, under the same regulations and conditions as are, or may be provided by law, for the sale of the lands of the United States, north of the Ohio river, and above the mouth of Kentucky river. And patents shall be obtained for all lands granted or sold within the said cession, in the same manner, and on the same terms, as are or may be provided by law for land sold in the state of Ohio. The superintendents of the public sales, directed by this section, shall receive four dollars each, for each day's attendance on the said sales.

APPROVED, April 27, 1816.

STATUTE I.

April 29, 1816.

[Obsolete.]

Annual appropriation for the militia.

Act of April 23, 1808, ch. 55.

Appropriation.

1809, March 3, ch. 28.

CHAP. CXXXV.—*An Act concerning the annual sum appropriated for arming and equipping the militia.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the annual sum of two hundred thousand dollars, as appropriated for the purpose of providing arms and military equipments for the militia, either by purchase or manufacture, according to the act of the twenty-third of April, one thousand eight hundred and eight, entitled "An act making provision for arming and equipping the whole body of the militia of the United States," shall be paid, for each year, respectively, out of any moneys in the treasury not otherwise appropriated.

SEC. 2. *And be it further enacted,* That the sum appropriated, to be paid as aforesaid, shall be applied for the purpose, and according to the intention specified in said act, without being liable at any time to be carried to the account of the surplus fund. And nothing 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 transferring of the sum annually appropriated as aforesaid, or any portion thereof, to any other branch of expenditure.

APPROVED, April 29, 1816.

STATUTE I.

April 29, 1816.

[Repealed.]

Act of Dec. 23, 1817, ch. 1. Reduction of duties.

Act of Dec. 23, 1814, ch. 16.

CHAP. CXXXVII.—*An Act for reducing the duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the thirty-first day of December next, the additional duties laid on licenses to retailers of wines, spirituous liquors and foreign merchandise, by the third section of the act, entitled "An act to provide additional revenues for defraying the expenses of government and maintaining the public credit, by laying duties on sales at auction, and on licenses to retail wines, spirituous liquors and foreign merchandise, and for increasing the rates of postage," passed on the twenty-third day of December, one thousand eight hundred and fourteen, shall cease and determine, and in case of

any application for a license to retail, between the thirtieth day of June, and the first day of January next, a license therefor shall, agreeably to the present rates of duty, be granted, to expire on the thirty-first of December next, on paying to the collector a sum which shall bear the same proportion to the duty for a year by the existing rates as the time for which the license may be granted shall bear to a year; and for neglect or failure to obtain such license, the same penalty shall be incurred, to be recovered in like manner as for the neglect or failure to obtain a license under the act, entitled "An act laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise," passed on the second of August, one thousand eight hundred and thirteen: *Provided*, That after the first day of January next, no retailer of imported salt alone, whose stock in trade shall not exceed one hundred dollars, shall be compelled to take out a license for retailing the same, nor be liable to any penalty or forfeiture for failing to do so.

APPROVED, April 29, 1816.

1813, ch. 39.

Proviso.

STATUTE I.

CHAP. CXXXVIII.—*An Act for the gradual increase of the Navy of the United States.*

April 29, 1816.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the gradual increase of the navy of the United States, the sum of one million of dollars per annum, for eight years, is hereby appropriated, including the sum of two hundred thousand dollars per annum, for three years, or the unexpended balance thereof, appropriated by an act approved on the third day of March, one thousand eight hundred and fifteen, entitled "An act concerning the naval establishment."

[Obsolete.]
First section repealed by act of March 3, 1821, ch. 47.
Increase of the navy provided for, 1815, ch. 81.

SEC. 2. *And be it further enacted*, That the President of the United States be, and he is hereby authorized, to cause to be built nine ships, to rate not less than seventy-four guns each, and twelve ships, to rate not less than forty-four guns each, including one seventy-four and three forty-four gun ships, authorized to be built by an act bearing date on the second day of January, one thousand eight hundred and thirteen, entitled "An act to increase the navy of the United States;" and in carrying this act into effect, the President shall be, and he is hereby authorized as soon as the timber and other necessary materials are procured, and the timber properly seasoned, to cause the said ships to be built and equipped; or, if in his judgment, it will more conduce to the public interest, he may cause the said ships to be framed and remain on the stocks, and kept in the best state of preservation, to be prepared for service in the shortest time practicable, when the public exigency may require them.

Ships to be built.

Act of May 17, 1826, ch. 64.
1813, ch. 6.

SEC. 3. *And be it further enacted*, That for the defence of the ports and harbours of the United States, the President shall be, and he is hereby authorized to cause to be procured the steam engines, and all the imperishable materials necessary for building and equipping three steam batteries, on the most approved plan, and best calculated for the waters in which they are to act: and such materials shall be secured in the best manner, to insure the completing such batteries in the shortest time practicable, when they, or either of them, in the opinion of the President, may be required for the public service; and the President is further authorized to cause to be completed and kept in the best state of preservation, the block ship now on the stocks near New Orleans.

Three steam batteries to be procured for harbour defence.

The block ship at New Orleans to be completed.

SEC. 4. *And be it further enacted*, That the moneys appropriated by this act shall not be transferred to any other object of expenditure, nor shall any part thereof be carried to the fund denominated "the surplus fund."

Appropriation.

APPROVED, April 29, 1816.

VOL. III.—41

STATUTE I.

April 29, 1816.

CHAP. CXXXIX.—*An Act regulating the currency within the United States, of the gold coins of Great Britain, France, Portugal, and Spain, and the crowns of France, and five-franc pieces. (a)*

Act of March 3, 1819, ch. 97.

Regulations as to the currency.

Act of March 3, 1821, ch. 53.

Assays of gold and silver currency to be made.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from the passage of this act and for three years thereafter, and no longer, the following gold and silver coins shall pass current as money within the United States, and be a legal tender for the payment of all debts and demands, at the several and respective rates following, and not otherwise, videlicet: the gold coins of Great Britain and Portugal, of their present standard, at the rate of one hundred cents for every seventy-seven grains, or eighty-eight cents and eight-ninths per pennyweight; the gold coins of France, of their present standard, at the rate of one hundred cents for every twenty-seven and a half grains, or eighty-seven and a quarter cents per pennyweight: the gold coins of Spain, at the rate of one hundred cents for every twenty-eight and a half grains, or eighty-four cents per pennyweight; the crowns of France, at the rate of one hundred and seventeen cents and six-tenths per ounce, or one hundred and ten cents for each crown weighing eighteen pennyweights and seventeen grains; the five-franc pieces at the rate of one hundred and sixteen cents per ounce, or ninety-three cents and three mills for each five-franc piece, weighing sixteen pennyweights and two grains.

SEC. 2. *And be it further enacted,* That it shall be the duty of the Secretary of the Treasury to cause assays of the foregoing gold and silver coins, made current by this act, to be had at the mint of the United States, at least once in every year: and to make report of the result thereof to Congress.

APPROVED, April 29, 1816.

STATUTE I.

April 29, 1816.

CHAP. CXL.—*An Act supplementary to an act making alterations in the Treasury and War Departments, passed the eighth day of May, 1792. (b)*

Act of March 3, 1817, ch. 45.
Additional accountant of War Department to be appointed.
His duties and compensation.

His salary and provision for clerks.

Act limited to the end of the first Congress after the passage of it.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there shall be appointed by the President of the United States, by and with the advice and consent of the Senate, an additional accountant in the Department of War, whose duty it shall be to adjust and settle all the accounts in that department existing at the conclusion of the late war and are now unsettled. In the execution of this duty he shall conform to the regulations which govern the accountant of the War Department, and shall receive the same compensation for his services and be entitled to the same privileges of franking.

SEC. 2. *And be it further enacted,* That for defraying the expenses of clerks to be employed under his direction, and for the payment of his salary, the sum of eight thousand eight hundred and seven dollars is hereby appropriated out of any money in the treasury not otherwise appropriated.

SEC. 3. *And be it further enacted,* That this act shall continue in force for one year from the passing thereof, and to the end of the next session of Congress thereafter, and no longer.

APPROVED, April 29, 1816.

(a) The provisions of the acts of Congress in relation to the value of foreign coins will be found vol. i. pp. 167, 168, 300, 539, 673, 680.

(b) See note referring to the act relative to the Treasury Department, vol. i. 279. Also see note to the act of March 3, 1817, ch. 45.

STATUTE I.

CHAP. CXXI.—*An Act to establish a land district in Illinois territory, north of district of Kaskaskia.*

April 29, 1816.

New land district created.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of the public lands of the United States, heretofore included within the land district of Kaskaskia, and lying north of the base line in Illinois territory, shall form a new land district, for the disposal of the said lands, and for which purpose a land office shall be established at Edwardsville, Madison county, under the direction of the register of the land office and receiver of public moneys to be appointed for that purpose, who shall reside at the place: give security in the same manner and in the same sums, and whose compensation, emoluments, duties and authority shall in every respect be the same in relation to the lands which shall be disposed of at their office, as are or may be by law provided in relation to the registers and receivers of public moneys in the several offices, established for the disposal of the lands of the United States, north-west of the river Ohio.

SEC. 2. *And be it further enacted,* That the said lands shall be disposed of in the same manner, and on the same terms and conditions, as are or may be provided by law for the sale of public lands, in the district of Kaskaskia, provided that no tract of land, excepted from the sale by virtue of any former act, shall be sold by virtue of this act.

APPROVED, April 29, 1816.

Terms upon which lands are to be disposed of.

STATUTE I.

CHAP. CXLII.—*An Act to increase the compensation of the superintendents of the manufactories of arms at Springfield and Harper's Ferry.*

April 29, 1816.

Compensation increased.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in addition to the pay and rations, as at present fixed, of the superintendents of the manufactories of arms, at Springfield and Harper's Ferry, they shall receive thirty dollars per month, and one ration per day.

APPROVED, April 29, 1816.

STATUTE I.

CHAP. CXLIII.—*An Act authorizing the judges of the circuit court, and the attorney for the District of Columbia, to prepare a code of jurisprudence for the said district.*

April 29, 1816.

Code of laws to be digested and formed for District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the judges of the circuit court, and the attorney for the District of Columbia be, and they are hereby authorized, to prepare and digest a code of jurisprudence, both civil and criminal, for the said district, to be hereafter submitted to the Congress of the United States, to be modified, altered or adopted, as to them shall seem proper.

SEC. 2. *And be it further enacted,* That the sum of one thousand five hundred dollars be, and the same is hereby appropriated, to be paid to the said judges and the attorney aforesaid, as a compensation for their services in this respect, out of any money in the treasury not otherwise appropriated.

APPROVED, April 29, 1816.

Appropriation.

STATUTE I.

CHAP. CXLV.—*An Act authorizing payment for prisoners captured by private armed vessels.*

April 29, 1816.

Bounty to officers and

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

crew of private
armed vessels.

of the Treasury be, and he is hereby authorized and required to settle and pay unto the owners, officers and crew of private armed vessels, the bounty allowed by law for prisoners captured and brought into port, and delivered to the agent of the United States, captured on board any British vessel after the exchange of the ratifications of the treaty of peace between the United States and Great Britain, but before the said treaty took effect in the latitude wherein the capture was made; and the Secretary of the Treasury is hereby authorized to pay the aforesaid claims out of any moneys in the treasury not otherwise appropriated.

APPROVED, April 29, 1816.

Appropriation.

STATUTE I.

April 29, 1816.

[Obsolete.]

Compensation
of the commis-
sioners, &c. &c.
fixed.

CHAP. CXLIX.—*An Act for settling the compensation of the commissioners, clerk, and translator of the board for land claims in the eastern and western district of the territory of Orleans, now state of Louisiana.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the proper accounting officers of the Treasury, in settling the accounts for compensation to the commissioners, the clerk and translator of the board for adjusting the titles and claims to lands in the eastern and western district of the territory of Orleans, now state of Louisiana, shall allow to them respectively, for the time they were actually employed in discharge of the duties aforesaid, at the rate of the following annual compensation: to each of the commissioners, two thousand dollars; to the clerk, one thousand five hundred dollars; and to the translator one thousand dollars: which allowance shall commence, for the commissioners, clerk and translator for the eastern district, on the first of July, one thousand eight hundred and nine, and continue until the first day of May, one thousand eight hundred and eleven, and for the commissioners, clerk and translator for the western district, on the first day of January, one thousand eight hundred and eleven, and continue until the eleventh day of May, one thousand eight hundred and fifteen, and shall include the moneys they may have received, or are entitled to, according to the existing laws, and shall be in full for all service rendered by them in relation to the lands within the said district.

APPROVED, April 29, 1816.

STATUTE I.

April 29, 1816.

Sum appropri-
ated for enclos-
ing and improv-
ing the capitol
square.

CHAP. CL.—*An Act making an appropriation for enclosing and improving the public square near the capitol; and to abolish the office of commissioners of the public buildings, and of superintendent, and for the appointment of one commissioner for the public buildings.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That a sum not exceeding thirty thousand dollars be, and the same is hereby appropriated, to be applied under the direction of the President of the United States, to enclosing and improving the public square, east of the capitol, which sum shall be paid out of any money in the treasury, not otherwise appropriated.

Board of com-
missioners abo-
lished, and one
commissioner
appointed.

SEC. 2. *And be it further enacted,* That so much of any act or acts, as authorizes the appointment of three commissioners for the superintendence of the public buildings, be, and the same is hereby repealed: and in lieu of the said commissioners, there shall be appointed by the President of the United States, by and with the advice and consent of the Senate, one commissioner, who shall hold no other office under the authority of the United States, and who shall perform all the duties with which the said three commissioners were charged, and whose duty

it shall also be to contract for, and superintend the enclosing and improvements of the public square, under the direction [of the President] of the United States.

SEC. 3. *And be it further enacted,* That there shall be allowed to the said commissioner a salary of two thousand dollars, to be paid quarterly, out of any moneys in the treasury not otherwise appropriated.

SEC. 4. *And be it further enacted,* That it shall be the duty of such persons as may have been appointed to superintend the repairing of the public buildings, to deliver up unto the commissioner who shall be appointed in virtue of this act, all plans, draughts, books, records, accounts, contracts, bonds, obligations, securities and other evidence of debt in their possession which belong to their offices.

SEC. 5. *And be it further enacted,* That from and after the third day of March next, the office of superintendent, established by act of Congress of first May, one thousand eight hundred and two, shall cease, and thereafter the duties of said office shall be performed by the commissioner to be appointed by virtue of this act; and to whom the superintendent shall deliver all documents, securities, books and papers, relating to said office; and from and after the third of March next, the commissioner aforesaid shall be vested with all the powers and perform all the duties, conferred upon the superintendent aforesaid.

SEC. 6. *And be it further enacted,* That the President of the United States shall be, and hereby is, authorized and empowered, in repairing the public buildings in the city of Washington, to make such alterations in the plans thereof, respectively, as he shall judge proper for the better accommodation of the two houses of Congress, the President of the United States, and the various departments of the government, or any of them.

APPROVED, April 29, 1816.

CHAP. CLI.—*An Act to provide for the appointment of a surveyor of the public lands in the territories of Illinois and Missouri.*

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 territories of Illinois and Missouri shall be appointed, whose duty it shall be to engage a sufficient number of skilful surveyors as his deputies, and to cause so much of the land above-mentioned, as the President of the United States shall direct, and to which the titles of the Indian tribes have been extinguished, to be surveyed and divided in the manner, and to do and perform all such other acts in relation to such lands, as the surveyor general is authorized and directed to do, in relation to the same, or the lands lying north-west of the river Ohio: and it shall also be the duty of the surveyor to cause to be surveyed the lands in the said territories, the claims to which have been or hereafter may be confirmed by any act of Congress, which have not already been surveyed according to law: and generally to do and perform all and singular the duties required by law to be performed by the principal deputy surveyor for the territory of Missouri; and shall transmit to the registers of the land offices within the said territories, respectively, general and particular plats of all the lands surveyed, or to be surveyed, and shall also forward copies of said plats to the commissioner of the general land office; fix the compensation of the deputy surveyors, chain carriers, and axemen. *Provided,* that the whole expense of surveying and marking the lines shall not exceed three dollars for every mile that shall be run, surveyed and marked.

SEC. 2. *And be it further enacted,* That the surveyor of the lands of the United States, appointed in pursuance of this act, shall be allowed an annual compensation of one thousand dollars, and shall be entitled to

Compensation to the commissioner.

Plans, &c. to be delivered to the commissioner.

Office of superintendent abolished on the 3d March, 1817. Its duties to devolve on commissioner of public buildings.

Act of May 1, 1802, ch. 41.

President authorized to make alterations in the plans of the public buildings.

STATUTE I.

April 29, 1816.

Surveyor of public lands in the territories of Illinois and Missouri to be appointed—his duties.

Duties.

Proviso.

His compensation, annual, and fees of office.

receive from individuals the following fees: that is to say, for recording the surveys executed by any of the deputies, at the rate of twenty-five cents for every mile of the boundary line of such survey, and for a certified copy of a plat of a survey in his office twenty-five cents, and that all the plats of surveys, and all other papers and documents pertaining, or which did pertain to the office of the surveyor general under the Spanish government within the limits of the territory of Missouri, or to the office of principal deputy surveyor for said territory, or pertaining to the office of surveyor general, or to any office heretofore established or authorized for the purpose of executing or recording surveys of lands within the limits of the territories of Missouri and Illinois, shall be delivered to the surveyors of the lands of the United States, authorized to be appointed by this act; and any plat of survey duly certified by the said surveyor shall be admitted as evidence in any of the courts of the United States or territories thereof.

His plats and surveys made evidence.

Part of the act of Feb. 28, 1806, ch. 11.

Repealed.

SEC. 3. *And be it further enacted*, That so much of the act entitled "An act extending the powers of the surveyor general to the territory of Louisiana, and for other purposes," passed February twenty-eighth, one thousand eight hundred and six, as provides for the appointment of a principal deputy surveyor, and so much of any act of Congress here[*to*]fore passed, as is repugnant to, or inconsistent with, any provision of this act, be, and the same is hereby repealed.

APPROVED, April 29, 1816.

STATUTE I.

April 29, 1816. CHAP. CLII.—*An Act making appropriations for carrying into effect a treaty between the United States and the Cherokee tribe of Indians, concluded at Washington, on the twenty-second day of March, one thousand eight hundred and sixteen.*

Appropriation. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That for the purpose of carrying into effect a treaty between the United States and the Cherokee nation of Indians, concluded and signed at Washington, on the twenty-second day of March, one thousand eight hundred and sixteen, the sum of twenty-eight thousand six hundred dollars be, and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, April 29, 1816.

STATUTE I.

April 29, 1816. CHAP. CLIII.—*An act providing for the sale of certain lands in the state of Ohio, formerly set apart for refugees from Canada and Nova Scotia.*

Certain lands set apart for Canadian and Nova Scotia refugees, not yet located, made a part of the land district of Chillicothe.

Act of Feb. 18, 1801, ch. 5.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That such part of the tract of land which was set apart for refugees from Canada and Nova Scotia, by the act of Congress, passed the eighteenth day of February, one thousand eight hundred and one, entitled "An act regulating the grants of land appropriated for the refugees from the British provinces of Canada, and Nova Scotia," which has not been located by the said refugees, shall be attached to, and made a part of the land district of Chillicothe; and the said unlocated land shall be offered for sale to the highest bidder, under the direction of the register of the land office and of the receiver of public moneys for the said district, at Chillicothe, on such day as shall, by proclamation of the President of the United States, be designated for that purpose; the sale shall remain open six days, 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

To be exposed to sale, and sold to the highest bidder.

the same terms and conditions as have been or may be provided for lands in the said district. All the said unlocated land, remaining unsold at the close of the public sales, may be disposed of at private sale by the register of the said land office, in the same manner, under the same regulations, for the same price, and on the same terms as are or may be provided by law for the sale of lands in the said district; and patents shall be obtained in the same manner, and on the same terms, as for other public lands in the said district.

Lands, undisposed of this way, to be sold by private bargains.

SEC. 2. *And be it further enacted,* That the superintendents of the public sales directed by this act shall each receive four dollars a day for each day's attendance on the said sales.

APPROVED, April 29, 1816.

STATUTE I.

April 29, 1816.

[Obsolete.]

CHAP. CLIV.—*An Act supplemental to the act, entitled "An act regulating and defining the duties of the judges of the territory of Illinois, and for vesting in the courts of the territory of Indiana, a jurisdiction in chancery cases, arising in the said territory."*

Act of March 3, 1815, ch. 97.

To what judicial circuits new counties are attached.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That when a new county shall be established in the territory of Illinois by the legislature thereof, such new county shall be attached to the judicial circuit from which the largest portion thereof is taken; and it shall be the duty of the judges allotted to such circuit, in pursuance of the act to which this is a supplement, to hold courts in such new county twice in each year, at such time and place as the legislature of the territory may designate.

Provision in case of the inability of the regular judges to hold the prescribed courts.

SEC. 2. *And be it further enacted,* That when any judge in the said territory shall be unable to hold the courts within the circuit to which he is allotted, by reason of any disability, it shall be the duty of the judge allotted to the circuit nearest thereto, to hold the courts in such circuit, until the disability of the judge allotted to the circuit shall be removed, or (in case of the death or resignation of a judge) until a successor is appointed.

Judges to appoint clerks of courts.

SEC. 3. *And be it further enacted,* That the judge of any circuit within the said territory shall have power to appoint a clerk to each court within his court [circuit], and to fill any vacancy occasioned by the death or resignation of the clerk.

Courts of oyer and terminer for the trial of persons charged with felonies to be held upon the order of the governor.

SEC. 4. *And be it further enacted,* That when any person charged with felony, shall be committed to prison in any county within the territory aforesaid, it shall be lawful for the governor of the territory to issue his writ, directed to the judge allotted to the circuit including the county where such accused person may be committed, commanding him to hold a court of oyer and terminer, for the trial of the accused; and it shall be the duty of the judge to whom such writ is directed, to hold the court at the courthouse of the county at such time as may be specified in such writ; and all process issued, or proceeding had before the writ shall be issued, shall be returned to the said court of oyer and terminer.

Limitation of this act, and of the one to which it is supplemental.

Legislative power—how to be exercised.

SEC. 5. *And be it further enacted,* That this act, and the act to which this is supplemental, shall be and remain in force until the end of the next session of the legislature of the said territory, and no longer; and the legislature of the said territory shall have power and authority to make laws in all cases, for the good government of the territory aforesaid, not repugnant to the principles and articles of the ordinances, and to organize the courts of the said territory, and prescribe the times and places of their session.

SEC. 6. *And be it further enacted,* That the general court of the

Chancery jurisdiction conferred upon the general court of Indiana.

territory of Indiana be, and it is hereby authorized and empowered to exercise chancery powers as well as a common law jurisdiction, under such regulations as the legislature of said territory may prescribe.

APPROVED, April 29, 1816.

STATUTE I.

April 29, 1816.

CHAP. CLV.—*An Act to alter certain parts of the act providing for the government of the territory of Missouri.*

Act of June 4, 1812, ch. 95.

Act of March 2, 1819, ch. 49.

Electors to choose members of legislative council.

Act of June 4, 1812, ch. 95.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the electors of the territory of Missouri, entitled to vote for members of the house of representatives of the territory at the time of electing the representatives to the general assembly, shall in each county in said territory elect one member of the legislative council to serve for two years and no longer, qualified according to the provisions of the fifth section of the "Act providing for the government of the territory of Missouri," passed June fourth, one thousand eight hundred and twelve, a majority of whom shall be a quorum, and shall possess the same powers as are granted to the legislative council by the said recited act; and in case of a vacancy of a member of the legislative council by resignation or otherwise, the governor of the territory shall issue a writ to the county to elect another person to serve the residue of the term.

Biennial meetings of the general assembly to be held at St. Louis.

SEC. 2. *And be it further enacted,* That so much of the eighth section of the said recited act as requires the general assembly of said territory to meet once in each year be repealed, and the said general assembly shall meet once in every other year at St. Louis, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day: *Provided,* That the governor for the time being shall have authority by proclamation to convene the general assembly whenever he shall deem the interest of the territory may require it.

Proviso.

Judges of the superior court may be required by the general assembly to hold superior and circuit courts at the times and under rules to be prescribed by it.

SEC. 3. *And be it further enacted,* That the general assembly of the said territory shall be, and are hereby authorized, to require the judges of the superior court of the said territory to hold superior and circuit courts, to appoint the times and places of holding the same, and under such rules and regulations as the general assembly may in that behalf prescribe; the circuit courts shall be composed of one of the said judges, and shall have jurisdiction in all criminal cases, and exclusive original jurisdiction in all those which are capital, and original jurisdiction in all civil cases of the value of one hundred dollars, and the superior and circuit courts shall possess and exercise chancery powers as well as common law jurisdiction in all civil cases; *Provided,* That there shall be an appeal in matters of law and equity, in all cases from the circuit courts to the superior court of the said territory.

Proviso.

Repeal of parts of former acts.

SEC. 4. *And be it further enacted,* That such part of the said recited acts as is repugnant to, or inconsistent with the provisions of this act, be, and the same is hereby repealed.

APPROVED, April 29, 1816.

STATUTE I.

April 29, 1816.

CHAP. CLIX.—*An Act for the confirmation of certain claims to land in the western district of the state of Louisiana and in the territory of Missouri.*

Act of March 3, 1807, ch. 36. Preamble.

WHEREAS by the eighth section of the act of third [of] March, one thousand eight hundred and seven, it is required that the commissioners for ascertaining and adjusting the titles and claims to land in the then territories of Orleans and Louisiana, should arrange their reports into three general classes, the second of which classes should contain claims which, though not embraced by the provisions of the several acts of Congress, ought nevertheless, in the opinion of the commissioners, to be confirmed,

in conformity with the laws, usages and customs of the Spanish government: And whereas, the commissioners, in and for the western district of the state of Louisiana, formerly territory of Orleans, in their several reports of the sixteenth of October, one thousand eight hundred and twelve, fourth of December, one thousand eight hundred and twelve, ninth of March, one thousand eight hundred and thirteen, sixth of April, one thousand eight hundred and fifteen, first of May, one thousand eight hundred and fifteen, and fourth of May, one thousand eight hundred and fifteen, have formed this second class, recommending the claims which it embraces, for confirmation, and have designated the same, by letter B, and the register of the land office and receiver of public moneys, acting as commissioners for adjusting the titles and claims to land in the said district, in their report, dated the thirtieth day of December, one thousand eight hundred and fifteen, under the act giving further time for registering claims to land in the western district of the territory of Orleans, passed the tenth day of March, one thousand eight hundred and twelve, the "Act giving further time for registering claims to land in the eastern and western district of the territory of Orleans," passed the twenty-seventh day of February, one thousand eight hundred and thirteen, and the act of the twelfth day of April, one thousand eight hundred and fourteen, have arranged the claims into the following classes, to wit: one, two, three, four, five, six, seven, eight, nine, ten, eleven; Therefore,

Act of March 10, 1812, ch. 38.
 Act of Feb. 27, 1813, ch. 38.
 Act of April 12, 1814, ch. 52.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the claims marked B, and described in the several classes in the above-mentioned reports of the commissioners for the western district of the state of Louisiana, formerly territory of Orleans, and recommended by them for confirmation, be, and the same are hereby confirmed: *Provided nevertheless,* That under no one claim shall any person or persons be entitled, under this act, to more than the quantity contained in a league square.

Confirmation of certain claims.

Proviso.

SEC. 2. *And be it further enacted,* That all claims embraced in the reports of the recorder of land titles, acting as commissioner for ascertaining and adjusting the titles and claims to land, in the territory of Missouri, dated November first, one thousand eight hundred and fifteen, and February second, one thousand eight hundred and sixteen, where the decision of the said commissioner is in favour of the claimants, shall be, and the same are hereby confirmed, to wit: confirmations of village claims under the act of Congress of the thirteenth day of June, one thousand eight hundred and twelve: grants of the late board of commissioners, appointed for ascertaining and adjusting the titles and claims to land in the territory of Missouri, extended by virtue of the fourth section of the act of the third of March, one thousand eight hundred and thirteen; grants and confirmations under the several acts of Congress, commencing with the act of the thirteenth day of June, one thousand eight hundred and twelve.

Certain other claims confirmed.

1812, ch. 99.

Act of March 3, 1813, ch. 44. sect. 3.

SEC. 3. *And be it further enacted,* That in all cases not provided for by law for patent certificates to issue, every person and the legal representative of every person, whose claim to a tract of land is confirmed by this or any former act, and who has not already obtained a patent certificate for the same, shall, whenever his claim shall have been located and surveyed according to law, be entitled to receive from the register of the land office at Opelousas, in the state of Louisiana, or from the recorder of land titles in the territory of Missouri, as the case may be, a certificate, stating that the claimant is entitled to a patent for such tract of land, by virtue of this act, for which certificate the officer issuing the same shall receive one dollar, and the certificate shall entitle the party to a patent for the tract of land, which shall issue in like manner as is provided by law for patents to issue for lands purchased of the United States.

In cases not provided for by law, if claim is confirmed a patent to issue.

Fees.

APPROVED, April 29, 1816.

STATUTE I.

April 29, 1816.

[Obsolete.]

Specific appropriation for defraying the expenses of the military establishment.

CHAP. CLX.—*An Act making appropriations for the support of the military establishment of the United States, for the year 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 for defraying the expenses of the military establishment of the United States, for the year one thousand eight hundred and sixteen, for the Indian department, for fortifications, 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 one hundred ninety-six thousand four hundred and ninety-six dollars. For subsistence, one million forty-three thousand three hundred and fifty-five dollars. For forage for officers, twenty-five thousand six hundred and ninety-two dollars. For bounties and premiums, fifty-six thousand dollars. For clothing, three hundred and fifty thousand dollars. For the medical and hospital department, one hundred thousand dollars. For the quartermaster's department, three hundred and fifty thousand dollars. For fortifications, eight hundred and thirty-eight thousand dollars. For contingencies, one hundred and fifty thousand dollars. For the Indian department, two hundred thousand dollars. For the purchase of horses for the artillery, fifty thousand dollars. For the purchase of maps, plans, books and instruments for the war office, twenty-five hundred dollars. For the erection of buildings at West Point, including arrearages, one hundred fifteen thousand eight hundred dollars. For the purchase of maps, plans, books and instruments for the military academy, twenty-two thousand one hundred and seventy-one dollars. For defraying the expenses incurred by calling out the militia during the late war, in addition to the sums heretofore appropriated by law to that object, one million two hundred and fifty thousand dollars. For the payment of damages sustained by the ships and vessels sunk at the entrance of the port of Baltimore, to prevent the ships of the enemy from passing the fort and entering the harbour, fifteen thousand one hundred eighty-eight dollars and fifty cents, being part of the amount of an appropriation of two hundred and fifty thousand dollars, heretofore made, and by the President of the United States transferred to other objects.

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

APPROVED, April 29, 1816.

STATUTE I.

April 29, 1816.

CHAP. CLXII.—*An Act concerning pre-emption rights given in the purchase of lands to certain settlers in the state of Louisiana, and in the territory of Missouri and Illinois.*

Pre-emption right secured.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That any person, and the legal representatives of any person entitled to a preference in becoming the purchaser, from the United States, of a tract of land, at private sale in the state of Louisiana, and in the territories of Missouri and Illinois, according to the provisions of the act, entitled "An act giving the right of pre-emption, in the purchase of lands, to certain settlers in the Illinois territory," passed February fifth, one thousand eight hundred and thirteen, and the fifth section of the "Act for the final adjustment of land titles in the state of Louisiana, and territory of Missouri," passed April twelfth, one thousand eight hundred and fourteen, who is settled on a fraction of a section or fractional quarter section,

Act of Feb. 5, 1813, ch. 20.

Act of April 12, 1814, ch. 52.

containing less than one hundred and sixty acres, shall have the privilege of purchasing one or more adjoining fractional quarter sections, or the adjoining quarter section, including their improvements, or the fraction improved by them, at their option; and the provisions of the said recited acts are hereby made applicable to them, so far as they are consistent with the provisions of this act.

SEC. 2. *And be it further enacted*, That in cases where two or more persons entitled to the right of pre-emption, shall be settled upon one quarter or fractional quarter section of land, each person shall be authorized to purchase one or more quarter sections, or fractional quarter sections, of the section or fractional section of land upon which they are so settled; and the section or fractional section upon which such persons are settled shall be equally divided between them, in such manner as the register and receiver, within whose district the land lies, shall determine and direct, so as to secure, as far as may be practicable, to every such person their improvements respectively, and where the improvement of such person shall be upon two or more quarter sections, such person shall be entitled to purchase the quarter sections upon which his improvement shall be.

APPROVED, April 29, 1816.

How the claims of several persons settlers upon land are to be adjusted.

STATUTE I.

CHAP. CLXIII.—*An Act declaring the consent of Congress to acts of the State of South Carolina, authorizing the city council of Charleston to impose and collect a duty on the tonnage of vessels from foreign ports; and to acts of the State of Georgia, authorizing the imposition and collection of a duty on the tonnage of vessels in the ports of Savannah and St. Mary's.*

April 29, 1816.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the consent of Congress be, and is hereby granted and declared to the operation of any act of the general assembly of the state of South Carolina, now in existence, or which may hereafter be passed, so far as the same extends, or may extend, to authorize the city council of Charleston, to impose and levy a duty, not exceeding ten cents per ton, on all ships and vessels of the United States, which shall arrive and be entered in the port of Charleston from any foreign port or place, for the purpose of providing a fund for the temporary relief and maintenance of sick or disabled seamen in the marine hospital of the said port of Charleston.

Act of May 7, 1822, ch. 61. Consent of Congress given to act of South Carolina.

SEC. 2. *And be it further enacted*, That the collector of the port of Charleston be, and he is hereby authorized to collect the duties imposed or authorized to be imposed by this act, and to pay the same to such persons as shall be authorized to receive the same by the city council of Charleston.

Collector of Charleston to receive the duties.

SEC. 3. *And be it further enacted*, That the consent of Congress be, and is hereby granted and declared to the operation of any act, of the general assembly of the state of Georgia now in existence, or which may hereafter be passed, so far as the same extends, or may extend, to authorize the levying and collecting a tonnage duty, not exceeding two cents per ton upon coasting vessels, and four cents per ton upon vessels from foreign ports, arriving at and entering the ports of Savannah and St. Mary's, for the purpose of providing a fund for the payment of the fees of the harbour master and health officer of those ports respectively: *Provided*, the said acts shall not contain provisions inconsistent with the operation of any law of the United States made in execution of existing treaties.

Consent of Congress given to act of the state of Georgia.

Proviso.

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

Act limited to five years.

APPROVED, April 29, 1816.

STATUTE I.

April 29, 1816.

Act of May
6, 1812, ch. 77.
Repeal of part
of a former act.

CHAP. CLXIV.—*An Act to authorize the survey of two millions of acres of the public lands, in lieu of that quantity heretofore authorized to be surveyed, in the territory of Michigan, as military bounty lands.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of the "Act to provide for designating, surveying, and granting the military bounty lands," approved the sixth day of May, one thousand eight hundred and twelve, as authorizes the President of the United States to cause to be surveyed two millions of acres of the lands of the United States, in the territory of Michigan, for the purpose of satisfying the bounties of land promised to the non-commissioned officers and soldiers of the United States, be, and the same is hereby repealed; and in lieu of the said two millions of acres of land, the President of the United States be, and he is hereby authorized to cause to be surveyed, of the lands of the United States fit for cultivation, not otherwise appropriated, and to which the Indian title is extinguished, one million five hundred thousand acres in the Illinois territory, and five hundred thousand acres in the Missouri territory, north of the river Missouri; the said lands shall be divided into townships, and subdivided into sections and quarter sections, (each quarter section to contain, as near as possible, one hundred and sixty acres,) in the manner prescribed by law for surveying and subdividing the other lands of the United States; and the lands thus surveyed, with the exception of the salt springs and lead mines therein, and of the quantities of land adjacent thereto as may be reserved for the use of the same by the President of the United States, and the section number sixteen in every township, to be granted to the inhabitants of such township for the use of public schools, shall, according to the provisions of the above-recited act, be set apart for the purpose of satisfying the bounties of land promised to the non-commissioned officers and soldiers of the late army of the United States, their heirs and legal representatives, by the act entitled "An act for completing the existing military establishment, approved the twenty-fourth day of December, one thousand eight hundred and eleven, and by the act, entitled "An act to raise an additional military force," approved the eleventh day of January, one thousand eight hundred and twelve.

Act of Dec.
24, 1811, ch. 10.
Act of Jan. 4.
1812, ch. 14.

Sections to be
drawn by lot,
and patents to
be issued.

SEC. 2. *And be it further enacted,* That every person in whose favour any warrant for military land bounty is issued, shall be, and is hereby authorized, to draw by lot one of the quarter sections surveyed by virtue of this act, and shall obtain a patent therefor, in the same manner, in every respect, as is or shall be provided by law for patents to issue for other military land bounties, or as is provided by the act first above-recited for patents to issue for such lands.

APPROVED, April 29, 1816.

STATUTE I.

April 29, 1816.

Act of March
30, 1802, ch. 13.
Licenses to
trade to be
given only to
citizens of the
United States.

Forfeiture of
articles carried
to the Indians

CHAP. CLXV.—*An act supplementary to the act passed the thirtieth of March, one thousand eight hundred and two, to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That licenses to trade with the Indians within the territorial limits of the United States shall not be granted to any but citizens of the United States, unless by the express direction of the President of the United States, and upon such terms and conditions as the public interest may, in his opinion, require.

SEC. 2. *And be it further enacted,* That all goods, wares and merchandise, carried by a foreigner into the lands to which the Indian title has not been extinguished, for the purpose of being used in the Indian

trade; and all articles of peltry, of provisions, or of any other kind purchased by foreigners from Indians or tribes of Indians, contrary to the provisions of this act, shall be and the same are hereby forfeited, one half thereof to the use of the informer, and the remainder to the United States: *Provided*, That the goods, wares and merchandise are seized prior to their sale to an Indian, or Indian tribe, and the articles purchased are seized before they are removed beyond the limits of the United States.

SEC. 3. *And be it further enacted*, That if a foreigner go into any country which is allotted or secured by treaty to either of the Indian tribes within the territorial limits of the United States, or to which the Indian title has not been extinguished, without a passport first had and obtained from the governor of one of the states or territories of the United States, adjoining the country into which he may go, or the officer of the troops of the United States, commanding at the nearest post on the frontiers, or such other person as the President of the United States may from time to time authorize to grant the same, he shall, on conviction thereof, pay a fine of not less than fifty or more than one thousand dollars; or be imprisoned not less than one month, or more than twelve months, at the discretion of the court.

SEC. 4. *And be it further enacted*, That trials for offences against this act shall be had in the courts of the United States of the territory in which the person accused may be arrested, or in the circuit court of the United States, of the district into which he may be first carried, after his arrest.

SEC. 5. *And be it further enacted*, That each and every person charged with a violation of the second section of this act shall, if arrested, be indicted and tried in one of the courts aforesaid, and that the conviction of the accused shall authorize the court to cause the goods intended to be sold to, and articles purchased from the Indians, belonging to him, or taken in his possession, to be sold, one half to the use of the informer, and the other to the use of the United States. But if goods intended to be sold or articles purchased from the Indians contrary to the provisions of this act, should be seized, and the owner or person in possession of them should make his escape, or from any other cause cannot be brought to trial, it shall and may be lawful for the United States' attorney of the territory in which they may be seized, or the district attorney of the United States, of the district into which they may have been first carried after they are seized, to proceed against the said goods intended to be sold to, or articles purchased from the Indians, in the manner directed to be observed in the case of goods, wares or merchandise brought into the United States in violation of the revenue laws.

SEC. 6. *And be it further enacted*, That the President of the United States be, and he hereby is authorized to use the military force of the United States whenever it may be necessary to carry into effect this act, as far as it relates to seizure of goods to be sold to, or articles already purchased from the Indians, or to the arrest of persons charged with violating its provisions.

APPROVED, April 29, 1816.

contrary to this act.

Foreigners going to Indian settlements within the territorial limits of the U. S. to have passports.

Penalties.

When trials under this act are to take place.

Penalties for violations of the second section.

Military force of the U. S. may be used for enforcing provisions of this act.

STATUTE I.

CHAP. CLXVI.—*An Act to increase the salary of the register of the treasury.*

April 30, 1816.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there be allowed and paid to the register of the treasury for his annual salary, from the first of January, one thousand eight hundred and sixteen, the sum of three thousand dollars.

Salary increased.

APPROVED, April 30, 1816.

STATUTE I.

April 30, 1816.

[Expired.]

Act of April 18, 1818, ch. 69.

Salaries of the secretary of the Senate and clerk of the House of Representatives altered and established.

Repeal of former acts.

Increase of salaries of the principal and engrossing clerks.

CHAP. CLXVIII.—*An Act fixing the compensation of the secretary of the Senate, and clerk of the House of Representatives, and making provision for the clerks employed in their offices.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in lieu of the compensation heretofore allowed by law to the secretary of the Senate, and clerk of the House of Representatives of the United States, they shall severally receive the sum of three thousand dollars annually, payable quarterly, as heretofore.

SEC. 2. *And be it further enacted,* That so much of any act heretofore passed, providing any compensation, salary or perquisites, of any nature or kind whatever, to the said secretary and clerk, shall be, and the same is hereby repealed.

SEC. 3. *And be it further enacted,* That there be allowed to the principal and engrossing clerks of the Senate and of [the] House of Representatives, an addition of twenty per centum on the compensations to which they are at present entitled by law. This act shall take effect and continue in force for two years from and after the first day of January, one thousand eight hundred and sixteen.

APPROVED, April 30, 1816.

STATUTE I.

April 30, 1816.

Salary of chaplains of Congress.

CHAP. CLXX.—*An Act fixing the compensation of the chaplains of Congress.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the chaplains of Congress shall be allowed and paid five hundred dollars per annum, each, as a compensation for their services, to commence with the present session of Congress, any law to the contrary notwithstanding.

APPROVED, April 30, 1816.

STATUTE I.

April 30, 1816.

Post-roads discontinued.
Act of April 30, 1810, ch. 37.

CHAP. CLXXI.—*An Act to establish post-roads.*

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

From Portland, by Windham, Raymond, Bridgeton, Lovell, Waterford, Norway, Paris, Buckfield, Sumner, Hartford, Livermore, Turner, Poland, New Gloucester, and Hebron Academy, to Paris, in Maine.

From Waterford, by Norway, Rumford and Bethel, in Maine.

From Maryland to Milford, in New York.

From Delhi to Meredith, in New York.

From Onondaga, by Tully, Preble and Homer, to Courtland Courthouse in New York.

From Montgomery Courthouse, by Tatnall Courthouse and Barrington, to Darien in Georgia.

From Abington, by Russell Courthouse, and Mockinson Gap to Abington, in Virginia.

From Rogersville, Tennessee, by Lee Courthouse, Virginia, to Cumberland Gap, in Tennessee.

From Huntington, by the north road, to Smithtown, in New York.

From Buckstown, by Frankfort, Hampden, Bangor, and No. 1. to Orrington; also the route from Prospect, by Mount Ephraim, to Frankfort in Maine.

From Plymouth, by New Hampton, Meredith, Gilmanton, Northwood, Nottingham and Durham, to Portsmouth in New Hampshire.

From Greensburgh, Pennsylvania, to New Lisbon, in Ohio.

- From Barfields, by Port's Ferry, to Johnson's Ferry, on Lynch's Creek, in South Carolina. Post-roads discontinued.
- From Port's Ferry to Conwayborough, South Carolina.
- From Carthage to Lebanon, in Tennessee.
- From Windsor to Williamston, in North Carolina.
- From Triadelphia to Ellicott's Mills.
- From Galway to Broadalbin.
- From Centreville to Leesburg.
- From Taunton to Weymouth, in Massachusetts.
- From Canton to Goshen, in Connecticut.
- SEC. 2. *And be it further enacted,* That the following be established as post-roads, viz: Post-roads established.
- In Maine.*—From Lovell to Fryburg. Maine.
- From Portland, by Poland, Hebron, Norway, Paris, Buckfield, Sumner, Hartford, Livermore, Turner, Minot, New Gloucester, and Hebron Academy, to Paris.
- From Portland, by Windham, Raymond, Bridgeton, Lovell, Waterford, Norway, Paris, Rumford, Bethel and Albany, to Waterford.
- From Norridgewalk, by Starks and Industry, to Farmington.
- From Machias to Hagg's Point, in Lubeck.
- From Belfast, by Mount Ephraim, Frankfort, Hampden and Bangor, to Edington.
- From Augusta, by Brown's Corner and Harlem, to Palermo.
- From Orrington to Brewer.
- From Canaan by Palmyra, New Port, Crosley town and Carmel, to Hampden.
- In New Hampshire.*—From Plymouth, by Campton, Thornton, Peeling and Lincoln, to Franconia. New Hampshire.
- From Portsmouth, by Dover, Madberry, Barrington, Barnstead, Gilman, Meredith and New Hampton, to Plymouth.
- In Vermont.*—From Grand Isle to Alburgh. Vermont.
- From Hyde Park, by Morristown and Stow, to Waterbury.
- From Rutland, by Parkerstown, Pittsfield, to Stockbridge.
- From Newbury, on the Passumpsie turnpike, by Barnet, St. Johnsbury, Lynden, Sheffield and Barton, to Derby.
- From Colrairie, Massachusetts, by Halifax and Whitingham, to Wilmington.
- That the post-road from Monkton to Hinesburg, pass through Starkesborough.
- In Massachusetts.*—From Northampton, by Williamsburgh, Goshen, Plainfield and Savoy, to Adams. Massachusetts.
- From Worcester, by Milbury, Northbridge and Uxbridge, to Smithfield, in Rhode Island.
- From New Bedford, by Bridgewater, to Boston.
- That the mail from Northampton to Worcester, pass through Paxton.
- From the south parish of Bridgewater, by the west and north parishes of Bridgewater, Randolph and Milton, to Boston.
- In Connecticut.*—From Middletown to Killingworth. Connecticut.
- From Hartford, through Canton, Torrington, Torrington, Goshen and Cornwall, to Sharon.
- In New York.*—From Essex, by Westport, Moriah, Crown Point, Ticonderoga, Hague and Bolton, to Fort George, in Caldwell. New York.
- From Williamstown, Oneida county, by Richland, Ellisbury, and Henderson's, to Sackett's harbour in Jefferson county.
- From Richfield, by Plainfield, Brookfield and Hamilton, to Skaneateles.
- From Catherinetown, by Reading, to Benton.
- From Manlius, by Pompey east, and Pompey west, Hill, Tully, Preble and Homer, to Cortlandt Courthouse.

Post-roads
established.

From Whitehall, (to intersect the post-road from Albany to Middlebury, Vermont, at Granville,) to Pawlett, in Vermont.

From Sullivan, by Camillus, Brutus and Mentz, to Junius.

From Auburn, by Mentz, Cato and Walcott, to Sodus bay.

From Stamford, by Roseville, to Delhi.

From Maryland, by Otego and Milford, to Hamburg Post-office in Unadilla.

From Genoa to Auburn.

From Oswego, by Hannibal and Sterling, to Cato.

From Whitesborough along the new road to the east end of Oneida lake, to Camden.

From Brownsville to Cape Vincent.

From Saratoga Springs, by Palmertown and Moreau, to Sandy Hill.

From Canandaigua, by Rochester, and thence along the ridge road, to Lewistown.

From Owego, by Spencer Courthouse, in Tioga county, Dutch and Johnson's settlements, to Catharinetown.

From Geneva, by Phelps and Lyons, to Sodus.

From Westport, by Elizabeth and Keene, to Jay.

From Newburgh, by Pleasant Valley, to New Paltz.

From Batavia, by Middlebury, to Warsaw.

From Goshen, by Minisink and Amity, to Warwick.

From Goshen, by Philipsburg, Middletown, Mount Hope, Deer Park and Carpenter's Point, to Post-office in Montague, in New Jersey.

From Huntington, by Dixhill's, to Smithtown.

From Hudson, by Kinderhook Landing, Castleton, and Schodack Landing, to Greenbush.

From Hudson to Lebanon.

From Sagg Harbour to Easthampton.

New Jersey.

In New Jersey.—From New Brunswick, by Boundbrook, Middlebrook, Somerville, White House, Hunt's Mills, and Bloomsbury, to Easton, in Pennsylvania.

From Pittstown, in the county of Hunterdon, by Bloomsbury and Stewartsville, to Harmony, in the county of Sussex.

From Jobstown, in the county of Burlington, to Egypt, in the county of Monmouth.

Pennsylvania.

In Pennsylvania.—From Meadville, by forks of Oil Creek, Warren, and outlet of Chetauga lake, to Mayville, in New York.

From Seller's tavern to Doylestown.

From Sunbury, by New Berlin, Union county, and Middleburg, to Lewistown.

From Lewisburg, by Loyal-sock Gap, to Williamsport.

From Bellefont, by Birmingham and Burgoes Gap, to Ebensburg.

From Downingstown, by Brandywine Manor, Waynesburg, Carnarvon, Ephrata, Elizabeth, Cornwall and Humelstown, to Harrisburg.

From Beavertown to New Lisbon, in Ohio.

From Gettysburg, by Oxford and Berwick, to York.

From Bedford, by Johnstown, to Indiana.

Ohio.

In Ohio.—From Waynesville, by Bellebrook, to Xenia.

From Hamilton, by Oxford, to Bath, in Franklin county, Indiana territory.

From Gallipolis to Aurora; from West Union to Ripley.

From Salem, by Canfield, Austintown, Warren, Braceville, Sharon, Nelson, Hiram, Mantua, and Aurora, to Newberry.

From West Union, by Hillsborough and Wilmington, to Xenia.

From Steubenville, by Salem, Millersburg, and Hamburg, to Canton.

From Gallipolis, by Sciota Salt Works, to Chillicothe.

From Avery, by Jessup, to Ridgeville, to intersect the post-route from Cleveland to Detroit at Rocky river.

- In Indiana Territory.*—From Brookville, by Bath, to Salisbury.
 From Valonia, by Brownstown, to New Natchez, in Jackson county.
 From Vincennes to Emmerson's mills, in Knox county.
 That the post-road from Vincennes to Shawneestown pass through Harmony, in Gibson county.
- In Illinois Territory.*—From Shawneestown, by White Courthouse, and Edward Courthouse, to Vincennes, in Indiana territory.
- In Missouri Territory.*—From St. Louis, by Potosi and Lawrence Courthouse, to Arkansas.
 From St. Charles, by Murphey's in St. John's settlement, to fort Cooper or Howard Courthouse.
- In Maryland.*—From Triadelphia, by Damascus, to New Market.
 From Hagerstown to McConnelstown, in Pennsylvania.
 From Upper Marlborough to McGruder's tavern, in Prince George's county.
- In Virginia.*—From Cabin Point, by J. Edmund's, Baileysburg, Urquarhart's store, and C. Bower's, to South Quay.
 From Wythe Courthouse, by Tazewell Courthouse, Russell Courthouse, Scott Courthouse, and Lee Courthouse, to Cumberland Gap, in Tennessee.
 From Brown's store, to Dickenson's store, Franklin county.
 From Winchester, by Cedar Creek, Trout Run, and Lost River, to Moorefields.
 From Pittsylvania Courthouse, by B. Wadkin's store, and Island Ford, Smith's River, to Rockingham Courthouse, in North Carolina.
 From Wythe Courthouse, to Giles Courthouse.
 From New Canton, to Columbia.
 From Aldie to Leesburg.
 From Aldie to Battletown.
- In Kentucky.*—From Washington, by Maysville, to Xenia in Ohio.
 From Columbia to Greensburg.
 From Great Crossings, by Sanders' mills, and New Fredericksburg, to Vevay, in Indiana territory.
 From Washington, by Newton, Marysville, and Cynthiana, to Georgetown.
 From Middletown to Brunerstown.
 From Glasgow, by Hartsville, to Lebanon, in Tennessee.
- In North Carolina.*—From Tarborough, by Staunton's Bridge, Snow Hill and Kinston, to Duplin Courthouse.
 From Charlotte, by Harrisburg, Pine Hill, Alexander's, Lanford and Lewisville, to Chester Courthouse in South Carolina.
 From Murfreesborough, by Windsor, to Plymouth.
- In South Carolina.*—From Chesterfield Courthouse, by Lawry's mills, and Pickett's store, to Wadesborough, in North Carolina.
 From Greenville Courthouse to Spartanburg.
 From Barfield's, by Marion Courthouse, or Gilesborough, and Godfrey's ferry, to Johnson's ferry, on Lynch creek.
 From Conwayborough, by Gallivant's ferry, to Marion Courthouse.
 From Conwayborough to Smithfield, in North Carolina.
 From Chester Courthouse to Louisville.
- In Georgia.*—From Jefferson to Hurricane Shoals.
 From Montgomery Courthouse, by Blackmore's and Hardin's, to Riceborough.
- In Tennessee.*—From Nashville by Murfreesborough, Stone Fort, and Winchester, in Tennessee, Lowry's, Van's old place, and Blackburn's, to Athens, in Georgia.
 From Lebanon, by Williamsburg, and Hilham, to Monroe.
 From Sparta, by Liberty and Lebanon, to Nashville.
 From Bean's station, by Stiffey's mill, to Iron works of Mossy creek, thence to Danbridge.

Post-roads
 established.
 Indiana Terri-
 tory.

Illinois Terri-
 tory.

Missouri Ter-
 ritory.

Maryland.

Virginia.

Kentucky.

North Carolina.

South Carolina.

Georgia.

Tennessee.

From Maryville, by Morgantown, to Tellico block house.

From Port Royal to John Hunt's, in Robertson's county.

That the post road from Jonesborough to Greenville pass through Leesburg and Brownsburg.

In Mississippi Territory.—From Franklin Courthouse, to Liberty, Amity Courthouse.

APPROVED, April 30, 1816.

Mississippi Territory.

STATUTE I.

April 30, 1816.

CHAP. CLXXII.—*An Act to allow drawback of duties on spirits distilled and sugar refined within the United States, and for other purposes.*

Regulations of drawback upon spirits distilled within the United States.

Act of April 20, 1818, ch. 79.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That a drawback of six cents for every gallon of spirits, not below first proof, distilled within the United States, or the territories thereof, shall be allowed on all such spirits as shall be exported to any foreign port or place, other than the dominions of any foreign state immediately adjoining to the United States, adding to the allowance upon every gallon of such spirits so distilled from molasses, four cents, which allowances shall be made without deduction: *Provided,* That the quantity so exported shall amount to one hundred and fifty gallons at the least, to entitle an exporter thereof to drawback, and that no drawback shall be allowed whenever any of the said spirits shall be exported otherwise than in vessels not less than thirty tons burden.

Further regulations.

SEC. 2. *And be it further enacted,* That in order to entitle the exporter or exporters to the benefit of drawback allowed by this act, on such spirits so distilled, the vessels or casks containing the same shall be branded or otherwise marked, in durable characters, with progressive numbers, with the name of the owner, the quantity thereof to be ascertained by actual gauging, and the proof thereof. And the exporter of such spirits shall, moreover, previous to putting or lading the same on board of any ship or vessel for exportation, give six hours' notice at least to the collector of the customs for the district from which the same are about to be exported of his or her intention to export the same; and shall make entry in writing, of the particulars thereof, and of the casks or vessels containing the same, and of their respective marks, numbers and contents, and of the place or places where deposited, and of the port or place to which, and ship or vessel in which they or either of them shall be so intended to be exported; and the form of the said entry shall be as follows: Entry of domestic spirits, intended to be exported by [*here insert the name or names*] on board of the [*insert the denomination and name of the vessel,*] whereof, [*insert the name of the master,*] is master, for [*insert the port or place to which destined,*] for the benefit of drawback.

Marks.	Numbers.	Casks and	Contents.	Gauge.

And the said collector shall, in writing, direct the surveyor or other inspecting officer to inspect, or cause to be inspected, the spirits so no-

tified for exportation, and if they shall be found to correspond, fully with the notice concerning the same, and shall be so certified by the said surveyor, or other inspecting officer, the said collector, together with the naval officer, if any there be, shall grant a permit for lading the same, on board of the ship or vessel named in such notice and entry as aforesaid; which lading shall be performed under the superintendence of the officer by whom the same shall have been so inspected; and the said exporter or exporters, shall likewise make oath, that the said spirits, so notified for exportation, and laden on board such ship or vessel, previous to the clearance thereof, or within twenty days after such clearance, are truly intended to be exported to the place, whereof notice shall have been given, and are not intended to be relanded within the United States or the territories thereof.

SEC. 3. *And be it further enacted*, That for all distilled spirits which shall be exported to any foreign port or place, and which shall be entitled to the benefit of drawback, in virtue of this act, the exporter or exporters shall be entitled to receive from the collector of the customs for such district, a debenture or debentures assignable by delivery and endorsement for the amount of the drawback to which such spirits are entitled, which shall be received in payment of direct taxes and internal duties in the collection district in which the same shall be granted: *Provided, always*, That the collector aforesaid, may refuse to grant such debenture or debentures, in case it shall appear to him that any error has arisen, or any fraud has been committed: and in case of such refusal, if the debenture or debentures claimed shall exceed one hundred dollars, it shall be the duty of the said collector to represent the case to the comptroller of the treasury, who shall determine whether such debenture or debentures shall be granted or not. *And provided further*, That in no case of an exportation of spirits, entitled to drawback, in virtue of this act, shall a debenture or debentures issue, unless the exporter or exporters shall, before the clearance of the ship or vessel in which the spirits were laden for exportation, or within twenty days after such clearance, make oath or affirmation that the said spirits notified for exportation as aforesaid, and laden on board such ship or vessel, are truly intended to be exported to the place whereof notice shall have been given, and are not intended to be relanded within the United States; and shall moreover give bond with one or more sureties, to the satisfaction of the collector, in a sum equal to double the amount of the sum for which such exporter may be entitled to claim a debenture, conditioned that the said spirits, or any part thereof, shall not be relanded in any port or place within the limits of the United States, and that the exporter or exporters shall produce, within the time limited, the proofs and certificates required of the said spirits having been delivered without the limits aforesaid.

SEC. 4. *And be it further enacted*, That the said bond shall be drawn, as near as may be, in the same form, and may be discharged in the same manner, as are, or may be prescribed by law in relation to cases where drawback is allowed on the exportation of merchandise imported into the United States, and the like penalties shall be incurred, and proceedings had, whether in regard to officers of the United States or other persons, and the same fees be allowed in cases relative to drawback on domestic distilled spirits, as in cases relative to drawback on foreign spirits; and the form of the said bond, and of the other documents, oaths, and affirmations, not herein inserted, shall be prescribed by the treasury department.

SEC. 5. *And be it further enacted*, That in all cases in which drawback shall be claimed for spirits made out of molasses, an oath or affirmation shall be made by two reputable persons, one of whom shall not be the exporter, that, according to their belief, the said spirits were distilled

Regulations concerning debentures and debenture bonds given for the drawback of duties upon domestic distilled spirits.

Proviso.

Form and effect of the bonds.

Drawback on spirits made out of molasses.

from molasses of foreign production; which oath or affirmation, in case the collector of the customs shall not be satisfied therewith, shall be supported by the certificate of a reputable distiller to the same effect.

Further allowance of drawback on sugar refined in the United States.

SEC. 6. *And be it further enacted*, That in addition to the duty at present authorized to be drawn back on sugar refined within the United States, and exported therefrom, there may hereafter be drawn back on such refined sugar, when made out of sugar imported into the United States, the further sum of four cents per pound without deduction, which shall be allowed under the same provisions with the duty now permitted to be drawn back; and, furthermore, on the express condition that the person exporting the same shall swear, or affirm that the same, according to his belief, was made out of sugar imported from a foreign port or place; which oath or affirmation, in case the collector of the customs shall not be satisfied therewith, shall be supported by the certificate of a reputable refiner of sugar to the same effect, and that the drawback on refined sugar heretofore imported, be allowed, subject to the regulations applicable to the drawback of duties on other imported articles.

Penalties upon officers for not fulfilling the duties required by this act.

SEC. 7. *And be it further enacted*, That if any principal or assistant collector of the internal revenue, or collector of the customs, or other officer, shall neglect to perform the duties enjoined upon him by this act, he shall, on conviction thereof, forfeit and pay a sum not less than one hundred dollars, nor more than five hundred dollars.

Appropriation for custom and warehouses, &c.

SEC. 8. *And be it further enacted*, That the sum of two hundred and fifty thousand dollars be, and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, to be applied by the Secretary of the Treasury under the direction of the President of the United States, in the hire, purchase, or building of custom-houses, warehouses and stores, for the purposes of collecting and securing the revenue at such places, and in such manner as he shall deem most expedient.

APPROVED, April 30, 1816.

STATUTE I.

April 30, 1816.

CHAP. CLXXIII.—*An Act making further appropriations for the year one thousand eight hundred and sixteen.*

[Obsolete.]

Appropriations.

1816, ch. 40.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of two thousand dollars be, and the same is hereby appropriated for compensation to the commissioner appointed under an act entitled "An act to authorize the payment for property lost, captured or destroyed by the enemy while in the military service of the United States, and for other purposes," and the further sum of one thousand dollars for compensation to the clerk, authorized by the act aforesaid; for the expense incurred by the board of commissioners appointed under the act providing for the indemnification of certain claimants of public lands in the Mississippi territory, seven hundred dollars; and for additional compensation to the commissioners aforesaid, and their secretary, four thousand dollars; and for expenses of engraving, printing, and preparing certificates issued, and to be issued, by the commissioners, three thousand dollars; for the expense for clerks employed by the board of navy commissioners, seven hundred and fifty dollars in addition to the former appropriation; for the payment of pensions, an additional sum of one hundred and fifty thousand dollars; and for the payment of a clerk in the secretary's office of the Mississippi territory, employed by the governor of that territory from the first of April to the first of August, one thousand eight hundred and fifteen, two hundred dollars; to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, April 30, 1816.

- I. RESOLUTION directing a copy of the documents printed by a resolve of Congress, of the 27th of December, 1813, to be transmitted to each of the judges of the Supreme Court. Feb. 6, 1816.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, that of the two hundred copies of the documents ordered to be printed by a resolve of the Senate and House of Representatives of the twenty-seventh of December, one thousand eight hundred and thirteen, the Secretary of State be, and he is hereby authorized to take one copy for each of the judges of the Supreme Court of the United States, to be transmitted to said judges according to the provision of the act of Congress of the eighteenth of April, one thousand eight hundred and fourteen.

Documents to be transmitted to the judges of the Supreme Court.

APPROVED, February 6, 1816.

- III. RESOLUTION requesting the President to present medals to Captain Stewart and the officers of the frigate Constitution. Feb. 16, 1816.

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

Medals to Captain Stewart and the officers of the Constitution.

APPROVED, February 22, 1816.

- IV. RESOLUTION requesting the President to present medals to Captain James Biddle, and the officers of the sloop of war Hornet. Feb. 22, 1816.

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

Medals to Captain Biddle, and the officers of the Hornet.

APPROVED, February 22, 1816.

- V. RESOLUTION for printing the laws relative to naturalization. April 16, 1816.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of State be authorized and directed to cause to be printed four thousand copies of the laws now in force on the subject of naturalization. And, of the copies which may be so provided, two shall be sent to each marshal of a judicial district of the United States, two to the clerk or prothonotary for each court of the United States, or of a particular state, which may, by law, admit persons to be naturalized, and two to each collector of the customs. The remaining copies, after reserving such as the President of

Four thousand copies of the laws relating to naturalization of the United States to be printed and distributed.

the United States may deem proper for the use of the executive departments, shall be placed in the library of Congress.

APPROVED, April 16, 1816.

April 27, 1816.

VI. RESOLUTION *requiring the Secretary of State to compile and print, once in every two years, a register of all officers and agents, civil, military and naval in the services of the United States.*

Register of the officers and agents, civil, military and naval, to be compiled every two years by the Secretary of State.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That once in two years, a register, containing correct lists of all the officers and agents, civil, military and naval, in the service of the United States, made up to the last day of September of each year in which a new Congress is to assemble, be compiled and printed under the direction of the Secretary for the department of state. And to enable him to form such register, he, for his own department, and the heads of the other departments, respectively, shall, in due time, cause such lists as aforesaid, of all officers and agents, in their respective departments, including clerks, cadets and midshipmen, to be made and lodged in the office of the department of state. And the said lists shall exhibit the amount of compensation, pay, and emoluments allowed to each officer, agent, clerk, cadet and midshipman, the state and county in which he was born and where employed.

List of the ships and vessels of the United States.

2. *Resolved,* That the Secretary of the Navy subjoin to the list of the persons employed in his department, the names, force and condition of all the ships and vessels belonging to the United States, and when and where built.

Distribution.

3. *Resolved,* That five hundred copies of the said register be printed; and that on the first Monday in January in each year, when a new Congress shall be assembled, there be delivered to the President, the Vice President, each head of a department, each member of the Senate and House of Representatives of the United States, one copy of such register; and to the secretary of the Senate, and clerk of the House of Representatives, each, ten copies, for the use of the respective Houses; that twenty-five copies shall be deposited in the library of the United States at the seat of government, to be used like other books in that library, and that the residue of the said copies be disposed of in such manner as Congress shall from time to time direct.

4. *Resolved,* That for the information of the present Congress, such register as aforesaid be prepared and distributed as aforesaid, on the first day of its next session.

APPROVED, April 27, 1816.

April 29, 1816.

VII. RESOLUTION *authorizing the President of the United States to employ a skilful assistant in the corps of engineers.*

An assistant in the corps of engineers to be employed.

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, in addition to the corps of engineers as now established, a skilful assistant, whose compensation shall be such as the President of the United States shall think proper, not exceeding the allowance to the chief officer of that corps.

APPROVED, April 29, 1816.

VIII. *A Resolution relative to the more effectual collection of the public revenue.*April 30, 1816.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of the Treasury be, and he hereby is, required and directed to adopt such measures as he may deem necessary to cause, as soon as may be, all duties, taxes, debts, or sums of money, accruing or becoming payable to the United States, to be collected and paid in the legal currency of the United States, or treasury notes, or notes of the bank of the United States as by law provided and declared, or in notes of banks which are payable and paid on demand in the said legal currency of the United States, and that from and after the twentieth day of February next, no such duties, taxes, debts, or sums of money accruing or becoming payable to the United States as aforesaid, ought to be collected or received otherwise than in the legal currency of the United States, or treasury notes, or notes of the bank of the United States, or in notes of banks which are payable and paid on demand in the said legal currency of the United States.

Collection of
the revenue.

APPROVED, April 30, 1816.

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.*

Jan. 22, 1817.

[Obsolete.]
40,000 dollars appropriated.

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.

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.*

Feb. 6, 1817.

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.

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

Proviso: no other act revived.

APPROVED, February 6, 1817.

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.*

Feb. 8, 1817.

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.

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

APPROVED, February 8, 1817.

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."*

Feb. 22, 1817.

[Obsolete.]

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

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.

Vol. i. 51.

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 of foreign nations 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.

vol. i, 51.

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 Chitenengo 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 Russelville, 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 Depart-
ments, &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 comptrol-
ler.

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 comp-
troller.

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 comp-
troller to super-
intend the re-
covery 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.

March 3, 1817.

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."*

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.

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.

Proviso; as to securities for money heretofore borrowed.

Acts authorizing treasury notes to be issued, repealed.

Proviso; as to right of holders, &c.

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.

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

Feb. 24, 1815, ch. 56.

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.

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

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.

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

[Obsolete.]

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

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.

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

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.

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-

[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

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.

To transact
business in
Georgetown.
The president
and directors.

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

Sec. 4. *And be it further enacted,* That the affairs of the said bank shall be conducted by twelve directors and a president, whose place, if chosen from among their number, shall be supplied by that body. Six of the directors, with the president, shall form a board or quorum, for transacting all the business of the company; but the ordinary discounts may be done by the president and three directors. In case of his sickness, or necessary absence, his place may be supplied by any director whom he, by writing under his hand, may nominate for that purpose; or, in case of his not making such nomination, the board may appoint a president, to act during his absence. The president and directors who may be in office under the said articles of association, 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.

ACTS OF THE FIFTEENTH CONGRESS

OF THE

UNITED STATES,

Passed at the first session, which was begun and held at the City of Washington, in the District of Columbia, on Monday the first day of December, 1817, and ended on the twentieth day of April, 1818.

JAMES MONROE, President; DANIEL D. TOMPKINS, Vice President of the United States and President of the Senate; JOHN GAILLARD, President of the Senate pro tempore, from December 1, 1817, to March 9, 1818, and from April 3, to April 20, 1818; HENRY CLAY, Speaker of the House of Representatives.

STATUTE I.

CHAP. I.—*An Act to abolish the internal duties.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the thirty-first day of December, one thousand eight hundred and seventeen, the internal duties on licenses to distillers; on refined sugars; licenses to retailers; sales at auction; carriages for the conveyance of persons; and stamped vellum, parchment, and paper, shall be discontinued; and all acts, and parts of acts, relative thereto, shall, from and after the said thirty-first day of December, be repealed: *Provided,* That, for the collection, recovery, remission, and receipt, of such duties as shall have accrued, and on the day aforesaid remain outstanding, and for the payment of drawbacks or allowances on the exportation of any of the said spirits or sugars legally entitled thereto, provided the exportation be effected previous to the first day of January, one thousand eight hundred and nineteen, and for the recovery and distribution of fines, penalties, and forfeitures, and the remission thereof, which shall have been incurred before and on the said thirty-first day of December, the provisions of the aforesaid acts shall remain in full force and virtue.

SEC. 2. *And be it further enacted,* That the offices of the collectors of the internal duties and direct tax shall continue in each collection district, respectively, until the collection of the duties above mentioned, and of the direct tax, shall have been completed in such district, and no longer, unless sooner discontinued by the President of the United States, who shall be, and hereby is, empowered, whenever the collection of the said duties and tax shall have been so far completed in any district as to render, in his opinion, that measure expedient, to discontinue any of the said collectors, and to unite, into one collection district, any two or more collection districts, lying and being in the same state; in which case, the collectors thereafter employed in the collection of the said duties and tax in such state or district, shall be appointed and removable by the President alone; and for the promoting of the collection of any of the above-

STATUTE I.

Dec. 23, 1817.

Duties abolished after the 31st Dec. 1817.

Proviso; acts to remain in force for the collection, &c. of duties accrued, &c.

Offices of collectors to continue until collection is completed, unless, &c.

President empowered to discontinue collectors, unite collection districts, &c.

Act of April 20, 1818, ch. 78, sec. 5.

Proviso; as to additional allowances to collectors.

Act of March 2, 1815, ch. 100.

Office of commissioner of the revenue to cease whenever, &c.

Proviso; as to the endorsing unstamped bonds, notes, &c.

Proportionate deduction of duties for unexpired terms, &c.

mentioned duties or tax, which may be outstanding after the said thirty-first day of December, the President of the United States shall be, and he hereby is, empowered, at any time thereafter, to make such allowance as he may think proper, in addition to the commissions now allowed by law, to any of the collectors of the said duties and tax, and the same, from time to time, to vary: *Provided*, That the whole of such additional allowances shall not, in the aggregate, exceed five per centum of the amount of the duties and tax paid into the treasury after that day; and that the extraordinary allowances authorized by the second and fourth sections of the act, passed March third, one thousand eight hundred and fifteen, entitled "An act to fix the compensation, and increase the responsibility of the collectors of the direct tax and internal duties, and for other purposes connected with the collection thereof," shall, after the said thirty-first day of December, cease; and the office of commissioner of the revenue shall cease, and be discontinued, whenever the collection of the duties and tax above mentioned shall be completed, unless sooner discontinued by the President of the United States, who shall be, and hereby is empowered, whenever the collection of the said duties and tax shall have been so far completed as, in his opinion, to render that measure expedient, to discontinue the said office; in which case, the immediate superintendence of the collection of such parts of the said duties and taxes as may then remain outstanding, shall be placed in such officer of the Treasury Department as the Secretary, for the time being, may designate: *Provided, however*, That all bonds, notes, or other instruments, which have been charged with the payment of a duty, and which shall, at any time prior to the said thirty-first day of December, have been written or printed upon vellum, parchment, or paper, not stamped or marked according to law, or upon vellum, parchment, or paper, stamped or marked at a lower rate of duty than is by law required for such bond, note, or other instrument, may be presented to any collector of the internal revenue, or collector of the customs within the state, and, where there [is] no such collector, to the marshal of the district, whose duty it shall be, upon the payment of the duty with which such instrument was chargeable, together with the additional sum of ten dollars; for which duty and additional sum the said collector or marshal shall be accountable to the treasury of the United States; to endorse upon some part of such instrument his receipt for the same; and thereupon the said bond, note, or other instrument, shall be, to all intents and purposes, as valid and available to the person holding the same, as if it had been or were stamped, or marked, as by law required; any thing in any act to the contrary notwithstanding.

SEC. 3. *And be it further enacted*, That all persons who shall obtain, or who shall have obtained, licenses for stills or boilers, or for selling by retail, or certificates for carriages, extending beyond the said thirty-first of December, shall be allowed a deduction from the duties paid or secured by them, proportionate to the part of their term which may remain unexpired on the said thirty-first of December; and the several banks or bankers which may have agreed to make the annual composition of one and a half per centum on their dividends, in lieu of the stamp duty, on the notes issued by them, shall pay only at the rate of one and a half per centum per annum on such dividends for the portion of a year that shall remain from the time of the last annual payment to the said thirty-first of December, to be estimated upon the dividend or dividends that have been or shall be declared and made by such bank or bankers, respectively, within a year from the time of such last annual payment; and in all cases in which payments shall have been made, or duties secured, for a term extending beyond the said thirty-first of December, on account of any certificates for the use of a carriage, or license to distil or retail, so much of the sums so paid or secured, as shall be proportioned to the part of the term which may remain unexpired, shall be refunded or

remitted: *Provided*, That all duties on sales at auction effected, and on refined sugar removed, previously to the first day of January, one thousand eight hundred and eighteen, shall be paid in the same manner as if this act had not been passed.

SEC. 4. *And be it further enacted*, That all persons who shall, on or after the said thirty-first day of December, have any blank vellum, parchment, or paper, which has been stamped, and on which a duty has been paid to the use of government, shall be entitled to receive, from the collector of the district to whom it may be delivered, or from such other revenue officer in the respective states or districts as may be designated for that purpose by the Secretary of the Treasury, the value of the said stamps, after deducting, in all cases, seven and a half per centum; and the said officers are hereby authorized to pay the same: *Provided*, The said blank vellum, parchment, or paper, be presented within four months after the said thirty-first of December.

SEC. 5. *And be it further enacted*, That on all sums that may be refunded in virtue of this act, as well as all sums received after the thirty-first day of December aforesaid, and before notice of this act, the collectors shall be allowed a commission of six per centum, to be charged by them in settling their accounts with the Treasury Department.

SEC. 6. *And be it further enacted*, That in case a collector shall not have in his hands a sufficient sum out of which to refund the sums authorized to be refunded by this act, or to defray the expenses incident to the collection of the outstanding duties and direct tax, such repayments and expenses shall be made and defrayed out of any money in the treasury not otherwise appropriated.

SEC. 7. *And be it further enacted*, That if, on the settlement of the accounts of any collector relative to the direct tax and internal duties, balances shall be found due to and from him on the different accounts, they may be adjusted, so as to ascertain the final balances; and if this be in favour of the collector, it shall be paid out of any money in the treasury not otherwise appropriated.

SEC. 8. *And be it further enacted*, That the fifth section of the act, passed the third day of March, one thousand eight hundred and fifteen, entitled "An act to fix the compensation and increase the responsibility of the collectors of the direct tax and internal duties, and for other purposes connected with the collection thereof," shall cease after the thirty-first day of December, one thousand eight hundred and seventeen.

APPROVED, December 23, 1817.

Provido; as to duties on sales at auction and on sugar removed.

Value of stamps on hand to be refunded, &c.

If presented within four months.

Six per cent. to collectors, on sums refunded.

Collectors not having sufficient sums in their hands to refund, &c., the money to be paid out of the treasury.

Adjustment of balances on collectors' accounts.

The 5th section of the act mentioned, to cease.

Act of March 2, 1815, ch. 100.

STATUTE I.

CHAP. IV.—*An Act further to prolong the continuance of the Mint at Philadelphia.* (a)

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

SEC. 2. *And be it further enacted*, That during the continuance of the mint at the city of Philadelphia, the duties which were enjoined on the commissioner of loans for the state of Pennsylvania, by the second section of the act, entitled "An act concerning the mint," passed on the third day of March, one thousand eight hundred and one, shall be performed by the collector of the port of Philadelphia for the time being.

APPROVED, January 14, 1818.

Jan. 14, 1818.

Act to continue the mint at Philadelphia, continued for five years.

The collector of the port to perform the duties enjoined on the commissioner of loans.
Act of March 3, 1801, ch. 21.

(a) Act of April 2, 1792, vol. i. 246.

STATUTE I.

Jan. 22, 1818.

CHAP. V.—*An Act allowing compensation to the members of the Senate, members of the House of Representatives of the United States, and to the delegates of the territories, and repealing all other laws on that subject.* (a)

Eight dollars a day and eight dollars for every twenty miles' travel, to each senator, &c.

In case of sickness.

Eight dollars a day additional for the President of the Senate pro tempore.

Proviso; limitation of per diem.

Proviso; as to the pay of senators for past travelling.

Eight dollars a day, and eight dollars for every twenty miles' travel, to each representative and delegate.

In case of sickness.

Speaker entitled to eight dollars a day additional.

Proviso; limitation of per diem.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That at every session of Congress, and every meeting of the Senate in the recess of Congress, after the third day of March, in the year one thousand eight hundred and seventeen, each senator shall be entitled to receive eight dollars for every day he has attended, or shall attend, the Senate, and shall also be allowed eight dollars for every twenty miles of estimated distance, by the most usual road from his place of residence to the seat of Congress, at the commencement and end of every such session and meeting; and that all sums for travel already performed, to be due and payable at the time of passing this act. And in case any member of the Senate has been, is, or shall be detained by sickness on his journey to or from such session or meeting, or, after his arrival, has been, is, or shall be, unable to attend the Senate, he shall be entitled to the same daily allowance. And the president of the Senate pro tempore, when the Vice President has been, or shall be, absent, or when his office shall be vacant, shall, during the period of his services, receive, in addition to his compensation as a member of the Senate, eight dollars for every day he has attended or shall attend the Senate: *Provided always,* That no senator shall be allowed a sum exceeding the rate of eight dollars a day, from the end of one such session or meeting to the time of his taking his seat in another: *Provided also,* That no senator shall receive more for going to, and returning from, the meeting of the Senate on the fourth day of March last, than if this act had not been passed.

Sec. 2. *And be it further enacted,* That at every session of Congress after the said third day of March, one thousand eight hundred and seventeen, each representative and delegate shall be entitled to receive eight dollars for every day he has attended, or shall attend, the House of Representatives, and shall also be allowed eight dollars for every twenty miles of the estimated distance by the most usual road, from his place of residence to the seat of Congress, at the commencement and end of every such session and meeting; and that all sums for travel already performed, to be due and payable at the time of passing this act. And in case any representative or delegate has been, is, or shall be, detained by sickness, on his journey to or from the session of Congress, or, after his arrival, has been, is, or shall be, unable to attend the House of Representatives, he shall be entitled to the same daily allowance. And the Speaker of the House of Representatives shall be entitled to receive, in addition to his compensation as a representative, eight dollars for every day he has attended, or shall attend the house: *Provided always,* That no representative or delegate shall be allowed a sum exceeding the rate of eight dollars a day, from the end of one session to the time of his taking his seat in another.

Sec. 3. *And be it further enacted,* That the said compensation, which

(a) *Acts of Congress relative to the compensation of members of the Senate and House of Representatives: An act for allowing compensation to the members of the Senate and House of Representatives of the United States, and to the officers of both houses.* (Obsolete.) September 22, 1789, ch. 17.

An act for allowing full mileage to the members of the Senate and House of Representatives. July 6, 1797, ch. 13.

An act to change the mode of compensation to the members of the Senate and House of Representatives, and the delegates from the territories. March 19, 1816, ch. 30.

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 of the United States, and the delegates from the territories." Feb. 6, 1817, ch. 9.

An act allowing compensation to the members of the Senate and House of Representatives of the United States, and to the delegates of territories, and to repeal all other laws on that subject. Jan. 22, 1818, ch. 5.

shall be due to the members of the Senate, shall be certified by the President thereof, and that which shall be due to the representatives and delegates, shall be certified by the Speaker; and the same shall be passed as public accounts, and paid out of the public treasury.

SEC. 4. *And be it further enacted*, That all acts and parts of acts, on the subject of compensation to members of the Senate and of the House of Representatives, and delegates of the territories, be, and the same are hereby, repealed from and after the third day of March last.

APPROVED, January 22, 1818.

Compensation to be certified by the President of the Senate and Speaker of the House.
All parts of acts repealed.

STATUTE I.

CHAP. VIII.—*An Act making further provision for repairing the public buildings.*

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 two hundred thousand dollars, be, and the same is hereby, appropriated, to be paid out of any moneys in the treasury not otherwise appropriated, and to be applied by the commissioner, under the direction of the President of the United States.

APPROVED, January 27, 1818.

Jan. 27, 1818.

[Obsolete.]
Act of March 3, 1817, ch. 94.
200,000 dollars appropriated, to be applied by the commissioner of public buildings under the direction of the President of the United States.

STATUTE I.

CHAP. IX.—*An Act to allow the benefit of drawback on merchandise transported by land conveyance from Bristol to Boston, and from Boston to Bristol, in like manner as if the same were transported coastwise.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all goods, wares, and merchandise, duly imported into either of the ports of Bristol and Boston, which shall be transported by land conveyance from the port of Bristol, by the way of Dighton and Taunton, to Boston; or from Boston, on the same route, to Bristol; and which, being imported into Bristol shall be exported from Boston; or being imported into Boston shall be exported from Bristol; shall be entitled to the benefit of the drawback of the duties thereof, upon exportation to any foreign port or place, under the same provisions, regulations, restrictions, and limitations, as if the said goods, wares, and merchandise, were transported coastwise from one to another of the said districts; and on the proviso, that all the provisions, regulations, limitations, and restrictions, existing in the case of goods, wares, and merchandise, transported by any of the routes mentioned in the seventy-ninth section of the act, entitled "An act to regulate the collection of duties on imports and tonnage," passed the second day of March, one thousand seven hundred and ninety-nine, shall be duly observed.

APPROVED, February 6, 1818.

Feb. 6, 1818.

Merchandise transported from Bristol to Boston, &c., entitled to drawback, &c., as if transported coastwise.
Act of March 2, 1799, ch. 22.

STATUTE I.

CHAP. X.—*An Act making appropriations for the payment of the arrearages which have been incurred for the support of the military establishment, previous to the first of January, 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 any expenses which may have been incurred for the support of the military establishment, and those which have been incurred for calling out the militia, previous to the first of July, one thousand eight hundred and fifteen, there be appropriated the sum of four hundred thousand dollars; and that there be appropriated a further sum of one hundred thousand dollars,

Feb. 16, 1818.

500,000 dollars appropriated for the purposes mentioned.

to defray any of the aforesaid expenses which may have been incurred from the first of July, one thousand eight hundred and fifteen, to the first of January, one thousand eight hundred and seventeen.

SEC. 2. *And be it further enacted*, That the act passed on the third of March, one thousand eight hundred and seventeen, entitled "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,'" shall not be so construed as to prevent the President from making transfers from any appropriation which may have been made for the support of the military establishment, previous to the first of January, one thousand eight hundred and seventeen, agreeably to the provisions of the act passed on the third of March, one thousand eight hundred and nine, further to amend the several acts for the establishment and regulation of the Treasury, War, and Navy Departments.

APPROVED, February 16, 1818.

The President may make transfers of appropriations, &c.

Act of March 3, 1817, ch. 96.

Act of March 3, 1809, ch. 28.

STATUTE I.

Feb. 17, 1818.

CHAP. XII.—*An Act making provision for the establishment of additional land offices in the territory of Missouri.*

Act of March 2, 1819, ch. 49.
A land office at the seat of justice in the county of Howard.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, for the disposal of the lands of the United States west of the Mississippi river, and in the territory of Missouri, in addition to the land office now established by law, there shall be established within the said territory the following offices, to wit: one at the seat of justice in the county of Howard for all the lands lying within the following boundaries; beginning at a point where the western line of range ten, west from the fifth principal meridian, intersects the north line of township thirty-four; thence, west with said township line, to where the same intersects the Osage boundary line; thence, north with the Osage boundary line, to the Missouri river; thence, up and with the Missouri river, to the western Indian boundary line at the mouth of Kansas river; thence, north with the said western Indian boundary line, to where the same shall intersect the northern Indian boundary line; thence, east with the said northern Indian boundary, to where the same shall intersect the aforesaid west line of range ten; thence, south with the said range line, to the place of beginning. And a land office shall be established in the county of Arkansas, at such place as the President shall deem most convenient, for all the lands in the district bounded as follows: beginning on the river Mississippi, at the thirty-third degree of north latitude; thence, up and with the Mississippi river, to the mouth of St. Francis river, where the base line intersects the same; thence, west with the said base line to where the same shall intersect the meridian on which the Osage boundary line is run; thence, due south, to the thirty-third parallel of latitude; thence, east with the said parallel, to the place of beginning. And a land office shall be established at the seat of justice in the county of Lawrence, for all the lands in the district bounded as follows: beginning on the base line, at the mouth of St. Francis; thence, up and with the Mississippi river, to the intersection of the same by the north line of township fifteen north; thence, west with the said north line of township fifteen, to where the same shall intersect the Osage boundary line; thence, due south to the aforesaid base line; thence, east with the said base line, to the place of beginning. And a land office shall be established at the town of Jackson, in the county of Cape Girardeau, for all the lands in the district bounded as follows: beginning on the Mississippi river, where the north line of township fifteen north intersects the same; thence, up and with the Mississippi, to its intersection by the north line of township thirty-four north; thence, west with the said north line of township thirty-four, to the Osage

A land office in the county of Arkansas.

A land office at the seat of justice in the county of Lawrence.

Act of March 2, 1821, ch. 25.

A land office at the town of Jackson.

boundary line; thence, south with the said boundary, to the north line of township fifteen; thence, east with the said township line, to the place of beginning. And all the lands within the following boundaries shall form a district for the land office established by law at St. Louis, in the county of St. Louis, viz: beginning on the Mississippi river, where the north line of township thirty-four north intersects the same; thence, up and with the Mississippi river to the mouth of Desmoin river; thence, up and with the Desmoin to the north Indian boundary line; thence, west with the said boundary, to the west line of range ten west; thence, south with said range line, to the north line of township thirty-four north; thence, east with the said township line, to the place of beginning.

District of the land office at St. Louis.

SEC. 2. *And be it further enacted*, That so soon as, in the opinion of the President of the United States, there shall be a sufficient quantity of the public lands surveyed, within all or either of the land districts hereby established, to authorize the opening of all, or either of the land offices aforesaid, he shall cause the same to be opened, and shall proceed, from time to time, to appoint, with the advice and consent of the Senate, for each of the said offices, a register and a receiver of public moneys, who shall give security in the same sums, and in the same manner, and whose compensation, emoluments, and duties, and authority shall, in every respect, be the same, in relation to the lands which shall be disposed of at their offices, as are, or may be, provided by law, in relation to the registers and receivers of public moneys in the several land offices established for the disposal of the lands of the United States north-west of the river Ohio and above the mouth of the Kentucky river.

Time of opening the land offices, &c.

Register and receiver to be appointed.

Act of May 18, 1796, ch. 29.

SEC. 3. *And be it further enacted*, That whenever a land office shall have been established in any of the districts aforesaid, and a register and receiver of public moneys appointed for the same, the President of the United States shall be, and he is hereby, authorized to direct so much of the public lands lying in such district as shall have been surveyed according to law to be offered for sale, with the same reservations and exceptions, and on the same terms and conditions in every respect, as was provided for the sale of the public lands in the territory of Louisiana, by the tenth section of an act entitled "An act providing for the final adjustment of claims to lands, and for the sale of the public lands, in the territories of Orleans and Louisiana, and to repeal the act passed for the same purpose, and approved February sixteenth, (a) one thousand eight hundred and eleven," except that the register and receiver of public moneys alone may be competent to superintend the public sales, and that, instead of one township for the support of a seminary of learning, there shall be two townships located for the purpose by the Secretary of the Treasury, and reserved from sale: *Provided*, That one of said townships shall be located on the waters of the Missouri, and the other on the waters of the Arkansas.

Whenever a land office shall have been established, &c. the President to direct lands to be offered for sale, &c.

Act of March 3, 1811, ch. 46.

Two townships for the support of a seminary of learning; provided, &c.

APPROVED, February 17, 1818.

STATUTE I.

CHAP. XIII.—*An Act making appropriations for the military service of the United States for the year one thousand eight hundred and eighteen.*

Feb. 19, 1818.

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, viz:

For the pay of the army of the United States, one million three hundred and three thousand dollars:

Pay.

For subsistence, one million twenty-five thousand nine hundred and twenty-seven dollars:

Subsistence.

For forage for officers, three thousand one hundred and sixty-eight dollars:

Forage.

(a) This act was passed on the 15th Feb., 1811.

Bounties, &c.	For bounties and premiums, forty-four thousand dollars:
Clothing.	For clothing, six hundred and eighteen thousand one hundred and fifty dollars:
Hospital department.	For the medical and hospital department, fifteen thousand dollars:
Ordnance.	For the ordnance department, one hundred and fifty-four thousand two hundred dollars:
Contracts for cannon, &c.	For fulfilling contracts already entered into for cannon and shot, seventy-thousand three hundred dollars:
For arsenals, &c.	For completing the arsenals, and other works, at Watertown, near Boston, thirty-nine thousand dollars:
	For an arsenal near Augusta, in Georgia, forty thousand dollars:
	For an arsenal at Baton Rouge, fifteen thousand dollars:
	For an arsenal at Detroit, ten thousand dollars:
	For completing the arsenal and other works, at Watervliet, near Albany, ten thousand dollars.
	For completing the arsenal and other works, at Pittsburg, five thousand dollars:
Armories.	For armories, three hundred thousand dollars:
Quartermaster.	For the quartermaster's department, four hundred and sixty thousand dollars:
Contingencies.	For contingencies of the army, sixty thousand dollars:
Indian department.	For the Indian department, two hundred thousand dollars:
Maps, &c.	For the purchase of maps, plans, books, and instruments, for the war office, one thousand dollars:
Gratuities, &c.	For gratuities and travelling expenses to soldiers discharged, seventy thousand dollars:
Fuel, &c. for West Point.	For fuel, transportation, class books, repairs of barracks, and other buildings, and for contingent expenses for the military academy at West Point, twelve thousand and seventy-five dollars:
Medals.	For the expense of medals for the officers of the army, ten thousand dollars:
Running lines, &c.	For marking and running the lines of the several cessions of land made by the Indians in the Illinois territory, five thousand dollars:
	For defraying the expense, which may have been incurred, for running and marking the boundary lines of the several cessions of land made by the Indians in the Missouri territory, five thousand dollars:
For expense of a brigade of militia.	To defray the expense of employing a brigade of militia, three hundred and six thousand seven hundred and forty-three dollars.

APPROVED, February 19, 1818.

STATUTE I.

March 9, 1818.

CHAP. XIV.—*An Act concerning the district of Brunswick, in the state of Georgia.*

Collector to reside at Darien. Darien sole port of entry.

One surveyor for Brunswick, instead, &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the collector of the district of Brunswick shall reside at Darien, which shall be the sole port of entry for the said district; and that, instead of a surveyor for the port of Darien there shall be one surveyor for the said district of Brunswick, who shall reside at such place in the said district as may be directed by the Secretary of the Treasury.

APPROVED, March 9, 1818.

STATUTE I.

March 9, 1818.

CHAP. XVI.—*An Act supplementary to the act, entitled "An act further extending the time for issuing and locating military land warrants, and for other purposes."*

Act of April 16, 1816, ch. 49.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the time limited by the act, passed on the sixteenth day of April, one thousand eight

hundred and sixteen, and to which this is a supplement, for issuing military land warrants, shall be extended to the first day of March, one thousand eight hundred and nineteen; and the time, limited by the said act, for the location of unlocated military land warrants, shall be extended to the first day of October, one thousand eight hundred and nineteen.

APPROVED, March 9, 1818.

CHAP. XVIII.—*An Act providing for the sale of certain lands in the district of Marietta, and for the location of claims and sale of certain lands in the district of Vincennes.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the purpose of ascertaining the quantity, and providing for the sale of the lands belonging to the United States, within the limits of a tract of one hundred thousand acres granted to Rufus Putman, Manassah Cutler, Robert Oliver and Griffin Green, in trust for the persons composing the Ohio Company of Associates, in pursuance of the third section of an act, entitled "An act authorizing the grant and conveyance of certain lands to the Ohio Company of Associates," passed on the twenty-first of April, seventeen hundred and ninety-two, it shall be the duty of the surveyor general, and he is hereby authorized, to require of the said Rufus Putman and other surviving patentees, in trust as aforesaid, to make a report to him of the quantity and situation of the lands by them conveyed, as bounties, to actual settlers, according to the conditions of the said third section and grant aforesaid; and also, a duly attested copy of the field notes and plat of the surveys of the lands by them conveyed to actual settlers as aforesaid. And the surveyor general, on receiving a satisfactory report of the quantity and situation of the lands so conveyed, shall cause the residue of the lands within the said tract to be surveyed in the same manner as the other public lands; or, if he shall deem it more convenient, into tracts of one hundred acres, conforming, as far as practicable, to the plan on which lots granted to actual settlers were laid off; and he shall make return of the surveys to the general land office and the register of the land office at Marietta.

SEC. 2. *And be it further enacted,* That every person, or their legal representatives, whose claims were confirmed by any of the several acts for confirming claims to land in the district of Vincennes and which claims have not been located, shall be authorized to enter their locations with the register of the land office at Vincennes, on any part of the tract set apart for that purpose in the said district, by virtue of an act, entitled "An act respecting claims to land in the Indiana Territory and state of Ohio," and in conformity to the provision of that act, and shall be entitled to receive certificates and patents in the same manner as provided by former laws respecting locations in the same tract: *Provided,* That the locations authorized by this act, and those authorized by an act, entitled "An act for the relief of certain claimants to land in the district of Vincennes," passed on the sixteenth of April, one thousand eight hundred and sixteen, shall be made before the first day of September next; and, after the said locations shall have been made and the surveys thereon completed, the surveyor general shall cause the residue of the said tract to be surveyed, conforming, as far as practicable, to the plan for surveying the other public lands, and he shall make a return of the surveys, to the general land office, and to the register of the land office at Vincennes.

SEC. 3. *And be it further enacted,* That such part of the tract, described by the first section of this act, as shall appear to belong to the United States, shall be offered for sale at Marietta, and such part of the tract described by the second section of this act, as shall not have been located under confirmed claims, shall be offered for sale at Vincennes. The said

Time for issuing military land warrants extended.

Act of Feb. 24, 1819, ch. 41.

Time for locating unlocated warrants extended.

STATUTE I.
March 18, 1818.

The surveyor general to require Rufus Putman, &c., to make a report of lands conveyed, &c.

Act of April 21, 1792, ch. 25.

Copy of field notes, and plat of surveys.

Surveyor general to cause the residue of the lands to be surveyed, &c.

Return of surveys to the general land office, &c.

Confirmed claims to land in the district of Vincennes, may be located on the tract set apart, &c.

Act of April 21 1806, ch. 40.

Proviso; locations to be made before 1st Sept. 1818.

Act of April 16, 1816, ch. 52.

Residue of tract to be surveyed.

Return of surveys, &c.

Part of one tract to be sold at Marietta; and part of the other at Vincennes—

to the highest bidder, &c.

Days of sale.

Sales open six days.

Price.

Patents.

4 dollars a day to superintendents.

lands, in the said respective tracts, with the exception of the usual proportion for the support of schools, shall be offered for sale to the highest bidder, under the direction of the register of the land office and the receiver of public moneys for the said districts, on such days, respectively, as shall, by proclamation of the President, be designated for that purpose; the sales at each place shall remain open six days, and no longer; the lands shall not be sold for less than two dollars an acre; and shall, in every other respect, both as to public and private sales, be sold on the same terms and conditions as other public lands in the same districts; and patents shall be obtained in the manner, and on the terms, provided in case of other public lands sold by the United States.

SEC. 4. *And be it further enacted*, That the superintendents of the public sales, directed by this act, shall each receive four dollars a day for each day's attendance on the said sales.

APPROVED, March 18, 1818.

STATUTE I.

March 18, 1818.

CHAP. XIX.—*An Act to provide for certain persons engaged in the land and naval service of the United States, in the Revolutionary War.*

Act of March 3, 1819, ch. 81.

Act of May 1, 1820, ch. 51.

Act of March 1, 1823, ch. 59.

Officers and privates who served in the army or navy during the revolutionary war entitled to pensions.

Officers, 20 dollars per month:

Non-commissioned officers, &c. 8 dolls. per month.

Proviso: claims to previous pensions to be relinquished.

A declaration under oath, and other evidence necessary to the obtaining the benefit of this act.

Testimony, &c. to be transmitted to the Secretary of War, &c.

Payment to be made as in case of other pensions.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That every commissioned officer, non-commissioned officer, musician, and private soldier, and all officers in the hospital department and medical staff, who served in the war of the revolution until the end thereof, or for the term of nine months, or longer, at any period of the war, on the continental establishment; and every commissioned officer, non-commissioned officer, mariner, or marine, who served at the same time, and for a like term, in the naval service of the United States, who is yet a resident citizen of the United States, and who is, or hereafter, by reason of his reduced circumstances in life, shall be, in need of assistance from his country for support, and shall have substantiated his claim to a pension in the manner hereinafter directed, shall receive a pension from the United States: if an officer, of twenty dollars per month during life; if a non-commissioned officer, musician, mariner, marine, or private soldier, of eight dollars per month during life: *Provided*, No person shall be entitled to the provisions of this act, until he shall have relinquished his claim to every pension heretofore allowed him by the laws of the United States.

SEC. 2. *And be it further enacted*, That to entitle any person to the provisions of this act, he shall make a declaration, under oath or affirmation, before the district judge of the United States of the district, or before any judge or court of record of the county, state, or territory, in which the applicant shall reside, setting forth, if he belonged to the army, the company, regiment, and line, to which he belonged: the time he entered the service, and the time and manner of leaving the service; and in case he belonged to the navy, a like declaration, setting forth the name of the vessel, and particular service in which he was employed, and the time and manner of leaving the service, and shall offer such other evidence as may be in his power; and, on its appearing, to the satisfaction of the said judge, that the applicant served in the revolutionary war as aforesaid against the common enemy, he shall certify and transmit the testimony in the case, and the proceedings had thereon, to the Secretary of the Department of War, whose duty it shall be, if satisfied the applicant comes under the provisions of this act, to place such officer, musician, mariner, marine, or soldier, on the pension list of the United States, to be paid in the same manner as pensions to invalids who have been placed on the pension list are now paid, and under such restrictions and regulations, in all respects, as are prescribed by law.

SEC. 3. *And be it further enacted*, That every pension by virtue of

this act shall commence on the day that the declaration under oath or affirmation, prescribed in the foregoing section, shall be made.

SEC. 4. *And be it further enacted*, That from and after the passage of this act, no sale, transfer, or mortgage, of the whole, or any part, of the pension payable in pursuance of this act, shall be valid; and any person who shall swear or affirm falsely in the premises, and be thereof convicted, shall suffer as for wilful and corrupt perjury.

APPROVED, March 18, 1818.

Pension to commence on the day of oath.
Sale, transfer, or mortgage, of pension, not valid.
False swearing, perjury.
Act of April 30, 1790, ch. 9, sec. 18.

STATUTE I.

CHAP. XXI.—*An Act making appropriations for the support of the navy of the United States, for the year one thousand eight hundred and eighteen.*

March 18, 1818.

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 eighteen, the following sums be, and they are hereby, respectively, appropriated, viz : For pay and subsistence of the officers, and pay of the seamen, one million one hundred and thirty-five thousand five hundred and ninety-five dollars. For provisions, five hundred and eleven thousand dollars. For medicine, hospital stores, and all expenses on account of the sick, including the marine corps, twenty-five thousand dollars. For repairs of vessels, three hundred thousand dollars. For contingent expenses, three hundred thousand dollars. For repairs of navy yards, docks, and wharves, one hundred thousand dollars. For pay and subsistence of marine corps, seventy-three thousand dollars. For clothing for the same, thirty-two thousand dollars. For military stores for the same, eleven hundred dollars. For contingent expenses for the same, sixteen thousand dollars. For the purchase of medals and swords, directed by different resolutions of Congress, fifteen thousand dollars.

Sums appropriated for the expenses of the navy, for 1818.

For pay and subsistence.
For provisions.
For medicine, &c.
For repairs of vessels.
For contingent expenses.
For repairs of navy yards, &c.
For pay, &c. of marine corps.
For clothing marine corps.
For military stores.
For medals and swords.

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

APPROVED, March 18, 1818.

STATUTE I.

CHAP. XXII.—*An Act for altering the time for holding the district court for the district of Virginia. (a)*

March 19, 1818.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the terms of the district court for the district of Virginia, which are now directed by law to be holden on the twelfth day of April, in each year, shall hereafter be holden, for the said district, on the second day of April, in each year, except where such day shall occur on Sunday, when the term of the said court shall commence and be holden on the next succeeding day.

The terms holden on the 12th, shall be holden on the 2d of April, in each year, except, &c.

APPROVED, March 19, 1818.

STATUTE I.

CHAP. XXIII.—*An Act extending the time for obtaining military land warrants in certain cases.*

March 27, 1818.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the provision of the second section of the act, entitled "An act to provide for designating, surveying, and granting, the military bounty lands," passed on the sixth day of May, one thousand eight hundred and twelve, which limits the

The 2d section of the act referred to not to apply to the heirs, &c. of persons killed, &c.

(a) See act of March 24, 1814, ch. 31. See notes to act of Feb. 4, 1819, ch. 12.

Act of May
6, 1812, ch. 77.

The heirs, &c.
of such persons
may make applica-
tions until
1st May, 1820.

time within which persons entitled to military bounty lands shall make their application for a land warrant to five years from and after such person shall have become entitled thereto, shall not be construed to apply to, affect, or bar, any application for a military land warrant, which may be made by the heirs and representatives of a deceased person, who was entitled thereto by services performed in the late war, or application by the heirs and representatives of any non-commissioned officer or soldier killed in action, or who died in the actual service of the United States, and entitled by existing laws to a bounty in lands; but the heirs and representatives of such persons shall be allowed to make their applications therefor at any time before the first day of May, one thousand eight hundred and twenty; any act to the contrary notwithstanding.

APPROVED, March 27, 1818.

STATUTE I.

March 27, 1818.

CHAP. XXIV.—*An Act in addition to "An act making appropriation for repairing certain roads therein described."*

Act of April
27, 1816, ch.
112.

5000 dollars
for repairing,
&c. the road be-
tween fort
Hawkins and
fort Stoddard.

5000 dollars
for repairing,
&c. the road
leading from
Columbia to
Madisonville,
&c.

Sums to be
expended under
direction of the
Secretary of
War.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of five 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 repairing, and keeping in repair, the road between fort Hawkins, in the state of Georgia, and fort Stoddard, in the Alabama territory.

SEC. 2. *And be it further enacted, That the sum of five 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 repairing, and keeping in repair, that part of the road leading from Columbia, in the state of Tennessee, by the Choctaw agency, to Madisonville, in the state of Louisiana, which lies between the southern boundary of the state of Tennessee, and the Indian boundary line, near Zadock Brashears, in the state of Mississippi, which sums shall be expended under the direction of the Secretary for the Department of War.*

APPROVED, March 27, 1818.

STATUTE I.

April 3, 1818.

CHAP. XXVI.—*An Act allowing additional salary and clerk hire to the surveyor for the Illinois and Missouri territories, and for other purposes.*

Surveyor of
lands in Illinois
and Missouri al-
lowed two thou-
sand dollars
per annum, in
lieu, &c.

Three clerks,
&c.

Accounting
officers of the
treasury to set-
tle the accounts
of William
Rector, and al-
low him the
fees specified,
in addition to
salary.

Proviso; no
allowance
where he has
received simi-
lar fees from
individuals.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the surveyor of the lands of the United States in the territories of Illinois and Missouri, shall hereafter be allowed an annual compensation of two thousand dollars, in lieu of the compensation now fixed by law, and shall also be allowed three clerks, whose whole compensation shall not exceed two thousand dollars per annum.

SEC. 2. *And be it further enacted, That the accounting officers of the Treasury Department be authorized to adjust and settle the accounts of William Rector, for his services as principal deputy surveyor, and surveyor of the Illinois and Missouri territories, and to allow him, in addition to his salary as fixed by law, the following fees, that is to say: for examining and recording the surveys executed by any of his deputies, at the rate of twenty-five cents for every mile of the boundary line of the surveys executed under his direction in the offices aforesaid: Provided, The allowance shall not be made on the surveys of private claims in any case where he has received, or is entitled to receive, similar fees from individuals.*

APPROVED, April 3, 1818.

CHAP. XXIX.—*An Act to provide for the due execution of the laws of the United states within the state of Mississippi.*

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 Mississippi as elsewhere within the United States.

SEC. 2. *And be it further enacted,* That the said state shall be one district, and be called the Mississippi 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 December; 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.

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

SEC. 4. *And 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.

SEC. 5. *And be it further enacted,* That a marshal be appointed for the 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.

APPROVED, April 3, 1818.

STATUTE I.

April 3, 1818.

Laws of the United States to have the same effect in Mississippi as elsewhere.

Mississippi to be a judicial district, with a district court, and a district judge to reside therein.

Altered by act of Jan. 11, 1821, ch. 6.

Two sessions of the court annually, &c.

Powers of the judge.

Act of Sep. 24, 1789, ch. 20, sect. 10.

Act of Feb. 28, 1799, ch. 19.

Salary of the judge 2000 doll.s. per ann.

A district attorney with a compensation of 200 dollars per annum besides fees.

A marshal with a compensation of 200 dollars per annum besides fees.

STATUTE I.

April 3, 1818.

CHAP. XXX.—*An Act altering the time for holding a session of the district court in the district of Maine.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the district court, heretofore by law holden on the last day of May, in each year, at Portland, within, and for the district of Maine, shall hereafter be holden, at the same place, on the first Tuesday of June in each year.

APPROVED, April 3, 1818.

The district court for Maine to be hereafter holden at Portland on the first Tuesday of June in each year.

STATUTE I.

April 3, 1818.

CHAP. XXXII.—*An Act respecting the courts of the United States within the state of New York.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the passing of this act, the district court of the United States, for the northern district of New York, shall be holden by the judge of the said district, and in case of his inability on account of sickness, absence, or

The courts for the northern district to be holden by the judge thereof.

In case of his inability, by the

judge of the southern district.

The judge of the northern district to give timely notice to the judge of the southern district.

Three terms of the northern district court.

At Albany.

At Utica.

Suits, &c. to be revived and to continue, &c.

Process issued, &c. to be returnable, &c.

Courts may be holden in the northern district at other times, &c. at discretion.

The northern district enlarged.

Proceedings had in suits, &c. in the former district court declared valid.

The jurisdiction of causes, within the limits of the present northern district vested in the court for that district, whether they have or have not been instituted in the former district court.

Pleadings, &c. to be transferred to the clerk's office for the northern district.

The northern district court to have full power, &c.

otherwise, it shall be the duty of the judge of the southern district of New York to hold the said court, in and for the said northern district, and to do and perform all other acts and duties of the judge of the said northern district, with the like power and authority in all respects. And whenever such inability of the judge of the said northern district, to hold any term of the said court, shall exist, it shall be his duty to give previous timely notice thereof to the judge of the said southern district.

SEC. 2. *And be it further enacted*, That there shall be held in each year, three terms of the district court for the northern district of New York, to wit: at the city of Albany, on the second Tuesday of May and on the second Tuesday of November: and at the village of Utica, in the county of Oneida, on the third Tuesday of May. (a) And all suits and proceedings in the said court shall be revived, and shall continue in full force, in the same manner as if the said court had been regularly held according to law, and had been adjourned to the term next to be holden by virtue of this act. And all process already issued, or which may be issued, out of the said court, before the passing of this act, shall be held and deemed returnable to the next term thereof, to be holden by virtue of this act. And it shall be at the discretion of the judge of the said northern district of New York, or, in case of his inability, of the judge of the said southern district, to appoint and hold a court or courts at any other time or place, than those before mentioned, within and for the said northern district, as the business therein may require.

SEC. 3. *And be it further enacted*, That the said northern district of the state of New York shall be, and the same is hereby enlarged, so as to include the counties of Albany, Rensselaer, Schenectady, Schoharie, and Delaware, in the said state.

SEC. 4. *And be it further enacted*, That all proceedings hitherto had in the district courts of the United States, either for the northern or for the southern district of New York, in any suit at common law, or in any civil cause of admiralty and maritime jurisdiction, in continuation of any such suit or cause which had been instituted in the former district court of the United States for the district of New York, be, and the same hereby are, declared as valid and effectual as if the same suit or cause had been originally instituted in the district court in which such proceedings have been had.

SEC. 5. *And be it further enacted*, That the jurisdiction of every suit or cause, either at common law, or of maritime and admiralty jurisdiction, whether the same hath or hath not been instituted in the district court of the former district of New York, wherein the cause shall have arisen, or the seizure shall have been made, within the limits of the northern district of New York, as prescribed by this act, and which hath not been proceeded in to final judgment or decree, shall be vested in the district court for the northern district of New York; and all pleadings, libels, claims, evidences, and papers, whatsoever, that may have been filed, and all moneys which may have been paid or deposited, in the office of the clerk of the former district of New York, or of the clerk of the southern district of New York, in every such suit or cause, shall be transferred to, and filed and deposited in, the office of the clerk of the northern district of New York. And the said district court for the northern district of New York shall have as full power to hear, try, and determine, the said suits and causes, and to proceed therein to final judgment and decree, as the district court for the district of New York had

(a) By the act to alter the times of holding the district court in the northern district of New York, passed March 2, 1821, the district court is directed to be held at Utica on the last Tuesday in August, and at Albany on the last Tuesday in January, annually. As to the jurisdiction of the district court of the northern district of New York, see the act respecting the jurisdiction of certain district courts, Feb. 19, 1831, ch. 28. By the act of March 3, 1837, ch. 32, sec. 2, circuit courts are directed to be held in the northern district of New York, at Albany, on the second Tuesday in June, and third Tuesday in October, annually. See act of March 3, 1823, ch. 41. Act of March 3, 1825, ch. 52.

by law. And the jurisdiction of all suits or causes, whether at common law, or of admiralty and maritime jurisdiction, whether the same hath or hath not been instituted in the district court, for the former district of New York, wherein the cause of action shall have arisen, or the seizure shall have been made, within the limits of the southern district of New York, and which have not been proceeded in to final judgment or decree, shall be vested in the district court for the said southern district of New York, and the said court shall have as full power to hear, try, and determine the said suits and causes, as the district court for the district of New York had by law.

Jurisdiction of causes in the southern district vested in the court for that district, whether they have or have not been instituted in the former district court.

SEC. 6. *And be it further enacted,* That the original jurisdiction of the circuit court of the southern district of New York shall be confined to causes arising within the said district, and shall not be construed to extend to causes of action arising within the northern district of New York.

Original jurisdiction of the circuit court of the southern district, confined to causes arising within that district.

APPROVED, April 3, 1818.

CHAP. XXXIII.—*An Act to provide for the erection of a court-house, jail, and public offices, within the county of Alexandria, in the District of Columbia.*

STATUTE I.

April 3, 1818.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall and may be lawful for the levy court of the county of Alexandria, in the District of Columbia, to erect, or cause to be erected, a good and sufficient jail for said county; and, whenever the levy court of the said county shall transmit to the marshal a certificate, that the jail hereby provided for is so far finished as to be ready for the reception of persons, it shall be the duty of the marshal forthwith to remove to the said jail all prisoners who shall at that time be confined in the present jail of the said county.

The levy court of Alexandria may erect a jail for that county.

The marshal to remove prisoners when certified the jail is in a condition to receive them.

SEC. 2. *And be it further enacted,* That the said levy court may cause to be erected, if they deem expedient, at the expense of the county, a good and convenient court-house, and a fire-proof office for records, to be built of stone or brick; and that it shall be the duty of the said court to cause the jail before provided for, and the said court-house and office, when erected, to be kept in a good state of repair. And if it should be considered expedient by the said court to erect the said court-house and office in any other place than the present market square, the said court is hereby authorized and empowered to purchase, within the limits of the town of Alexandria, a lot of ground, not exceeding two acres, for the erection of the said buildings and of the said jail, and for no other use whatever.

The levy court may erect a court-house and fire-proof office for records at the expense of the county, &c.

The levy court may purchase a lot in Alexandria for the erection of the buildings, &c.

SEC. 3. *And be it further enacted,* That the levy court of the county of Alexandria shall, from time to time, as it shall be necessary, levy on the titheables, and other taxable property, within the said county, the sums of money which shall be necessary to carry into full effect the several provisions of this act.

The court to levy the money necessary, &c. from time to time.

APPROVED, April 3, 1818.

STATUTE I.

April 4, 1818.

CHAP. XXXIV.—*An Act to establish the flag of the United States.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the fourth day of July next, the flag of the United States be thirteen horizontal stripes, alternate red and white: that the union be twenty stars, white in a blue field.

After the 4th July, 1818, the flag to be 13 stripes and 20 stars.

SEC. 2. *And be it further enacted,* That on the admission of every new state into the Union, one star be added to the union of the flag; and that such addition shall take effect on the fourth day of July then next succeeding such admission.

A star to be added for every new state.

APPROVED, April 4, 1818.

STATUTE I.

April 4, 1818.

Act of April 18, 1806, ch. 31. The state of Tennessee may issue grants, &c. on all entries, &c. made, pursuant to the laws of North Carolina, before the 25th Feb. 1790, which were valid, and lie west and south of the line described, &c.

And to issue grants, on warrants of survey, &c. which might be removed by the cession act, &c.

And all interfering grants, &c. under the same rules, &c.

Previous to issuing a grant, &c., the warrant, &c., must be laid before the commissioner of land claims for West Tennessee, &c.

The warrant, &c. being declared valid, the land to be laid off by the surveyor, &c.

Grant to be executed by the governor, &c.

Proviso.

Persons who have had grants from North Carolina since Dec. 23d, 1811, for lands in Tennessee, on surrendering them to be cancelled, may obtain grants from Tennessee.

CHAP. XXXV. — *An Act supplementary to the act, entitled "An act to authorize the state of Tennessee to issue grants and perfect titles to certain lands therein described, and to settle the claims to the vacant and unappropriated land within the same," passed the eighteenth of April, one thousand eight hundred and six.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall be lawful for the state of Tennessee to issue grants and perfect titles on all special entries and locations of lands in the said state, made pursuant to the laws of North Carolina, before the twenty-fifth day of February, in the year one thousand seven hundred and ninety, which were good and valid in law, and recognized by the act of the said state of North Carolina, commonly called the cession act, passed the day of December, one thousand seven hundred and eighty-nine, and which lie west and south of the line described in the act to which this is supplementary; and also to issue grants and perfect titles on all warrants of survey, interfering entries and locations, which might be removed by the cession act of North Carolina aforesaid, and which are good and valid in law, and which have not been actually located or granted, east and north of the aforesaid line; and all interfering grants which are good and valid in law, or the warrants or certificates legally issued, in consequence of such interference, on land lying south and west of the said line, in the manner and under the same or similar rules, regulations, and restrictions, as are prescribed by the laws now in force in the said state of Tennessee, for issuing grants and perfecting titles on claims of a like nature for lands lying north and east of the said line.

SEC. 2. *And be it further enacted,* That previous to issuing a grant or perfecting a title on any of the claims herein before described, the warrant, or other legal evidence of such claim, shall be laid before the commissioner of land claims for West Tennessee, for the time being, appointed by the authority of the said state, and approved by him as valid upon sufficient legal evidence being adduced of such validity, according to the rules and regulations prescribed by the laws of the said state now in force, for deciding on warrants and other land claims of the like nature, authorized to be perfected into grants, north and west of the aforesaid line; and upon such warrant or other legal evidence, of any of the claims aforesaid, being declared valid by said commissioner, it shall be lawful for the surveyor of the proper district, or county, to lay off and survey the same, in the manner prescribed by the laws of the said state in similar cases, and return such survey to the register of the land office of West Tennessee, who shall thereupon be authorized to make out a grant thereon, to be executed by the governor, and countersigned by the secretary of the said state, in the manner provided by the laws of the same: *Provided,* That no surveys shall be made, grants issued, or titles perfected by virtue of this act, for any land to which the Indian claim has not been previously extinguished.

SEC. 3. *And be it further enacted,* That those persons who have had surveys made, and obtained grants from the state of North Carolina, since the twenty-third day of December, in the year of our Lord one thousand eight hundred and eleven, for lands lying within the state of Tennessee, shall, upon surrendering such grants to the said commissioner of land claims for West Tennessee, for the time being, to be cancelled and vacated, be allowed to produce the entries, warrants, or other evidences of claims, upon which such grants were founded; and if the said claims shall be deemed good and valid by the said commissioner, then it shall be lawful for the state of Tennessee to issue grants and perfect titles on such claims in the same manner as if no such grants had been issued by the state of North Carolina.

APPROVED, April 4, 1818.

CHAP. XXXVI.—*An Act declaring the consent of Congress to an act of the state of North Carolina for the relief of sick and disabled American Seamen.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the assent of Congress be, and hereby is, granted and declared to an act of the legislature of the State of North Carolina, entitled "An act for the relief of sick and disabled American seamen," and passed on the twenty-third day of December last; and the said act is hereby ratified and confirmed.

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

APPROVED, April 4, 1818.

STATUTE I.

April 4, 1818.

The assent of Congress granted to an act of North Carolina for the relief of sick and disabled American seamen.

This act in force for five years.

CHAP. XXXVII. — *An Act concerning the bounty or allowance to fishing vessels in certain cases.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That where any fishing vessel of the United States has been, since the eighteenth day of February, in the year one thousand eight hundred and fifteen, prevented, by illegal capture or seizure, under authority, or pretence of authority, from any foreign government, from fishing at sea, for any part of the term of four months required by law to be employed by such vessel in fishing, in order to entitle the owner of such vessel to the bounty or allowance prescribed by law, the time of the unlawful detention of such vessel shall be computed as a part of the said four months, and such bounty or allowance shall be paid accordingly: *Provided,* That such vessel has, in all other respects, complied with the requisites of the laws now in force.

APPROVED, April 4, 1818.

STATUTE I.

April 4, 1818.

Where fishing vessels, since the 18th Feb., 1815, have been prevented by illegal capture, &c., from fishing at sea for any part of the four months required, &c., the time to be computed, and the bounty, &c., to be paid.

Proviso: the other requisites must have been complied with.

CHAP. XL. — *An Act to regulate the fees of public notaries in the county of Washington, in the District of Columbia.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the public notaries appointed for, and residing in, the county of Washington, in the District of Columbia, shall be, and they are hereby, severally authorized to demand and receive, for any services required of them in that capacity, such fees as are now allowed to the public notaries of the state of Maryland, by the laws of that state, for similar services.

APPROVED, April 4, 1818.

STATUTE I.

April 4, 1818.

The public notaries of Washington county to receive the same fees as public notaries in Maryland.

CHAP. XLII. — *An Act limiting the time for claims being produced for lands authorized to be granted to the inhabitants of New Madrid.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That every person claiming lands in virtue of the act entitled "An act for the relief of the inhabitants of the late county of New Madrid, in the Missouri territory, who suffered by earthquakes," passed on the seventeenth day of February, one thousand eight hundred and fifteen, shall make application therefor, and produce evidence, in support of his claim, to the recorder of land titles for the said territory, on or before the first day of January next: and the said recorder shall not issue a certificate for any claim as aforesaid, the evidence in support of which shall not have been produced to him within the time limited as aforesaid.

APPROVED, April 9, 1818.

STATUTE I.

April 9, 1818.

Act of Feb. 17, 1815, ch. 45. Persons claiming lands, in virtue of the act mentioned, to make application, &c., on or before the 1st Jan., 1819.

Recorder not to issue certificate where the evidence has not been produced within the time.

CHAP. XLIII. — *An Act concerning the territory of Alabama.*

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

STATUTE I.

April 9, 1818.

Persons who purchase a quarter section

or more of land in Alabama, and who have paid one fourth, &c., shall be competent to hold any office of honour or profit in that territory, &c.

who have or may hereafter purchase, from the United States, one quarter section or more of land in the Alabama territory, and shall have paid one fourth part thereon, as the law in such cases requires, and shall have obtained a certificate of the proper land office to that effect, shall be competent to hold any office of honour or profit in the said territory, any thing in the ordinance or former laws of the United States to the contrary notwithstanding.

APPROVED, April 9, 1818.

STATUTE I.

April 9, 1818.

CHAP. XLV. — *An Act making appropriation for the support of government for the year one thousand eight hundred and eighteen.*

Sums appropriated for the support of government.

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:

Compensation of members of Congress, &c.

For compensation granted by law to the members of the Senate and House of Representatives, their officers and attendants, two hundred thousand dollars.

Contingent expenses of Congress.

For the expenses of fire wood, stationery, printing, and all other contingent expenses, of the two houses of Congress, thirty-seven thousand dollars.

Library and librarian of Congress.

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

President.

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

Vice President.

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

Rent, &c., of a house occupied by the President.

For rent and repairs of a house occupied by the President of the United States, eight hundred and ninety dollars.

Secretary of State.

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

Clerks in Department of State.

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

Messenger.

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

Contingent expenses of Department of State.

For the contingent and incidental expenses of the said department, including the expenses of printing and distributing copies of the laws of the first session of the fifteenth Congress, and printing the laws in newspapers, and to provide for a deficiency in the appropriation for the year one thousand eight hundred and seventeen, nineteen thousand eight hundred and thirty dollars.

Secretary of the Treasury.

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

Clerks.

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

Messenger.

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

First comptroller.

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

First comptroller's clerks, and messenger.

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

Second comptroller.

For compensation to the second comptroller of the treasury, three thousand dollars.

Second comptroller's clerks.

For compensation to the clerks employed in the office of the second comptroller of the treasury, eight thousand eight hundred dollars.

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

Second controller's messenger.

For compensation to the first auditor of the treasury, three thousand dollars. For compensation to the clerks employed in the first auditor's office, fifteen thousand dollars. For compensation to the messenger in said office, four hundred and ten dollars.

First auditor, and his clerks and messenger.

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

Second auditor.

For compensation to the clerks employed in the second auditor's office, sixteen thousand seven hundred and seventy-five dollars. For compensation to the messenger in said office, four hundred and ten dollars.

Second auditor's clerks and messenger.

For compensation to the third auditor of the treasury, three thousand dollars. For compensation to the clerks in the third auditor's office, twenty thousand eight hundred and sixty dollars. For compensation to the messenger in said office, four hundred and ten dollars.

Third auditor, and his clerks and messenger.

For compensation to the fourth auditor of the treasury, three thousand dollars. For compensation to the clerks employed in the fourth auditor's office, fourteen thousand seven hundred dollars. For compensation to the messenger in said office, four hundred and ten dollars.

Fourth auditor, and his clerks and messenger.

For compensation to the fifth auditor of the treasury, three thousand dollars. For compensation to the clerks employed in the fifth auditor's office, nine thousand eight hundred and fifty dollars. For compensation to the messenger in said office, including a provision for his services in one thousand eight hundred and seventeen, for which no appropriation was made, seven hundred and thirty-three dollars fifty cents.

Fifth auditor, and his clerks and messenger.

For compensation to the treasurer of the United States, three thousand dollars. For compensation to the clerks employed in the treasurer's office, five thousand four hundred and forty dollars.

Treasurer, and his clerks.

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

Messenger.

For compensation to the commissioner of the general land office, three thousand dollars. For compensation to the clerks employed in the office of said commissioner, eleven thousand nine hundred and fifty dollars. For compensation to additional clerks employed in that office, during the last quarter of one thousand eight hundred and seventeen, one thousand dollars. For compensation to the messenger in said office, four hundred and ten dollars.

Commissioner of general land office, and his clerks, additional clerks, and messenger.

For compensation to the commissioner of the revenue, three thousand dollars. For compensation to the clerks employed in the office of the said commissioner, nine thousand dollars. For compensation to the messenger in said office, four hundred and ten dollars.

Commissioner of the revenue, and his clerks and messenger.

For compensation to the register of the treasury, three thousand dollars. For compensation to the clerks employed in the office of said register, seventeen thousand and twenty-eight dollars. For compensation to the messenger in said office, four hundred and ten dollars.

Register, his clerks and messenger.

For stating and printing the public accounts for the years one thousand eight hundred and seventeen, and one thousand eight hundred and eighteen, two thousand four hundred dollars.

For stating and printing public accounts.

For the expense of translating foreign languages, allowed to the person employed in transmitting passports and sea-letters, for stationery, printing, fuel, and other contingent expenses in the said department, and in the several offices therein, thirty-three thousand six hundred and fifty dollars.

For translating foreign languages, and other contingent expenses.

For compensation to a superintendent and two watchmen, employed for the security of the treasury buildings, and for repairs of two fire engines, hose, and fire buckets, one thousand one hundred dollars.

Superintendent and watchmen of the treasury.

- Secretary of sinking fund. For compensation to the commissioners of the sinking fund, two hundred and fifty dollars.
- Secretary of War. For compensation to the Secretary of War, four thousand five hundred dollars.
- Clerks. For compensation to the clerks employed in the office of the Secretary of War, fifteen thousand two hundred and thirty dollars.
- Messenger. For compensation to the messenger and his assistants in said office, seven hundred and ten dollars.
- Contingent expenses. For expense of fuel, stationery, printing, and other contingent expenses in said office, four thousand dollars.
- Paymaster general. For compensation to the paymaster general of the army, two thousand five hundred dollars.
- Clerks. For compensation to the clerks employed in the office of the paymaster general of the army, ten thousand dollars.
- Messenger. For compensation to the messenger in said office, four hundred and ten dollars.
- Contingent expenses. For expense of fuel, stationery, printing, and other contingent expenses in said office, two thousand dollars.
- Commissary general of purchases. For compensation to the commissary general of purchases, three thousand dollars.
- Clerks. For compensation to the clerks employed in the office of the commissary general of purchases, two thousand eight hundred dollars.
- Messenger. For compensation to the messenger in said office, three hundred and sixty dollars.
- Contingent expenses. For expense of fuel, stationery, printing, office rent, and other contingent expenses, in said office, nine hundred and thirty dollars.
- Clerks. For compensation to the clerks employed in the office of the adjutant and inspector general, one thousand eight hundred dollars.
- Clerks in the ordnance office. For compensation to clerks employed in the ordnance office, one thousand dollars.
- Secretary of the Navy. For compensation to the Secretary of the Navy, four thousand five hundred dollars.
- Clerks. For compensation to the clerks employed in the office of the Secretary of the Navy, seven thousand two hundred and thirty-five dollars.
- Messenger. For compensation to the messenger in said office, four hundred and ten dollars.
- Contingent expenses. For expense of fuel, stationery, printing, and other contingent expenses in said office, two thousand five hundred dollars.
- Commissioners of navy board. For compensation to the commissioners of the navy board, ten thousand five hundred dollars.
- Completing surveys of ports and harbours. For completing the surveys of certain ports and harbours, for the purpose of selecting two stations for the establishment of arsenal ports, twenty-five thousand dollars.
- The Creek Indians. For discharging the sum to be paid to the Creek nation of Indians, during the present year, pursuant to the treaty with them of the twenty-second January, one thousand eight hundred and eighteen, twenty thousand dollars.
- Printing, &c. of journal and proceedings of the convention, &c. For defraying the expenses of printing done pursuant to the resolution directing the publication and distribution of the journal and proceedings of the convention which formed the constitution of the United States, ten thousand dollars.
- Digesting and printing laws, &c. For defraying the expenses of digesting and printing certain laws and regulations relative to the navigation and trade of the United States in foreign countries, pursuant to a resolution of the Senate of the third of March, one thousand eight hundred and seventeen, five thousand dollars.
- Secretary 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.

Clerks.

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

Messenger.

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

Contingent expenses.

For compensation to a superintendent and two watchmen, and for other expenses incurred for the security of the buildings occupied by the State, War, and Navy, Departments, two thousand four hundred dollars.

Superintendent and watchmen of State, War, and Navy Departments.

For compensation to the Postmaster General, three thousand dollars.

Postmaster general.

For compensation to the Assistant Postmaster General, one thousand seven hundred dollars.

Assistant postmaster general.

For compensation to the second Assistant Postmaster General, one thousand six hundred dollars.

Second assistant postmaster general.

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

Clerks in the general post-office.

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

Messenger, Contingent expenses.

For the contingent expenses of the general post-office, three thousand six hundred dollars.

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

Surveyor general and clerks.

For compensation to the surveyor south of Tennessee, his clerks, and for the contingent expenses of his office, three thousand seven hundred dollars.

Surveyor south of Tennessee and clerks, &c.

For compensation to the surveyor in the Illinois and Missouri territories, one thousand dollars.

Surveyor in Illinois and Missouri.

For compensation to the surveyor in the northern part of the Alabama territory, one thousand five hundred dollars.

Surveyor in northern part of Alabama.

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

Commissioner of public buildings.

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

Officers and clerks of the mint.

For wages of persons employed in the different operations of the mint, eight thousand five hundred dollars.

Persons employed in the mint.

For repairs, costs of iron, and machinery, rents, and other contingent expenses of the mint, three thousand two hundred and seventy-five dollars.

Contingent expenses of the mint.

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

Wastage, Governor, &c. of Illinois.

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

Contingent expenses in Illinois.

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

Governor, &c. of Missouri.

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

Contingent expenses, Governor, &c. of Michigan.

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.

Contingent expenses, Governor, &c. of Alabama.

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

Contingent expenses, Governor, &c. of Alabama.

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

Contingent expenses.

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

Judges.

For compensation 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-three thousand dollars.

- Attorney general. For compensation to the attorney general of the United States, three thousand dollars.
- District attorneys and marshals. For compensation of sundry district attorneys and marshals, as granted by law, including those in the several territories, eight thousand three hundred dollars.
- Reporter of decisions of Supreme Court. For compensation to the reporter of the decisions of the Supreme Court of the United States, for the years eighteen hundred and seventeen and eighteen hundred and eighteen, two thousand dollars.
- Sundry pensions. For the payment of sundry pensions granted by the late and present governments, sixteen hundred and forty dollars.
- Annual allowance to pensioners. For the payment of the annual allowance to the pensioners of the United States to be disbursed under the direction of the Secretary of War, three hundred and sixty thousand dollars.
- Support of lighthouses, &c. For the maintenance and support of lighthouses, 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, sixty thousand two hundred and thirty-six dollars.
- Claims of inhabitants of West Florida. For discharging the claims of the inhabitants of the late province of West Florida, for advances made for the use of the United States prior to, and since the taking possession of the said territory, as liquidated by the Department of State, including principal and interest, forty-one thousand three hundred and fifty-six dollars and seventy cents.
- Commissioner of claims. For compensation to the commissioner for settling claims for property lost, five hundred and fifty dollars.
- Clerk of commissioner of claims. For compensation to the clerk employed in the office of said commissioner, two hundred and seventy-five dollars.
- Contingent expenses. For stationery, fuel, printing, and other contingent expenses in said office, including a deficiency in the appropriation of last year, six hundred and sixty-five dollars.
- Additional clerks. For the salary of additional clerks, from the first of February, one thousand eight hundred and seventeen, to ninth of April, one thousand eight hundred and eighteen, fourteen hundred and thirty-nine dollars.
- Hire of a messenger. For the hire of a messenger for the same period, four hundred and eighty-four dollars.
- Surveying public lands. For defraying the expense of surveying the public lands, within the several states and territories of the United States, one hundred and sixty thousand seven hundred and sixty dollars.
- Salaries of public ministers, &c. For salaries of the ministers of the United States to London, Paris, St. Petersburg, Rio Janeiro, Stockholm, Madrid, and the Hague, and their several secretaries of legation, seventy-seven thousand dollars.
- Outfits, &c. For outfits of ministers of the United States at London and St. Petersburg, eighteen thousand dollars.
- Contingent expenses. For the contingent expenses of the missions aforesaid, ten thousand dollars.
- Deficiency in foreign intercourse fund. To provide for a deficiency in the appropriation of one thousand eight hundred and seventeen, for intercourse with foreign nations, twenty thousand dollars.
- Contingent expenses of foreign intercourse. For the contingent expenses of intercourse between the United States and foreign nations, eighty thousand dollars.
- Intercourse with Barbary powers. For the expenses of intercourse with the Barbary powers, forty-two thousand dollars.
- For carrying into effect the treaty of Ghent. For the expenses necessary during the present year for carrying into effect the fourth, fifth, 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, agents, and surveyors, and to make good a deficiency in the preceding year, seventy-four thousand eight hundred and thirty-six dollars.

For the salaries of the agents for claims on account of spoiliations, and for seamen, at London and Paris, four thousand dollars.

For nine months' salary of the agent at Copenhagen, one thousand five hundred dollars.

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

To provide for the payment of the sums directed to be paid by an act of the twenty-ninth April, eighteen hundred and sixteen, 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," six thousand four hundred and eighty-one dollars.

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

For the purchase or erection of custom-houses and public warehouses, two hundred thousand dollars.

For discharging the judgment obtained by Gould Hoyt against David Gelston and Peter Schenk, in an action of trespass for seizing the ship American Eagle under instructions from the Treasury Department, a sum not exceeding one hundred and thirty thousand dollars.

To indemnify the owners of the British ship Venus, taken by the Peacock after the conclusion of the peace with Great Britain, a sum not exceeding seven thousand six hundred and seventy-eight dollars.

APPROVED, April 9, 1818.

Agents at Paris and London.

Agent at Copenhagen.

Relief of American seamen.

For payment of sums under the act mentioned.

1816, ch. 149.

For discharging claims not otherwise provided for, admitted at the Treasury.

For custom-houses and warehouses.

For discharging the judgment obtained by Gould Hoyt against D. Gelston and P. Schenk, &c.

For indemnifying the owners of the British ship Venus, &c.

STATUTE I.

April 11, 1818.

CHAP. XLVII.—*An Act to extend the time for locating Virginia military land warrants, and returning surveys thereon to the General Land Office; and for designating the western boundary line of the Virginia military tract.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the officers and soldiers of the Virginia line on continental establishment, their heirs, and assigns, entitled to bounty lands, within the Virginia military tract, between the Little Miami and the Sciota rivers, shall be allowed a further term of two years, from the ratification of any treaty extinguishing the Indian title to lands within the said boundaries not heretofore extinguished, to obtain warrants and complete their locations; and a further term of three years, from the ratification of any treaty extinguishing the Indian title to lands within the said boundaries not heretofore extinguished, as aforesaid, to return their surveys and warrants, or certified copies of warrants, to the general land office; any thing in any former act to the contrary notwithstanding.

SEC. 2. *And be it further enacted,* That the provisions of the act, entitled "An act authorizing patents to issue for lands located and surveyed by virtue of certain Virginia resolution warrants," (a) passed on the third day of March, one thousand eight hundred and seven, shall be revived and in force, with all its restrictions, except that the respective times allowed for making locations and returning surveys thereon, shall be limited to the terms prescribed by the first section of this act for the location and return of surveys on other warrants, and that the surveys shall be returned to the general land office: *Provided,* That no locations, as aforesaid, in virtue of this, or the preceding, section of this act, shall be made on tracts of lands for which patents had previously been issued, or which had been previously surveyed; and any patent which may, nevertheless,

Act of March 3, 1807, ch. 31.

Act of Feb. 9, 1821, ch. 11.

Act of March 1, 1823, ch. 39.

Officers and soldiers of the Virginia line entitled to bounty lands, allowed two years from the ratification of any treaty extinguishing Indian titles, &c. to obtain warrants, &c.

And three years to return their surveys, &c.

The act authorizing patents to issue for lands surveyed in virtue of Virginia resolution warrants, revived, &c. except, &c.

(a) An act authorizing patents to issue for lands located and surveyed under Virginia resolution warrants, March 3, 1807, ch. 31.

Proviso: no location on tracts for which patents had previously issued or which had been surveyed, &c.

Proviso: no locations or surveys within that part of the military tract, &c.

The line designated by the act of the 23d of March, 1804, ch. 33, to remain the westerly boundary line of the Virginia tract, until otherwise directed by law.

The line run by Charles Roberts, to be considered the westerly boundary.

Patents for locations.

be obtained for land located contrary to the provisions of this act, shall be considered null and void: *Provided also*, That no locations or surveys shall be made within that part of the said military tract to which the Indian title remained heretofore unextinguished, until after six months shall have elapsed from the date of a proclamation of the President of the United States, declaring a treaty or treaties to have been concluded and ratified, providing for the extinguishment of the Indian title to such lands; nor shall any patent be granted for any location, survey, or entry, that has been, or shall be, made prior to the expiration of six months from and after the ratification of such treaty.

SEC. 3. *And be it further enacted*, That from the source of the little Miami river to the Indian boundary line established by the treaty of Greenville, in one thousand seven hundred and ninety-five, the line designated as the westerly boundary line of the Virginia tract, by an act of Congress, passed on the twenty-third day of March, one thousand eight hundred and four, entitled "An act to ascertain the boundary of the lands reserved by the state of Virginia north-west of the river Ohio, for the satisfaction of her officers and soldiers on continental establishment, and to limit the period for locating the said lands," shall be considered and held to be such until otherwise directed by law: And from the aforesaid Indian boundary line to the source of the Sciota river, the line run by Charles Roberts, in one thousand eight hundred and twelve, in pursuance of instructions from the commissioners appointed on the part of the United States, to establish the western boundary of the said military tract, shall be considered and held to be the westerly boundary line thereof; and that no patent shall be granted on any location and survey that has or may be made west of the aforesaid respective lines.

APPROVED, April 11, 1818.

STATUTE I.

April 11, 1818.

CHAP. XLIX.—*An Act to provide for paying to the state of Indiana three per cent. of the net proceeds arising from the sales of the United States lands within the same.*

The Secretary of the Treasury, from time to time, to pay 3 per cent. of the net proceeds of public lands in Indiana, to persons authorized by the legislature of that state to receive it.

The sums to be applied to making public roads, &c.

Act of April 19, 1816, ch. 57.

An annual account of the application of the money to be sent to the Secretary of the Treasury, &c.

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, from time to time, and whenever the quarterly accounts of public moneys of the several land offices shall be settled, pay three per cent. of the net proceeds of the lands of the United States, lying within the state of Indiana, which, since the first day of December, one thousand eight hundred and sixteen, have been, or hereafter may be, sold by the United States, after deducting all expenses incidental to the same, to such person or persons as may be authorized by the legislature of the said state to receive the same; which sums, thus paid, shall be applied to making public roads and canals within the said state, in conformity to the provision on the subject, contained in the act, entitled "An act to enable the people of the Indiana 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," and to no other purpose whatever; and an annual account of the application of the same shall be transmitted to the Secretary of the Treasury, by such officer of the state as the legislature thereof shall direct; and in default of such return being made, the Secretary of the Treasury is hereby required to withhold the payment of any sum that may then be due, or which may thereafter become due, until a return shall be made, as herein required.

APPROVED, April 11, 1818.

CHAP. LI.—*An Act to change the name of the district of Erie, in the state of Ohio.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the thirtieth day of June, one thousand eight hundred and eighteen, the district of Erie, in the state of Ohio, shall be called the district of Cuyahoga.

APPROVED, April 11, 1818.

STATUTE I.
April 11, 1818.

The district of Erie to be called the district of Cuyahoga.

CHAP. LVI.—*An Act to authorize the payment of certain certificates.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of an act, entitled "An act making further provision for the support of public credit, and for the redemption of the public debt," passed the third day of March, one thousand seven hundred and ninety-five; and so much of the act entitled "An act respecting loan office and final settlement certificates, indents of interest, and the unfunded and registered debt, credited on the books of the treasury," passed the twelfth day of June, one thousand seven hundred and ninety-eight, as bars from settlement or allowance certificates commonly called loan office and final settlement certificates, and indents of interest, be, and the same is hereby, suspended for the term of two years, from and after the passing of this act; a notification of which temporary suspension of the act of limitation shall be published by the Secretary of the Treasury, for the information of the holders of the said certificates, in one or more of the public papers in each of the United States.

SEC. 2. *And be it further enacted,* That all certificates, commonly called loan office certificates, countersigned by the loan officers of the states respectively, final settlement certificates, and indents of interest, which, at the time of passing this act, shall be outstanding, may be presented at the treasury, and, upon the same being liquidated and adjusted, shall be paid to the respective holders of the same, with interest, at six per cent. from the date of the last payment of interest as endorsed on said certificates.

SEC. 3. *And be it further enacted,* That for carrying this act into effect, the sum of eighty thousand dollars be appropriated, out of any moneys in the treasury of the United States not otherwise appropriated.

APPROVED, April 13, 1818.

STATUTE I.
April 13, 1818.

So much of the acts as bars loan office and final settlement certificates, and indents of interest, from settlement, suspended for two years.

1795, ch. 45.
1798, ch. 51.

A notification of the suspension to be published by the Secretary of the Treasury.

Outstanding loan office and final settlement certificates and indents of interest to be paid, with interest, at six per cent. at the treasury.

80,000 dolls. appropriated for carrying this act into effect.

CHAP. LVIII.—*An Act to repeal part of the act, entitled "An act to provide for surveying the coasts of the United States."*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of the third section of the act, passed the tenth day of February, one thousand eight hundred and seven, entitled "An act to provide for surveying the coasts of the United States," as authorizes the employment of other persons in the execution of said act, than the persons belonging to the army and navy, be, and the same is hereby, repealed.

SEC. 2. *And be it further enacted,* That all instruments and property of the United States, and all surveys, drafts, notes, charts, maps, and documents, in any wise belonging to the survey of the coasts, be deposited in such place as the President of the United States shall direct.

APPROVED, April 14, 1818.

VOL. III.—54

2 N 2

STATUTE I.
April 14, 1818.

None but persons belonging to army and navy to be employed in surveying the coasts.

Act of Feb. 10, 1807, ch. 8.

Instruments, surveys, drafts, charts, &c. to be deposited as the President directs.

STATUTE I.

April 14, 1818.

[Obsol[ete].]
52,984 dolls.
60 cents appropriated for claims due on account of the Cumberland road, &c.

260,000 dolls. appropriated to meet demands under existing contracts.

CHAP. LX.—*An Act making further appropriations for the construction of the Cumberland road.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of fifty-two thousand nine hundred and eighty-four dollars and sixty cents be appropriated for the claims due and remaining unpaid at the treasury, on account of the Cumberland road, to be paid out of any money in the treasury not otherwise appropriated.

SEC. 2. *And be it further enacted,* That to meet the demands which will be made under existing contracts, on account of the Cumberland road, the sum of two hundred and sixty thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, April 14, 1818.

STATUTE I.

April 14, 1818.

Part of the acts of 3d March, 1815, and of 24th April, 1816, repealed.

Act of March 3, 1815, ch. 79.
1816, ch. 69.
Act of March 2, 1821, ch. 13.

A surgeon general.
Assistant surgeon general.
Judge advocate.

Chaplain, &c.
Eight post surgeons to a division.

Another part of the act of 24th April, 1816, repealed.
Quartermaster's department.
Assistant deputies.

Additional pay and emoluments to deranged commissioned officers.

This act to go into effect on or before 1st June, 1818.

A commissary general to be appointed.

CHAP. LXI.—*An Act regulating the staff of the army.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of the act "fixing the military peace establishment of the United States," passed the third of March, one thousand eight hundred and fifteen, as relates to hospital stewards and wardmasters, and so much of the "Act for organizing the general staff, and making further provision for the army of the United States," passed April twenty-fourth, one thousand eight hundred and sixteen, as relates to hospital surgeons, hospital surgeon's mates, judge advocates, chaplains, and forage, wagon, and barrack masters, and their assistants, be and the same is hereby, repealed.

SEC. 2. *And be it further enacted,* That there shall be one surgeon general, with a salary of two thousand five hundred dollars per annum, one assistant surgeon general, with the emoluments of a hospital surgeon, one judge advocate, with the pay and emoluments of a topographical engineer, to each division, and one chaplain, stationed at the military academy at West Point, who shall also be professor of geography, history, and ethics, with the pay and emoluments allowed the professor of mathematics; and that the number of post surgeons be increased, not to exceed eight to each division.

SEC. 3. *And be it further enacted,* That so much of the act of the twenty-fourth of April, one thousand eight hundred and sixteen, aforesaid, as relates to the quartermaster general of division, shall be repealed; and the quartermaster's department shall consist, in addition to the two deputy quartermasters general, and the four assistant deputy quartermasters general, now authorized, of one quartermaster general, with the rank, pay, and emoluments, of a brigadier general, and as many assistant deputy quartermasters general as the President shall deem proper, not exceeding, in the whole number, twelve.

SEC. 4. *And be it further enacted,* That to each commissioned officer who shall be deranged by virtue of this act, there shall be allowed and paid, in addition to the pay and emoluments to which they will be entitled by law, at the time of their discharge, three months' pay and emoluments; and that the provisions of this act shall be carried into effect on or before the first day of June next.

SEC. 5. *And be it further enacted,* That the pay and emoluments of the inspector generals of divisions be, and is hereby, raised to be equal to the pay and emoluments of the adjutant generals of division.

SEC. 6. *And be it further enacted,* That as soon as the state of existing contracts for the subsistence of the army shall, in the opinion of the President of the United States, permit it, there shall be appointed by the

President, by and with the advice and consent of the Senate, one commissary general, with the rank, pay, and emoluments, of colonel of ordnance, who shall, before entering on the duties of his office, give bond and security, in such sum as the President may direct; and as many assistants, to be taken from the subalterns of the line, as the service may require, who shall receive twenty dollars per month in addition to their pay in the line, and who shall, before entering on the duties of their office, give bond and security, in such sums as the President may direct. The commissary general and his assistants shall perform such duties, in purchasing and issuing of rations to the army of the United States, as the President may direct.

Assistant commissaries, from the subalterns of the line.

Duties of commissary general, &c.

Supplies to be purchased by contract.

Act of Jan. 23, 1823, ch. 5.

SEC. 7. *And be it further enacted*, That supplies for the army, unless, in particular and urgent cases, the Secretary of War should otherwise direct, shall be purchased by contract, to be made by the commissary general on public notice, to be delivered, on inspection, in the bulk, and at such places as shall be stipulated; which contract shall be made under such regulations as the Secretary of War may direct.

The President may make alterations in the ration.

SEC. 8. *And be it further enacted*, That the President may make such alterations in the component parts of the ration as a due regard to the health and comfort of the army and economy may require.

Commissary general and assistants not to be concerned in trade, &c.

Continuance of part of this act.

SEC. 9. *And be it further enacted*, That the commissary general and his assistants shall not be concerned, directly or indirectly, in the purchase or sale, in trade or commerce, of any article entering into the composition of the ration allowed to the troops in the service of the United States, except on account of the United States, nor shall such officer take and apply to his own use any gain or emolument for negotiating or transacting any business connected with the duties of his office, other than what is or may be allowed by law; and the commissary general and his assistants shall be subject to martial law.

Commissary general's letters free of postage.

Continuance of part of this act.

SEC. 10. *And be it further enacted*, That all letters to and from the commissary general, which may relate to his office duties, shall be free from postage: *Provided*, That the sixth, seventh, eighth, ninth, and tenth, sections of this act shall continue and be in force for the term of five years from the passing of the same, and thence until the end of the next session of Congress, and no longer.

APPROVED, April 14, 1818.

STATUTE I.

April 16, 1818.

Brevet officers to receive pay, &c.

CHAP. LXIV.—*An Act regulating the pay and emoluments of brevet officers.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the officers of the army, who have brevet commissions, shall be entitled to and receive the pay and emoluments of their brevet rank when on duty, and having a command according to their brevet rank, and at no other time.

Brevet commissions with consent of the Senate.

SEC. 2. *And be it further enacted*, That no brevet commission shall hereafter be conferred but by and with the advice and consent of the Senate.

APPROVED, April 16, 1818.

STATUTE I.

April 16, 1818.

1814, ch. 20.
Act of March 18, 1818, ch. 18.
Act of April 9, 1824, ch. 34.
Persons put on the pension list in virtue of

CHAP. LXV.—*An Act in addition to "An act giving pensions to the orphans and widows of persons slain in the public or private armed vessels of the United States."*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in every case where a person has been put on the pension list, or granted a certificate of pension, by virtue of the first section of an act, passed the fourth day of March, in the year eighteen hundred and fourteen, entitled "An act

the 1st section of the act of March 4, 1814, to be allowed full monthly pension for the further term of five years.

The term extended by act of March 3, 1819, ch. 60.

Pension to cease on death of the widow, &c.

Widows and children of officers, seamen, &c.

Proviso; the money to be paid out of the privateer fund.

giving pensions to the orphans and widows of persons slain in the public or private armed vessels of the United States," the Secretary of the Navy be, and he is hereby, authorized, at the expiration of the term of five years, for which any pension certificate shall have been granted as aforesaid, to allow the full monthly pension to which the rank of the deceased would have entitled him for the highest rate of disability, and that such pension shall continue to such person for the further term of five years: *Provided*, That such pension shall cease on the death of such widow, child, or children.

SEC. 2. *And be it further enacted*, That if any officer, seaman or marine, shall have died since the eighteenth day of June, in the year eighteen hundred and twelve, in consequence of an accident or casualty, which occurred while in the line of his duty on board a private armed vessel, leaving a widow, or, if no widow, a child or children under sixteen years of age, the Secretary of the Navy be, and he is hereby, authorized to place such widow, child, or children, on the pension list, and allow to such widow, child, or children, the same monthly pension as if the deceased had died by reason of wounds received in the line of his duty: *Provided*, That all moneys paid by virtue of this act shall be paid out of the privateer pension fund, and no other.

APPROVED, April 16, 1818.

STATUTE I.

April 16, 1818.

Act of March 2, 1811, ch. 30. Superintendent of Indian trade, agents, &c.

After 18th April, 1818, no person to act without the consent of the Senate.

Agents to give bond in 10,000 dollars.

The act for establishing trading houses with the Indian tribes continued until 1st March, 1819.

Act of 1811, ch. 30.

Act of March 3, 1817, ch. 43.

Act of March 3, 1821, ch. 46.

CHAP. LXVI.—*An Act directing the manner of appointing Indian Agents, and continuing the "Act for establishing trading houses with the Indian tribes."*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the superintendent of Indian trade, the agents and assistant agents of Indian trading houses, and the several agents of Indian affairs, shall be nominated by the President of the United States, and appointed by and with the advice and consent of the Senate.

SEC. 2. *And be it further enacted*, That from and after the eighteenth instant, no person shall act in either of the characters aforesaid, who shall not have been thus first nominated and appointed. And every agent as aforesaid, before he shall enter upon the duties of his office, shall give bond to the United States, with two or more sufficient securities, in the penal sum of ten thousand dollars, conditioned faithfully to perform all the duties which are or may be enjoined on them as agents as aforesaid.

SEC. 3. *And be it further enacted*, 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 third day of March, one thousand eight hundred and seventeen, shall be, and the same is hereby, further continued in force until the first day of March, one thousand eight hundred and nineteen, and no longer.

APPROVED, April 16, 1818.

STATUTE I.

April 18, 1818.

Resolution of Dec. 3, 1818. The inhabitants of Illinois

CHAP. LXVII.—*An Act to enable the people of the Illinois 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. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the inhabitants of the ter-

(a) An act for dividing the Indiana territory into two separate governments. Feb. 3, 1809, ch. 13. An act to extend the right of suffrage to the Illinois territory, and for other purposes. May 20, 1812, ch. 90.

ritory of Illinois be, and they are hereby, 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 at the mouth of the Wabash river; thence, up the same, and with the line of Indiana, to the north-west corner of said state; thence, east with the line of the same state, to the middle of Lake Michigan; thence, north along the middle of said lake, to north latitude forty-two degrees thirty minutes; thence, west to the middle of the Mississippi river; and thence, down along the middle of that river, to its confluence with the Ohio river; and thence, up the latter river, along its north-western shore, to the beginning: *Provided,* That the convention hereinafter provided for, when formed, shall ratify the boundaries aforesaid; otherwise they shall be and remain as now prescribed by the ordinance for the government of the territory north-west of the river Ohio: *Provided also,* That the said state shall have concurrent jurisdiction with the state of Indiana on the Wabash river, so far as said river shall form a common boundary to both, and also concurrent jurisdiction on the Mississippi river, with any state or states to be formed west thereof, so far as said river shall form a common boundary to both.

SEC. 3. *And be it further enacted,* That all white male citizens of the United States, who shall have arrived at the age of twenty-one years, and have resided in said territory six months previous to the day of election, and all persons having in other respects the legal qualifications to vote for representatives in the general assembly of the said territory, be, and they are hereby, authorized to choose representatives to form a convention, who shall be apportioned amongst the several counties as follows:

From the county of Bond, two representatives:
 From the county of Madison, three representatives:
 From the county of St. Clair, three representatives:
 From the county of Monroe, two representatives:
 From the county of Randolph, two representatives:
 From the county of Jackson, two representatives:
 From the county of Johnson, two representatives:
 From the county of Pope, two representatives:
 From the county of Gallatin, three representatives:
 From the county of White, two representatives:
 From the county of Edwards, two representatives:
 From the county of Crawford, two representatives:
 From the county of Union, two representatives:
 From the county of Washington, two representatives:
 And from the county of Franklin, two representatives:

And the election for the representatives aforesaid shall be holden on the first Monday of July next, and the two following days, throughout the several counties in the said territory, and shall be conducted in the same manner, and under the same regulations, as prescribed by the laws of the said territory regulating elections therein, for members of the House of Representatives.

authorized to form a constitution, &c.

The state to be admitted into the Union, &c.

Boundaries of the state.

Proviso: the convention to ratify the boundaries, or they will remain as by ordinance.

Proviso: concurrent jurisdiction on the Wabash.

And also on the Mississippi.

Qualifications of electors of representatives to form a convention.

Apportionment of representatives.

Bond county.
 Madison.
 St. Clair.
 Monroe.
 Randolph.
 Jackson.
 Johnson.
 Pope.
 Gallatin.
 White.
 Edwards.
 Crawford.
 Union.
 Washington.
 Franklin.

Election to be holden on the first Monday of July, 1818, &c.

An act supplementary to the act, entitled "An act dividing the Indiana territory into two separate governments." June 10, 1812, ch. 93.

An act to enable the people of the Illinois 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. April 18, 1818, ch. 67.

An act to provide for the due execution of the laws of the United States within the state of Illinois. March 3, 1819, ch. 70.

An act to ascertain and mark the line between the state of Alabama and the territory of Florida, and the northern boundary of the state of Illinois, and for other purposes. March 2, 1831, ch. 86.

Members to meet in convention at the territorial seat of government the first Monday of August, 1818, and determine, &c.

The convention may form a constitution &c.

Proviso.

Proviso.

The state to have one representative until next census.

Propositions offered to the convention of Illinois.

1. Section No. 16, in every township, &c., for schools.

2. Salt Springs and land reserved, &c granted to the state, &c.
Proviso.

3. Five per cent. net proceeds of sales of public lands within the state reserved.

Two-fifths for roads.

The residue to encourage learning, &c.

4. Thirty-six sections to be for the use of a seminary of learning.

SEC. 4. *And be it further enacted,* That the members of the convention, thus duly elected, be, and they are hereby, authorized to meet at the seat of government of the said territory, on the first Monday of the month of August 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 expedient, the convention shall be and hereby is authorized to form a constitution and state government; or, if it be deemed more expedient, the said convention shall provide by ordinance for electing representatives to form a constitution or frame of government; which said representatives shall be chosen in such manner, and in such proportion, and shall meet at such time and place, as shall be prescribed by the said ordinance, and shall then form for the people of said territory a constitution and state government: *Provided,* That the same, whenever formed, shall be republican, and not repugnant to the ordinance of the thirteenth of July, seventeen hundred and eighty-seven, between the original states and the people and states of the territory north-west of the river Ohio; excepting so much of said articles as relate to the boundaries of the states therein to be formed: *And provided also,* That it shall appear, from the enumeration directed to be made by the legislature of the said territory, that there are, within the proposed state, not less than forty thousand inhabitants.

SEC. 5. *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.

SEC. 6. *And be it further enacted,* That the following propositions be and the same are hereby, offered to the convention of the said territory of Illinois, when formed, for their free acceptance or rejection, which if accepted by the convention, shall be obligatory upon the United States and the said state.

First. That section numbered sixteen, in every township, and, when such section has been sold or otherwise disposed of, other lands equivalent thereto, and as contiguous as may be, shall be granted to the state, for the use of the inhabitants of such township, for the use of schools.

Second. That all salt springs within such state, and the land reserved for the use of the same, shall be granted to the said state, for the use of the said state, and the same to be used under such terms, and conditions, and regulations, as the legislature of the said state shall direct: *Provided,* The legislature shall never sell nor lease the same for a longer period than ten years, at any one time.

Third. That five per cent. of the net proceeds of the lands lying within such state, and which shall be sold by Congress, from and after the first day of January, one thousand eight hundred and nineteen, after deducting all expenses incident to the same, shall be reserved for the purposes following, viz: two-fifths to be disbursed, under the direction of Congress, in making roads leading to the state; the residue to be appropriated, by the legislature of the state, for the encouragement of learning, of which one-sixth part shall be exclusively bestowed on a college or university.

Fourth. That thirty-six sections, or one entire township, which shall be designated by the President of the United States, together with the one heretofore reserved for that purpose, shall be reserved for the use of a seminary of learning, and vested in the legislature of the said state, to be appropriated solely to the use of such seminary by the said legislature. *Provided always,* That the four foregoing propositions, herein offered, are on the conditions that the convention of the said state shall provide, by an ordinance irrevocable without the consent of the United States, that every and each tract of land sold by the United States, from and after

the first day of January, one thousand eight hundred and nineteen, shall remain exempt from any tax laid by order, or under any authority of, the state, whether for state, county, or township, or any other purpose whatever, for the term of five years from and after the day of sale: *And further*, That the bounty lands granted, or hereafter to be granted, for military services during the late war, shall, while they continue to be held by the patentees, or their heirs, remain exempt, as aforesaid, from all taxes, for the term of three years, from and after the date of the patents respectively; and that all the lands belonging to the citizens of the United States, residing without the said state, shall never be taxed higher than lands belonging to persons residing therein.

SEC. 7. *And be it further enacted*, That all that part of the territory of the United States lying north of the state of Indiana, and which was included in the former Indiana territory, together with that part of the Illinois territory which is situated north of and not included within the boundaries prescribed by this act, to the state thereby authorized to be formed, shall be, and hereby is, attached to, and made a part of the Michigan territory, from and after the formation of the said state, subject, nevertheless, to be hereafter disposed of by Congress, according to the right reserved in the fifth article of the ordinance aforesaid, and the inhabitants therein shall be entitled to the same privileges and immunities, and subject to the same rules and regulations, in all respects, with the other citizens of the Michigan territory.

APPROVED, April 18, 1818.

Proviso.

Lands sold by the United States shall be free from taxes for five years.

And military bounty lands whilst held by the patentees or their heirs to be free from taxes for three years.

Non-resident citizens' lands not to be taxed higher than those of residents.

Additional territory added to Michigan after Illinois is formed into a state, subject to the disposition of Congress, &c.

STATUTE I.

April 18, 1818.

CHAP. LXVIII.—*An Act to abolish the port of delivery established at the mouth of Slade's creek, in the state of North Carolina.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the thirtieth day of April, one thousand eight hundred and eighteen, the port of delivery established at the mouth of Slade's creek, within the district of Washington, and state of North Carolina, shall cease, and the office, authority, and emoluments, of the surveyor of said port shall also, from thenceforth, terminate and be discontinued.

APPROVED, April 18, 1818.

The port of delivery at the mouth of Slade's creek to cease after the 30th April, 1818.

STATUTE I.

April 18, 1818.

CHAP. LXIX.—*An Act fixing the compensations of the secretary of the Senate and clerk of the House of Representatives, of the clerks employed in their offices, and of the librarian.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the secretary of the Senate and clerk of the House of Representatives shall severally receive the sum of three thousand dollars annually, payable quarterly, as heretofore; and that their principal clerks shall receive one thousand eight hundred dollars each, and their engrossing clerks one thousand five hundred dollars each.

SEC. 2. *And be it further enacted*, That the librarian of the library of Congress shall annually receive, as a compensation for his services, the sum of one thousand five hundred dollars, payable quarter yearly at the treasury.

SEC. 3. *And be it further enacted*, That this act shall be held to take effect from the first day of January, one thousand eight hundred and eighteen, and shall continue in force for three years therefrom, and no longer; and that so much of any act heretofore passed, as provides compensation,

Act of Feb. 20, 1824, ch. 20.
Feb. 1, 1826, ch. 4.

Secretary of the Senate and clerk of the House to receive 3000 dollars each, annually.

Their clerks, &c.

1500 dollars to the librarian annually, payable quarterly.

Former acts repealed.

Revised by act of March 3, 1821, ch. 54.

STATUTE I.

April 18, 1818.

The ports of the United States closed, after 30th Sept. 1818, against vessels owned by British subjects, arriving from a colony which, by the ordinary laws, is closed against vessels owned by citizens of the United States.

Touching at a port, which, by the ordinary laws is open to vessels, owned by citizens of the United States, does not vary the restriction.

Vessels and cargoes entering in violation of this act forfeited to the United States.

After the 30th Sept. 1818, the owner, consignee, &c. of British vessels taking on board productions of the United States, in the ports thereof, except sea stores, &c. to give bond not to land them in a British colony or territory from which, by the ordinary laws, vessels of the United States are excluded.

Vessels sailing without bond, &c. and the articles on board, forfeited to the United States.

Proviso.

Act of March 2, 1799, ch. 22, sec. 81.

salary, or perquisites, of any kind, for the officers and clerks herein mentioned, shall be held to be repealed from the same day.

APPROVED, April 18, 1818.

CHAP. LXX.—*An Act concerning navigation. (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 thirtieth of September next, the ports of the United States shall be and remain closed against every vessel owned wholly or in part by a subject or subjects of his Britannic majesty, coming or arriving from any port or place in a colony or territory of his Britannic majesty that is or shall be, by the ordinary laws of navigation and trade, closed against vessels owned by citizens of the United States; and such vessel, that, in the course of the voyage, shall have touched at, or cleared out from, any port or place in a colony or territory of Great Britain, which shall or may be, by the ordinary laws of navigation and trade aforesaid open to vessels owned by citizens of the United States, shall, nevertheless, be deemed to have come from the port or place in the colony or territory of Great Britain, closed as aforesaid, against vessels owned by citizens of the United States, from which such vessel cleared out and sailed before touching at, and clearing out from, an intermediate and open port or place as aforesaid; and every such vessel, so excluded from the ports of the United States, that shall enter, or attempt to enter, the same, in violation of this act, shall, with her tackle, apparel, and furniture, together with her cargo on board such vessel, be forfeited to the United States.

SEC. 2. *And be it further enacted,* That from and after the aforesaid thirtieth of September next, the owner, consignee, or agent, of every vessel, owned wholly or in part by a subject or subjects of his Britannic majesty, which shall have been duly entered in any port of the United States, and on board of which shall have been there laden for exportation any article or articles, of the growth, produce, or manufacture, of the United States, other than provisions and sea stores necessary for the voyage, shall, before such vessel shall have been cleared outward at the custom-house, give bond, in a sum double the value of such articles, with one or more sureties, to the satisfaction of the collector, that the article or articles so laden on board such vessel for exportation, shall be landed in some port or place other than a port or place in a colony or territory of his Britannic majesty, which by the ordinary laws of navigation and trade, is closed against vessels owned by citizens of the United States; and any such vessel that shall sail, or attempt to sail, from any port of the United States, without having complied with the provision aforesaid, by giving bond as aforesaid, shall, with her tackle, apparel, and furniture, together with the article or articles aforesaid, laden on board the same as aforesaid, be forfeited to the United States: *Provided always,* That nothing in this act contained shall be so deemed or construed, so as to violate any provision of the convention to regulate commerce between the territories of the United States and of his Britannic majesty, signed the third day of July, one thousand eight hundred and fifteen.

SEC. 3. *And be it further enacted,* That the form of the bond aforesaid shall be prescribed by the Secretary of the Department of the Treasury; and the same shall and may be discharged, and not otherwise, by producing, within one year after the date thereof, a like certificate to that required by and under the regulations contained in the eighty-first section of the act "to regulate the collection of duties on imports," passed the

(a) An act supplementary to an act, entitled "An act concerning navigation." May 15, 1820, ch. 122. Act of May 6, 1822, ch. 56.

second day of March, seventeen hundred and ninety-nine, that the articles of the growth, produce, and manufacture, of the United States, laden as aforesaid, were unladen and landed conformably to the provisions of this act, or, in cases of loss by sea, by capture, or other unavoidable accident, by the production of such other proofs as the nature of the case will admit, according to the provisions of the said eighty-first section of the act aforesaid.

SEC. 4. *And be it further enacted*, That all penalties and forfeitures incurred by force of this act, shall be sued for, recovered, distributed, and accounted for, and may be mitigated or remitted, in the manner and according to the provisions of the revenue laws of the United States.

APPROVED, April 18, 1818.

Form of the bond to be prescribed by the Secretary of the Treasury.

The bond may be discharged by producing within a year, a certificate like that required by the 81st section of the act to regulate the collection of duties, &c.

STATUTE I.

April 18, 1818.

Congress to meet on the third Monday of November.

CHAP. LXXI.—*An Act fixing the time for the next meeting of Congress.*

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

APPROVED, April 18, 1818.

STATUTE I.

April 18, 1818.

[Obsolete.]
Act of May 10, 1800, ch. 55.
Act of March 3, 1819, ch. 74.

CHAP. LXXV.—*An Act to suspend for a limited time, the sale or forfeiture of lands for failure in completing the payment thereon.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the operation of the sixth condition of the fifth section of the act, entitled "An act to amend the act, entitled 'An act providing for the sale of the lands of the United States north-west of the Ohio and above the mouth of Kentucky river,'" be, and the same is hereby, suspended until the thirty-first day of March next, in favour of the purchasers of public lands at any of the land offices of the United States: *Provided*, That the benefit of this act shall not be extended to any one purchaser for a greater quantity than six hundred and forty acres of land.

APPROVED, April 18, 1818.

STATUTE I.

April 18, 1818.

CHAP. LXXVI.—*An Act to establish a port of entry and delivery at Cape Vincent, at the fork of lake Ontario, and the head of the river St. Lawrence.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall be lawful for the President of the United States to establish, when it shall appear to him to be proper, in addition to the ports of entry and delivery already established on lake Ontario, one other port of entry and delivery at the village of Cape Vincent, at the fork of lake Ontario, and the head of the river St. Lawrence, and to appoint a collector of the customs to reside and keep an office thereat.

APPROVED, April 18, 1818.

The President may establish another port of entry, &c. on lake Ontario, at Cape Vincent—and appoint a collector.

STATUTE I.

April 20, 1818.

CHAP. LXXIX.—*An Act supplementary to an act, entitled "An act to regulate the collection of duties on imports and tonnage," passed the second day of March, one thousand seven hundred and ninety-nine.*

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

Act of March 2, 1799, ch. 22.
Act of April 18, 1820, ch. 44.

Act of March 1, 1823, ch. 20.

Imported goods subject to ad valorem duty, &c. not to be admitted to entry, unless the owner, &c. produces the original invoice to the collector.

The goods to remain in the public warehouse, &c.

Proviso.

Proviso.

The Secretary of the Treasury, if he deems it expedient, may direct the collector to admit the goods to entry on appraisement, &c.

Proviso.

The person making entry of goods subject to ad valorem duty to declare the owner.

The ad valorem rates of duty how estimated.

The owner, &c. of goods subject to an ad valorem duty, to declare on oath that the invoice exhibits the true value, &c.

When goods subject to an ad valorem duty are consigned to a person to

of this act, no goods, wares, or merchandise, imported into the United States, and subject to an ad valorem duty, shall be admitted to entry with the collector of the district into which the same are brought, unless the owner, consignee, or other importer of such goods, wares, or merchandise, shall produce to such collector the original invoice thereof; but the same shall be deposited and remain in the public warehouse, at the expense and risk of the owner of such goods, wares, or merchandise, until such invoice be produced: *Provided, however,* That in all cases where such goods, wares, or merchandise shall have been imported from a port or place on this side the Cape of Good Hope, if such invoice or invoices be not produced in six months, and from the Cape of Good Hope, or any port or place beyond the same, within nine months, from the time of such importation, then the said goods, wares, or merchandise, shall be appraised and the duties estimated thereon, in the manner hereinafter directed: *And provided always,* That this prohibition shall not extend to such goods, wares, or merchandise, as shall have been taken from a wreck.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury be, and is hereby, authorized and empowered, if, in his judgment, the circumstances under which such goods, wares, or merchandise, shall have been imported, or any other circumstances connected therewith, render it expedient, to direct the collector in whose district such goods, wares, or merchandise, may be, to admit the same to entry, on an appraisement duly made thereof in the manner hereinafter prescribed: *Provided,* The owner, agent, consignee, or importer, of such goods, wares, or merchandise, shall first give bond, with sufficient sureties, to the United States, to produce to such collector the invoice of such goods, wares, or merchandise, within eight months, if the same were imported from any port or place on this side the Cape of Good Hope, and within fifteen months, if from the Cape of Good Hope, or port or place beyond the same, and to pay any amount of duty to which it shall appear, by such invoice, the said goods, wares, or merchandise, were subject, over and above the amount of duties estimated on the said appraisement.

SEC. 3. *And be it further enacted,* That, when an entry shall be made with any collector of any goods, wares, or merchandise imported into the United States, and subject to an ad valorem duty, the person making such entry shall, if he be owner of such goods, wares, or merchandise, declare the same on oath, and if he be not the owner, shall declare on oath the name and residence of the owner of such goods, wares, or merchandise.

SEC. 4. *And be it further enacted,* That the ad valorem rates of duty upon goods, wares, and merchandise, shall be estimated by adding twenty per cent. to the actual cost thereof, if imported from the Cape of Good Hope, or from any island, port, or place, beyond the same, and ten per cent. on the actual cost thereof, if imported from any other place or country, including all charges, except commissions, outside packages, and insurance.

SEC. 5. *And be it further enacted,* That, in addition to the oath now required by law to be taken by any owner, consignee, agent, or importer, on the entry of any goods, wares, or merchandise, imported into the United States, such owner, consignee, agent, or importer, shall, on the entry of any goods, wares, or merchandise so imported, and subject to an ad valorem duty, declare on oath, that the invoice produced by him exhibits the true value of such goods, wares, or merchandise, in their actual state of manufacture, at the place from which the same were imported.

SEC. 6. *And be it further enacted,* That, when goods, wares, or merchandise, imported into the United States, subject to an ad valorem duty, shall be consigned to any person to be entered by him, and to be delivered to order, or to any other person, such goods, wares, or merchan-

disse, shall be deposited and remain in the public warehouse, at the expense and risk of the owner, until the person authorized to receive them shall appear and make the additional oath required by the fifth section of this act, or (if such person shall not reside at the place of such importation) until the invoice of such goods, wares, and merchandise, accompanied by a notarial act of his having taken the said oath, shall be produced to the collector in whose district such goods, wares, or merchandise, may be: *Provided*, That, if the provisions of this section shall not be complied with in four months from the time of the importation of such goods, wares, or merchandise, the same shall be subject to the appraisement required by this act.

SEC. 7. *And be it further enacted*, That when goods, wares, or merchandise, imported, and subject to duty as aforesaid, shall be reshipped and transported coastwise, from one district to another, in the packages in which the same were imported, an invoice, or a copy of such invoice, verified by the additional oath required by the fifth section of this act, and certified under the official seal of the collector with whom the entry on the importation of such goods, wares, or merchandise, was made, shall be produced at the port to which the same shall be transported, and the same inspection of such goods, wares, or merchandise, shall be made, as if they had been brought direct from a foreign port or place; and if the invoice, verified as aforesaid, shall not be so produced, such goods, wares, or merchandise, shall be deposited and remain in the public warehouse, at the expense and risk of the owner thereof, until the invoice, verified and certified in the manner above required, shall be produced; and goods, wares, or merchandise, imported, and subject to duty as aforesaid, may be transported coastwise, to one or more districts within the United States.

SEC. 8. *And be it further enacted*, That any goods, wares, or merchandise, imported and subject to duty as aforesaid, and belonging to a person or persons residing, and, at the time of such importation, being, out of the United States, shall not be admitted to entry, after six months from the passage of this act, if imported from a port or place on this side the Cape of Good Hope, or, after fifteen months from the passage thereof, if imported from the Cape of Good Hope or any port beyond the same, unless the invoice of such goods, wares, or merchandise, shall be verified in the manner required by the fifth section of this act, before the consul of the United States at the port at which the said goods, wares, or merchandise, were shipped, or before a consul of the United States in the country in which the said port may be; and such owner or owners shall further declare on oath, whether he or they are the manufacturers, in whole, or in part, of such goods, wares, or merchandise, or are concerned, directly or indirectly, in the profits of any art or trade by which they have been brought to their present state of manufacture; and, if so, he or they shall further swear, that the prices charged in the aforesaid invoice are the current value of the same at the place of manufacture, and such as he or they would have received if the same had been there sold in the usual course of trade: *Provided*, That if there be no consul of the United States in the country from whence the shipment of such goods, wares, or merchandise, is made, the oath hereby required shall be made before a notary public, or other officer duly authorized to administer oaths, whose official character shall be certified by a consul of a nation at that time in amity with the United States, if there be one in such country.

SEC. 9. *And be it further enacted*, That, for the appraisement of goods, wares, or merchandise, required by this act, or by any other act concerning imports and tonnage, the President of the United States, by and with the advice and consent of the Senate, shall appoint, in each of the ports of Boston, New York, Philadelphia, Baltimore, Charleston, and

be entered, &c. they shall remain in the public warehouse, &c.

If the oath is not made or produced within four months, the goods are to be appraised.

Imported goods subject to ad valorem duty, reshipped and transported coastwise, &c. to be produced, &c.

If the invoice and oath are not produced.

Goods subject to ad valorem duty may be transported coastwise.

Imported goods subject to ad valorem duty, belonging to non-residents, must be accompanied by an invoice, &c.

The owner to declare on oath whether he is the manufacturer, &c.

Proviso.

Two persons in the ports of Boston, New York, Philadelphia, Baltimore, Charleston, and

New Orleans,
to be appointed.

Appraisement
to be made by
the appraisers
and a resident
merchant.

Appraisements
in other ports.

Proviso.

The President
may appoint in
the recess of
the Senate, &c.

Merchants
chosen to make
appraisement
declining or
neglecting to
assist subject to
a fine of fifty
dollars, &c.

Whenever
the collector
suspects that
imported goods
subject to ad
valorem duty
have been in-
voiced below
the true value,
&c. he shall di-
rect them to be
appraised.

The apprais-
ed, to be con-
sidered the true
value, where it
exceeds the in-
voice value by
less than 25 per
cent. &c.

New Orleans, two persons well qualified to perform that duty, on the part of the United States, who, before they enter thereon, shall severally make oath diligently and faithfully to inspect and examine such goods, wares, or merchandise, as the collector may direct, and truly to report, to the best of their knowledge and belief, the true value thereof when purchased, at the place or places from whence the same were imported; and, when any appraisement is to be made in the said principal ports, the two appraisers so appointed therein, together with a respectable resident merchant, chosen by the party in interest, and sworn in like manner, to examine and report, shall make such appraisement, the said merchant having also made oath that he has no direct or indirect interest in the case; but when any appraisement is to be made in ports other than those above named, two respectable resident merchants, selected by the collector, together with a respectable resident merchant, chosen by the party in interest, who shall have severally taken the oaths required by this section, shall be the appraisers; *Provided*, That in any case where the party in interest shall decline or neglect to choose a respectable resident merchant to join in such appraisement, the collector shall make the selection necessary to the due execution of this act, and the appraisement so made by them, or a majority of them, shall be valid and effectual in law: and the Secretary of the Treasury shall have authority to direct the appraisers for any collection district to attend in any other district for the purpose of appraising any goods, wares, or merchandise, imported therein; and for such service they shall, respectively, receive at the rate of five dollars a day whilst engaged therein, and at the rate of five dollars for every twenty-five miles in going to, and returning from, such district; which shall form no part of the salary provided for by this act. And the President of the United States is hereby authorized, in the recess of the Senate, to appoint the appraisers of the said ports, which appointment shall continue in force until the end of the next session of Congress.

SEC. 10. *And be it further enacted*, That any merchant who shall be chosen by the collector, or by the party in interest, to make any appraisement required under this act, or under any other act respecting imports and tonnage, and who shall, after due notice of such choice has been given, decline or neglect to assist at such appraisement, shall be subject to a fine of not more than fifty dollars, and to the costs of prosecution in any court of the United States having cognisance of the same.

SEC. 11. *And be it further enacted*, That whenever, in the opinion of the collector, there shall be just grounds to suspect that goods, wares, or merchandise, subject to an ad valorem duty, and imported into his district, have been invoiced below the true value of such goods, wares, or merchandise, in their actual state of manufacture, at the place from which they were imported, such collector shall direct the same to be appraised in the manner prescribed by the ninth section of this act; and if the value at which the same shall be appraised shall exceed, by twenty-five per centum, the invoice prices thereof, then, in addition to the ten or twenty per centum, as the case may be, laid upon correct and regular invoices according to law, there shall be added fifty per cent. on the appraised value; on which aggregate amount the duties on such goods, wares, or merchandise, shall be estimated.

SEC. 12. *And be it further enacted*, That in all cases where the appraised value of any goods, wares, or merchandise, appraised under this, or any other act concerning imports and tonnage, shall exceed, by less than twenty-five per centum, the invoice value thereof, such appraised value shall be considered the true value of such goods, wares, or merchandise, upon which the duty is to be estimated, with the addition of such per centum as is by law required: but in all cases where the appraised value shall be less than the invoice value, the duty shall be charged

on the invoice value in the same manner as if no appraisement had been made.

SEC. 13. *And be it further enacted,* That any goods, wares, or merchandise, subject to an ad valorem duty, and belonging to a person or persons, residing, and at the time of the importation thereof, being out of the United States, and which shall be imported in the United States, but, for want of the verification required by the eighth section of this act, not admitted to entry, shall be subject to the same appraisement, and to the same addition to the appraised value, as are prescribed by the eleventh section of this act, in the case of fraudulent invoices.

Goods subject to ad valorem duty belonging to non-residents.

SEC. 14. *And be it further enacted,* That one-half of the duty accruing on the additional fifty per centum, which may be imposed on any goods, wares, or merchandise, in virtue of the eleventh section of this act, shall be divided among the custom-house officers of the port in which such goods, wares, or merchandise, may be, in the manner prescribed by the act, entitled "An act to regulate the [collection of the] duties on imports and tonnage," passed on the second of March, one thousand seven hundred and ninety-nine.

Division of forfeitures.

Act of March 2, 1799, ch. 22.

SEC. 15. *And be it further enacted,* That before any goods, wares, or merchandise, which may be taken from any wreck, shall be admitted to entry, the same shall be appraised in the manner prescribed by the ninth section of this act; and the same proceedings shall also be had, where a reduction of duties shall be claimed, on account of damage which any goods, wares, or merchandise, imported into the United States, shall have sustained in the course of the voyage.

Goods taken from a wreck to be appraised. Goods damaged on the voyage.

SEC. 16. *And be it further enacted,* That the expenses of appraisements made under this act shall, in all cases, be borne by the owner or owners of the goods, wares, or merchandise, appraised, except when the appraisement ordered under the eleventh section shall not exceed the invoice value of such goods, wares, or merchandise, and where it shall be made on goods damaged by the voyage; and except, also, when the goods, wares, or merchandise, appraised, shall have been taken from a wreck.

Expenses of appraisement to be borne by owners, except, &c.

Exception.

SEC. 17. *And be it further enacted,* That each of the appraisers who may be appointed under the ninth section of this act, in the several ports therein named, excepting New York, shall receive, as a compensation for his services, one thousand five hundred dollars per annum, and the appraisers for the port of New York shall receive each two thousand dollars per annum; and the merchants who may act as appraisers under this act shall receive for their services, while employed on that duty, a compensation of five dollars per diem; and the said sum of five dollars per diem, for each of the appraisers (whether official appraisers or selected merchants) shall be paid to the collector, by the owner or agent of the goods, wares, or merchandise, appraised by them, respectively, in all cases where such owner or agent may be liable to the expense of appraisement, before the delivery of such goods, wares, or merchandise, by the collector. The sums so received shall be forthwith paid by such collector to the appraisers, and the amount so paid to the official appraisers shall be in part satisfaction of their salary.

Compensation of appraisers.

Collectors to pay appraisers the amount to official appraisers in part of salary.

Two dollars to a consul for every verification.

SEC. 18. *And be it further enacted,* That for every verification made under this act, before a consul of the United States, such consul shall be entitled to demand and receive, from the person making the same, a fee of two dollars.

SEC. 19. *And be it further enacted,* That when any goods, wares, or merchandise, shall be admitted to entry upon invoice, the collector of the port in which the same are entered shall certify such invoice under his official seal; and no other evidence of the value of such goods, wares, or merchandise, shall be admitted on the part of the owner or owners thereof,

The collector to certify invoice, and no other to be admitted in evidence.

in any court of the United States, except in corroboration of such invoice.

Persons counterfeiting certificates, &c.

SEC. 20. *And be it further enacted*, That any person or persons, who shall counterfeit any certificate or attestation made in pursuance of this act, or use such certificate or attestation, knowing the same to be counterfeit, shall, upon conviction thereof before any court of the United States having cognisance of the same, be adjudged guilty of felony, and be fined in a sum not exceeding ten thousand dollars, and imprisoned for a term not exceeding three years.

No discount on goods unless the duty has been actually paid.

SEC. 21. *And be it further enacted*, That no discount shall be allowed on any goods, wares, or merchandise, subject to ad valorem duty, admitted to entry, unless the importer shall expressly state, on oath or affirmation, that such discount has been actually and bona fide allowed to the owner or owners of such goods, wares, or merchandise, in the payment made for the same.

One package of every invoice, and one out of every fifty packages of goods, to be examined.

SEC. 22. *And be it further enacted*, That the collectors of the customs shall be required to cause at least one package out of every invoice, and one package at least out of every fifty packages, of every invoice of goods, wares, or merchandise, imported into their respective districts, to be opened and examined, and if the same be found not to correspond with the invoice thereof, or to be falsely charged in such invoice, a full inspection of all such goods, wares, or merchandise, as may be included in the same entry, shall be made; and if any package is found to contain any article not described in the invoice, the whole package shall be forfeited, and in case such goods, wares, or merchandise, shall be subject to an ad valorem duty, the same proceedings shall be had, and the same penalties shall be incurred, as are provided in the eleventh section of this act: *Provided*, That nothing herein contained shall save from forfeiture any package having in it any article not described in the invoice.

Proviso.

A bond executed by one partner in trade to bind the whole firm, if in its name.

SEC. 23. *And be it further enacted*, That any bond to the United States, entered into for the payment of duties by a merchant belonging to a firm, in the name of such firm, shall equally bind the partner or partners in trade, of the person or persons by whom such bond shall have been executed.

Twenty days allowed for giving the exportation bonds.

Proviso.

SEC. 24. *And be it further enacted*, That in all cases of entry of merchandise for the benefit of drawback, the time of twenty days shall be allowed from the date of the clearance of the ship or vessel in which the same shall be laden, for giving the exportation bonds for the same: *Provided*, That the exporter shall, in every other particular, comply with the regulations and formalities heretofore established for entries of exportation for the benefit of drawback.

Drawback.

Penalties and forfeitures.

SEC. 25. *And be it further enacted*, That all penalties and forfeitures incurred by force of this act, shall be sued for, recovered, distributed, and accounted for, in the manner prescribed by the act, entitled "An act to regulate the collection of duties on imports and tonnage," passed on the second day of March, one thousand seven hundred and ninety-nine, and may 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," passed on the third day of March, one thousand seven hundred and ninety-seven.

Act of March 2, 1799, ch. 22.

And may be mitigated, &c., as prescribed by the act of March 3, 1797, ch. 13.

SEC. 26. *And be it further enacted*, That this act shall continue in force for the term of two years from and after the passing thereof.

APPROVED, April 20, 1818.

STATUTE I.

April 20, 1818.

CHAP. LXXX.—*An Act to provide for the publication of the laws of the United States, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, at and during the session of each Congress of the United States, the Secretary for the Department of State shall cause the acts and resolutions passed by Congress at such session, to be published, currently as they are enacted, and as soon as practicable, in not more than one newspaper in the District of Columbia, and in not more than three newspapers in each of the several states, and in not more than three newspapers in each of the territories of the United States. And he shall also cause to be published, in the like manner, in the said newspapers, or in such of them as he shall for that purpose designate, the public treaties entered into and ratified by the United States.

SEC. 2. *And be it further enacted,* That, whenever official notice shall have been received, at the Department of State, that any amendment which heretofore has been, or hereafter may be, proposed to the constitution of the United States, has been adopted, according to the provisions of the constitution, it shall be the duty of the said Secretary of State forthwith to cause the said amendment to be published in the said newspapers authorized to promulgate the laws, with his certificate, specifying the states by which the same may have been adopted, and that the same has become valid, to all intents and purposes, as a part of the constitution of the United States.

SEC. 3. *And be it further enacted,* That the proprietor of every newspaper in which the laws, resolutions, treaties, or amendments, shall be so published, shall receive, as full compensation therefor, at the rate of one dollar for each printed page of the laws, resolutions, and treaties, as published in the pamphlet form in the manner hereinafter directed. And if it shall appear, on the examination of any account, that there has been any unreasonable delay or intentional omission in the publication of the laws aforesaid, the proper accounting officer of the treasury is hereby authorized and required to deduct, from such account, such sum as shall be charged therein for the publication of any laws which shall have been so unreasonably delayed or intentionally omitted. And in any such case it shall be the duty of the Secretary of State to discontinue the publication of the laws in the newspaper belonging to such proprietor, and such newspaper shall, in no event, be again authorized, nor shall the proprietor thereof be again employed, to publish the laws of the United States.

SEC. 4. *And be it further enacted,* That the Secretary of State shall cause to be published, at the close of every session of Congress, and as soon as practicable, eleven thousand copies of the acts of Congress at large, including all resolutions passed by Congress, amendments to the constitution adopted, and all public treaties made and ratified since the then last publication of the laws; which copies shall be printed on paper, and in the size of the sheet and type, in a manner to correspond with the late revised edition of the laws, published by Bioren and Co., which copies shall be distributed in the following manner: To every person who has been President of the United States, one copy to each, during their respective lives; to the present and every future President and Vice President, one copy to each, during their lives; one copy to the actual President and Vice President, to be deemed an appurtenant to their offices respectively; to each member of the Senate and House of Representatives, and to each delegate in Congress from any territory, one copy each; twenty copies to the secretary of the Senate, and fifty copies to the clerk of the House of Representatives, for the general use of the committees and members of the respective Houses; to the judges and clerks of the supreme and district courts, and to the marshal and attorney of each district or section of

Act of May 11, 1820, ch. 92. The Secretary of State to publish the laws and resolutions and treaties.

Amendments of the constitution to be published also with a certificate of the Secretary of State, &c.

Compensation for publication.

In case of wilful omission or unreasonable delay in publishing the laws.

The Secretary of State to cause 11,000 copies of the acts, resolutions, treaties, &c., of every session of Congress to be published: to correspond with the revised edition.

Distribution of the 11,000 copies.

a district, one copy each; to the Secretaries of State, of the Treasury, of War, and of the Navy, and to each of their chief clerks one copy each; one copy to the attorney general, to each of the comptrollers and auditors, and to the register and treasurer of the United States, and to the commissioner of the revenue, and the commissioner of the general land office, and to the paymaster general, and the adjutant and inspector general, and to the commissary general of supplies, and the director of the mint; one copy to each collector, naval officer, surveyor, and inspector of the customs; to the governors, judges, secretaries, and clerks of the territories of the United States, one copy each; to the postmaster general, and each assistant, one copy; and one copy to each of the surveyors general of the lands of the United States, and to each register of a land office; and one copy to each publisher of a newspaper authorized to promulgate the same. The delivery of the said copies shall be under the direction of the Secretary of State, or such officer as he shall, for that purpose, authorize.

The delivery under the direction of the Secretary of State.

300 copies to the library of Congress.

100 copies to the Secretary of War, and 50 copies to the Secretary of the Navy, &c.

400 copies to be reserved by the Secretary of State, for ministers and consuls.

The residue of the copies to be distributed among the states and territories.

Contracts for publishing the laws in the pamphlet form.

Former and contravening acts repealed.

Proviso.

Money necessary to carry this act into effect appropriated.

SEC. 5. *And be it further enacted*, That three hundred of the said copies shall be annually placed in the library of Congress; and every member of Congress, and every delegate shall be entitled to the use of a copy during the session, and the same shall be returned and accounted for, as may be prescribed by the rules of the library. And one hundred of the said copies, authorized by this act to be printed, shall be delivered to the Secretary of War, and fifty copies to the Secretary of the Navy, to be by them respectively distributed among such officers of the army and navy as the public service may require. Four hundred copies shall be reserved by the Secretary of State, to be distributed by him, at his discretion, among the public and foreign ministers and consuls and other public agents.

SEC. 6. *And be it further enacted*, That the residue of the said number of copies, authorized to be printed, shall be distributed among the several states and territories, in proportion to the number of representatives and delegates to which each state and territory may be entitled in Congress, at the time of such distribution.

SEC. 7. *And be it further enacted*, That whenever the Secretary of State shall enter into any contract, with any person for the publication of the laws, in the pamphlet form, as aforesaid, he shall require at least two good and sufficient sureties for the faithful performance of the contract; and, in every such agreement, it shall always be stipulated that the number of copies hereby authorized to be printed, shall be delivered at the office of the Secretary of State within thirty days after the adjournment of each session of Congress, and that, for every day's delay in such delivery, the person so contracting shall forfeit the sum of one hundred dollars, to be deducted from the compensation to which he otherwise would have been entitled.

SEC. 8. *And be it further enacted*, That all acts or parts of acts, heretofore passed, which in any manner contravene the provisions of this act, or which may be inconsistent with the same; and all acts or parts of acts, in which are contained any provisions for the publication of the laws, either in a pamphlet form or in newspapers, be, and the same are hereby repealed; *Provided*, That such repeal shall not be construed to prevent the payment of any compensation that may be due, for the publication of the laws, previous to the promulgation of this act.

SEC. 9. *And be it further enacted*, That whatever sum of money may be necessary to carry into effect this act, besides any specific appropriations, for the same objects, that have been, or may be, made, shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, April 20, 1818.

CHAP. LXXXII.—*An Act to provide for erecting additional buildings for the accommodation of the several Executive Departments.*

STATUTE I.
April 20, 1818.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the commissioner of the public buildings cause to be erected, under the direction of the President of the United States, two buildings, suitable for offices for the executive departments, to be placed north of the buildings at present occupied by those departments, and on a line parallel therewith; each of said new buildings to contain forty rooms of convenient size.

Buildings for executive departments under direction of the President.

SEC. 2. *And be it further enacted,* That for the purpose of carrying this act into effect, the sum of one hundred and eighty thousand seven hundred and forty-one dollars be, and the same is hereby appropriated, to be paid out of any moneys in the treasury not otherwise appropriated, and to be expended under the direction of the President of the United States.

Appropriation under the direction of the President.

APPROVED, April 20, 1818.

STATUTE I.
April 20, 1818.

CHAP. LXXXIII.—*An Act supplementary to the several acts relative to direct taxes and internal duties.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of the Treasury shall be, and he is hereby, authorized to cause any omissions or defects in the assessment of the direct tax, laid in the years one thousand eight hundred and fifteen and one thousand eight hundred and sixteen, in the fifth collection district of Virginia, to be supplied or collected by the principal assessor, for the said district, in such manner as the said Secretary shall see fit: *Provided,* That the said corrections be made, as nearly as may be under existing circumstances, in conformity with the principles applicable to other collection districts, and that the same, so far as they regard the tax laid in the year one thousand eight hundred and fifteen, shall have reference to the day prescribed by the act of January ninth, one thousand eight hundred and fifteen, (a) and so far as they regard the tax laid in the year one thousand eight hundred and sixteen, shall have reference to the first day of June, one thousand eight hundred and sixteen: *And provided,* That, previous to making such corrections, the said principal assessor shall attend at the courthouse of each county within his district, for at least three days, for the purpose of hearing appeals, of which attendance he shall give thirty days' notice, either by handbills posted up, or in a newspaper printed in each county. The time at which the taxes for the said years shall become due, shall be that on which the tax lists shall be delivered to and receipted for by the collector. And to defray the expenses of making said corrections, there is hereby appropriated a sum not exceeding five thousand dollars, to be paid out of any moneys not otherwise appropriated.

The Secretary of the Treasury authorized to cause omissions or defects in assessment of direct tax of 1815—16, in the 5th district of Virginia, to be supplied or corrected, &c.

Proviso, corrections to conform to principles applicable to other districts.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury be authorized, in case, in his opinion, the public interest require it, to pay for the publications of the collectors of the direct tax, prescribed by the twenty-eighth and twenty-ninth sections of the act of January ninth, one thousand eight hundred and fifteen, a price that shall not exceed that usually paid by individuals for publications made by their order.

Taxes due when the lists are delivered, &c.

5000 dolls. appropriated for making corrections.

Expenses of publication.

1815, ch. 21.

SEC. 3. *And be it further enacted,* That, in cases of the sale of property for direct taxes laid in the years one thousand eight hundred and thirteen, one thousand eight hundred and fifteen, and one thousand eight

Property belonging to infants, &c. sold

(a) An 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. Jan. 9, 1815, ch. 21.

for direct taxes may be redeemed two years after disability, &c.

Value of improvements to be ascertained.

The clerk to receive compensation, &c.

The time for redemption of lands sold for taxes, extended three years beyond the time allowed.

Proviso.

President authorized to abolish all existing offices of collectors of direct tax and internal duties; and duties to be performed to devolve as he designates.

Officer to whom duties are transferred to give bond, &c.

Receipt for purchase money before deed, &c.

Regulations.

hundred and sixteen, belonging to infants, persons of insane mind, married women, or persons beyond sea, its redemption shall be effected at any time within two years after the removal of such disability, or the return to the United States, on paying to the collector of the district, or other officer of the United States on whom his duties may be devolved, as the case may be, the amount paid by the purchaser, together with ten per cent. per annum thereon, and on paying to the purchaser of the land a compensation for all improvements he may have made on the premises subsequent to his purchase, the value of which improvements to be ascertained by three or more neighbouring freeholders, to be appointed by the clerk of the district court, who, on actual view of the premises, shall assess the value of such improvements on their oath, and make a return of such valuation to the clerk aforesaid immediately. And the clerk of the court shall receive such compensation for his services herein, to be paid by, and received from, the parties, like costs of suits, as the judge of the district court shall, in that respect, tax and allow.

SEC. 4. *And be it further enacted*, That the time allowed for the redemption of lands, which have been, or may be, sold for the payment of taxes, under the act passed the second day of August, one thousand eight hundred and thirteen, entitled "An act to lay and collect a direct tax within the United States," (a) and purchased on behalf of the United States, be extended three years beyond the time heretofore allowed: *Provided*, That such extension of time shall not be beyond the first of June, one thousand eight hundred and twenty, and that on such redemption interest be paid, at the rate of twenty per centum on the tax, and additions of twenty per centum chargeable thereon: and the right to redeem shall enure as well to persons holding an equitable or reversionary interest in lands so purchased on behalf of the United States, as to the original owners thereof.

SEC. 5. *And be it further enacted*, That the President of the United States be authorized, whenever he shall consider it expedient, to abolish all the existing offices of collectors of the direct tax and internal duties in any state or territory, whereupon the duties remaining to be performed shall be devolved upon such officer of the United States, within such state or territory, as the President may designate. And whenever, in virtue of this authority, or of that conferred by the act of December twenty-third, one thousand eight hundred and seventeen, entitled "An act to abolish the internal duties," (b) the office of any collector shall be abolished, or its duties transferred to any other collector, or officer of the United States, it shall be the duty of such collector or officer to make deeds for lands sold for direct taxes, in the same manner and for the same fees as are provided by law in cases where no such transfer of duties has taken place. And such collector or officer shall give bond for the performance of his duties in such sum as the Secretary of the Treasury shall prescribe, and shall receive like compensation with that allowed to the present collectors of direct tax and internal duties. In all cases, previous to the making a deed, there shall be delivered to, and filed by, the collector, or other officer authorized to make the same, the receipt for the purchase money paid for the real property sold for any tax. At the expiration of three months after the time allowed for the redemption of property sold for taxes, the collectors or other officers aforesaid, in each state, except the designated collectors, shall make out and lodge with the clerk of the district court distinct statements of the property then unredeemed, sold to individuals, and of the like property purchased in behalf of the United States; which statement shall desig-

(a) Act of 1813, ch. 37.

(b) Act of 1817, ch. 1.

nate the names of the persons taxed, where resident, the amount of the tax and additions, the description, situation, and quantity, of the property sold for taxes, the name of the owner or presumed owner, when sold, the name of the purchaser, and the amount paid by the purchaser; and the said collectors or other officers shall likewise pay over, to the said clerk, the moneys received for [from] the purchasers and in their hands, for which statements and moneys the clerk shall give them a receipt. The said clerk shall thenceforth have exclusive authority to grant deeds, and to perform all the other duties previously performed by the collector, or other officer aforesaid, in regard to the direct tax: *Provided*, That one-half of the compensation made therefor be for the use of the clerk, and the other half for that of the collector, any law to the contrary notwithstanding. And the same course shall be pursued, in regard to the respective designated collectors, whenever their offices shall be abolished by the President of the United States, in which case the right of redemption that may still remain shall be effected through the said clerks. The clerks of the district courts shall, on the first of January in each year, render to the Secretary of the Treasury distinct statements of their proceedings in such form as shall be prescribed by him, and shall pay over the moneys received by them for the use of the United States.

SEC. 6. *And be it further enacted*, That an abatement from the amounts of the bonds given for internal duties, at the rate of eight per centum per annum, shall be made on the payment thereof previous to their becoming due.

SEC. 7. *And be it further enacted*, That in all cases in which deeds for property sold for the direct tax imposed in the year one thousand seven hundred and ninety-eight, shall not have been made, or in which defective deeds have been made, deeds may and shall be granted therefor by the marshals of the respective districts in which the property is situate, within two years from the passage of this act, where the right of redemption has expired, and in other cases within two years after the said right may expire, on the terms, and subject to the conditions, fixed by law: *Provided*, That where new deeds may be made, the same shall only be granted on the delivery of the defective deed to the marshal, who shall cancel the same as soon as the new deed is made, which shall, after reciting at length the defective deed, declare the property to be conveyed to the original grantee, his heirs or representatives, subject to any right or claim thereto that may have accrued subsequent to the date of the defective deed; and said marshal shall receive two dollars for preparing and executing each deed.

SEC. 8. *And be it further enacted*, That in any suit or action which shall be hereafter instituted by the United States against any corporate body, for the recovery of money upon any bill, note, or other security, it shall be lawful to summon, as garnishees, the debtors of such corporation; and it shall be the duty of any person, so summoned, to appear in open court, and depose, in writing, to the amount which he or she was indebted to the said corporation, at the time of the service of the summons, and at the time of making such deposition; and it shall be lawful to enter up judgment, in favour of the United States, for the sum admitted by such garnishee to be due to the said corporation, in the same manner as if it had been due and owing to the United States: *Provided*, That no judgment shall be entered against any garnishee, until after judgment shall have been rendered against the corporation defendant to the said action, nor until the sum in which the said garnishee may stand indebted be actually due.

SEC. 9. *And be it further enacted*, That where any person summoned as garnishee, shall depose in open court that he or she is not indebted to such corporation, nor was not, at the time of the service of the summons, it shall be lawful for the United States to tender an issue upon such demand, and if, upon the trial of such issue, a verdict shall be rendered

Statements to designate the names of the persons taxed, &c.

Collectors, &c. to pay the moneys received to the clerk, &c.

Clerk to grant deeds, &c. Proviso.

Clerks of district courts to render to the Secretary of the Treasury statements of proceedings, &c.

Abatement on bonds for internal duties if paid before due.

Deeds for property sold for the direct tax imposed in 1798.

Proviso.

Defective deeds to be recited at length.

Property liable for claims subsequent to defective deed.

In suits instituted by the United States, debtors of a corporation may be summoned as garnishees.

If persons summoned as garnishees depose they are not indebted, issue may be

tendered, and on judgment against them they are liable for costs.

Persons summoned as garnishees, and failing to attend, are subject to attachment for contempt.

Certain parts of the act of 30th April, 1816, ch. 172, declared to be in full force and virtue.

against such garnishee, judgment shall be entered in favour of the United States, pursuant to such verdict, with costs of suit.

SEC. 10. *And be it further enacted*, That if any person summoned as garnishee under the provisions of this act, shall fail to appear at the term of the court to which he has been summoned, he shall be subject to attachment for contempt of the court.

SEC. 11. *And be it further enacted*, That so much of an act passed the thirtieth of April, one thousand eight hundred and sixteen, entitled "An act to allow drawback of duties on spirits distilled and sugar refined within the United States, and for other purposes," as allows a drawback of four cents upon every gallon of spirits distilled from molasses, and a drawback of four cents per pound upon refined sugar exported from the United States, together with all the regulations and provisions of the said act upon the subject of the said drawbacks, shall be deemed, construed, and taken, to be and remain in full force and virtue, any act or acts to the contrary notwithstanding.

APPROVED, April 20, 1818.

STATUTE I.

April 20, 1818.

CHAP. LXXXIV.—*An Act to defray the expenses of the militia when marching to places of rendezvous.*

Act of Feb. 28, 1795, ch. 36, vol. i. 424.

Expenses incurred by marching militia to places of rendezvous to be adjusted and paid in the same manner as expenses incurred after arrival.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the expenses incurred, or to be incurred, by marching the militia of any state or territory of the United States to their places of rendezvous, in pursuance of a requisition of the President of the United States, or which shall have been, or may be, incurred in cases of calls made by the authority of any state or territory, which shall have been, or may be, approved by him, shall be adjusted and paid in like manner as the expenses incurred after their arrival at such places of rendezvous, on the requisition of the President of the United States: *Provided*, That nothing herein contained shall be considered as authorizing any species of expenditure, previous to arriving at the place of rendezvous, which is not provided by existing laws to be paid for after their arrival at such place of rendezvous.

APPROVED, April 20, 1818.

STATUTE I.

April 20, 1818.

Officers and privates who served in the volunteer cavalry during the late war.

CHAP. LXXXVI.—*An Act for the relief of volunteer mounted cavalry.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That every officer, non-commissioned officer, or private, who served in any volunteer corps of cavalry during the late war, and furnished his own horse or horses, while in the public service aforesaid, shall be allowed at the rate of forty cents per day for each horse so furnished, which such officer, non-commissioned officer, or private, was entitled by law to keep in such service. And that when any officer, non-commissioned officer, or private, in the cavalry service aforesaid, having lost the horse or horses which may have been taken by him into the said service, and having received from the United States another horse or horses, in lieu or in part payment for the horse or horses so previously lost as aforesaid, such officer, non-commissioned officer, or private, shall be entitled to receive the allowance of forty cents per day for the use and risk of the horse on which he may have been so remounted.

APPROVED, April 20, 1818.

STATUTE I.

April 20, 1818.

CHAP. LXXXVII.—*An Act to regulate and fix the compensation of the clerks in the different offices.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary for the Department of State be, and he is hereby, authorized to employ one chief clerk, whose compensation shall not exceed two thousand dollars per annum; two clerks, whose compensation shall not exceed one thousand six hundred dollars each; four clerks, whose compensation shall not exceed one thousand four hundred dollars each; one clerk, whose compensation shall not exceed one thousand dollars; two clerks, whose compensation shall not exceed eight hundred dollars each; one superintendent of the patent office, whose compensation shall not exceed one thousand five hundred dollars, and one clerk in said patent office, whose compensation shall not exceed one thousand dollars.

Clerks in the Department of State.

Patent office.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury Department be, and he is hereby, authorized to employ, for the office of the Treasury Department, one chief clerk, whose compensation shall not exceed two thousand dollars per annum; two clerks, whose compensation shall not exceed one thousand six hundred dollars each; three clerks, whose compensation shall not exceed one thousand four hundred dollars each; and one clerk, whose compensation shall not exceed one thousand dollars. For the office of the first comptroller, one chief clerk, whose compensation shall not exceed one thousand seven hundred dollars per annum; four clerks, whose compensation shall not exceed one thousand four hundred dollars each; five clerks, whose compensation shall not exceed one thousand one hundred and fifty dollars each; four clerks, whose compensation shall not exceed one thousand dollars each; and one clerk, whose compensation shall not exceed eight hundred dollars. For the office of the second comptroller, one chief clerk, whose compensation shall not exceed one thousand seven hundred dollars per annum; two clerks, whose compensation shall not exceed one thousand four hundred dollars; three clerks, whose compensation shall not exceed one thousand one hundred and fifty dollars each; one clerk, whose compensation shall not exceed one thousand dollars; and one clerk, whose compensation shall not exceed eight hundred dollars. For the office of the first auditor, one chief clerk, whose compensation shall not exceed one thousand seven hundred dollars per annum; two clerks, whose compensation shall not exceed one thousand four hundred dollars each; six clerks, whose compensation shall not exceed one thousand one hundred and fifty dollars each; three clerks, whose compensation shall not exceed one thousand hundred dollars. For the office of the second auditor, one chief clerk, whose compensation shall not exceed one thousand seven hundred dollars per annum; two clerks, whose compensation shall not exceed one thousand four hundred dollars each; six clerks, whose compensation shall not exceed one thousand one hundred and fifty dollars each; five clerks, whose compensation shall not exceed one thousand dollars each; and one clerk, whose compensation shall not exceed eight hundred dollars. For the office of the third auditor, one chief clerk, whose compensation shall not exceed one thousand seven hundred dollars per annum; five clerks, whose compensation shall not exceed one thousand four hundred dollars each; ten clerks, whose compensation shall not exceed one thousand one hundred and fifty dollars each; six clerks, whose compensation shall not exceed one thousand dollars each; and three clerks, whose compensation shall not exceed eight hundred dollars each. For the office of the fourth auditor, one chief clerk, whose compensation shall not exceed one thousand seven hundred dollars per annum; two clerks, whose compensation shall not exceed one thousand four hundred dollars each; five

Clerks in Treasury Department.
Clerks in the Secretary's office.

Clerks in the first comptroller's office.

Clerks in the second comptroller's office.

Clerks in the first auditor's office.

Clerks in the second auditor's office.

Clerks in the third auditor's office.

Clerks in the fourth auditor's office.

Clerks in the fifth auditor's office.

clerks, whose compensation shall not exceed one thousand one hundred and fifty dollars each; four clerks, whose compensation shall not exceed one thousand dollars each; and one clerk, whose compensation shall not exceed eight hundred dollars. For the office of the fifth auditor, one chief clerk, whose compensation shall not exceed one thousand seven hundred dollars per annum; one clerk, whose compensation shall not exceed one thousand four hundred dollars; four clerks, whose compensation shall not exceed one thousand one hundred and fifty dollars each; two clerks whose compensation shall not exceed one thousand dollars each; and one clerk, whose compensation shall not exceed eight hundred dollars. For the

Clerks in the treasurer's office.

office of the treasurer, one chief clerk, whose compensation shall not exceed one thousand seven hundred dollars per annum; one clerk, whose compensation shall not exceed one thousand four hundred dollars; one clerk, whose compensation shall not exceed one thousand one hundred and fifty dollars; and one clerk, whose compensation shall not exceed one thousand dollars. For the office of the register, one chief clerk, whose compensation shall not exceed one thousand seven hundred dol-

Clerks in the register's office.

lars per annum; four clerks, whose compensation shall not exceed one thousand four hundred dollars each; three clerks, whose compensation shall not exceed one thousand one hundred and fifty dollars each; six clerks, whose compensation shall not exceed one thousand dollars; and seven clerks, whose compensation shall not exceed eight hundred dollars each. To the office of the commissioner of the land office, one chief

Clerks in the general land office.

clerk, whose compensation shall not exceed one thousand seven hundred dollars per annum; two clerks, whose compensation shall not exceed one thousand four hundred dollars each; three clerks, whose compensation shall not exceed one thousand one hundred and fifty dollars each; five clerks, whose compensation shall not exceed one thousand dollars each; and twelve clerks, whose compensation shall not exceed eight hundred dollars each.

Clerks in the War Department.

SEC. 3. *And be it further enacted*, That the Secretary of the War Department be, and he is hereby, authorized to employ, for the office of the War Department, one chief clerk, whose compensation shall not exceed two thousand dollars per annum; three clerks whose compensation shall not exceed one thousand six hundred dollars; five clerks, whose compensation shall not exceed one thousand four hundred dollars each; eight clerks, whose compensation shall not exceed one thousand dollars each; and five clerks, whose compensation shall not exceed eight hundred dollars each. For the office of the paymaster general, one chief clerk, whose compensation shall not exceed one thousand seven hundred dol-

Clerks in the paymaster general's office.

lars per annum; one clerk, whose compensation shall not exceed one thousand four hundred dollars; two clerks, whose compensation shall not exceed one thousand one hundred and fifty dollars each; three clerks, whose compensation shall not exceed one thousand dollars each; and one clerk, whose compensation shall not exceed eight hundred dollars. For the office of the adjutant and inspector general, one clerk, whose compensation shall not exceed one thousand one hundred and fifty dollars; and one clerk, whose compensation shall not exceed one thousand dollars. For the office of the ordnance department, one clerk, whose compensation shall not exceed one thousand one hundred and fifty dollars per annum; one clerk, whose compensation shall not exceed one thousand dollars; and one clerk, whose compensation shall not exceed eight hundred dollars.

Clerks in the adjutant and inspector general's office.

Clerks in the ordnance department.

For the office of the superintendent of Indian trade, one clerk, whose compensation shall not exceed one thousand one hundred and fifty dollars per annum; one clerk, whose compensation shall not exceed one thousand dollars; and one clerk, whose compensation shall not exceed eight hundred dollars.

Clerks in the office of superintendent of Indian trade.

SEC. 4. *And be it further enacted*, That the Secretary of the Navy Department be, and he is hereby, authorized to employ one chief clerk

whose compensation shall not exceed two thousand dollars per annum: one clerk, whose compensation shall not exceed one thousand six hundred dollars; two clerks whose compensation shall not exceed one thousand four hundred dollars each; one clerk, whose compensation shall not exceed one thousand dollars; and one clerk, whose compensation shall not exceed eight hundred dollars.

Clerks in the Navy Department.

SEC. 5. *And be it further enacted*, That the commissioners of the navy be, and they are hereby, authorized to employ one clerk whose compensation shall not exceed one thousand six hundred dollars per annum; one clerk, whose compensation shall not exceed one thousand one hundred and fifty dollars; and one clerk, whose compensation shall not exceed eight hundred dollars.

Clerks in the office of the commissioners of the navy.

SEC. 6. *And be it further enacted*, That the attorney general be allowed to employ one clerk, whose compensation shall not exceed one thousand dollars per annum.

Clerk to the attorney general.

SEC. 7. *And be it further enacted*, That the Postmaster General be, and he is hereby, authorized to employ one chief clerk, whose compensation shall not exceed one thousand seven hundred dollars per annum; two clerks, whose compensation shall not exceed one thousand four hundred dollars; five clerks, whose compensation shall not exceed one thousand two hundred dollars each; nine clerks, whose compensation shall not exceed one thousand dollars each; and four clerks, whose compensation shall not exceed eight hundred dollars each.

Clerks in the General Post-office.

SEC. 8. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized to employ in the office of the third auditor, until the first day of January, one thousand eight hundred and twenty, six additional clerks, at a compensation not exceeding one thousand dollars each per annum; and three additional clerks, at a compensation not exceeding eight hundred dollars each; and in the office of the second comptroller, for the same period, two additional clerks, at a compensation not exceeding one thousand dollars per annum each; and one additional clerk, at a compensation not exceeding eight hundred dollars.

Additional clerks in the office of the third auditor, until 1st Jan., 1820.

Additional clerks in the office of the second comptroller, until 1st Jan. 1820.

SEC. 9. *And be it further enacted*, That the compensation allowed by this act to clerks, shall commence from and after the thirty-first day of March last. And it shall be the duty of the Secretaries for the Departments of State, Treasury, War, and Navy, of the commissioners of the Navy, and the Postmaster General, to report to Congress, at the beginning of each year, the names of the clerks they have employed respectively in the preceding year, together with the time each clerk was actually employed during the year, and the sums paid to each; and no higher or other allowance shall be made to any clerk in the said departments and offices than is authorized by this act: And all acts and parts of acts, inconsistent with the provisions of this act, are hereby repealed.

Compensation to commence 1st April, 1818.

Report to Congress the names of clerks, the time each was employed, and sums paid each.

No higher or other allowance.

APPROVED, April 20, 1818.

STATUTE I.

CHAP. LXXXVIII.—*An Act in addition to the "Act for the punishment of certain crimes against the United States," and to repeal the acts therein mentioned.* (a)

April 20, 1818.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That if any citizen of the United States shall, within the territory or jurisdiction thereof, accept and exercise a commission to serve a foreign prince, state, colony, district, or people, in war, by land or by sea, against any prince, state, colony, district, or people, with whom the United States are at peace, the person so offending shall be deemed guilty of a high misdemeanor, and shall be fined not more than two thousand dollars, and shall be imprisoned not exceeding three years.

Fine of 2000 dolls. and imprisonment, for any citizen's exercising a commission within the United States, &c. to serve a foreign state, &c.

(a) An act for the punishment of certain crimes against the United States, April 30, 1790, ch. 9. Act of March 3, 1817, ch. 58.

Fine and imprisonment for any person within the jurisdiction of the United States enlisting, or procuring others to enlist, &c. to serve a foreign state, &c.

Proviso.

Fine and imprisonment for fitting out, &c.

The vessel, &c. to be forfeited.

Half to the informer.

Fine and imprisonment for citizens fitting out or arming, &c.

If committed out of the limits of the United States, to be tried where apprehended, &c.

Fine and imprisonment for augmenting, within the jurisdiction of the United States, the force of foreign armed vessels.

SEC. 2. *And be it further enacted*, That if any person shall, within the territory or jurisdiction of the United States, enlist or enter himself, or hire or retain another person to enlist or enter himself, or to go beyond the limits or jurisdiction of the United States with intent to be enlisted or entered in the service of any foreign prince, state, colony, district, or people, as a soldier, or as a marine or seaman, on board of any vessel of war, letter of marque, or privateer, every person so offending shall be deemed guilty of a high misdemeanor, and shall be fined not exceeding one thousand dollars, and be imprisoned not exceeding three years: *Provided*, That this act shall not be construed to extend to any subject or citizen of any foreign prince, state, colony, district or people, who shall transiently be within the United States, and shall on board of any vessel of war, letter of marque, or privateer, which at the time of its arrival within the United States, was fitted and equipped as such, enlist or enter himself, or hire or retain another subject or citizen of the same foreign prince, state, colony, district, or people, who is transiently within the United States, to enlist or enter himself to serve such foreign prince, state, colony, district, or people, on board such vessel of war, letter of marque, or privateer, if the United States shall then be at peace with such foreign prince, state, colony, district, or people.

SEC. 3. *And be it further enacted*, 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 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 against the subjects, citizens, or property of any foreign prince or state, or of any colony, district, or people, with whom the United States are at peace, or shall issue or deliver a commission within the territory or jurisdiction of the United States, for any ship or vessel, to the intent that she may be employed as aforesaid, every person so offending shall be deemed guilty of a high misdemeanor, and shall be fined not more than ten thousand dollars, and imprisoned not more than three 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 the informer, and the other half to the use of the United States.

SEC. 4. *And be it further enacted*, That if any citizen or citizens of the United States shall, without the limits thereof, fit out and arm, or attempt to fit out and arm, or procure to be fitted out and armed, or shall knowingly aid or be concerned in the furnishing, fitting out, or arming, any private ship or vessel of war, or privateer, with intent that such ship or vessel shall be employed to cruise, or commit hostilities, upon the citizens of the United States, or their property, or shall take the command of, or enter on board of any such ship or vessel, for the intent aforesaid, or shall purchase any interest in any such ship or vessel, with a view to share in the profits thereof, such person, so offending, shall be deemed guilty of a high misdemeanor, and fined not more than ten thousand dollars, and imprisoned not more than ten years; and the trial for such offence, if committed without the limits of the United States, shall be in the district in which the offender shall be apprehended or first brought.

SEC. 5. *And be it further enacted*, That if any persons shall, within the territory or jurisdiction of the United States, increase or augment, or procure to be increased or augmented, or shall knowingly be 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, or cruiser, or armed vessel, in the service of any foreign prince or state, or of any colony, district, or people, or belong-

ing to the subjects or citizens of any such prince or state, colony, district, or people, the same being at war with any foreign prince or state, or of any colony, district, or people, with whom the United States are at peace, by adding to the number of the guns of such vessel, or by changing those on board of her for guns of a larger calibre, or by the addition thereto of any equipment solely applicable to war, every person, so offending, shall be deemed guilty of a high misdemeanor, shall be fined not more than one thousand dollars and be imprisoned not more than one year.

SEC. 6. *And be it further enacted*, That if any person shall, within the territory or jurisdiction of the United States, begin or set on foot, or provide or prepare the means for, any military expedition or enterprise, to be carried on from thence against the territory or dominions of any foreign prince or state, or of any colony, district, or people, with whom the United States are [at] peace, every person, so offending, shall be deemed guilty of a high misdemeanor, and shall be fined not exceeding three thousand dollars, and imprisoned not more than three years.

SEC. 7. *And be it further enacted*, That the district courts shall take cognisance of complaints, by whomsoever instituted, in cases of captures made within the waters of the United States, or within a marine league of the coasts or shores thereof.

SEC. 8. *And be it further enacted*, That in every case in which a vessel shall be fitted out and armed, or attempted to be fitted out and armed, or in which the force of any vessel of war, cruiser, or other armed vessel, shall be increased or augmented, or in which any military expedition or enterprise shall be begun or set on foot, contrary to the provisions and prohibitions of this act; and in every case of the capture of a ship or vessel within the jurisdiction or protection of the United States as before defined, and in every case in which any process issuing out of any court of the United States shall be disobeyed or resisted by any person or persons having the custody of any vessel of war, cruiser, or other armed vessel of any foreign prince or state, or of any colony, district, or people, or of any subjects or citizens of any foreign prince or state, or of any colony, district, or people, in every such case it shall be lawful for the President of the United States, or such other person as he shall have empowered for that purpose, to employ such part of the land or naval forces of the United States, or of the militia thereof, for the purpose of taking possession of and detaining any such ship or vessel, with her prize or prizes, if any, in order to the execution of the prohibitions and penalties of this act, and to the restoring the prize or prizes in the cases in which restoration shall have been adjudged, and also for the purpose of preventing the carrying on of any such expedition or enterprise from the territories or jurisdiction of the United States against the territories or dominions of any foreign prince or state, or of any colony, district, or people, with whom the United States are at peace.

SEC. 9. *And be it further enacted*, That it shall be lawful for the President of the United States, or such person as he shall empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia thereof, as shall be necessary to compel any foreign ship or vessel to depart the United States in all cases in which, by the laws of nations or the treaties of the United States, they ought not to remain within the United States.

SEC. 10. *And be it further enacted*, That the owners or consignees of every armed ship or vessel sailing out of the ports of the United States, belonging wholly or in part to 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 to cruise or commit hostilities against the subjects, citi-

Fine and imprisonment for any person's setting on foot within the jurisdiction of the United States, any military expedition against a friendly power.

District courts to take cognisance of complaints.

The President, or such person as he may authorize, in the cases mentioned, may employ the land or naval forces, or the militia, for the purpose of carrying the provisions of this act into effect.

The President, &c. may employ the land or naval forces, or the militia, to compel the departure of a vessel which ought not to remain, &c.

Owners, &c. of armed vessels sailing out of the United States to give bond, &c. not to commit hostilities, &c.

against a friendly power.

Collectors required to detain vessels built for warlike purposes, and about to depart, when circumstances render it probable that they are intended to commit hostilities against a friendly power.

The acts of 5th June, 1794, ch. 50, of 14th June, 1797, ch. 1, of April 24, 1800, ch. 35, and of 3d March, 1817, ch. 58, repealed.

Proviso.

Offenders against repealed acts punished.

Nothing in the foregoing act to prevent the punishment of treason, &c.

zens, or property, of any foreign prince or state, or of any colony, district, or people, with whom the United States are at peace.

SEC. 11. *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 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 foreign 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 thereon, or until the owner or owners shall give such bond and security as is required of the owners of armed ships by the preceding section of this act.

SEC. 12. *And be it further enacted*, That the act passed on the fifth day of June, one thousand seven hundred and ninety-four, entitled, "An act in addition to the act for the punishment of certain crimes against the United States," continued in force, for a limited time, by the act of the second of March, one thousand seven hundred and ninety-seven, and perpetuated by the act passed on the twenty-fourth of April, one thousand eight hundred, and the act, passed on the fourteenth day of June, one thousand seven hundred and ninety-seven, entitled "An act to prevent citizens of the United States from privateering against nations in amity with, or against the citizens of, the United States," and the act, passed the third day of March, one thousand eight hundred and seventeen, entitled, "An act more effectually to preserve the neutral relations of the United States," be, and the same are hereby, severally, repealed: *Provided, nevertheless*, That persons having heretofore offended against any of the acts aforesaid, may be prosecuted, convicted, and punished as if the same were not repealed; and no forfeiture heretofore incurred by a violation of any of the acts aforesaid shall be affected by such repeal.

SEC. 13. *And be it further enacted*, That nothing in the foregoing act shall be construed to prevent the prosecution or punishment of treason, or any piracy defined by the laws of the United States.

APPROVED, April 20, 1818.

STATUTE I.

April 20, 1818.

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

Act of March 25, 1816, ch. 35. The act continued until 3d March, 1819.

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 third day of March last.

APPROVED, April 20, 1818.

STATUTE I.

April 20, 1818.

CHAP. XCI.—*An Act in addition to "An act to prohibit the introduction (importation) of slaves into any port or place within the jurisdiction of the United States, from and after the first day of January, in the year of our Lord one thousand eight hundred and eight," and to repeal certain parts of the same.*

Act of March, 2, 1807, ch. 22. Act of March 3, 1819, ch. 77. Act of May 15, 1820, ch. 113.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the passing of this act, it shall not be lawful to import or bring, in any manner whatsoever, into the United States, or territories thereof, from any foreign

Negroes not

kingdom, place, or country, any negro, mulatto, or person of colour, with intent to hold, sell, or dispose of, any such negro, mulatto, or person of colour, as a slave, or to be held to service or labour; and any ship, vessel, or other water craft, employed in any importation as aforesaid, shall be liable to seizure, prosecution, and forfeiture, in any district in which it may be found; one half thereof to the use of the United States, and the other half to the use of him or them who shall prosecute the same to effect.

SEC. 2. *And be it further enacted,* That no citizen or citizens of the United States, or any other person or persons, shall, after the passing of this act, as aforesaid, for himself, themselves, or any other person or persons whatsoever, either as master, factor, or owner, build, fit, equip, load, or otherwise prepare, any ship or vessel, in any port or place within the jurisdiction of the United States, nor cause any such ship or vessel to sail from any port or place whatsoever, within the jurisdiction of the same, for the purpose of procuring any negro, mulatto, or person of colour, from any foreign kingdom, place, or country, to be transported to any port or place whatsoever, to be held, sold, or otherwise disposed of, as slaves, or to be held to service or labour; and if any ship or vessel shall be so built, fitted out, equipped, laden, or otherwise prepared, for the purpose aforesaid, every such ship or vessel, her tackle, apparel, furniture, and lading, shall be forfeited, one moiety to the use of the United States, and the other to the use of the person or persons who shall sue for said forfeiture, and prosecute the same to effect; and such ship or vessel shall be liable to be seized, prosecuted, and condemned, in any court of the United States having competent jurisdiction.

SEC. 3. *And be it further enacted,* That every person or persons so building, fitting out, equipping, loading, or otherwise preparing, or sending away, or causing any of the acts aforesaid to be done, with intent to employ such ship or vessel in such trade or business, after the passing of this act, contrary to the true intent and meaning thereof, or who shall, in any wise, be aiding or abetting therein, shall, severally, on conviction thereof, by due course of law, forfeit and pay a sum not exceeding five thousand dollars, nor less than one thousand dollars, one moiety to the use of the United States, and the other to the use of the person or persons who shall sue for such forfeiture and prosecute the same to effect, and shall moreover be imprisoned for a term not exceeding seven years, nor less than three years.

SEC. 4. *And be it further enacted,* That if any citizen or citizens of the United States, or other person or persons resident within the jurisdiction of the same, shall, from and after the passing of this act, take on board, receive, or transport, from any of the coasts or kingdoms of Africa, or from any other foreign kingdom, place, or country, or from sea, any negro, mulatto, or person of colour, not being an inhabitant, nor held to service by the laws of either of the states or territories of the United States, in any ship, vessel, boat, or other water craft, for the purpose of holding, selling, or otherwise disposing of, such person as a slave, or to be held to service or labour, or be aiding or abetting therein, every such person or persons, so offending, shall, on conviction, by due course of law, severally forfeit and pay a sum not exceeding five thousand, nor less than one thousand dollars, one moiety to the use of the United States, and the other to the use of the person or persons who shall sue for such forfeiture and prosecute the same to effect; and, moreover, shall suffer imprisonment, for a term not exceeding seven years nor less than three years; and every ship or vessel, boat, or other water craft, on which such negro, mulatto, or person of colour, shall have been taken on board, received, or transported, as aforesaid, her tackle, apparel, and furniture, and the goods and effects which shall be found on board the same, or shall have been imported therein in the same voyage, shall be forfeited, one moiety to the use of the United States, and the other to the use of

to be imported, with intent to hold them as slaves.

Vessels in which they are imported forfeited.

No person to equip vessels for the slave trade in the ports of the United States.

Vessels equipped for the slave trade forfeited, &c.

Half to the person suing, &c.

Persons concerned in fitting out vessels for the slave trade, &c. subject to a fine.

Imprisonment, &c.

Citizens or residents liable to a fine and to imprisonment, for transporting persons not held to service, &c. by the laws of the United States, &c.

Vessel, &c. forfeited.

the person or persons who shall sue for and prosecute the same to effect; and every such ship or vessel shall be liable to be seized, prosecuted, and condemned, in any court of the United States having competent jurisdiction.

Slaves imported in violation of this act, to be disposed of as the territorial authorities may prescribe, &c.

SEC. 5. *And be it further enacted*, That neither the importer or importers, nor any person or persons claiming from or under him or them, shall hold any right, interest, or title whatsoever, in or to any negro, mulatto, or person of colour, nor to the service or labour thereof, who may be imported or brought into the United States or the territories thereof in violation of the provisions of this act, but the same shall remain subject to any regulations, not contravening said provisions, which the legislatures of the several states or territories may at any time heretofore have made, or hereafter may make, for disposing of any such negro, mulatto, or person of colour.

Persons bringing in any negro, &c. from a foreign place, &c. or holding, selling, such negro, &c. when brought in, as a slave, forfeit not more than ten, nor less than one, thousand dollars, and are subject to imprisonment.

SEC. 6. *And be it further enacted*, That if any person or persons whatsoever shall, from and after the passing of this act, bring within the jurisdiction of the United States, in any manner whatsoever, any negro, mulatto, or person of colour, from any foreign kingdom, place, or country, or from sea, or shall hold, sell, or otherwise dispose of, any such negro, mulatto, or person of colour, so brought in, as a slave, or to be held to service or labour, or be in any wise aiding or abetting therein, every person so offending shall, on conviction thereof by due course of law, forfeit and pay, for every such offence, a sum not exceeding ten thousand nor less than one thousand dollars, one moiety to the use of the United States, and the other to the use of the person or persons who shall sue for such forfeiture, and prosecute the same to effect; and, moreover, shall suffer imprisonment, for a term not exceeding seven years nor less than three years.

Persons holding, buying, or selling, &c. any negro, &c. brought as a slave, in any way, from a foreign place, or from adjoining foreign dominions.

SEC. 7. *And be it further enacted*, That if any person or persons whatsoever shall hold, purchase, sell, or otherwise dispose of, any negro, mulatto, or person of colour, for a slave or to be held to service or labour, who shall have been imported or brought, in any way, from any foreign kingdom, place, or country, or from the dominions of any foreign state immediately adjoining to the United States, into any port or place within the jurisdiction of the United States, from and after the passing of this act, every person so offending, and every person aiding or abetting therein, shall severally forfeit and pay, for every negro, mulatto, or person of colour, so held, purchased, sold, or disposed of, one thousand dollars, one moiety to the use of the United States, and the other to the use of the person or persons who may sue for such forfeiture, and prosecute the same to effect, and to stand committed until the said forfeiture be paid: *Provided*, That the aforesaid forfeiture shall not extend to the seller or purchaser of any negro, mulatto, or person of colour, who may be sold or disposed of in virtue of any regulations which have been heretofore, or shall hereafter be, lawfully made by any legislature of any state or territory in pursuance of this act and the constitution of the United States.

Proviso; the forfeiture not to extend to the seller or purchaser of any negro, &c. under the lawful regulations of a state, &c.

Onus probandi on the defendant.

SEC. 8. *And be it further enacted*, That in all prosecutions under this act, the defendant or defendants shall be holden to prove that the negro, mulatto, or person of colour, which he or they shall be charged with having brought into the United States, or with purchasing, holding, selling, or otherwise disposing of, and which, according to the evidence in such case, the said defendant or defendants shall have brought in aforesaid, or otherwise disposed of, was brought into the United States at least five years previous to the commencement of such prosecution, or was not brought in, holden, purchased, or otherwise disposed of, contrary to the provisions of this act; and in failure thereof, the said defendant or defendants shall be adjudged guilty of the offence of which he or they may stand accused.

In failure of proof the defendant to be guilty.

SEC. 9. *And be it further enacted*, That any prosecution, informa-

tion, or action, may be sustained, for any offence under this act, at any time within five years after such offence shall have been committed, any law to the contrary notwithstanding.

SEC. 10. *And be it further enacted*, That the first six sections of the act to which this is in addition, shall be and the same are hereby repealed: *Provided*, That all offences committed under the said sections of the act aforesaid, before the passing of this act, shall be prosecuted and punished, and any forfeitures which have been incurred under the same shall be recovered and distributed, as if this act had not been passed.

APPROVED, April 20, 1818.

Prosecutions may be sustained within five years.

The first six sections of the act of 2d March, 1807, repealed.

Act of March 2, 1807, ch. 22.

STATUTE I.

April 20, 1818.

Post-roads discontinued.

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

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:

In New Hampshire.—From Concord, by Loudon, Gilmanton Middleton, Lewis, Eaton, Conway, and Fryeburg.

New Hampshire.

In Massachusetts.—From Kingston to Halifax.

Massachusetts.

From Northampton, by Hadley, to Montague.

In Connecticut.—From Hartford, by Springfield, to Northampton, Mass.

Connecticut.

In Virginia.—From Clarksburg, by Lewis Courthouse, to Point Pleasant.

Virginia.

From Clarksburg, by Buchanan, to Beverly.

In Kentucky.—From Glasgow to Lebanon, Tennessee.

Kentucky.

In Georgia.—From Madison to Monticello.

Georgia.

From Montgomery Courthouse, by Blackmore's and Hardin's, to Riceboroug.

In Pennsylvania.—From Montrose, by Orwell and Warren, to Athens.

Pennsylvania.

From Middleton to York Haven.

In Alabama.—From Fort Stoddert to Ford's, on Pearl river.

Alabama.

In Missouri.—From St. Louis to St. Charles.

Missouri.

In New York.—From Esperanza, by Schoharie Courthouse, to Middleburg.

New York.

From Albany, by Spencertown, to Sheffield, Massachusetts.

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

Post-roads established.

In Maine.—From Augusta, by Belgrade and Dearborn, to Mercer.

Maine.

From Canaan, by Cornville, Athens, Harmony, Ripley, Dexter, Garland and Corinth, to Bangor.

From North Yarmouth, by Pownal, Durham, Lisbon, and Litchfield, to Gardiner.

From Alfred, by Sanford and Lebanon, to Shapleigh.

From Warren, by Thomaston, to Camden.

From Belfast, by Brooks and Jackson, to Dixmont.

From Norridgewalk, by Stark's and Mercer, to New Sharon.

From Bath to Phippsburg.

From Anson, in Somerset county, by New Portland, Freeman, Phillips, Avon, and Strong, to Farmington.

In New Hampshire.—From Walpole, by Alstead, to Ackworth.

New Hampshire.

From Washington, by Newport, to Claremont.

From Concord, by Canterbury, Northfield, Meredith, Moultonborough, Sandwich, Tamworth, on the North road, by Gilman's Mills, Eaton, and Conway, to Fryeburg.

From Amherst, by Goffstown, West Meeting House, Dunbarton, Hop-

kinton, Concord, Isle Hookset, Piscataquag Bridge, and Bedford, to Amherst.

From Fitzwilliam, by Rindge and Ashby, to Townsend.

From Keene, by Swanssea, to Richmond.

From Dunstable, by Merrimack, to Piscataquog Bridge, in Bedford.

Vermont.

In Vermont.—From Burlington, by Craftsbury and Irasburgh, to Brownington.

From Norwich, by Stafford, Chelsea, Washington, Orange, and Barre, to Montpelier.

From Chester, by Springfield and Cheshire Bridge, to Charleston, New Hampshire.

From Bellows Falls, by Grafton, Windham, and Londonderry, to Peru.

From Guildhall, by Maidstone, Brunswick, Minehead, and Lemington, to Canaan.

From Montpelier, by Waterbury, Waitfield, and Warren, to Hancock.

From Brattleboro', by Newfane, to Townsend.

Massachusetts.

In Massachusetts.—From East Bridgewater, by Halifax, Plympton, and Kingston, to Plymouth.

From Boston, by Malden and South Reading, to Reading.

From Haverhill, by Mathuen, to Windham, New Hampshire.

From South Hadley, by Amherst, West Parish, to Sunderland.

From Springfield, by West Springfield and Southampton, to Northampton.

From Northfield to Warwick.

Connecticut.

In Connecticut.—From Hartford, by East Hartford, East Windsor, Enfield, Long Meadow, Springfield, South Hadley, Hadley, Sunderland, Montague, Northfield, Chesterfield, New Hampshire, Westmoreland, Walpole, Charlestown, Claremont, Cornish, Plainfield, and Lebanon, to Hanover.

New York.

In New York.—From Hamilton, by Lebanon and Georgetown, to Cooley's Inn, in Otseick, in the county of Chenango.

From Hamilton, by Hartshorn's Tavern, in Lebanon, to Sherburn.

From Utica, by Clinton, Chandler's store, Augusta, and Madison, to Hamilton village.

From Hampton to Utica.

From Vernon to Sconandoa.

From Bloomfield, by Pittsford, to Charlotte.

From Great Barrington, Massa, by West Stockbridge, Canaan, Chatham, and Nassau, to Albany.

From Geneva, by Seneca, Phelps, Farmington, Palmyra, and Perrinton, to Pittsford.

From Batavia to Bergen.

From Batavia to Attica.

From Essex Courthouse, by Bosworth's Tavern, to Chesterfield.

From Denmark, by Leraysville, to Wilna.

From Naples, by Gorham, to Canandaigua.

From Troy to Schenectady, on the turnpike road.

From Rhinebeck, by North East and Amenia, to Sharon.

From West North East to Attleborough.

From Lisle to Caroline.

From Binghamton, by Lisle, to Homer.

From Lenox, by Clockvill, Peterborough, Morris' Flats, and Eaton, to Log City.

From Albany, by Bethlehem, Rensselaerville, Blenheim, to Maryland or Susquehannah Bridge, on the turnpike road.

From Catskill, by Greenville, Broome, Middleburg, Cobleskill, and Sharon, to Cherry Valley.

From Jericho to Musqueto Cove, in Oyster Bay.

From Leicester, by Perry, East Nunda and West Nunda, to Oleon or Hamilton Village.

In New Jersey.—From Freehold, by Squancum, Manasquan, Tom's river, Cedar creek, and Manahawkin, to Tuckerton. New Jersey.

In Pennsylvania.—From Philadelphia to West Chester. Pennsylvania.

From Quakertown, by Springtown, to Durham.

From Harrisburg, by Camberland, to York Haven.

From York, by M'Calls Ferry, to Mount Pleasant.

From Carlisle to Newville.

From Columbia to Marietta.

From Tunckhannock, by Springfield, Four Corners, to Montrose.

From Montrose to Binghamston.

From Athens, by the turnpike road, to Ithaca.

From York, by Lower Chanceford, to Bellair.

From Lititz to Emaus.

From Somerset, by Jones' Mills, Mount Pleasant, and Stewart's, to Pittsburg.

From Pittsburg, by Elizabethtown, Freeport, Perryopolis, and Middletown, to Uniontown.

From Beavertown, by Brighton, to Greensburg.

From Beavertown to Butler.

From Butler, by Lawrenceburg, to Kittaning.

From Meadville to Kinsman, Ohio.

From Mount Pleasant, in Wayne county, to Schohocking post-office, New York.

In the District of Columbia.—From Georgetown, by Captain John's Mill, Seneca Mills, and Barnestown, to New Market. Columbia.

In Virginia.—From Norfolk, by the Falls of Roanoke, Warrenton, North Carolina, Williamsborough, Oxford, Daniel's Store, Red House, and Milton, to Danville, Virginia: from thence, by Jamestown, North Carolina, Germantown, Huntsville, Wilkesborough, and Ashe Courthouse, Elizabethtown, to Jonesborough, Tennessee. Virginia.

From Danville to the Lead Mines.

From South Quay, by Isle of White Courthouse, to Smithfield.

From Richmond, by the United States' Arsenal and Jefferson, to Cartersville.

From Richmond, along the turnpike, and Three Notched Road, to Milton.

From Fauquier Courthouse, by Thornton's Gap, to New Market.

From Blacksburg, in Montgomery county, by Christiansburg, to Franklin Courthouse.

From New London, by Clayton's Store, Staunton River, Anthony's Ford, Newbill's and John Smith's, to Pittsylvania Courthouse.

From Lilly Point to Halcyonville.

From Abingdon to Russell Courthouse.

From Clarksburg, by Preston, Bulltown, Salt Works, and Lewis Courthouse, to Charleston.

From Tyler Courthouse to Sistersville.

From Preston, by Buckhanon's, to Booth's Ferry.

From Morgantown, by Crab Orchard, to Kingwood.

From Kingwood, by the Swamps, Harden's Cove, Gladly Creek, Hunter's Fork, and Leading Creek, to Beverly.

From Clarksburg, by Booth's Ferry, and Leading Creek, to Beverly.

From Middleburg, by Rectortown, Oak Hill, along Manassah road, by Front Royal, to Stoverstown.

From Wheeling, by Alexandria, to Washington, Pennsylvania.

In North Carolina.—From Salem to Mount Pizgah.

From Raleigh, by Delk's and Alston's, to Hillsborough.

North Carolina.

From Mason Hall, by Cannon's Mills and the Shallow Ford, on Haw River, to Greensborough.

From Snow Hill, by Hookerstown, to Kingston.

From Currituck Courthouse, to Knot's Island.

From Currituck Courthouse to Powell's Point.

From Lewisburg, by William's Store, Ransom's Bridge, and Moon's Store, to Enfield.

From Duplin Courthouse to Newberne.

South Carolina.

In South Carolina.—From York Courthouse, by Harmony, George Caruth's and Rutherfordton, to Asheville, North Carolina.

From Cambridge to Hickory Grove.

From Andersonville, by Beaver Dam, to Houstonville.

From Pendleton Courthouse to Socony.

Georgia.

In Georgia.—From Milledgeville, by Eatonton, and Gardner's Ferry, to Greensborough.

From Milledgeville to Monticello.

From Montgomery C. H. by Tatnall C. H. to Darien.

Ohio.

In Ohio.—From Marietta, by Brown's Mills and Oliver's Settlement, to Lancaster.

From Lancaster, by Royaltown, Circleville, to Washington.

From Marietta, by Bellepre, Wilkesville, Jackson Courthouse and Piketown, to West Union.

From New Salem, by Rumley, New Hagerstown, Leesburgh, New Philadelphia, and Paintville, to Wooster.

From Columbus, by Mount Vernon, Loudenville, Wooster, and Harrisville, to Granger.

From Delaware, by Oxford, Florida, and Lexington, to Mansfield.

From Hamilton, by Jacksonborough, to New Lexington.

From Coshocton to Newark.

From Troy to Dark Courthouse.

From Granville, by Johnstown, Sunsbury, and Berkshire, to Worthington.

From Warren, by Parkman, Burton, and Chardon, to Painesville.

From Warren, by Newton, to Canton, in Starke county.

From Youngstown to New Bedford, Pennsylvania.

From Ravenna to Burton.

From Stow by Medina Courthouse, to Huron Courthouse.

From Brookfield to Mercer, Pennsylvania.

From Marietta, by Toulman's and Lexington, to Woodfield.

From West Union, by the mouth of Brush Creek and Sandy Spring, to Vanceburgh, in the state of Kentucky.

Indiana.

In Indiana.—From Hartford to Rising Sun.

From Lawrenceburg, by the Rising Sun, to Vevay.

From Corydon, by Elizabeth and Liconia, to Elizabethtown, Kentucky.

From Fort Harrison, through Monroe county and Lawrence county, to Brownstown.

From Peola, by Orleans, to Lawrence Courthouse.

From Salem, by Bono, to Monroe Courthouse.

From Madison, by Graham's, to Brownstown.

From Vevay, by Edenborough, Ripley Courthouse, to Brookville.

From Centerville to Jacksonborough.

From Lexington, by Provine's, New Washington, Bethlehem, and New London, to Lexington.

From Ripley Courthouse, by Vernon, to Brownstown.

From Jeffersonville to New Albany.

Missouri Territory.

In Missouri Territory.—From St. Genevieve to St. Michael.

From Jackson to Betts' Ferry.

From St. Genevieve, by Potosi, to Franklin, Howard county.

From Franklin, Howard county, to Chariton.
 From St. Louis, by Florissant, to St. Charles.
In Kentucky.—From Hopkinsville, by Williams's and Boyd's Landing, Kentucky.
 to Long Creek, Caldwell county.
 From Columbia to Hazle Patch.
 From Danville, by Lancaster, to Somerset.
 From Bowling Green to Sparta.
 From Lewisville, by Woodsonville, Glasgow, Burksville, and Seventy-six, to Monticello.
 From Lewisville to Hardensburgh.
 From Elizabethtown to Bowling Green.
 From Newburgh, by Ewingsville, to Clarkesville.
 From Port Royal, by Ewingsville, to Hopkinsville.
 From Glasgow, by Tompkinsville, to Burksville.
 From Barbourville, by Whitley Courthouse, to Somerset.
 From Flemingsburg, by the mouth of Fleming and Carlisle, to Millersburgh.
 From Paris, by North Middleton, to Owensville.
In Tennessee.—From Murfreesborough, by Labanon and Gallatin, to Tennessee.
 Glasgow, Kentucky.
 From Lebanon, by Trowsdale's Ferry, to Mount Richardson.
 From Lebanon, by Marysville, in Wilson county, to Liberty.
 From Greenville, by Newport, Dandridge, and Hill's, to Knoxville.
 From Winchester, by Marion Courthouse, to Pikeville.
 From Rogersville, by M'Cann's store, and Black Water Salt Works, to Lee Courthouse, Virginia.
 From Blountville to Paperville, on Sinking Creek.
In Mississippi.—From Natchez, by Sweazy's Ferry, Woodville, and Mississippi.
 Pinkneyville, to St. Francisville, in the state of Louisiana.
In Alabama.—From Fort Claiborne, by Fort Montgomery, to Blakely. Alabama.
 From Huntsville, by Milton's Bluff, Falls of Black Warrior, and French Settlement on Black Warrior, to St. Stephens.
 From Huntsville to Cotton Port, in Limestone county, by Pulasky, to Columbia, in Tennessee.
 From Fort Mitchell, by Fort Bainbridge, Fort Jackson, Burnt Corn Springs, Fort Claiborne, and the town of Jackson, to St. Stephens.
 From Fort Jackson, by Cahaba Valley, to the Falls of Black Warrior.
 From St. Stephens, by Winchester, to Ford, on Pearl river, in Mississippi.
 From Mobile to Blakely.
In Illinois.—From Bellville, by William Padfield's and the seat of justice Illinois.
 of Bond county, to Palmyra, in the Illinois territory.
 From Edwardsville to the seat of justice of Bond county.
 From Kaskaskia, by Wideman's, on Kaskaskia river, to Bellville, St. Clair county.
 APPROVED, April 20, 1818.

STATUTE I.

CHAP. XCIV.—*An Act to increase the salaries of the judges of the circuit court for the District of Columbia.* April 20, 1818.

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

Act of March 3, 1811, ch. 40. 500 dolls. additional to each of the judges of the circuit court for the district of Columbia.

APPROVED, April 20, 1818.
 VOL. III.—58

STATUTE I.

April 20, 1818.

CHAP. XCVII.—*An Act making appropriations for the public buildings, and for furnishing the Capitol and President's house.*

Appropriations.

For the capitol.

Centre building of the Capitol.

Finishing President's house.

Offices to President's house.

Walls, gates, and iron railing.

Contingencies. President's square.

Committee rooms.

Representative chamber, &c.

Senate chamber, &c.

Furnishing President's house.

For deficiency of appropriation, &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there be appropriated, for the completion of the wings of the capitol, in addition to the sum of two hundred thousand dollars already appropriated, the further sum of eighty thousand dollars.

For procuring materials, laying the foundation, and other preparations, for the centre building of the Capitol, one hundred thousand dollars.

For finishing the President's house, fifteen thousand two hundred and fourteen dollars.

For offices to the President's house, seven thousand dollars.

For the wall north of the President's house, with gates and iron railing the width of the house, three thousand five hundred and eighteen dollars.

For contingencies, four hundred and thirty-seven dollars.

For graduating and improving the President's square, ten thousand dollars.

For erecting a temporary building for committee rooms near the capitol, three thousand six hundred and thirty-four dollars.

For furnishing the representative chamber and committee rooms, thirty thousand dollars.

For furnishing the Senate chamber and committee rooms, twenty thousand dollars.

For furnishing the President's house, twenty thousand dollars.

For making good a deficiency in the appropriation of the past year for furnishing the President's house, ten thousand dollars.

Which said several sums of money, hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated.

SEC. 2. *And be it further enacted, That the sum hereby appropriated for furnishing the representative chamber, shall be expended under the direction of the Speaker of the House of Representatives; that for the Senate, under the direction of the Vice President of the United States; and the remaining sums under the direction of the President of the United States.*

APPROVED, April 20, 1818.

STATUTE I.

April 20, 1818.

CHAP. XCVIII.—*An Act to increase the duties on certain manufactured articles imported into the United States. (a)*

Act of April 27, 1816, ch. 107.

Act of May 22, 1824, ch. 136.

Duties now in force upon the articles described to cease after the 30th June, 1818.

Duties in lieu, &c.

Articles from copper.

Silver plated saddlery, &c.

Cut glass, &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 thirtieth day of June, one thousand eight hundred and eighteen, the duties now in force upon the articles hereinafter enumerated and described, at their importation into the United States, shall cease; and that, in lieu thereof, there shall be thenceforth laid, levied, and collected, upon the said articles, at their importation, the several and respective rates or duties following, that is to say: on articles manufactured from copper, or of which copper is the material of chief value, twenty-five per centum ad valorem; on silver-plated saddlery, coach and harness furniture, twenty-five per centum ad valorem; on cut glass, thirty per centum ad valorem: on tacks, brads, and sprigs, not exceeding sixteen ounces to the thousand, five cents on every thousand thereof; and on tacks, brads, and sprigs, exceeding sixteen ounces to the thousand, the same duty as on nails; brown Russia sheetings, not exceeding fifty-two archines in each piece, one dollar and sixty cents per piece; white Russia sheetings, not exceed-

(a) See notes to act of July 4, 1789, ch. 2, vol. i. 24.

ing fifty-two archines in each piebe, two dollars and fifty cents per piece.

SEC. 2. *And be it further enacted*, That an addition of ten per centum, shall be made to the several rates of duties above specified and imposed, in respect to all such goods, wares, and merchandise, which, after the said thirtieth day of June, one thousand eight hundred and eighteen, shall be imported in ships or vessels not of the United States: *Provided*, That this additional duty shall not apply to goods, wares, and merchandise, imported in ships or vessels not of the United States, entitled by treaty, or by any act or acts of Congress, to be entered in the ports of the United States, on the payment of the same duties as are paid on goods, wares, or merchandise, imported in ships or vessels of the United States.

SEC. 3. *And be it further enacted*, That there shall be allowed a drawback of the duties, by this act imposed, on goods, wares, and merchandise, imported into the United States, upon the exportation thereof within the time, and in the manner, prescribed in the fourth section of the act, entitled "An act to regulate the duties on imports and tonnage," passed on the twenty-seventh day of April, one thousand eight hundred and sixteen.

SEC. 4. *And be it further enacted*, That the existing laws shall extend to, and be in force for, the collection of the duties imposed by this act, on goods, wares, and merchandise, imported into the United States: and for the recovery, collection, distribution, and remission, of all fines, penalties, and forfeitures; and for the allowance of the drawbacks by this act authorized, as fully and effectually as if every regulation, restriction, penalty, forfeiture, provision, clause, matter, and thing, in the existing laws contained, had been inserted in, and re-enacted by this act. And that all acts and parts of acts, which are contrary to this act, shall be, and the same are hereby, repealed.

APPROVED, April 20, 1818.

Addition of 10 per cent. if the articles are imported in foreign vessels.

Proviso.
1816, ch. 107, sec. 3.
1818, ch. 107.
1832, ch. 207.
1832, ch. 227, sec. 10.
1824, ch. 4.
1828, ch. 111.
1842, ch. 270, sec. 11.

Drawback of the duties if the goods are exported within the time, &c. prescribed, &c.
April 27, 1816, ch. 107.

The existing laws in force for the collection of the duties imposed, &c. and for the allowance of drawbacks.

Acts, &c. contrary to this act repealed.

STATUTE I.

CHAP. CI. — *An Act to increase the pay of the militia while in actual service, and for other purposes.*

April 20, 1818.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the monthly pay of the militia, which have been called into the service of the United States since the first day of September, eighteen hundred and seventeen, or which hereafter may be called into the said service, in prosecuting the war against the Seminole tribe of Indians, shall be the highest allowed by law to the militia in the service of the United States, during the late war with Great Britain.

The pay of militia called into the service of the United States against the Seminole Indians, to be the highest allowed by law during the late war, &c.

SEC. 2. *And be it further enacted*, That the widows and orphans of the militia who have been called into [the] service of the United States since the said first day of September, eighteen hundred and seventeen, or who hereafter may be called into the said service, in prosecuting said war, and who may have died or been killed, or hereafter may die or be killed, in such service, shall be entitled to the same half pay, for five years, and pensions allowed by the laws now in force to the widows and orphans of the militia who died, or were killed, in the service of the United States during the late war with Great Britain.

Widows and orphans of militia called into service against the Seminole Indians, &c. entitled to half-pay and pensions, &c.

APPROVED, April 20, 1818.

STATUTE I.

April 20, 1818.

CHAP. CII.—*An Act respecting the organization of the army, and for other purposes.*

Act of March 22, 1821, ch. 13.

Company officers of artillery.

Company officers of light artillery.

Conductor of artillery, &c.

Extra pay to conductors of artillery.

One armorer to each regiment of infantry, riflemen, and to the artillery, &c.

Where, in cases, &c. the pay, &c. of officers and soldiers has been delayed, &c. it is, on evidence, to be adjusted.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That hereafter the company officers of the corps of artillery shall consist of one captain, two first lieutenants, and two second lieutenants; and in the corps of light artillery the company officers shall consist of one captain, one first lieutenant, and two second lieutenants; and one of the second lieutenants in each company shall act as a conductor of artillery, as in the case of the corps of artillery, whose duty it shall be to receipt and account for all ammunition, implements, and cannon; and for the performance of these services they shall be allowed, each, ten dollars extra, per month.

SEC. 2. *And be it further enacted,* That, to each regiment of infantry, riflemen, and to each battalion of the corps of artillery, and to the regiment of light artillery, there shall be attached one armorer, with the pay and emoluments allowed to armorers employed by the ordnance department.

SEC. 3. *And be it further enacted,* That, in all cases during the late war, where an officer or soldier has been delayed the receipt of his pay and emoluments, or any part thereof, by having been transferred from one corps to another, or omitted to be returned on the muster roll, pay roll, or receipt roll, or from any other cause whatever, upon a satisfactory evidence of the justice of such claim, the same shall be adjusted and paid.

APPROVED, April 20, 1818.

STATUTE I.

April 20, 1818.

CHAP. CIII.—*An Act to increase the duties on iron in bars and bolts, iron in pigs, castings, nails, and alum.*

Act of May 22, 1824, ch. 136.

The existing duties on the articles enumerated to cease after 30th June, 1818.

Duties in lieu, &c.

Iron in pigs, iron castings, nails, spikes, iron in bars and bolts, anchors, and alum.

Addition of 10 per cent. on the rates of duties if the articles are imported in vessels not of the United States. Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the thirtieth day of June, one thousand eight hundred and eighteen, the duties now by law levied, collected, and paid, on iron in pigs, iron castings, nails, on iron in bars and bolts, excepting iron manufactured by rolling; and on alum, imported into the United States, shall cease and determine; and there shall be levied, collected, and paid, in lieu thereof, the several and specific duties hereinafter mentioned, that is to say: on iron in pigs, fifty cents per hundred weight; on iron castings, seventy-five cents per hundred weight; on nails, four cents per pound; on spikes, three cents per pound; on iron in bars and bolts, manufactured without rolling, seventy-five cents per hundred weight; on anchors, two cents per pound; and on alum, two dollars per hundred weight.

SEC. 2. *And be it further enacted,* That an addition of ten per centum shall be made to the several rates of duties above specified and imposed upon the several goods, wares, and merchandise, aforesaid, which, after the said thirtieth day of June, one thousand eight hundred and eighteen, shall be imported in ships or vessels not of the United States: *Provided,* That this additional duty shall not apply to such goods, wares, and merchandise, imported in ships or vessels not of the United States, entitled by treaty, or by any act or acts of Congress, to be entered in the ports of the United States, on the payment of the same duties as are paid on goods, wares, and merchandise, imported in ships or vessels of the United States.

Drawback of the duties, if the goods are

SEC. 3. *And be it further enacted,* That there shall be allowed a drawback of the duties by this act imposed on goods, wares, and merchandise imported into the United States, upon the exportation thereof within the

time, and in the manner, prescribed in the fourth section of the act, entitled "An act to regulate the duties on imports and tonnage," passed on the twenty-seventh day of April, one thousand eight hundred and sixteen.

SEC. 4. *And be it further enacted*, That the existing laws shall extend to, and be in force for, the collection of the duties imposed by this act on goods, wares, and merchandise, imported into the United States, and for the recovery, collection, distribution, and remission, of all fines, penalties, and forfeitures, as fully and effectually as if every regulation, restriction, penalty, forfeiture, provision, clause, matter, and thing, in the existing laws contained, had been inserted in, and re-enacted by, this act.

APPROVED, April 20, 1818.

exported within the time, &c. prescribed.

Act of 1816, ch. 107.

The existing laws in force for the collection of the duties imposed, &c.

STATUTE I.

April 20, 1818.

Indian agents and factors to receive the salaries specified.

Creeks.

Choctaws.

Cherokees, on Tennessee river.

Cherokees, on Arkansas river.

Chickasaws.

In Illinois.

At Prairie du Chien.

Natchitoches.

At Chicago.

At Green Bay.

At Mackinac.

At Vincennes, At Fort Wayne, &c.

To the Lakes.

In Missouri.

Sub-agents.

Factors and assistant factors.

The sums allowed to be in full, &c.

Rations, &c. to be deducted.

STATUTE I.

April 20, 1818.

Act of 1816, ch. 107.

The 4th paragraph of the 1st section of the

CHAP. CIV.—*An Act fixing the compensation of Indian agents and factors.*

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, Indian agents and factors shall receive the following salaries per annum, in lieu of their present compensation, to wit;

The agent to the Creek nation, one thousand eight hundred dollars.

The agent to the Choctaws, one thousand eight hundred dollars.

The agent to the Cherokees on Tennessee river, one thousand three hundred dollars.

The agent to the Cherokees on the Arkansas river, one thousand five hundred dollars.

The agent to the Chickasaws, one thousand three hundred dollars.

The agent in the Illinois territory, one thousand three hundred dollars.

The agent at Prairie du Chien, one thousand two hundred dollars.

The agent at Natchitoches, one thousand two hundred dollars.

The agent at Chicago, one thousand three hundred dollars.

The agent at Green Bay, one thousand five hundred dollars.

The agent at Mackinac, one thousand four hundred dollars.

The agent at Vincennes, one thousand two hundred dollars.

The agent at Fort Wayne and Piqua, one thousand two hundred dollars.

The agent to the Lakes, one thousand three hundred dollars.

The agent in the Missouri territory, one thousand two hundred dollars.

And all sub-agents, five hundred dollars per annum.

SEC. 2. *And be it further enacted*, That all factors shall receive one thousand three hundred dollars, and assistant factors seven hundred dollars, per annum.

SEC. 3. *And be it further enacted*, That the sums hereby allowed to Indian agents and factors shall be in full compensation for their services; and that all rations, or other allowances, made to them, shall be deducted from the sums hereby allowed.

APPROVED, April 20, 1818.

CHAP. CVII.—*An Act to continue in force, from and after the thirtieth of June, one thousand eight hundred and nineteen, until the thirtieth of June, one thousand eight hundred and twenty-six, the fourth paragraph of the first section of the act, entitled "An act to regulate the duties on imports and tonnage."*

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

act to regulate duties on imports and tonnage continued until 30th June, 1826.

of the first section of the act, entitled "An act to regulate the duties on imports and tonnage," passed the twenty-seventh of April, one thousand eight hundred and sixteen, shall, from and after the thirtieth of June, one thousand eight hundred and nineteen, continue to operate in the same manner, and to have the same effect, until the thirtieth of June, one thousand eight hundred and twenty-six, that the above mentioned fourth paragraph now has, and will continue to have, until the thirtieth of June, one thousand eight hundred and nineteen, any law to the contrary notwithstanding.

APPROVED, April 20, 1818.

STATUTE I.

April 20, 1818.

CHAP. CVIII.—*An Act to divide the state of Pennsylvania into two judicial districts. (a)*

Pennsylvania divided into two districts.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the state of Pennsylvania be, and the same is hereby, divided into two districts, in manner following, to wit: the counties of Fayette, Greene, Washington, Alleghany, Westmoreland, Somerset, Bedford, Huntingdon, Centre, Mifflin, Clearfield, M'Kean, Potter, Jefferson, Cambria, Indiana, Armstrong, Butler, Beaver, Mercer, Crawford, Venango, Erie and Warren, shall compose one district, to be called the Western district; and the residue of the said state shall compose another district, to be called the Eastern district; and the terms of the district court for the said Eastern district, shall be held in the city of Philadelphia, at the several times they are now directed to be held in said district of Pennsylvania; and the terms of the circuit court for the Western district shall commence and be held in the city of Pittsburg, on the first Mondays of the months of June and December, in each and every year, and be continued and adjourned, from time to time, as the court may deem expedient for the despatch of the business thereof.

Western district.

Eastern district.

Terms of the eastern district.

Terms of the circuit court for the western district.

See act of May 15, 1820 ch. 111.

Richard Peters to hold the courts in the eastern district, &c.

The President, with consent of Senate, to appoint a judge for the western district, with a salary of 1600 dolls. per annum.

Circuit court for the eastern district to be held as directed by law, &c.

Western district court to have jurisdiction as a circuit court.

Writs of error to the circuit court in the eastern district, &c.

SEC. 2. *And be it further enacted,* That Richard Peters, now judge of the district court of Pennsylvania, shall be, and he is hereby, assigned as the judge to hold the courts in the Eastern district, and to do all things appertaining to the office of a district judge, under the constitution and laws of the United States.

SEC. 3. *And be it further enacted,* That the President of the United States be, and he is hereby, authorized and directed, by and with the advice and consent of the Senate, to appoint a district judge for the said western district of Pennsylvania; which judge, when appointed, shall receive a salary of one thousand six hundred dollars per annum; to be paid in the same manner as the salary of the judge of the eastern district of said state, and he shall also do and perform all such duties as are enjoined on, or in anywise appertaining to, a district judge of the United States.

SEC. 4. *And be it further enacted,* That the circuit court of the United States shall be held, for the eastern district of Pennsylvania, at the city of Philadelphia, at the times, and in the manner now directed by law to be held for the district of Pennsylvania; and the district court for the said western district, in addition to the ordinary jurisdiction and powers of a district court, shall, within the limits of the said western district, have jurisdiction of all causes, except of appeals and writs of error, cognisable by law in a circuit court, and shall proceed therein in the same manner as a circuit court; and writs of error shall lie from decisions therein to the circuit court in the said eastern district of Pennsylvania, in the same manner as from other district courts to their respective circuit courts.

(a) An act concerning the western district of Pennsylvania, Dec. 16, 1818, ch. 4. Act of May 26, 1824, ch. 170. Act of April 25, 1826, ch. 23.

SEC. 5. *And be it further enacted*, That the President of the United States, by and with the advice and consent of the Senate, be, and hereby is authorized to appoint one person as district attorney, and one person as marshal for the said western district, whose terms of appointment and service, as well as duties and emoluments, shall be the same with those respectively annexed to the said offices in the eastern district. And the district attorney and the marshal for the district of Pennsylvania, shall, respectively, be district attorney and marshal for said eastern district.

SEC. 6. *And be it further enacted*, That all actions, suits, process, pleadings, and other proceedings, of a civil nature, except in cases of appeals and writs of error, commenced or pending in the district or circuit court of said district of Pennsylvania, in which no verdict shall have passed, or plea to the merits shall have been decided, and which, by law, should have been had or commenced in said district court of said western district, if the same had been had or commenced before the passing hereof, and where the parties to the same shall not otherwise agree, shall be, and hereby are, continued over to the district court of the western district, established by this act, and shall there be proceeded in with like effect, and in the same manner, as if originally had or commenced therein. And the said district and circuit courts of said eastern district, shall possess and exercise all necessary powers for the removal of all papers and files relating to such actions, suits, process, pleadings, and other proceedings, to the said district court of said western district, so continued over as aforesaid: *Provided*, That nothing herein contained shall be construed to affect any bond or recognisance made or entered into in any of the actions or suits hereby directed to be removed; but the same shall continue of as much validity as though this act had not passed.

APPROVED, April 20, 1818.

The President, with the consent of the Senate, to appoint an attorney and a marshal for the western district, &c.

Actions, suits, process, &c. continued over to the western district court.

The district and circuit courts of the eastern district invested with powers for the removal of papers, &c.

Proviso.

STATUTE I.

CHAP. CIX.—*An Act supplementary to the several acts making appropriations for the year one thousand eight hundred and eighteen.*

April 20, 1818.

[Obsolete.]

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 they are hereby, respectively, appropriated, and shall be paid out of any money in the treasury not otherwise appropriated:

Sums appropriated.

For the payment of balances due several states, on an adjustment of their accounts, for expenses incurred by calling out the militia during the late war, six hundred thousand dollars.

For balances due several states.

Towards erecting barracks at Baton Rouge, forty thousand dollars.

Barracks at Baton Rouge.

For carrying into effect the treaty with the Cherokee Indians, eighty thousand dollars.

Treaty with Cherokees.

For defraying the expenses of holding Indian treaties in the year one thousand eight hundred and eighteen, fifty-three thousand dollars.

Expenses of holding Indian treaties in 1818.

For arrearages in the Indian department, thirty-five thousand dollars.

Arrearages.

For additional pay to the militia, fifty thousand dollars.

Pay of militia.

For expenses of mounted volunteers, ninety thousand dollars.

Mounted volunteers.

For pensions for one thousand eight hundred and eighteen, in addition to the sum already appropriated for that purpose, fifty thousand dollars.

Pensions under act of 1818, ch. 19.

For pensions to officers and soldiers of the revolutionary army, under the act of the eighteenth of March last, three hundred thousand dollars.

Pensions to revolutionary officers and soldiers.

For deficiency in the appropriation for clerk hire, in the office of the Department of War, for the year one thousand eight hundred and seventeen, eight hundred dollars.

Clerk hire in War Department.

For rent of offices for the above department, for the year one thousand eight hundred and seventeen, five hundred dollars.

Rent of offices for War Department.

For office rent for the above department, for one thousand eight hundred and eighteen, one thousand dollars.

For additional clerk hire, a sum not exceeding fifty thousand dollars.
APPROVED, April 20, 1818.

STATUTE I.

April 20, 1818.

CHAP. CX.—*An Act concerning tonnage and discriminating duties, in certain cases.*

Act of May 3, 1815, ch. 77.

Act of March 3, 1819, ch. 75.

Acts respecting discriminating between foreign vessels and those of the United States, repealed so far as respects vessels belonging to subjects of the Netherlands, &c.

Discriminating duties on goods, &c. repealed in favour of produce, &c. of the Netherlands, &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of the several acts imposing duties on the tonnage of vessels in the ports of the United States, as imposes a discriminating duty between foreign vessels and vessels of the United States, is hereby repealed, so far as respects vessels truly and wholly belonging to the subjects of the king of the Netherlands; such repeal to take effect from the time the government aforesaid abolished the discriminating duties between her own vessels and the vessels of the United States arriving in the ports or places aforesaid.

SEC. 2. *And be it further enacted,* That so much of the several acts imposing duties on goods, wares, and merchandise, imported into the United States, as imposes a discriminating duty between goods imported into the United States in foreign vessels and in vessels of the United States, be, and the same is hereby, repealed, so far as the same respects the produce or manufactures of the territories, in Europe, of the king of the Netherlands, or such produce and manufactures as can only be, or most usually are, first shipped from a port or place in the kingdom aforesaid, the same being imported in vessels truly and wholly belonging to subjects of the king of the Netherlands; such repeal to take effect from the time the government aforesaid abolished its discriminating duties between goods, wares, and merchandise, imported in vessels of the United States and vessels belonging to the nation aforesaid.

APPROVED, April 20, 1818.

STATUTE I.

April 20, 1818.

CHAP. CXII.—*An Act authorizing a subscription for the Statistical Annals of Adam Seybert, and the purchase of Pitkin's Commercial Statistics.*

[Obsolete.]

The Secretary of State directed to subscribe for and receive, &c. 500 copies of Seybert's Statistical Annals, and 250 copies of Pitkin's Statistics.

The subscription and purchase money 5750 dolls., &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary for the Department of State be, and he is hereby, authorized and directed to subscribe for, and receive, for the use and disposal of Congress, five hundred copies of the Statistical Annals proposed to be published by Adam Seybert, of Philadelphia; and that he also be directed to purchase, for the purpose aforesaid, two hundred and fifty copies of Pitkin's Commercial Statistics of the United States.

SEC. 2. *And be it further enacted,* That the sum or sums of money necessary to defray the cost of the subscription and purchase aforesaid, shall not exceed the sum of five thousand seven hundred and fifty dollars; and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, April 20, 1818.

STATUTE I.

April 20, 1818.

CHAP. CXIII.—*An Act making the port of Bath, in Massachusetts, a port of entry for ships or vessels arriving from the Cape of Good Hope, and from places beyond the same; and for establishing a collection district, whereof Belfast shall be the port of entry.*

Bath, in Massachusetts, made a port of entry for vessels, &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the port of Bath, in the state of Massachusetts, be, and hereby is, made a port of entry for ships

or vessels arriving from the Cape of Good Hope, and from places beyond the same.

SEC. 2. *And be it further enacted*, That a collection district be and hereby is, established in the state of Massachusetts, which shall include all the ports and harbours on the western shore of the Penobscot bay and river, from the town of Camden to the town of Bangor, both inclusive; and a collector shall be appointed for the district, to reside at Belfast, which shall be the only port of entry for said district.

APPROVED, April 20, 1818.

arriving from the Cape of Good Hope, &c.
A collection district established.

A collector to reside at Belfast, &c.

STATUTE I.

April 20, 1818.

CHAP. CXIV.—*An Act to authorize the Secretary of the Treasury to repay or remit certain alien duties therein described.*

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 third day of July, inclusive, and the eighteenth day of August, one thousand eight hundred and fifteen, which have been paid, or secured to be paid, contrary to the provisions of the convention regulating commerce between the territories of the United States and of his Britannic Majesty, bearing date the third day of July, eighteen hundred and fifteen: *Provided*, That this act shall not take effect until a similar provision shall be made by the government of Great Britain, in favour of American vessels, in regard to duties on tonnage and merchandise entered in the British European ports during the same period.

APPROVED, April 20, 1818.

Alien duties to be repaid or remitted, in respect to British vessels which have entered between 3d July and 18th Aug., 1815, paid, &c. contrary to the provisions of the convention, &c.

Proviso; the British must have made a similar provision, &c.

STATUTE I.

April 20, 1818.

CHAP. CXV.—*An Act authorizing the disposal of certain lots of public ground in the city of New Orleans and town of Mobile.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States shall have power, and he is hereby authorized, whenever in his opinion it shall be consistent with the public interest, to abandon the use of the navy arsenal, military hospital, and barracks in the city of New Orleans, and of Fort Charlotte, at the town of Mobile; to cause the lots of ground whereon the said arsenal, hospital, and barracks in New Orleans, and Fort Charlotte, at Mobile, now stand, to be surveyed and laid off into lots, with suitable streets and avenues, conforming as near as may be, to the original plan of the city and town aforesaid; and when the surveys are completed, one plat thereof shall be returned to the Secretary of the Treasury, and another to such officer or agent as the President shall have authorized to dispose of the said lots; and the said lots of ground shall be offered at public sale at the city of New Orleans and town of Mobile respectively, on such day or days as the President shall, by his proclamation, designate for that purpose, in the same manner, and on the same conditions and terms of credit, as is provided by law for the sale of public lands of the United States, and patents shall be granted therefor, as for other public lands sold by the United States.

SEC. 2. *And be it further enacted*, That the President of the United States is hereby authorized, as soon as in his opinion the public interest will permit, to cause the Fort St. Charles to be demolished, and the navy yard in said city to be discontinued; and the lot of ground on which the said fort is erected shall be appropriated to the use of a public square,

VOL. III.—59

The President may abandon the use of the navy, arsenal, military hospital and barracks in New Orleans, and of Fort Charlotte, at Mobile, and cause the ground whereon they stand to be laid off into lots, &c.

A plat thereof to the Secretary of the Treasury, &c.

The lots to be offered at public sale, &c.

The President may cause Fort St. Charles to be demolished, and navy yard to be discontinued.

A public square.

and may be improved for that purpose by order of the corporation of the said city.

APPROVED, April 20, 1818.

STATUTE I.

April 20, 1818.

CHAP. CXXIII.—*An Act for changing the compensation of receivers and registers of the land offices.*

Instead of present compensation, receivers to be paid an annual salary of 500 dolls. each, and commission of one per cent. &c.

Proviso.

Registers to receive, each, 500 dolls. per annum and commission of one per cent. &c.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, instead of the compensation now allowed by law to the receivers of public moneys for the lands of the United States, they shall receive an annual salary of five hundred dollars each, and a commission of one per centum on the moneys received, as a compensation for clerk hire, receiving, safe keeping, and transmitting, such moneys to the treasury of the United States: *Provided always,* That the whole amount which any receiver of public moneys shall receive under the provisions of this act, shall not exceed, for any one year, the sum of three thousand dollars.

SEC. 2. *And be it further enacted,* That, instead of the compensation now allowed by law, to the registers of the land offices, they shall receive an annual salary of five hundred dollars each, and a commission of one per centum on all the moneys expressed in the receipts by them filed and entered, and of which they shall have transmitted an account to the Secretary of the Treasury: *Provided always,* That the whole amount which any register of the land offices shall receive, under the provisions of this act, shall not exceed, for any one year, the sum of three thousand dollars.

APPROVED, April 20, 1818.

STATUTE I.

April 20, 1818.

CHAP. CXXIV.—*An Act for transferring the claims in the office of the commissioner to the third auditor of the Treasury Department.*

All claims under the act authorizing payment of property lost, &c. not finally acted on &c., transferred to the office of the third auditor.

Act of 1816, ch. 40.

Act of 1817, ch. 110.

The third auditor to be governed by the same rules, &c.

500 dolls. for performing the duties under this act.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all claims under the act, entitled "An act to authorize the payment of 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, and the act in amendment thereof, passed the third of March, one thousand eight hundred and seventeen, now remaining in the office of the commissioner of claims, and not acted on finally by said commissioner before the ninth of April, one thousand eight hundred and eighteen, be, and the same are hereby, transferred to the office of the third auditor of the Treasury Department; and the said third auditor, in all adjudications upon the claims aforesaid, shall be governed, in all respects, by the same rules, regulations, and restrictions, as have heretofore been prescribed to the commissioner of claims under the above-recited acts.

SEC. 2. *And be it further enacted,* That the third auditor aforesaid, for performing the duties hereby required of him, shall be allowed and paid the sum of five hundred dollars, out of any money in the treasury not otherwise appropriated.

APPROVED, April 20, 1818.

STATUTE I.

April 20, 1818.

CHAP. CXXVI.—*An Act respecting the surveying and sale of the public lands in the Alabama territory.*

Act of March 2, 1819, ch. 47.

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

of the surveyor for the lands in the northern part of the late Mississippi territory, shall extend to the whole of the Alabama territory, and that only. And it shall be his duty to cause such of the said lands, to which the Indian title has been, or shall hereafter be, extinguished, as the President of the United States shall direct, to be surveyed and divided in the same manner, and under the same regulations, as are provided by law in relation to other public lands. And the said surveyor shall receive for his services, hereafter, an annual compensation of two thousand dollars, and shall be allowed not exceeding two clerks, whose whole compensation shall not exceed fifteen hundred dollars per annum.

SEC. 2. *And be it further enacted,* That in every public sale hereafter to be made of public lands, in the territory of Alabama, there shall, in addition to the usual reservation of section sixteen, in each township, for the support of schools, be excepted from the sales such sections, not exceeding ten in any one land district, as the President of the United States shall have designated, for the purpose of laying out and establishing towns thereon; which sections, so designated and reserved, for the purpose aforesaid, shall be laid off into lots, and offered for sale, in the manner, and on the terms and conditions, and with the same limitation as to price, as is prescribed, for the laying off and sale of lots, by the fifth section of the act, entitled "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," passed on the third of March, one thousand eight hundred and seventeen. And there shall be reserved from sale, in the Alabama territory, an entire township, which shall be located by the Secretary of the Treasury, for the support of a seminary of learning within the said territory; and also, any one entire section, which may be located under the direction of the governor of the said territory, for the seat of government therein.

SEC. 3. *And be it further enacted,* That all the lands lying between the basis meridian, and the first standard meridian, in the Alabama district, be attached to the land district east of Pearl river. And the lands so attached to the said district, east of Pearl river, after having been surveyed according to law, shall, with the exception of section number sixteen in each township which shall be reserved for the support of schools therein, and with the further exception of such reservations as may be made in pursuance of the second section of this act, shall 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 sale 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, 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.

APPROVED, April 20, 1818.

The powers of the surveyor of the northern part of Mississippi, limited to Alabama.

Lands to be surveyed.

Compensation.

Lands excepted from sale on which to build towns.

Act of March 3, 1817, ch. 62.

An entire township to be located for the support of a seminary of learning, and a section for the seat of government.

Lands attached to the district east of Pearl river.

The lands after having been surveyed to be sold, except No. 16, and other reservations, &c.

The President to designate the time of sale.

Lands offered, and not sold, may be disposed of at private sale, &c.

Patents, &c.

STATUTE I.

April 20, 1818.

[Obsolete.]

Judicial power of judges in Alabama extended to all the counties in the territory.

Act of March 3, 1817, ch. 59.

Superior court to be holden in all counties alike.

Powers of general court to extend to admiralty jurisdiction.

Subject to appeals to the supreme court, &c.

Act of April 21, 1820, ch. 45.

The legislature may regulate the holding of the superior courts, &c. not exceeding two terms annually.

Part of sec. 3, of act of 1817, ch. 59, repealed.

Officers to take an oath or affirmation to support the constitution before the governor or person appointed by him.

CHAP. CXXVII.—*An Act to alter and amend an act, approved the third day of March, one thousand eight hundred and seventeen, entitled "An act to establish a separate territorial government for the eastern part of the Mississippi territory."* (a)

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the judicial power of the judges of the Alabama territory, appointed, or hereafter to be appointed, under the authority of the government of the United States, shall extend as well to any other county or counties which have been or may be, found [formed] within the limits of said territory, as to those which are specially mentioned and named in the act, entitled "An act to establish a separate territorial government for the eastern part of the Mississippi territory," approved March the third, one thousand eight hundred and seventeen. And that in such county or counties, superior courts shall be holden by said judges in the like manner and with the like powers and jurisdiction, as the superior courts are now directed by law to be holden in the counties specially mentioned, as aforesaid, in the act aforesaid. And the powers of the general court of the said territory shall extend to all cases of admiralty and maritime jurisdiction: And their judgments or decrees in such cases shall be subject to appeals to the supreme court of the United States, in like manner, and upon the like terms, as appeals in similar cases are allowed and prosecuted from the judgments or decrees of the circuit courts of the United States.

SEC. 2. *And be it further enacted,* That the legislature of the said territory shall have power to appoint, change, and regulate, the times and places of holding the superior courts in each of the counties of said territory, and also to prescribe the number of terms to be holden in each county: *Provided,* They do not exceed two annually.

SEC. 3. *And be it further enacted,* That so much of the said act, approved March the third, one thousand eight hundred and seventeen, as provides "that no judge shall sit more than twice in succession in the same court," be and the same is hereby, repealed.

SEC. 4. *And be it further enacted,* That the secretary of the said territory, judges, members of the legislative council, members of the House of Representatives, justices of the peace, and all other officers, civil and military, who may not have taken an oath of office, shall, before they enter on the duties of their respective offices, take an oath or affirmation to support the Constitution of the United States, and for the faithful discharge of the duties of their office; which oath or affirmation shall be taken before the governor of the said territory, or such person as he shall appoint and direct.

APPROVED, April 20, 1818.

STATUTE I.

April 20, 1818.

CHAP. CXXVIII.—*An Act to adjust the claims to lots in the town of Vincennes, and for the sale of the land appropriated as a common for the use of the inhabitants of the said town.*

The trustees of Vincennes authorized to adjust claims to lots in that town.

If lots are found within the precincts to which individual claims can-

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the trustees of the town of Vincennes shall have power and they are hereby authorized to examine and adjust all claims to lots in the town of Vincennes; and if, upon an accurate survey, it shall be found that there are lots within the precincts of the town to which no individual claims can be substantiated, the same are hereby granted to the inhabitants thereof, to be sold by the trustees, and the money arising from the sale to be applied to such public pur-

(a) See notes to act of March 2, 1819, ch. 47, for the acts relating to Alabama.

poses as may be agreed upon by a majority of the citizens. And the said trustees are hereby empowered, in all cases, when they shall confirm claims to lots, to give deeds to the claimants for the same.

SEC. 2. *And be it further enacted,* That the trustees of the town of Vincennes shall have power, and they are hereby authorized, to dispose of a tract of land containing about five thousand four hundred acres, which, by the fifth section of the act, entitled "An act for granting lands to the inhabitants and settlers at Vincennes and the Illinois country, in the territory north-west of the Ohio, and for confirming them in their possessions," passed on the third day of March, one thousand seven hundred and ninety-one, was appropriated as a common, to the use of the inhabitants of the said town: the said tract shall be divided into lots, as the trustees shall direct, of not more than fifty nor less than the quantity of five acres, and shall be sold in the manner, and on the terms, which may by them be deemed most expedient and advantageous. They shall also have power to convey, by complete title, the lots sold to the purchasers; and the proceeds of the lands so disposed of, or so much thereof as may be necessary for the purpose, shall be applied, under the direction of the said trustees, to the draining of a pond in the vicinity of the town; and the residue of the money arising from the said sales, if any there be, shall be paid over to the trustees of the Vincennes University, and shall, by them, be applied to the benefit of the said University.

SEC. 3. *And be it further enacted,* That the said trustees, when they shall have performed the duties assigned to them under this act, shall make a report thereof to Congress.

APPROVED, April 29, 1818.

not be substantiated, they are granted to the inhabitants, and may be sold, &c.

The trustees empowered to dispose of a tract of land, which, by act of March 3d, 1791, ch. 27, was appropriated as a common.

The tract to be divided into lots and sold, &c.

Proceeds to be applied to the draining of a pond.

Residue to Vincennes University.

Trustees to report to Congress.

STATUTE I.

CHAP. CXXIX.—*An Act providing for the deposit of wines and distilled spirits in public warehouses, and for other purposes.*

April 20, 1818.

[Obsoleto.]

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall be lawful for any importer of wines or distilled spirits, which may be imported into the United States at any time after the first day of June next, at his option, to be determined at the time of making an entry therefor, either to secure the duties thereon, on the same terms and stipulations as on other goods, wares, and merchandise, imported, or to give his bond, in double the amount of the duties thereupon, with condition for the payment of the said duties, in twelve calendar months from the date of such bond; which bond shall be accepted by such collector, without surety, upon the terms following, viz: the wines or distilled spirits, for the duties whereof such bond shall be accepted, shall be deposited at the expense and risk of the importer, in such public or other storehouses as may be agreed upon between the importer and the surveyor, or officer of inspection of the revenue, for the port where the said wines or spirits shall be landed: and such wines or spirits shall be kept under the joint locks of the inspector and the importer; but no delivery shall be made of such wines or spirits without a permit in writing, under the hand of the collector and naval officer of the port.

Act of March 3, 1819, ch. 82.

Any importer of wines or distilled spirits, may either secure the duties, as usual, or give bond in double the amount, without surety, &c.

Upon bond without surety the wines or spirits must be deposited.

SEC. 2. *And be it further enacted,* That no permit shall be given for the removal of the wines or spirits deposited under the provisions of the foregoing section, unless the duties upon the wines or spirits, for which it shall be required, be first paid or secured, in the manner following, viz: the importer, or his assignee, shall give bond, with one or more surety or sureties, to the satisfaction of the collector, in double the amount of the duties, upon the wines or spirits in each case to be delivered, with condition for the payment of the said duties, at the same credits, to be computed from the date of the permit, as would have been

No permit to be given for the removal of the wines or spirits, unless the duties are first paid or secured, &c.

Proviso: that the credit shall not be extended beyond twelve months.

If the duties are not paid within twelve months, part of the wines and spirits may be sold, and the amount of duties, &c. retained, &c.

Overplus to the owner, &c. Amount of the bonds, &c. to be endorsed on the original.

No drawback on wines or spirits, unless they have been deposited, &c.

Wines or spirits embezzled, or fraudulently hid or removed, forfeited, &c.

Bonds for duties on articles from foreign places, when to be payable.

allowed on bonds for the same articles, if they had not been deposited under the provisions of this act: *Provided*, That the time to be allowed for the payment of the duties upon any wines or spirits so delivered, or for any part of such duties, shall not be such as to extend the credit beyond the term of twelve calendar months, originally allowed, upon depositing such wines and spirits.

SEC. 3. *And be it further enacted*, That if the duties on any wines or spirits, deposited under the provisions of this act, shall not have been paid, or secured to be paid, in the manner described in the foregoing section, within the term of twelve calendar months from the time of their importation, it shall be the duty of the collector to cause so much of such wines or spirits, as may be necessary, to be sold at public auction, and, retaining the sum necessary for the payment of the duties which have not been secured or paid, together with the expenses of safe keeping and sale of such wines or spirits, shall return the overplus, if any, to the owner, or to his agent or lawful representative; and the amount of each bond, taken for the duties on wines or spirits delivered, after being deposited, as directed by this act, shall be endorsed immediately on the original bond given by the importer, specifying the articles delivered, and the date of the delivery.

SEC. 4. *And be it further enacted*, That no drawback shall be allowed of the duties paid on any wines or spirits, which shall be imported into the United States, after the first day of June next, unless such wines or spirits shall have been deposited in public or other stores, under the provisions of this act, and there kept, from their landing to their shipment.

SEC. 5. *And be it further enacted*, That, if any wines, or other spirits deposited under the provisions of this act, shall be embezzled, or fraudulently hid or removed, from any store or place, wherein they shall have been deposited, they shall be forfeited, and the person or persons so embezzling, hiding, or removing, the same, or aiding or assisting therein, shall be liable to the same pains and penalties as if such wines or spirits had been fraudulently unshipped or landed without payment of duty.

SEC. 6. *And be it further enacted*, That, from and after the first day of June next, the bonds for duties on articles imported by sea, the produce of foreign places or islands, situated on the eastern shores of America, north of the equator, or in its adjacent seas, bays, and gulfs, salt excepted, shall be payable, one-half in six and one-half in nine calendar months; and the bonds for duties on goods, wares, and merchandise, (other than wine, salt, and teas,) imported from any other place than Europe and the West Indies, shall be payable, one-third in eight, one-third in ten, and one-third in eighteen, calendar months.

APPROVED, April 20, 1818.

The following resolution and acts, passed in 1811 and 1812, were not promulgated until their publication in "the sessions acts" of the Fifteenth Congress, ending April 20, 1818. They are altogether omitted in Mr. Justice Story's edition of the laws of the United States, and they are also omitted in Davis' and Force's edition of the laws, from 1816 to 1827, published under the authority of Congress, in 1822 and 1827. They were passed in the secret sessions of the Eleventh and the Twelfth Congress.

The editor has not considered it proper to insert these laws in this edition, before their promulgation under the authority of the Secretary of State; under whose directions the laws of each session of Congress are published. Act of 1818, ch. 75, sec. 1.

RESOLUTION AND ACTS

RELATIVE TO THE OCCUPATION OF THE FLORIDAS BY THE UNITED STATES OF AMERICA.

RESOLUTION.

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

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

APPROVED, January 15, 1811.

3d session 11th Congress,
Jan. 15, 1811.

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

An Act to enable the President of the United States, under certain contingencies, to take possession of the country lying east of the river Perdido, and south of the state of Georgia and the Mississippi territory, and for other purposes.

Jan. 15, 1811.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby, authorized, to take possession of, and occupy, all or any part of the territory lying east of the river Perdido, and south of the state of Georgia and the Mississippi territory, in case an arrangement has been, or shall be, made with the local authority of the said territory, for delivering up the possession of the same, or any part thereof, to the United States, or in the event of an attempt to occupy the said territory, or any part thereof, by any foreign government; and he may, for the purpose of taking possession, and occupying the territory aforesaid, and in order to maintain therein the authority of the United States, employ any part of the army and navy of the United States which he may deem necessary.

In case of an arrangement with the local authority, or an attempt by any foreign government to occupy it, the President authorized to take possession of the territory east of the Perdido, &c.

SEC. 2. *And be it further enacted,* That one hundred thousand dollars be appropriated for defraying such expenses as the President may deem necessary for obtaining possession as aforesaid, and the security of the said territory, to be applied under the direction of the President, out of any moneys in the treasury not otherwise appropriated.

100,000 dolls. appropriated to defray the expenses of taking possession, &c.

SEC. 3. *And be it further enacted,* That in case possession of the territory aforesaid shall be obtained by the United States, as aforesaid, that until other provision be made by Congress, the President be, and he is hereby authorized to establish, within the territory aforesaid, a temporary government, and the military, civil, and judicial, powers thereof shall be vested

In case of taking possession, the President may establish a temporary government.

in such person and persons, and be exercised in such manner as he may direct, for the protection and maintenance of the inhabitants of the said territory in the full enjoyment of their liberty, property, and religion.

APPROVED, January 15, 1811.

March 3, 1811.

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

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

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

APPROVED, March 3, 1811.

Feb. 12, 1812.

An Act authorizing the President of the United States to take possession of a tract of country lying south of the Mississippi territory and west of the river Perdido.

2d session, 12th Congress.

The President authorized to occupy West Florida west of the Perdido, &c.

The President may employ the military and naval force for holding the country, &c.

20,000 dolls. appropriated to defray the expenses incident to the occupation, &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President be, and he is hereby, authorized to occupy and hold all that tract of country called West Florida, which lies west of the river Perdido, not now in possession of the United States.

SEC. 2. *And be it further enacted,* That, for the purpose of occupying and holding the country aforesaid, and of affording protection to the inhabitants thereof, under the authority of the United States, the President may employ such parts of the military and naval force of the United States as he may deem necessary.

SEC. 3. *And be it further enacted,* That for defraying the necessary expenses, twenty thousand dollars are hereby appropriated, to be paid out of any moneys in the treasury not otherwise appropriated, and to be applied for the purposes aforesaid, under the direction of the President.

APPROVED, February 12, 1812.

RESOLUTIONS.

Dec. 10, 1817.

Resolution for the admission of Mississippi into the Union.

Act of March 1, 1817, ch. 23.

I. RESOLUTION for the admission of the State of Mississippi into the Union.

WHEREAS, in pursuance of an act of Congress, passed on the first day of March, one thousand eight hundred and seventeen, 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," the people of the said territory did, on the fifteenth day of August, 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 to 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 Mississippi shall be one, and is hereby declared to be one, of the United States of America, and admitted into the union on an equal footing with the original states, in all respects whatever.

APPROVED, December 19, 1817.

II. RESOLUTION *authorizing the distribution of certain public documents.*

Dec. 23, 1817.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of State cause to be distributed one set of state papers and public documents, printed by T. B. Wait and Sons, in pursuance of acts of Congress heretofore passed, to the President of the United States; one set to the Vice President of the United States; one set to each of the Heads of Departments, to the Attorney General of the United States, to each of the Senators and Representatives, and to each Delegate of territories, of the fifteenth Congress; one set to each branch of the Legislature of each state and territory, and one to each of the Executives of the several states and territories; one set to each University and College in the United States; six sets to the secretary of the Senate, for the use of the Senate, and eighteen sets to the clerk of the House of Representatives, for the use of that House; and the residue of the sets of the state papers and documents aforesaid shall be deposited in the Library of Congress.

Distribution of T. B. Wait and Sons edition of public documents.

APPROVED, December 23, 1817.

III. A RESOLUTION *directing a distribution of certain laws among the members and delegates of territories of the fifteenth Congress.*

Dec. 23, 1817.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of State be directed to distribute copies of the laws of the United States, published by Boren & Co. among the members and delegates of territories, of the present Congress, who may not have received the same in pursuance of any former act or resolution of Congress.

Distribution of Boren & Co. laws.

APPROVED, December 23, 1817.

IV. RESOLUTION *directing the procurement of certain laws.*

Jan. 22, 1818.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That, of the laws passed at the first and second sessions of the fourteenth Congress, remaining in the office of the Secretary of State, thirty copies be by him deposited in the office of the clerk of the House of Representatives, and fifteen copies in the office of the secretary of the Senate, for the use of their members, respectively.

Laws of Fourteenth Congress to be procured.

APPROVED, January 22, 1818.

V. RESOLUTION *relative to the distribution of the late edition of the land laws.*

March 9, 1818.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the copies of the laws pre-

Jan. 20, 1817.
ch. 4.
Distribution
of land laws.

pared and printed under the authority of the act entitled "An act to authorize a new edition of the collection of laws respecting the public lands," shall be distributed in the manner following; that is to say: one copy shall be delivered to the President of the United States, the Vice President, and to each member of the Senate, House of Representatives, and delegate from territories; fifteen copies shall be delivered to the secretary of the Senate, and thirty copies to the clerk of the House of Representatives, for the use of said houses, respectively; one copy shall be delivered to each of the judges of the supreme court and clerk thereof, to each of the judges of the district courts, and to each of the clerks, marshals, and attorneys, of each district; one copy shall be delivered to the Secretary of State, to the Secretary of the Treasury, to the Secretary of War, to the Secretary of the Navy, to the Attorney General, to the director of the mint, to the first and second comptrollers of the treasury; to the first, second, third, fourth, and fifth auditors, and register of the Treasury; to the Treasurer; to the Postmaster General, and the two assistant postmasters general, and to the commissioner of the general land office; two copies shall be delivered to the legislatures of the several states and territories, respectively; and one copy shall be delivered to each of the governors of the several states and territories; and one copy shall be delivered to each of the judges of the courts of the several territories; one copy shall be delivered to the surveyor general of the United States, the surveyor of the lands of the United States south of Tennessee, to the surveyor of the public lands in the northern part of the late Mississippi territory, and the surveyor of the public lands in the territories of Illinois and Missouri; to each of the principal deputy surveyors one copy; there shall be delivered one copy to each of the registers and receivers of public moneys in the land offices established, or that may hereafter be established, in the several states and territories; and fifty copies shall be placed in the hands of the Secretary of the Treasury, to be distributed among the officers and clerks in his department, as he may think proper; two hundred and fifty copies shall be placed in the library, and remain there under the same regulations as the other laws of the United States; and the remainder shall be placed in the library, and each member of Congress hereafter elected shall, so long as any remain, exclusive of the two hundred and fifty copies before mentioned, be entitled to one copy at the commencement of that session of Congress next succeeding his election.

Fifty copies in the hands of the Secretary of the Treasury, for distribution.

250 copies in the library, &c. Remainder in the library for members of Congress, as elected.

APPROVED, March 9, 1818.

March 18, 1818.

VI. RESOLUTION directing the judges of the Supreme Court to be furnished with Wait's state papers.

One set of Wait's edition of state papers to be distributed to each of the judges of the Supreme Court.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of State cause to be distributed one set of state papers and public documents, printed by T. B. Wait and Sons, in pursuance of acts of Congress heretofore passed, to the chief justice, and to each of the judges of the Supreme Court of the United States.

APPROVED, March 18, 1818.

March 18, 1818.

VII. RESOLUTION authorizing the transportation of certain documents free of postage.

Members of Congress, &c. authorized to

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the members of Congress, the delegates from territories, the secretary of the Senate, and the clerk

of the House of Representatives, be, and they are hereby authorized to transmit, free of postage, the message of the President of the United States, of the fourteenth day of March, one thousand eight hundred and eighteen, and the documents accompanying the same, printed by order of the Senate and by order of the House of Representatives, to any post-office within the United States and the territories thereof.

transmit the President's message of 14th March, 1818.

APPROVED, March 19, 1818.

VIII. RESOLUTION directing the publication and distribution of the journal and proceedings of the convention which formed the present constitution of the United States.

March 27, 1818.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the journal of the convention which formed the present constitution of the United States, now remaining in the office of the Secretary of State, and all acts and proceedings of that convention, which are in the possession of the government of the United States, be published under the direction of the President of the United States, together with the secret journals of the acts and proceedings, and the foreign correspondence of the Congress of the United States, from the first meeting thereof down to the date of the ratification of the definitive treaty of peace between Great Britain and the United States, in the year seventeen hundred and eighty-three, except such parts of the said foreign correspondence as the President of the United States may deem it improper at this time to publish. And that one thousand copies thereof be printed, of which one copy shall be furnished to each member of the present Congress, and the residue shall remain subject to the future disposition of Congress.

Journal, &c. of the convention which formed the constitution of the United States, to be published under the direction of the President.

Secret journals of acts and proceedings, and foreign correspondence, of Congress, prior to the peace of 1783, to be also published.

Distribution.

APPROVED, March 27, 1818.

IX.—RESOLUTION directing the distribution of the laws of the fourteenth Congress among the members of the fifteenth Congress.

March 27, 1818.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the secretary of the Senate and clerk of the House of Representatives be directed to procure from the Secretary of State as many copies of the laws of the fourteenth Congress as shall be necessary, and to distribute one copy thereof to each senator, representative, and delegate from the territories, of the fifteenth Congress who have not been supplied therewith.

Distribution.

APPROVED, March 27, 1818.

X. RESOLUTION directing the Secretary for the Department of State to prepare an index to the acts and resolutions of Congress, after the close of every session.

April 3, 1818.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That after the close of each session of Congress, an alphabetical index of the acts and joint resolutions passed at the preceding session shall be prepared, printed, and distributed, therewith, under the direction of the Secretary for the Department of State.

An alphabetical index of the acts and resolutions to be prepared, printed, and distributed, therewith.

APPROVED, April 3, 1818.

April 4, 1818.

XI. RESOLUTION *requesting the President of the United States to present a sword to Colonel Richard M. Johnson.*

The President requested to present Col. Richard M. Johnson with a sword.

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 requested to present to Colonel Richard M. Johnson a sword, as a testimony of the high sense entertained by Congress of the daring and distinguished valour displayed by himself and the regiment of volunteers under his command, in charging, and essentially contributing to vanquish, the combined British and Indian forces, under Major General Proctor, on the Thames in Upper Canada, on the fifth day of October, one thousand eight hundred and thirteen.

APPROVED, April 4, 1818.

April 4, 1818.

XII. RESOLUTION *directing medals to be struck, and, together with the thanks of Congress, presented to Major General Harrison, and Governor Shelby; and for other purposes.*

Thanks of Congress to General Harrison and Governor Shelby, &c.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the thanks of Congress be, and they are hereby, presented to Major General William Henry Harrison, and Isaac Shelby, late governor of Kentucky, and, through them, to the officers and men under their command, for their gallantry and good conduct in defeating the combined British and Indian forces under Major General Proctor, on the Thames, in Upper Canada, on the fifth day of October, one thousand eight hundred and thirteen, capturing the British army, with their baggage, camp equipage and artillery; and that the President of the United States be requested to cause two gold medals to be struck, emblematical of this triumph, and presented to General Harrison, and Isaac Shelby, late Governor of Kentucky.

Gold medals to them.

APPROVED, April 4, 1818.

April 20, 1818.

XIII. RESOLUTION *directing the completion of the survey of the waters of the Chesapeake bay, and for other purposes.*

Surveys preparatory to the establishment of two naval arsenals to be resumed and completed, &c.

Plans of fortifications and estimate of expense.

Survey of the Chesapeake Bay, &c.

Report, with a plan, &c.

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 hereby is, requested to cause to be resumed and completed the surveys heretofore commenced, preparatory to the establishment of two naval arsenals; and that, to the naval officers employed in this service, officers of the corps of engineers be joined, with instructions to prepare plans of the fortifications necessary to be erected for the defence of such arsenals, with an estimate of the expense of erecting the same. And that the President be further requested to cause such a survey of the Chesapeake Bay to be made, as may be requisite to ascertain what points are necessary to be fortified for the protection of the commerce of said bay; and a report of the same, with a plan of the works necessary to be erected, with an estimate of the expense of the same, to be made to Congress in the first week of their next session.

APPROVED, April 20, 1818.

ACTS OF THE FIFTEENTH CONGRESS

OF THE

UNITED STATES,

Passed at the second session, which was begun and held in the City of Washington, in the District of Columbia, on Monday the sixteenth day of November, 1818, and ended on the third day of March, 1819.

JAMES MONROE, President; DANIEL D. TOMPKINS, Vice President of the United States and President of the Senate; HENRY CLAY, Speaker of the House of Representatives.

STATUTE II.

CHAP. I.—*An Act to provide for the removal of the library of Congress to the north wing of the Capitol.*

Dec. 3, 1818.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the joint library committee of Congress be, and they are hereby, authorized to cause suitable apartments, in the north wing of the Capitol, to be fitted up and furnished for the temporary reception of the library of Congress, and to cause the said library to be removed to, and placed in, the same.

[Obsolete.]
Suitable apartments to be fitted up for the library in the north wing of the capitol.

SEC. 2. *And be it further enacted,* That the accounting officers of the treasury be, and they are hereby, authorized and directed to settle the accounts of the expenditures which may be incurred under this act; and that the amount, so settled, be paid out of any moneys in the treasury not otherwise appropriated.

Accounts to be settled at the treasury.

SEC. 3. *And be it further enacted,* That the sum of two thousand dollars be, and the same is hereby, appropriated to the further purchase of books for the said library.

2000 dollars further for books.

APPROVED, December 3, 1818.

STATUTE II.

CHAP. II.—*An Act to increase the number of clerks in the Department of War.*

Dec. 5, 1818.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of the Department of War be, and he is hereby, authorized and empowered to employ an additional number of clerks in his department, not exceeding twelve; and that the sum of twelve thousand dollars be, and the same is hereby, appropriated for their compensation; to be paid out of any money in the treasury not otherwise appropriated. This act to continue in force for one year, and no longer.

Act of May 15, 1820, ch. 134.

The Secretary of War authorized to employ additional clerks.

APPROVED, December 5, 1818.

STATUTE II.

Dec. 16, 1818.

[Obsolete.]

Sums appropriated for the support of the army.

200,000 dolls. for subsistence.

Deficit for holding treaties with Indians, 50,000 dolls.

CHAP. III.—*An Act making a partial appropriation for the military service of the United States, for the year one thousand eight hundred and nineteen, and to make good a deficit in the appropriation for holding treaties with the Indians.*

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 they are hereby, appropriated, to the objects herein specified, to wit :

For subsistence of the army of the United States, two hundred thousand dollars.

For holding treaties with Indian tribes, being a deficit in the appropriations for that object in the year one thousand eight hundred and eighteen, fifty thousand dollars.

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

APPROVED, December 16, 1818.

STATUTE II.

Dec. 16, 1818.

No suit, action, &c. depending and undetermined on the 20th April, 1818, to be discontinued or abated, on account of the court not having been holden on the first Monday of June, 1818. Act of April 20, 1818, ch. 108. Act of May 26, 1824, ch. 170.

The court authorized to make rules and orders touching such suits, as if it had been holden.

Suits, &c., hereafter transferred to be deemed depending as if they had been entered, and the court holden on the 20th of June last.

CHAP. IV.—*An Act concerning the western district court of Pennsylvania.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That no suit, action, plea, process, or proceeding, at law or in equity, which, on the twentieth day of April last, was depending and undetermined in the district or circuit court of the United States for the district of Pennsylvania, and by law directed to be removed to the district court of the United States for the western district of Pennsylvania, shall be discontinued or abated on account of the said court not having been opened and holden on the first Monday of June last, agreeably to the act of Congress passed on the twentieth day of April last; but that all such suits, actions, pleas, process, and proceedings, both at law and in equity, shall be deemed, taken, and, to all intents and purposes, be held to be depending in the said district court for the western district of Pennsylvania, as fully and effectually as if the said court had been opened and holden on the said first Monday of June last.

SEC. 2. *And be it further enacted,* That the said court be, and is hereby, authorized and empowered, from time to time, to make all such rules and orders touching such suits, actions, pleas, process, and proceedings, at law and in equity, as they might or could have done, if said court had been opened and holden on the said first Monday of June.

SEC. 3. *And be it further enacted,* That all suits, actions, pleas, process, and proceedings, aforesaid, which may be hereafter certified and transferred from the district or circuit court of the United States for the district of Pennsylvania, to the district court of the United States for the western district of Pennsylvania, shall, to all intents and purposes, be deemed and taken to be depending in the said court on the said first Monday of June last, and the same proceedings may be had therein as if the same had been on that day entered in the said court agreeably to the act of Congress aforesaid.

APPROVED, December 16, 1818.

STATUTE II.

Feb. 4, 1819.

[Obsolete.]

Limits of the district.

CHAP. XII.—*An Act to establish a judicial district in Virginia, west of the Allegheny Mountain.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of the state of Virginia as is situate west of the summit of the mountains which sepa-

rate the waters emptying into the Chesapeake Bay and Roanoke river from the waters which fall into the Ohio river, shall be one judicial district; and there shall be a district court therein, to consist of one judge, who shall reside in the said district, and be called a district judge, and annually hold six sessions, as follows: At Clarksburg, on the fourth Mondays of March and September; at Lewisburg, on the second Mondays of April and October; and at Wythe Courthouse, on the first Mondays of May and November.(a)

SEC. 2. *And be it further enacted*, That the said court shall, besides the ordinary jurisdiction of a district court, have jurisdiction of all causes, except of appeals and writs of error, cognisable by law in a circuit court, and shall proceed therein in the same manner as a circuit court; and writs of error shall be from decisions therein to the Supreme Court, in the same manner as from circuit courts.

SEC. 3. *And be it further enacted*, That there shall be a clerk appointed for the said court; and that a district attorney and marshal be appointed for the said district, in like manner as in other judicial districts.

SEC. 4. *And be it further enacted*, That there shall be allowed to the said judge of the said district court, the yearly compensation of one thousand six hundred dollars, to commence from the date of his appointment; that there shall be allowed to the said district attorney, the yearly compensation of two hundred dollars, to commence from the date of his appointment; and there shall be allowed to the said marshal the yearly sum of two hundred dollars, to commence from the date of his appointment; to be paid quarterly at the treasury of the United States.

APPROVED, February 4, 1819.

A district court.
One judge to reside in the district.
Six sessions annually, &c.

Jurisdiction of the court.
Writs of error to the Supreme Court.

A clerk, district attorney and marshal.

Yearly compensation to the judge.

Compensation of the district attorney.
Of the marshal.

STATUTE II.

CHAP. XIII.—*An Act to authorize the payment, in certain cases, on account of treasury notes which have been lost or destroyed.*

Feb. 4, 1819.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That whenever proof shall be exhibited to the satisfaction of the Secretary of the Treasury, of the loss or destruction of any treasury note, issued under the authority of any act of Congress, it shall be lawful for the said secretary, upon receiving bond, with sufficient security to indemnify the United States against any other claim on account of the treasury note alleged to be so lost or destroyed, to pay the amount due on such note, to the person who had lost it, or in whose possession it has been destroyed.

On proof, &c. of the loss of a treasury note, the Secretary, upon bond, &c. to pay the amount due.

SEC. 2. *And be it further enacted*, That, whenever proof shall be exhibited, to the satisfaction of the Secretary of the Treasury, of the loss or destruction of any certificate of Mississippi stock, it shall be lawful to issue to the person who had lost it, or in whose possession it was destroyed, a new certificate of the same value with the one lost or destroyed; the person claiming such renewal complying with the rules and regulations at present established at the Treasury Department, for the renewal of certificates of stock lost or destroyed.

On proof of the loss or destruction of any certificate of Mississippi stock, a new certificate may be issued.

APPROVED, February 4, 1819.

(a) The acts relating to the district courts in Virginia have been: Act of September 22, 1789, (obsolete,) ch. 20, sec. 3. Act of April 29, 1802, (obsolete,) sec. 4, ch. 31. Act of March 23, 1804, ch. 31, sec. 1, 2, 3. Act of March 24, 1814, ch. 31. Act of March 19, 1818, ch. 22. Act of February 4, 1819, ch. 12. Act of February 10, 1820, ch. 9. Act of April 26, 1822, ch. 31. Act of May 26, 1824, ch. 167. Act of March 3, 1825, ch. 102. Act of May 20, 1826, ch. 88. Act of April 20, 1832, ch. 69. Act of March 3, 1835, ch. 34. Act of July 1, 1836, ch. 232. Act of March 2, 1838, ch. 15. Act of January 20, 1843, ch. 3.

STATUTE II.
Feb. 4, 1819.

[Obsolete.]

Appropriation as prize money among the representatives of Commodore Preble, Capt. Stewart, officers, and crew, of the Syren, &c.; their proportion of the appraised value of the brig Transfer, captured by the Syren, &c.

CHAP. XV.—*An Act authorizing the distribution of a sum of money among the representatives of Commodore Edward Preble, and the officers and crew of the brig Syren.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of two thousand five hundred dollars is hereby appropriated, out of any money in the Treasury, not otherwise appropriated; which sum shall be distributed by the Secretary of the Navy, as prize money, among the representatives of Commodore Edward Preble, deceased, and Captain Charles Stewart, the officers and crew of the brig of war Syren, or to the representatives of such as may be dead, on account of their proportion of the sum of five thousand dollars, the appraised value of the brig Transfer, captured by the said brig Syren, for a breach of the blockade of the port of Tripoli, in the year eighteen hundred and four, during the war carried on by the United States against that power; the said brig Transfer having been taken into the service of the United States by Commodore Edward Preble, commander of the blockading squadron; which brig was regularly condemned, as a good prize, by sentence of a court of admiralty.

APPROVED, February 4, 1819.

STATUTE II.

Feb. 15, 1819.

[Obsolete.]

Sums appropriated for the

Pay of the army.
Subsistence.

Forage.

Clothing.

Bounties, &c.
Medical and hospital department.

Quartermaster's department.

Arrearages.

Extra pay for construction, &c. of military roads.

Contingencies of the army.

Arrearages.

Fortifications.

Survey of water courses.

Ordnance department.

Armories.

Arsenals, &c.

CHAP. XVIII.—*An Act making appropriations for the military service of the United States for the year eighteen hundred and nineteen.*

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:

For the pay of the army of the United States, one million of dollars.

For subsistence, in addition to two hundred thousand dollars already appropriated, seven hundred and eighty-nine thousand two hundred and thirteen dollars.

For forage for officers, twenty-six thousand four hundred and ninety-six dollars.

For clothing, four hundred thousand dollars.

For bounties and premiums, sixty-two thousand five hundred dollars.

For the medical and hospital department, fifty thousand dollars.

For the quartermaster's department, five hundred and forty thousand dollars.

For arrearages, arising from a deficiency in the appropriation for the quartermaster's department, during the year eighteen hundred and eighteen, twenty-six thousand dollars.

For extra pay to non-commissioned officers and soldiers employed in the construction and repairs of military roads, ten thousand dollars.

For contingencies of the army, sixty thousand dollars.

For arrearages arising from a deficiency in the appropriation to pay outstanding claims, one hundred and twenty-six thousand two hundred and seven dollars.

For fortifications, five hundred thousand dollars.

For making a survey of the water courses tributary to, and west of, the Mississippi; also those tributary to the same river, and north-west of the Ohio; six thousand five hundred dollars.

For the current expenses of the ordnance department, one hundred thousand dollars.

For the armories at Springfield and Harper's Ferry, three hundred and seventy-five thousand dollars.

For the erection and completion of arsenals, to wit: for completing the arsenal at Augusta, in Georgia, fifty thousand dollars; for erecting a powder magazine at Frankford, near Philadelphia, fifteen thousand dol-

lars; for completing the arsenal and other works at Watertown, near Boston, twenty thousand dollars; for completing the arsenal and other works at Pittsburg, Pennsylvania, five thousand dollars; for a levee round the arsenal at Watervliet, New York, six thousand dollars; for building a powder magazine at Baton Rouge, twenty thousand dollars.

For cannon, powder, and shot, to fulfil existing contracts, for mounting cannon, and for purchase of lead, one hundred and ninety-one thousand two hundred dollars.

To provide for the payment of the retained bounty, and the per diem travelling allowance of pay and subsistence to soldiers discharged from the army, in the year eighteen hundred and nineteen, ninety-two thousand five hundred dollars.

For the purchase of maps, plans, books, and instruments, for the War Department, one thousand five hundred dollars.

For fuel, maps, plans, books, erection of quarters, and other buildings, and for contingent expenses for the academy at West Point, thirty-five thousand six hundred and forty dollars.

For marking and running the boundary line of the several cessions of land made by the Indians, fifteen thousand dollars.

For the payment of the half-pay pensions to widows and orphans, two hundred thousand dollars.

For the annual allowance to the invalid pensioners of the United States, three hundred and sixty-eight thousand and thirty-nine dollars.

For the annual allowance to the revolutionary pensioners, under the law of March eighteenth, one thousand eight hundred and eighteen, one million seven hundred and eight thousand five hundred dollars.

For arrearages arising from a deficiency in the appropriation for paying the revolutionary pensions in the year eighteen hundred and eighteen, one hundred and thirty-nine thousand four hundred dollars and eighty-five cents.

For the Indian department, including arrearages incurred by holding Indian treaties, two hundred and forty thousand two hundred and seventy-nine dollars, including twenty thousand dollars to defray an expense incurred under the Chickasaw treaty lately concluded; and including also, the further sum of seven thousand two hundred and seventy-nine dollars, being the aggregate amount of certain sums stipulated to be paid within sixty days, to certain individuals named in the above-mentioned treaty.

For annuity to the Creek nation, under the treaty of one thousand eight hundred and two, three thousand dollars.

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

APPROVED, February 15, 1819.

Cannon, powder, &c.

Payment of retained bounty per diem, travelling allowance, &c.

Maps, &c. for the War Department.

Maps, &c. for the academy at West Point.

Marking, &c. Indian boundary lines.

Payment of half pay pensions to widows and orphans.

Invalid pensioners.

Revolutionary pensioners. 1818, ch. 19.

Arrearages for paying revolutionary pensions in 1818.

Indian department.

Annuity to the Creek nation.

STATUTE II.

Feb. 15, 1819.

CHAP. XIX.—*An Act to extend the jurisdiction of the circuit courts of the United States to cases arising under the law relating to patents.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the circuit courts of the United States shall have original cognisance, as well in equity as at law, of all actions, suits, controversies, and cases, arising under any law of the United States, granting or confirming to authors or inventors the exclusive right to their respective writings, inventions, and discoveries: and upon any bill in equity, filed by any party aggrieved in any such cases, shall have authority to grant injunctions, according to the course and principles of courts of equity, to prevent the violation of the rights of any authors or inventors, secured to them by any laws of the United States, on such terms and conditions as the said courts may deem fit and

The circuit courts to have original cognisance, in equity and at law, in controversies respecting the right to inventions and writings.

Act of Feb. 21, 1793, ch. 11.

Act of May 31, 1790, ch. 15.

Proviso.

reasonable: *Provided, however,* That from all judgments and decrees of any circuit courts, rendered in the premises, a writ of error or appeal, as the case may require, shall lie to the Supreme Court of the United States, in the same manner, and under the same circumstances, as is now provided by law in other judgments and decrees of such circuit courts.

APPROVED, February 15, 1819.

STATUTE II.

Feb. 15, 1819.

CHAP. XXI.—*An Act to authorize the President and Managers of the Rockville and Washington turnpike road company, of the state of Maryland, to extend and make their turnpike road to or from the boundary of the city of Washington, in the District of Columbia, through the said district, to the line thereof.*

That part of the law of Maryland applicable to the Rockville and Washington Turnpike Road Company, in full force in the district of Columbia.

The road may be made from the boundary of the district to the boundary of the city.

The powers and obligations of the Company of the Turnpike Roads, transferred to the Rockville and Washington Turnpike Road Company.

Act of April 25, 1810, ch. 21. Proviso.

The corporation of Washington may purchase out the road, on paying the capital expended, and 6 per cent. thereon.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of the law of the state of Maryland, entitled, "An act to incorporate companies to make certain turnpike roads through the counties of Montgomery, Frederick, and Washington, and for other purposes," passed at December session, one thousand eight hundred and seventeen, as relates to the Rockville and Washington turnpike road company, be, and it hereby is, declared to be in full force within the District of Columbia.

SEC. 2. *And be it further enacted,* That the president and managers of the said turnpike road company, be, and they are hereby, authorized to make said road from the boundary of the District of Columbia to the boundary of the city of Washington.

SEC. 3. *And be it further enacted,* That, in relation to the process of constructing said road, and to toll gates, and the rates of toll thereon, the said company shall be, and hereby is, invested with all the rights, privileges, and immunities, and shall be subject to all the obligations, which, by the act of Congress, "to incorporate a company for making certain turnpike roads in the District of Columbia," passed April twenty-fifth, one thousand eight hundred and ten, are given, granted, imposed on, and vested in, the company of the Columbia turnpike roads, had that company proceeded to make the said road according to the terms of the act of Congress aforesaid: *Provided,* That the formal written release, by the company last mentioned, of their right to make said road, according to their act of incorporation, be filed, within ten days after the passing of this act, in the office of the clerk of the circuit court of the United States for Washington county, in the District of Columbia.

SEC. 4. *And be it further enacted,* That the corporation of Washington are hereby authorized and empowered, at any time, to purchase out the said road herein authorized to be made, with all the rights and profits thereto belonging, on paying to the said company a sum which shall be equal to the total amount expended on said road, with six per cent. interest thereon from the date of its expenditure.

APPROVED, February 15, 1819.

STATUTE II.

Feb. 16, 1819.

CHAP. XXII.—*An Act authorizing the election of a delegate from the Michigan territory to the Congress of the United States, and extending the right of suffrage to the citizens of said territory. (a)*

The citizens of Michigan au-

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the citizens of the Michi-

(a) The acts which have been passed relative to the territory of Michigan, are:—

An act to divide the Indiana territory into two separate governments. Jan. 11, 1805, ch. 5.

An act authorizing the election of a delegate from the Michigan territory to the Congress of the United States, and extending the right of suffrage to the citizens of that territory. Feb. 16, 1819, ch. 22.

An act to provide for the apportionment of an additional judge for the Michigan territory and for other purposes. Jan. 30, 1823, ch. 8.

gan territory be, and they are hereby authorized to elect one delegate to the Congress of the United States, who shall possess the qualifications, and exercise the privileges, heretofore required of, and granted to, the delegates from the several territories of the United States.

authorized to elect a delegate to Congress, &c.

SEC. 2. *And be it further enacted,* That every free white male citizen of said territory, above the age of twenty-one years, who shall have resided therein one year next preceding an election, and who shall have paid a county or territorial tax, shall be entitled to vote at such election for a delegate to the Congress of the United States, in such manner, and at such times and places, as shall be prescribed by the governor and judges of said territory.

Qualifications of the electors.

SEC. 3. *And be it further enacted,* That the person, duly qualified according to law, who shall receive the greatest number of votes at such election, shall be furnished, by the governor of said territory, with a certificate, under his official seal, setting forth that he is duly elected, by the qualified electors, the delegate from said territory to the Congress of the United States, for the term of two years from the date of said certificate, which shall entitle the person to whom the same shall be given to take his seat in the House of Representatives in that capacity.

The governor to certify the election of the delegate.

The certificate entitles the delegate to his seat in the House of Representatives.

APPROVED, February 16, 1819.

STATUTE II.

CHAP. XXV.—*An Act making appropriations for the support of the navy of the United States for the year one thousand eight hundred and nineteen.*

Feb. 16, 1819.

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 nineteen, the following sums be, and the same are hereby, appropriated:

Sums appropriated for the expenses of the navy.

For pay and subsistence of the officers, and pay of the seamen, nine hundred and eighty-six thousand three hundred and seventy-two dollars and seventy-five cents.

Pay of officers and pay of seamen.

For provisions, four hundred and five thousand five hundred and fifteen dollars.

Provisions.

For medicines, hospital stores, and all expenses on account of the sick, including the marine corps, thirty-six thousand dollars.

Medicines, hospital stores, &c.

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

Repairs of vessels.

An act to amend the ordinance and acts of Congress for the government of the territory of Michigan and for other purposes. March 3, 1823, ch. 35.

An act in addition to an act entitled "An act to amend the ordinance and acts of Congress for the government of the territory of Michigan, and for other purposes." Feb. 5, 1825, ch. 6.

An act to allow the citizens of the territory of Michigan to elect the members of their legislative council, and for other purposes. Jan. 29, 1827, ch. 6.

An act authorizing the legislative council of the territory of Michigan to take charge of the school lands in said territory. May 24, 1828, ch. 122.

An act relative to the plan of Detroit in Michigan territory. May 28, 1830, ch. 151.

An act for improving the navigation of certain rivers in the territories of Florida and Michigan. March 2, 1833, ch. 64.

An act prolonging the second session of the fifth legislative council of the territory of Michigan. March 2, 1833, ch. 72.

An act authorizing an alteration in the election districts for members of the legislative council of the territory of Michigan. March 2, 1833, ch. 82.

An act to attach the territory of the United States west of the Mississippi river and north of the state of Missouri, to the territory of Michigan. June 28, 1834, ch. 98.

An act authorizing an extra session of the legislative council of Michigan. June 30, 1834, ch. 151.

An act to establish the northern boundary line of the state of Ohio, and to provide for the admission of the state of Michigan into the Union upon the conditions therein expressed. June 15, 1836, ch. 99.

An act to settle and establish the northern boundary line of the state of Ohio. June 23, 1836, ch. 117.

An act supplementary to the act entitled "An act to establish the northern boundary line of the state of Ohio, and to provide for the admission of the state of Michigan into the Union on certain conditions. June 23, 1836, ch. 121.

An act to admit the state of Michigan into the Union on an equal footing with the original states. Jan. 26, 1837, ch. 6.

Contingent expenses.

Repairs of navy yards.
Medals and swords.

Pay and subsistence of marine corps.
Clothing.
Military stores.

Contingent expenses.

To be paid out of the treasury.

For contingent expenses, three hundred thousand dollars.
For repairs of navy yards, docks, and wharves, one hundred and fifty thousand dollars.

For completing medals and swords, seven thousand five hundred dollars.

For pay and subsistence of the marine corps, one hundred and twenty-two thousand eight hundred and ninety-eight dollars.

For clothing the same, two thousand and thirty dollars and ten cents.

For military stores for the same, one thousand and eighty-seven dollars and fifty cents.

For contingent expenses for the same, eighteen thousand six hundred 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, February 16, 1819.

STATUTE II.

Feb. 20, 1819.

6000 dolls. per annum to the Secretaries of State, Treasury, War, and Navy, in lieu of former salaries.
Attorney General, 3,500 dolls.
P. M. General, 4000.

Chief Justice, 5000, and each judge of the Supreme Court, 4,500.

Assistants to P. M. G. 2,500 each.

From 1st Jan., 1819.

CHAP. XXVII.—*An Act to increase the salaries of certain officers of government.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That instead of the salaries now allowed by law to the following officers, there shall be paid to them, quarterly, the following annual salaries respectively; that is to say: to the Secretary of State, six thousand dollars: to the Secretary of the Treasury, six thousand dollars: to the Secretary of War, six thousand dollars: to the Secretary of the Navy, six thousand dollars: to the Attorney General, three thousand five hundred dollars: to the Postmaster General, four thousand dollars: to the Chief Justice of the United States, five thousand dollars: and to each of the judges of the supreme court of the United States, four thousand five hundred dollars: and to the assistant Postmaster General, and additional assistant Postmaster General, two thousand five hundred dollars each: to commence the first day of January, one thousand eight hundred and nineteen; and to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, February 20, 1819.

STATUTE II.

Feb. 20, 1819.

The President may purchase any tract of land reserved, by act of March, 1817, to the Creeks.

Act of March 3, 1817, ch. 88.

Lands acquired by virtue of this act to be offered for sale upon such days as the President may designate.

CHAP. XXVIII.—*An Act authorizing the President of the United States to purchase the lands reserved by the act of the third of March, eighteen hundred and seventeen, to certain chiefs, warriors, or other Indians, of the Creek nation.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall be lawful for the President of the United States to purchase for, and on behalf of, the United States, any tract or tracts of land, reserved by the act of the third day of March, eighteen hundred and seventeen, to the chiefs, warriors, or other Indians, of the Creek nation, which they, or either of them, may be disposed to sell; and the amount of such purchase shall be paid out of any money in the treasury not otherwise appropriated.

SEC. 2. *And be it further enacted*, That any tract or tracts of land, the title to which may be acquired by the United States, by virtue of this act, shall be offered at public sale, at the land offices of the district in which they may be situate, upon such day or days as the President shall, by proclamation, designate for that purpose, in the same manner, and on the same conditions and terms of credit, as is provided by law for the sale of public lands of the United States; and patents shall be granted therefor, as for other public lands and town lots sold by the United States.

APPROVED, February 20, 1819.

STATUTE II.

Feb. 20, 1819.

CHAP. XXXI.—*An Act providing for a grant of land for the seat of government in the state of Mississippi, and for the support of a seminary of learning within the said state.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there shall be granted to the state of Mississippi, two entire sections of land, or fractional sections, or quarter sections, not exceeding the quantity contained in two entire sections, for a seat of government in the said state; which land shall be located in one entire tract, at such place as, under the authority of the said state, shall be designated for the seat of government therein, whenever the Indian title shall have been extinguished thereto, and before the commencement of the public sales of the adjoining and surrounding lands belonging to the United States.

Two sections of land for a seat of government.

To be located in one entire tract.

Another township for the support of a seminary of learning.

To be located by the Secretary of the Treasury, whenever, &c.

This grant in lieu of a township reserved by the act of 3d March, 1815, ch. 37.

The township reserved by act of 3d March, 1815, to be sold.

SEC. 2. *And be it further enacted,* That in addition to the township of land granted for the support of Jefferson College, there shall be granted, in the said state, another township, or a quantity of land equal thereto, to be located in tracts of not less than four entire sections each, which shall be vested in the legislature of the said state, in trust, for the support of a seminary of learning therein; which lands shall be located by the Secretary of the Treasury of the United States, whenever an extinguishment of Indian title shall be made for lands suitable, in his opinion, for that purpose, in the said state: which grant, hereby provided to be made, shall be considered as made in lieu of a township directed to be reserved by the fifth section of an act, entitled "An act to provide for the ascertaining and surveying of the boundary line fixed by the treaty with the Creek Indians, and for other purposes," passed March three, one thousand eight hundred and fifteen; and which reserve of one township, provided to be made by the aforesaid fifth section of said act, shall be offered for sale, in the same manner as the other public lands in the same district.

APPROVED, February 20, 1819.

STATUTE II.

Feb. 20, 1819.

CHAP. XXXV.—*An Act supplemental to the act, entitled "An act further to amend the charter of the City of Washington."*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That any lot, or part of a lot, or other real estate whatsoever, in the City of Washington, heretofore sold, or hereafter to be sold, for any tax due to the corporation of said city, or laid or assessed under the authority of the said corporation, pursuant to the powers vested in it by virtue of the act to which this is a supplement, or of any other act, passed, or to be passed, shall and may be redeemed, so as effectually to reinstate and invest the proprietor, or his legal representatives, in and with all his former estate, as fully and effectually as if such sale had never been made, upon payment, or tender of payment, being made, at any time within two years from the time of such sale, by such proprietor, or by his heirs, executors, or administrators, or by any other person, in his or their behalf, to the purchaser of such lot or part of a lot, or other real estate, his executors or administrators, of the money actually paid by him for the same, with the addition of interest, at the rate of ten per centum per annum, to be computed from the time of the payment of the said money by such purchaser; and if such purchaser, his executors, or administrators, have no known place of residence within the District of Columbia, or be not to be found at such place of residence, at the time such redemption is desired to be made; or if such proprietor, his heirs, executors, or administrators, or any other person in his behalf, shall offer to pay such money, with interest as aforesaid, and such pur-

Act of May 4, 1812, ch. 76.

Lots sold for taxes in the city of Washington may be redeemed within two years, on payment of the purchase money and ten percent. per ann. interest.

And if the purchaser cannot be found, or refuses to accept the redemption money, may be paid to the clerk of the circuit court for Washington county.

chaser, his executors, or administrators, shall refuse to accept the same, and give a sufficient receipt and acquittance in writing for the same, by way of redemption as aforesaid, then, and in every such case, it shall and may be lawful for such proprietor, his heirs, executors, or administrators, or other person in his or their behalf, to make the redemption aforesaid, as effectually, by paying the said money, with interest as aforesaid, to the clerk of the circuit court for the county of Washington; whose duty it shall be to make report of the same to the said court, immediately, if in session, otherwise on the first day of [the] session then next ensuing, and to deposit the said money for safe keeping, and pay the same over to such purchaser, or his legal representatives, under the direction of the said court: *Provided*, That nothing in this act contained shall be construed to affect the right of any person now entitled, under any law heretofore enacted, to receive any higher or other premium than an interest of ten per centum per annum as aforesaid, upon the redemption of any real estate, other than vacant and unimproved lots heretofore sold for taxes, nor to affect the vested legal right of such person to hold such real estate clear of such right of redemption, at any time less than two years from the time of the sale, such legal right being vested prior to the passing of this act; and that the said court may require such higher or other premium to be paid, by the person redeeming, to the purchaser, in any case wherein it shall appear to the said court that a vested legal right to such premium existed before the passing of this act.

The clerk to make report, and deposit the money, &c.

Proviso.
Vested legal right to hold clear of redemption at less than two years, not affected.
The court may require higher or other premium, in any case where, &c.

The officer charged with selling real estate for taxes to make report in writing to the clerk of the court within ten days, certified, &c.

The clerk to record the report.

SEC. 2. *And be it further enacted*, That the several collectors of the said taxes, or such other officer of the said corporation as shall be charged with the duty of selling any such real estate for taxes, shall, within ten days after every such sale, transmit to the clerk of the said court an accurate report in writing, certified by the clerk or register of the said corporation, containing a particular description of the property sold, the amount of taxes for the raising of which it has been sold, the names and residence of the person or persons to whom such property belongs, or to whom such taxes have been assessed, and of the purchaser or purchasers, the amount of the purchase money; distinguishing how much has been actually paid, and the clear surplus, if any, coming to the proprietor; which report it shall be the duty of the clerk of the said court forthwith to record among the land records of the said county, and the expense thereof shall be paid by the party who redeems the same.

APPROVED, February 20, 1819.

STATUTE II.

Feb. 20, 1819.

CHAP. XXXVI.—*An Act providing additional penalties for false entries for the benefit of drawback, or bounty on exportation.*

Act of March 2, 1799, ch. 22.
A sum equal to the value of the articles, forfeited by persons making false entry for benefit of drawback or bounty, in addition to former penalties.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in addition to the forfeitures and penalties heretofore provided by law, for making a false entry with the collector of any district, of any goods, wares, or merchandise, for the benefit of drawback or bounty on exportation, the person making such false entry shall, (except in the cases heretofore excepted by law,) forfeit and pay to the United States a sum equal to the value of the articles mentioned or described in such entry; to be sued for, recovered, distributed, and accounted for, in the manner prescribed by the act entitled "An act to regulate the duties on imports and tonnage," passed on the second day of March, one thousand seven hundred and ninety-nine.

APPROVED, February 20, 1819.

STATUTE II.

CHAP. XLI.—*An Act allowing further time to complete the issuing and locating of military land warrants.*

Feb. 24, 1819.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the authority granted to the Secretary for the Department of War, by the second section of the act to provide for designating, surveying, and granting, the military bounty lands, approved the sixth day of May, one thousand eight hundred and twelve, and by the fourth section of the act making further provision for filling the ranks of the army of the United States, approved December tenth, one thousand eight hundred and fourteen, to issue warrants for the military land bounties to persons entitled thereto, shall be revived, and continued in force for the term of five years from and after the fourth day of March next.

The authority granted to the Secretary of War, by the acts of 6th May, 1812, and 10th Dec. 1814, to issue military bounty land warrants, continued until 4th March, 1824.

1814, ch. 10.
1812, ch. 77.

SEC. 2. *And be it further enacted,* That the time limited by the act supplementary to the act further extending the time for issuing and locating military land warrants, and for other purposes, approved March ninth, one thousand eight hundred and eighteen, for issuing military land warrants, shall be extended to the fourth day of March, one thousand eight hundred and twenty-one, and the time limited by the said act for the location of unlocated military land warrants, shall be extended to the first day of October thereafter.

Act of Dec. 10, 1814, ch. 10.
The time limited for issuing and locating military land extended.

Act of March 9, 1818, ch. 15.

Act of March 2, 1821, ch. 15.

Act of March 1, 1823, ch. 38.

Act of March 3, 1825, ch. 111.

APPROVED, February 24, 1819.

STATUTE II.

CHAP. XLIII.—*An Act supplementary to the act entitled "An act to provide for the prompt settlement of public accounts."*

Feb. 24, 1819.

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, it shall be the duty of the second auditor of the treasury, to receive all unsettled accounts arising out of Indian affairs, with the exception of those appertaining to Indian trade, and examine the same, and thereafter certify the balance, and transmit the accounts, with the vouchers and certificates, to the second comptroller, for his decision thereon: *Provided,* That if, in the opinion of the President of the United States, the public interest and convenience would be promoted by assigning all, or any part of, the said accounts to the third auditor, he shall be, and hereby is, authorized to make such assignment accordingly.

Act of March 3, 1817, ch. 45.

Act of Feb. 24, 1819, ch. 43.

The 2d auditor to receive unsettled accounts of Indian affairs.

Proviso.

SEC. 2. *And be it further enacted,* That it shall be the duty of the auditor charged with the examination of the accounts, as aforesaid, to keep all accounts of the receipts and expenditures of the public money in regard to them; to receive from the second comptroller the accounts which shall have been finally adjusted, and to preserve such accounts, with the vouchers and certificates. And it shall be the duty of the said auditor to make such reports on the business hereby assigned to him, as the Secretary of War may deem necessary, and require, from time to time, for the service of the War Department.

Duty of the auditor.

SEC. 3. *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 Indian Department, with the exception of those relating to Indian trade before mentioned, by warrants from the treasury; which disbursements shall be made pursuant to warrants drawn by the Secretary of War, and countersigned by the second comptroller, and registered by the second and third auditor, as the case may be.

The treasurer to disburse moneys for Indian department.

Countersigned, &c.

SEC. 4. *And be it further enacted,* That so much of the act to which this is a supplement, as is inconsistent with this act, be, and the same is hereby, repealed.

APPROVED, February 24, 1819.

STATUTE II.

March 2, 1819.

CHAP. XLV.—*An Act to regulate the pay of the army when employed on fatigue duty.*

Extra allowance to non-commissioned officers and privates, when employed on fortifications, &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, whenever it shall be found expedient to employ the army at work on fortifications, in surveys, in cutting roads, and other constant labour, of not less than ten days, the non-commissioned officers, musicians and privates, so employed, shall be allowed fifteen cents, and an extra gill of whisky or spirits, each, per day, while so employed.

APPROVED, March 2, 1819.

STATUTE II.

March 2, 1819.

CHAP. XLVI.—*An Act regulating passenger ships and vessels. (a)*

Forfeitures for every passenger over and above two for every five tons, custom-house measurement.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That if the master or other person on board of any ship or vessel, owned in the whole or in part by a citizen or citizens of the United States, or the territories thereof, or by a subject or subjects, citizen or citizens, of any foreign country, shall, after the first day of January next, take on board of such ship or vessel, at any foreign port or place, or shall bring or convey into the United States, or the territories thereof, from any foreign port or place; or shall carry, convey, or transport, from the United [States,] or the territories thereof, to any foreign port or place, a greater number of passengers than two for every five tons of such ship or vessel, according to custom-house measurement, every such master, or other person so offending, and the owner or owners of such ship or vessels, shall severally forfeit and pay to the United States, the sum of one hundred and fifty dollars, for each and every passenger so taken on board of such ship or vessel over and above the aforesaid number of two to every five tons of such ship or vessel; to be recovered by suit, in any circuit or district court of the United States, where the said vessel may arrive, or where the owner or owners aforesaid may reside: *Provided, nevertheless,* That nothing in this act shall be taken to apply to the complement of men usually and ordinarily employed in navigating such ship or vessel.

Proviso.

If the number exceeds two for every five tons, by 20, the vessel is forfeited, and may be prosecuted, distributed, &c.

Act of March 2, 1799, ch. 22, sec. 91.

SEC. 2. *And be it further enacted,* That if the number of passengers so taken on board of any ship or vessel as aforesaid, or conveyed or brought into the United States, or transported therefrom as aforesaid, shall exceed the said proportion of two to every five tons of such ship or vessel by the number of twenty passengers, in the whole, every such ship or vessel shall be deemed and taken to be forfeited to the United States, and shall be prosecuted and distributed in the same manner in which the forfeitures and penalties are recovered and distributed under the provisions of the act entitled "An act to regulate the collection of duties on imports and tonnage."

60 gallons of water, 100 lbs.

SEC. 3. *And be it further enacted,* That every ship or vessel bound on a voyage from the United States to any port on the continent of Europe,

(a) *Passenger acts of the United States.*—The passenger laws of the United States, apply only to passengers whilst on their voyage, and until they shall have landed. After the landing of passengers, the laws of the United States do not come in conflict with the laws of a state, which obliges security to be given against their becoming chargeable as paupers; and for their removal out of the state, in the event of their having become so chargeable. *City of New York v. Miln*, 11 Peters, 102.

Persons are not the subject of commerce; and not being imported goods they do not fall within the reasoning founded upon the construction of a power given to Congress to regulate commerce, and the prohibition of the states from imposing a duty on foreign goods. *Ibid.*

In estimating the number of passengers in a vessel, no deduction is to be made for children or persons not paying; but those employed in navigating the vessel are not to be included. *United States v. The Louisa Barbara*, Gilpin's D. C. R. 334.

In estimating the tonnage of a vessel bringing passengers from a foreign country, the measurement of the custom-house, in the port of the United States, where the vessel arrives, is to be taken. *Ibid.*

at the time of leaving the last port whence such ship or vessel shall sail, shall have on board, well secured under deck, at least sixty gallons of water, one hundred pounds of salted provisions, one gallon of vinegar, and one hundred pounds of wholesome ship bread, for each and every passenger on board such ship or vessel, over and above such other provisions, stores, and live stock as may be put on board by such master or passenger for their use, or that of the crew of such ship or vessel; and in like proportion for a shorter or longer voyage; and if the passengers, on board of such ship or vessel in which the proportion of provisions herein directed shall not have been provided, shall at any time be put on short allowance, in water, flesh, vinegar, or bread, during any voyage aforesaid, the master and owner of such ship or vessel shall severally pay to each and every passenger who shall have been put on short allowance as aforesaid, the sum of three dollars for each and every day they may have been on such short allowance; to be recovered in the same manner as seamen's wages are, or may be, recovered.

of salted provisions, one gallon of vinegar, and 100 lbs. of wholesome ship-bread, for every passenger to Europe, over and above, &c.

In case of short allowance, to pay three dolls. a day to every passenger, &c.

SEC. 4. *And be it further enacted*, That the captain or master of any ship or vessel arriving in the United States, or any of the territories thereof, from any foreign place whatever, at the same time that he delivers a manifest of the cargo, and, if there be no cargo, then at the time of making report or entry of the ship or vessel, pursuant to the existing laws of the United States, shall also deliver and report, to the collector of the district in which such ship or vessel shall arrive, a list or manifest of all the passengers taken on board of the said ship or vessel at any foreign port or place; in which list or manifest it shall be the duty of the said master to designate, particularly, the age, sex, and occupation, of the said passengers, respectively, the country to which they severally belong, and that of which it is their intention to become inhabitants; and shall further set forth whether any, and what number, have died on the voyage; which report and manifest shall be sworn to by the said master, in the same manner as is directed by the existing laws of the United States, in relation to the manifest of the cargo, and that the refusal or neglect of the master aforesaid, to comply with the provisions of this section, shall incur the same penalties, disabilities, and forfeitures, as are at present provided for a refusal or neglect to report and deliver a manifest of the cargo aforesaid.

A list or manifest of all the passengers to be delivered to the collector, &c.

Age, sex, and occupation, of passengers, to be designated and also the country to which they belong, and that where they mean to reside; together with what number have died on the voyage.

SEC. 5. *And be it further enacted*, That each and every collector of the customs, to whom such manifest or list of passengers as aforesaid shall be delivered, shall, quarter yearly, return copies thereof to the Secretary of State of the United States, by whom statements of the same shall be laid before Congress at each and every session.

Statements to be laid before Congress.

APPROVED, March 2, 1819.

STATUTE II.

CHAP. XLVII.—*An Act to enable the people of the Alabama 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. (a)*

March 2, 1819.

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

Resolution of Dec. 14, 1819.

(a) *Acts relative to Alabama.*—An act to establish a separate territorial government for the eastern part of the Mississippi territory, March 3, 1817, ch. 59.

An act to alter and amend the act approved the third day of March, 1817, entitled "An act to establish a separate government for the eastern part of the Mississippi territory, April 20, 1818, ch. 127. An act to enable the people of the Alabama 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, March 2, 1819, ch. 47.

An act to establish a district court in the state of Alabama, April 21, 1820, ch. 45.

An act concerning the apportionment of representatives in the state of Alabama, Jan. 14, 1823, ch. 2.

The inhabitants of Alabama authorized to form a constitution and state government.

To be admitted into the Union.

Boundaries of the state.

Including islands within six leagues of the shore.

The line of demarcation between Mississippi and the state to be formed, to be run and cut by the surveyors of lands south of Tennessee and of Alabama.

Qualified voters to choose representatives to form a convention.

Appointment of representatives.

territory of Alabama be, and they are hereby, authorized to form for themselves a constitution and state government, and to assume such name as they may deem proper; and that the said territory, when formed into a state, 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 at the point where 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 of the state of Tennessee; thence, west, along 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 Washington county; thence, due south, to the Gulf of Mexico; thence, eastwardly, including all islands within six leagues of the shore, to the Perdido river; and thence, up the same to the beginning.

SEC. 3. *And be it further enacted*, That it shall be the duty of the surveyor of the lands of the United States south of the state of Tennessee, and the surveyor of the public lands in the Alabama territory, to run and cut out the line of demarcation, between the state of Mississippi and the state to be formed of the Alabama territory; and if it should appear to said surveyors, that so much of said line designated in the preceding section, running due south, from the north-west corner of Washington county to the Gulf of Mexico, will encroach on the counties of Wayne, Green, or Jackson, in said state of Mississippi, then the same shall be so altered as to run in a direct line from the north-west corner of Washington county to a point on the Gulf of Mexico, ten miles east of the mouth of the river Pascagola.

SEC. 4. *And be it further enacted*, That all white male citizens of the United States, who shall have arrived at the age of twenty-one years, and have resided in said territory three months previous to the day of election, 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 constitution, who shall be appointed among the several counties as follows:

Madison.	From the county of Madison, eight representatives.
Monroe.	From the county of Monroe, four representatives.
Blount.	From the county of Blount, three representatives.
Limestone.	From the county of Limestone, three representatives.
Shelby.	From the county of Shelby, two representatives.
Montgomery.	From the county of Montgomery, two representatives.
Washington.	From the county of Washington, two representatives.
Tuskaloosa.	From the county of Tuskaloosa, two representatives.
Lawrence.	From the county of Lawrence, two representatives.
Franklin.	From the county of Franklin, two representatives.
Cotaco.	From the county of Cotaco, two representatives.
Clark.	From the county of Clark, two representatives.
Baldwin.	From the county of Baldwin, one representative.
Cawhauba.	From the county of Cawhauba, one representative.
Conecah.	From the county of Conecah, one representative.
Dallas.	From the county of Dallas, one representative.
Marengo.	From the county of Marengo, one representative.
Marion.	From the county of Marion, one representative.

An act to ascertain and mark the line between the state of Alabama, and the territory of Florida, and the northern boundary of the state of Illinois, and for other purposes, March 2, 1831, ch. 86.

An act to add a part of the southern to the northern district of Alabama, March 31, 1832, ch. 58.

An act to carry into effect in the states of Alabama and Mississippi the existing compacts with those states in regard to the five per cent. fund and the school reservations, July 4, 1836, ch. 355.

From the county of Mobile, one representative.
 From the county of Lauderdale, one representative.
 From the county of St. Clair, one representative.
 From the county of Autauga, one representative.

Mobile.
 Lauderdale.
 St. Clair.
 Autauga.
 Elections to be holden on the first Monday and Tuesday in May, 1819, &c.

And the election for the representatives aforesaid, shall be holden on the first Monday and Tuesday in May next, throughout the several counties in the said territory, and shall be conducted in the same manner, and under the same regulations, as prescribed by the laws of the said territory, regulating elections therein for the members of the House of Representatives.

SEC. 5. *And be it further enacted*, That the members of the convention, thus duly elected, be, and they are hereby, authorized to meet at the town of Huntsville, 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.

Members of the convention to meet at Huntsville, on the first Monday in July, 1819, and to determine, &c.

SEC. 6. *And be it further enacted*, That the following propositions be, and the same are hereby, offered to the convention of the said territory of Alabama, when formed, for their free acceptance or rejection, which, if accepted by the convention, shall be obligatory upon the United States.

Convention authorized to form a constitution, &c.

First. That the section numbered sixteen in every township, and when such section has been sold, granted, or disposed of, other lands equivalent thereto, and most contiguous to the same, shall be granted to the inhabitants of such townships for the use of schools.

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

Second. That all salt springs within the said territory, and the lands reserved for the use of the same, together with such other lands as may, by the President of the United States, be deemed necessary and proper for working the said salt springs, not exceeding in the whole the quantity contained in thirty-six entire sections, shall be granted to the said state, for the use of the people of the said state, the same to be used, under such terms, conditions, and regulations, as the legislature of the said state shall direct: *Provided*, The said legislature shall never sell, nor lease the same for a longer term than ten years at any one time.

Propositions offered to the convention.

Third. 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 September, in the year one thousand eight hundred and nineteen, after deducting all expenses incident to the same, shall be reserved for making public roads, canals, and improving the navigation of rivers, 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.

Section No. 16, in every township, for the use of schools.

Fourth. That thirty-six sections, or one entire township, to be designated by the Secretary of the Treasury, under the direction of the President of the United States, together with the one heretofore reserved for that purpose, shall be reserved for the use of a seminary of learning, and vested in the legislature of the said state, to be appropriated solely to the use of such seminary by the said legislature. And the Secretary of the Treasury, under the direction aforesaid, may reserve the seventy-two sections or two townships, hereby set apart for the support of a seminary of learning, in small tracts: *Provided*, That no tract shall consist of less than

Salt springs and lands for working them granted to the state, for the use of the people.

Five per cent. of net proceeds of land, sold after 1st September, 1819, to be reserved for making public roads canals, &c.

An entire township for a seminary of learning.

To be reserved in small tracts.

Proviso: irrevocable ordinance disclaiming right to waste lands.

Waste land at the sole disposal of the United States.

Tracts of land sold by the United States to be exempt from taxes for five years.

Lands of non-resident citizens not to be taxed higher, &c.

No tax on United States' lands.

Land for a seat of government, in lieu, &c.

Act of April 20, 1818, ch. 121, sec. 2.

The state entitled to one representative in Congress.

A true copy of the constitution to be transmitted to Congress, &c.

two sections: *And provided always*, 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 forever disclaim all right and 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 the United States, after the first day of September, in the year one thousand eight hundred and nineteen, 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 tax shall be imposed on lands, the property of the United States; and that all navigable waters within the said state shall for ever remain public highways, free to the citizens of said state and of the United States, without any tax, duty, impost, or toll, therefor, imposed by the said state.

SEC. 7. *And be it further enacted*, That, in lieu of a section of land, provided to be reserved for the seat of government of the said territory, by an act, entitled "An act respecting the surveying and sale of the public lands in the Alabama territory," there be granted to the said state, for the seat of the government thereof, a tract of land containing sixteen hundred and twenty acres, and consisting of sundry fractions and a quarter section, in sections thirty-one and thirty-two, in township sixteen, and range ten, and in sections five and six, in township fifteen, and range ten, and in sections twenty-nine and thirty, in the same township and range, lying on both sides of the Alabama and Cahawba rivers, and including the mouth of the river Cahawba, and which heretofore has been reserved from public sale, by order of the President of the United States.

SEC. 8. *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.

SEC. 9. *And be it further enacted*, That, in case the said convention shall form a constitution and state government for the people of the territory of Alabama, the said convention, as soon thereafter as may be, shall cause a true and attested copy of such constitution or frame of government as shall be formed or provided, to be transmitted to Congress, for its approbation.

APPROVED, March 2, 1819.

STATUTE II.

March 2, 1819.

CHAP. XLVIII.—*An Act supplementary to the acts concerning the coasting trade.* (a)

Act of Feb. 18, 1793, ch. 8.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the more conve-

(a) The acts passed relating to the coasting trade have been:

An act for registering and clearing vessels, regulating the coasting trade, and for other purposes, (obsolete.) Sept. 1, 1789, ch. 11.

An act for enrolling and licensing ships or vessels to be employed in the coasting trade and fisheries, and for regulating the same, Feb. 18, 1793, ch. 8.

An act relative to the passing of coasting vessels between Long Island and Rhode Island, March 2, 1795, ch. 41.

An act for enrolling and licensing of steamboats, March 12, 1812, ch. 40.

An act to continue in force "An act further to provide for the collection of duties on imports and tonnage," passed the third of March, one thousand eight hundred and fifteen, and for other purposes, March 3, 1817, ch. 109, sect. 4.

An act concerning the navigation of the United States, March 1, 1817, ch. 31, sect. 4, 5.

nient regulation of the coasting trade, the seacoast and navigable rivers of the United States be, and hereby are, divided into two great districts; the first, to include all the districts on the seacoast and navigable rivers, between the eastern limits of the United States and the southern limits of Georgia, and the second, to include all the districts on the seacoast and navigable rivers, between the river Perdido and the western limits of the United States.

SEC. 2. *And be it further enacted*, That every ship or vessel, of the burden of twenty tons or upwards, licensed to trade between the different districts of the United States, shall be, and is hereby authorized to carry on such trade between the districts included within the aforesaid great districts, respectively, and between a state in one, and an adjoining state in another, great district, in manner, and subject only to the regulations that are, now by law required to be observed by such ships or vessels, in trading from one district to another in the same state, or from a district in one state to a district in the next adjoining state, any thing in any law to the contrary, notwithstanding.

SEC. 3. *And be it further enacted*, That every ship or vessel, of the burden of twenty tons or upwards, licensed to trade as aforesaid, shall be, and is hereby, required, in trading from one to another great district, other than between a state in one, and an adjoining state in another, great district, to conform to and observe the regulations, that, at the time of passing this act, are required to be observed by such vessels in trading from a district in one state to a district in any other than an adjoining state.

SEC. 4. *And be it further enacted*, That the trade between the districts not included in either of the two great districts aforesaid, shall continue to be carried on in the manner, and subject to the regulations, already provided for this purpose.

SEC. 5. *And be it further enacted*, That this act shall commence and be in force, from and after the thirtieth day of June next after the passing thereof.

APPROVED, March 2, 1819.

Act of May 7, 1822, ch. 62, sec. 11.

The seacoast and navigable rivers of the United States divided into two great districts, for the convenience of the coasting trade.

Licensed vessels, of 20 tons and upwards, may carry on trade between the districts within the great districts, and between a state in one, and an adjoining state in another, great district, &c.

Regulations to be observed.

Trade between districts not included, &c. to be carried on as already provided.

This act to be in force from 30th June, 1819.

STATUTE II.

CHAP. XLIX.—*An Act establishing a separate territorial government in the southern part of the territory of Missouri.* (a)

March 2, 1819.

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

Part of the Missouri terri-

- An act supplementary to the acts concerning the coasting trade, March 2, 1819, ch. 48.
- An act to provide for the collection of duties on imports and tonnage in Florida, and for other purposes, May 7, 1822, ch. 62, sec. 11.
- An act to authorize the licensing of vessels to be employed in the mackerel fisheries, May 24, 1828, ch. 119.
- An act to authorize surveyors, under the direction of the Secretary of the Treasury, to enrol and license ships or vessels to be employed in the coasting trade and fisheries, Feb. 11, 1830, ch. 14.
- An act concerning vessels employed in the whale fishery, March 3, 1831, ch. 115.
- An act to regulate the foreign and coasting trade on the northern, north-eastern and north-western frontiers of the United States, and for other purposes. Act of March 2, 1831, ch. 98.
- An act of Dec. 22, 1837, ch. 1.
- (a) *Acts relating to the territory, afterward the state of Arkansas.*
- An act providing for the government of the territory of Missouri, June 4, 1812, ch. 95.
- An act establishing a separate territorial government in the southern part of the territory of Missouri, March 2, 1819, ch. 49.
- An act relative to the Arkansas territory, April 21, 1820, ch. 46.
- An act to fix the western boundary line of the territory of Arkansas, and for other purposes, May 26, 1824, ch. 155.
- An act to authorize the President of the United States to run and mark a line dividing the territory of Arkansas from the state of Louisiana, May 19, 1828, ch. 58.
- An act for the admission of the state of Arkansas into the Union, and to provide for the due execution of the laws of the United States within the same, and for other purposes, June 15, 1836, ch. 100.
- An act supplementary to the act, entitled "An act for the admission of the state of Arkansas into the

tory after July 4, 1819, to form a separate territory to be called Arkansaw.

A temporary government to be established.

Executive power in a governor.

Powers of the governor.

A secretary.

Duties of the secretary.

Act of June 4, 1812, ch. 95.

Legislative power in the governor and judges of the superior court.

Proviso: legislative power to be exercised by the general assembly, when organized.

So much of the act of 4th June, 1812, ch. 95, as relates to the organization of a general assembly, &c. to be in force when a majority of freeholders desire it.

Representatives not to exceed nine.

day of July next, all that part of the territory of Missouri which lies south of a line, beginning on the Mississippi river, at thirty-six degrees, north latitude, running thence west to the river St. Francois; thence, up the same, to thirty-six degrees thirty minutes north latitude; and thence, west, to the western territorial boundary line; shall, for the purposes of a territorial government, constitute a separate territory, and be called the Arkansaw territory.

SEC. 2. *And be it further enacted*, That there shall be established in the said territory of Arkansaw, a temporary government, to consist of three departments, the executive, the legislative, and the judiciary.

SEC. 3. *And be it further enacted*, That the executive power shall be vested in a governor, who shall reside in the said territory, and shall hold his office during three years, unless sooner removed by the President of the United States: he shall be commander in chief of the militia of said territory, shall have power to appoint and commission all officers required by law to be appointed for said territory, whose appointments are not otherwise provided for by this act; shall take care that the laws be faithfully executed; shall have power to grant pardons for offences against the said territory, and reprieves for those against the United States, until the decision of the President thereon shall have been made known; shall, on extraordinary occasions, have power to convene the general assembly, hereinafter provided for, after one shall have been organized in conformity to law; shall ex-officio, be superintendent of Indian affairs, and shall have such other powers, and perform such further duties, as are by law given to, and imposed on, the governor of the Missouri territory, in all cases in which they shall become legally applicable to the territory of Arkansaw.

SEC. 4. *And be it further enacted*, That there shall be a secretary for the said territory, who shall reside therein, and continue in office for the term of four years, unless sooner removed by the President: he shall perform all the duties imposed on the secretary for the territory of Missouri, by an act of Congress of the fourth of June, eighteen hundred and twelve, entitled "An act providing for the government of Missouri."

SEC. 5. *And be it further enacted*, That the legislative power shall, until the organization of the general assembly, hereinafter provided for, be vested in the governor and the judges of the superior court of the territory, who shall have power to pass any law for the administration of justice in said territory, which shall not be repugnant to this act, or inconsistent with the constitution of the United States: *Provided*, that whenever the general assembly shall be organized, all the legislative power of the territory shall be vested in, and be exercised by, the said general assembly.

SEC. 6. *And be it further enacted*, That so much of the act of Congress of the fourth of June, eighteen hundred and twelve, entitled "An act providing for the government of the territory of Missouri," as relates to the organization of a general assembly therein, prescribes the powers and privileges thereof, the mode of election, and period of service, of the members thereof, and defines the qualifications and privileges of the electors and elected, shall be in full force and operation in the Arkansaw territory, to the extent of its application, so soon as the governor thereof shall be satisfied that such is the desire of a majority of the freeholders thereof, and not until then: *Provided*, That until there shall be five thousand free white males, of the age of twenty-one years and upwards, resident in the said territory, the whole number of representatives shall not exceed nine.

Union, and to provide for the due execution of the laws of the United States within the same, and for other purposes," June 23, 1836, ch. 120.

An act supplementary to an act, entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," passed thirtieth June, one thousand eight hundred and thirty-four, June 17, 1844, ch. 103.

SEC. 7. *And be it further enacted*, That the judicial power of the territory shall be vested in a superior court, and in such inferior courts as the legislative department of the territory shall, from time to time, institute and establish, and in justices of the peace. The superior court shall be composed of three judges, who shall reside in the territory and continue in office for the term of four years, unless sooner removed by the President. The superior court shall have jurisdiction in all criminal and penal cases, and exclusive cognisance of all capital cases, and shall have and exercise original jurisdiction, concurrently with the inferior courts, and exclusive appellate jurisdiction in all civil cases in which the amount in controversy shall be one hundred dollars or upwards. The superior court shall be holden at such times and place, or places, as the legislative department shall direct, and continue in session until the business therein shall be disposed of, or as long as shall be prescribed by law. *Provided*, That any two of the judges shall constitute a court of appellate, and any one a court of original jurisdiction.

SEC. 8. *And be it further enacted*, That the governor, secretary, judges and all other officers, of the territory, civil and military, shall, before they enter on the duties of their respective offices, take an oath or affirmation to support the constitution of the United States, and to discharge, with fidelity, the duties of their offices; the governor before a judge of the supreme or district court of the United States, or a judge of the superior court of the said territory; the secretary and judges, before the said governor, or a judge of the supreme or district court of the United States; and all other officers, before the governor, or any of the judges of the supreme or inferior courts, or justices of the peace, of said territory.

SEC. 9. *And be it further enacted*, That the governor, secretary, and judges of the superior court authorized for said territory, during the temporary government thereof, shall be appointed by the President of the United States, with the advice and consent of the Senate: *Provided*, That the President shall have full power, during the recess of the Senate, to commission all or any of the said officers, until the end of the session of Congress next succeeding the date of the commission. The governor, secretary, and judges of the superior court, shall receive the same compensation, payable quarter yearly, which the governor, secretary, and superior judges, of the Missouri territory are entitled to by law.

SEC. 10. *And be it further enacted*, That all the laws which shall be in force in the territory of Missouri, on the fourth day of July next, not inconsistent with the provisions of this act, and which shall be applicable to the territory of Arkansaw, shall be, and continue, in force in the latter territory, until modified or repealed by the legislative authority thereof.

SEC. 11. *And be it further enacted*, That the bounty lands granted, or hereafter to be granted, for military services during the late war, shall, while they continue to be held by the patentees or their heirs, remain exempt from all taxes, for the term of three years from and after the date of the patents respectively.

SEC. 12. *And be it further enacted*, That whenever, according to the provisions of this act, the people of the Arkansaw territory shall have a right to elect members of the house of representatives of their general assembly, they shall also have the right to elect a delegate from the said territory to the Congress of the United States, who shall possess the same powers, enjoy the same privileges, and receive the same compensation, granted and secured by law to the delegates from other territories.

SEC. 13. *And be it further enacted*, That until otherwise directed by the legislative department of the said territory of Arkansaw, the seat of the territorial government thereof shall be the post of Arkansaw, on the Arkansaw river.

SEC. 14. *And be it further enacted*, That the line now established by law, between the land offices at the seat of justice in the county of Law-

Judicial power to be vested in a superior and inferior courts.

Superior court composed of three judges, &c.

Jurisdiction of the superior court.

Times and places of holding the superior court.

Appellate and court of original jurisdiction.

Governor, secretary, judges, &c. to take an oath.

Before whom.

Governor, &c. to be appointed by the President, with consent of senate.

Proviso: the President may commission during the recess.

Compensation of the governor, &c.

Laws in force in Missouri, on 4th July, 1819, not inconsistent &c. to be in force in Arkansaw.

Military bounty lands exempt from taxes for three years from date of patents, while, &c.

Members of the House of Representatives, and delegate to Congress, &c.

Seat of government.

The line between certain land offices altered.

Act of Feb.
17, 1818, ch. 11.

rence, and at the town of Jackson, in the county of Cape Girardeau, shall, from and after the passage of this act, be so altered as to run, be the same and correspond with the northern line of the said territory of Arkansas, any thing in the act, entitled "An act making provision for the establishment of additional land offices in the territory of Missouri," passed the seventeenth day of February, one thousand eight hundred and eighteen, to the contrary notwithstanding.

APPROVED, March 2, 1819.

STATUTE II.

March 2, 1819.

CHAP. LII.—*An Act authorizing the Postmaster General to contract, as in other cases, for carrying the mail in steamboats, between New Orleans, in the state of Louisiana, and Louisville, in the state of Kentucky.*

The Postmaster general authorized to contract for carrying the mail in steamboats, from New Orleans to Louisville, &c.

Expense not to exceed that of transmitting by land.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Postmaster General may, and he is hereby, authorized to contract for the transportation of the mail in steamboats, between New Orleans, in the state of Louisiana, and Louisville, in the state of Kentucky, for any term of time, not exceeding four years in any one contract, in the same way and manner as he lawfully may, for the carriage of it, by land; but the whole expense of sending the mail in steamboats shall not exceed that of transmitting the same by land.

APPROVED, March 2, 1819.

STATUTE II.

March 3, 1819.

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

Sums appropriated, for—

Members of Congress, &c.

Contingent expenses.

Library of Congress.

The President.

Vice President.

Secretary of State.

Clerks.

1818, ch. 82.

Extra copying.

Contingent expenses.

Messengers.

Secretary of the Treasury.

Clerks.

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 compensation granted by law to the members of the Senate and House of Representatives, their officers and attendants, three hundred and sixty thousand and ten dollars.

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

For the expense of the library of Congress, including the librarian's allowance, one thousand nine hundred and fifty dollars.

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 compensation to the Secretary of State, six thousand dollars.

For compensation to the clerks in the Department of State, per act of twentieth April, eighteen hundred and eighteen, fifteen thousand nine hundred dollars.

For additional clerk hire, to cover expenses of extra copying, in the Department of State, one thousand five hundred dollars.

For the contingent and incidental expenses of the said department, including expenses of printing and distributing copies of the laws of the second section of the fifteenth Congress, and printing the laws in newspapers, twenty-four thousand one hundred and thirty dollars.

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

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

For compensation to the clerks in the office of the Secretary of the

Treasury, per act of twentieth April, eighteen hundred and eighteen, ten thousand four hundred dollars.	1818, ch. 87.
For compensation to the messengers in said office seven hundred and ten dollars.	Messengers.
For compensation to the first comptroller of the treasury, three thousand five hundred dollars.	1st Comptroller.
For compensation to the clerks in the office of the first comptroller, per act of twentieth April, one thousand eight hundred and eighteen, seventeen thousand eight hundred and fifty dollars.	Clerks. 1818, ch. 87.
For compensation to the messenger in said office, four hundred and ten dollars.	Messenger.
For compensation to the second comptroller of the treasury, three thousand dollars.	2d Comptroller.
For compensation to the clerks in said office, per act of twentieth April, eighteen hundred and eighteen, twelve thousand five hundred and fifty dollars.	Clerks. 1818, ch. 87.
For compensation to the messenger in said office, four hundred and ten dollars.	Messenger.
For compensation to the first auditor of the treasury, three thousand dollars.	1st Auditor.
For compensation to the clerks in the office of the first auditor, per act of twentieth April, eighteen hundred and eighteen, fifteen thousand two hundred dollars.	Clerks. 1818, ch. 87.
For compensation to the messenger in said office, four hundred and ten dollars.	Messenger.
For compensation to the second auditor, three thousand dollars.	2d Auditor.
For compensation to the clerks in the office of the second auditor, per act of twentieth April, eighteen hundred and eighteen, seventeen thousand two hundred dollars.	Clerks. 1818, ch. 87.
For compensation to the messenger in said office, four hundred and ten dollars.	Messenger.
For compensation to the third auditor, three thousand dollars.	3d Auditor.
For compensation to the clerks in the third auditor's office, per act of twentieth April, eighteen hundred and eighteen, thirty-seven thousand dollars.	Clerks. 1818, ch. 87.
For compensation to the messengers in said office, seven hundred and ten dollars.	Messengers.
For compensation to the fourth auditor, three thousand dollars.	4th Auditor.
For compensation to the clerks in the fourth auditor's office, per act of twentieth April, eighteen hundred and eighteen, fifteen thousand and fifty dollars.	Clerks. 1818, ch. 87.
For compensation to the messenger in said office, four hundred and ten dollars.	Messenger.
For compensation to the fifth auditor, three thousand dollars.	5th Auditor.
For compensation to the clerks in the fifth auditor's office, per act of twentieth April, eighteen hundred and eighteen, ten thousand five hundred dollars.	Clerks. 1818, ch. 87.
For compensation to the messenger in said office, four hundred and ten dollars.	Messenger.
For compensation to the treasurer of the United States, three thousand dollars.	Treasurer.
For compensation to the clerks in the treasurer's office, per act of twentieth April, eighteen hundred and eighteen, five thousand two hundred and fifty dollars.	Clerks. 1818, ch. 87.
For additional clerk hire, being for an arrearage of pay to an assistant to the chief clerk in said office, three hundred dollars.	Additional clerk.
For a further allowance for clerk hire, being for the salary of said assistant, for the year eighteen hundred and nineteen, four hundred dollars.	Further clerk hire.

- Additional clerk to treasurer.
Messenger. For compensation to an additional clerk in said office, eight hundred dollars.
- Commissioner of general land office.
Clerks in land office. 1818, ch. 87. For compensation to the messenger in said office, four hundred and ten dollars.
- Land office messenger. For compensation to the commissioner of the general land office, three thousand dollars.
- Commissioner of revenue.
Clerks. 1818, ch. 87. For compensation to the clerks in the office of said commissioner, per act of twentieth April, eighteen hundred and eighteen, twenty-two thousand five hundred and fifty dollars.
- Messenger. For compensation to the messenger in said office, four hundred and ten dollars.
- Register of Treasury.
Clerks. 1818, ch. 87. For compensation to the commissioner of the revenue, three thousand dollars.
- Messengers. For compensation to the clerks in said commissioner's office, per act of twentieth April, eighteen hundred and eighteen, four thousand three hundred and fifty dollars.
- Secretary to sinking fund. For compensation to the messenger in said office, four hundred and ten dollars.
- Transmitting passports, translating, &c. in the Treasury Department. For compensation to the register of the treasury, three thousand dollars.
- Security of the Treasury Department. For compensation to the clerks in the register's office, per act of twentieth April, eighteen hundred and eighteen, twenty-two thousand one hundred and fifty dollars.
- Secretary of War.
Clerks. 1818, ch. 87. For compensation to the messengers in said office, including the sum of ninety dollars for stamping ships' registers, five hundred dollars.
- Contingent expenses. For compensation to the secretary of the commissioners of the sinking fund, two hundred and fifty dollars.
- Arrearages. For allowance to the person employed in transmitting passports and sea-letters, for expense of translating foreign languages in the office of the Secretary of the Treasury, for printing, fuel, and other contingent expenses, in the Treasury Department, and in the several offices therein, forty thousand and fifty dollars.
- Messengers. For compensation to a superintendent and two watchmen, employed for the security of the treasury buildings, and for repairs of engines, hose, and fire buckets, one thousand one hundred dollars.
- Paymaster general. For compensation to the Secretary of War, six thousand dollars.
- Clerks. 1818, ch. 87. For compensation to the clerks in the office of the Secretary of War, per act of twentieth April, eighteen hundred and eighteen, twenty-five thousand eight hundred dollars.
- Arrearages. For expense of fuel, stationery, printing, and other contingent expenses, in said office, five thousand dollars.
- Messengers. For arrearages of contingent expenses in said office, prior to the year eighteen hundred and nineteen, one thousand dollars.
- Paymaster general. For compensation to the messenger and his assistants in said office, seven hundred and ten dollars.
- Clerks. 1818, ch. 87. For compensation to the paymaster general, two thousand five hundred dollars.
- Arrearages. For compensation to the clerks in the paymaster general's office, per act of twentieth April, eighteen hundred and eighteen, nine thousand two hundred dollars.
- Messenger. For arrearages to the clerks in said office, for the year eighteen hundred and seventeen, nine hundred and forty dollars and forty cents.
- Contingent expenses. For compensation to the messenger in said office, four hundred and ten dollars.
- Clerks. For expense of fuel, stationery, printing, and other contingent expenses in said office, two thousand dollars.
- Clerks. For compensation to the clerks in the office of the adjutant general, two thousand one hundred and fifty dollars.
- Clerks. For compensation to the clerks in the office of the ordnance depart-

ment, per act of twentieth April, eighteen hundred and eighteen, two thousand nine hundred and fifty dollars.	1818, ch. 87.
For the contingent expenses of said office, eight hundred and seventy dollars.	Contingent expenses.
For compensation to the clerks in the office of the engineer department, two thousand one hundred and fifty dollars.	Clerks.
For fuel, stationery, printing, and other contingent expenses of said office, one thousand seven hundred and ninety dollars.	Contingent expenses.
For compensation to the clerks employed in the office of the surgeon general, one thousand one hundred and fifty dollars.	Clerks.
For the contingent expenses of said office, three hundred and seventy-four dollars.	Contingent expenses.
For compensation to the Secretary of the Navy, six thousand dollars.	Secretary of the Navy.
For compensation to the clerks in the office of the Secretary of the Navy, per act of twentieth April, eighteen hundred and eighteen, eight thousand two hundred dollars.	Clerks. 1818, ch. 87.
For expense of fuel, stationery, and other contingent expenses, in said office, two thousand five hundred dollars.	Contingent expenses.
For compensation to the messenger in said office, four hundred and ten dollars.	Messenger.
For compensation to the commissioners of the navy board, ten thousand five hundred dollars.	Commissioners of navy board.
For compensation to their secretary, two thousand dollars.	Secretary of navy board.
For compensation to the clerks in the office of said commissioners, per act of twentieth April, eighteen hundred and eighteen, three thousand five hundred and fifty dollars.	Clerks. 1818, ch. 87.
For an addition to the allowance for clerk hire in said office, four thousand dollars.	Additional clerk hire, &c.
For compensation to the messenger in said office, four hundred and ten dollars.	Messenger.
For the contingent expenses of said office, two thousand dollars.	Contingencies.
For compensation to a superintendent, and two watchmen, and for other expenses incurred for the security of the State, War, and Navy Departments, one thousand one hundred dollars.	State, War, and Navy Departments.
For compensation to the Postmaster General, four thousand dollars.	Postmaster General.
For compensation to the clerks in the office of the Postmaster General, per act of twentieth April, eighteen hundred and eighteen, twenty-two thousand seven hundred dollars.	Clerks. 1818, ch. 87.
For compensation to the messengers in the general post-office, six hundred and sixty dollars.	Messengers.
For compensation to the assistant postmaster general, two thousand five hundred dollars.	Assistant postmaster general.
For compensation to the second assistant postmaster general, two thousand five hundred dollars.	Second assistant.
For the contingent expenses of the general post-office, four thousand dollars.	Contingent expenses.
For compensation to the surveyor general, two thousand dollars.	Surveyor general.
For compensation to the clerks in the office of the surveyor general, two thousand one hundred dollars.	Clerks.
For compensation to the surveyor south of Tennessee, two thousand dollars.	Surveyor south of Tennessee.
For compensation to the clerks in his office, and for contingent expenses, one thousand seven hundred dollars.	His clerks, &c.
For compensation to the surveyor in the state of Illinois and the Missouri territory, two thousand dollars.	Surveyor in Illinois and Missouri.
For compensation to his clerks, per act of third April, eighteen hundred and eighteen, two thousand dollars.	Clerks. 1818, ch. 87.
For compensation to the surveyor in the Alabama territory, two thousand dollars.	Surveyor in Alabama.

- His clerks. For compensation to his clerks, one thousand five hundred dollars.
- Commissioner of public buildings. For compensation to the commissioner of the public buildings at Washington, two thousand dollars.
- Officers and clerks of the mint. For compensation to the officers and clerks of the mint, nine thousand six hundred dollars.
- Persons employed in the mint. For wages of the persons employed in the different operations of the mint, ten thousand and seventy-five dollars.
- Contingent expenses of the mint. For repairs, cost of iron and machinery, rents, and other contingent expenses, of the mint, five thousand four hundred dollars.
- Wasteage. For allowance of wastage in the gold and silver coinage of the mint, three thousand dollars.
- Civil government of Missouri. For compensation to the governor, judges, and secretary, of the Missouri territory, seven thousand eight hundred dollars.
- Contingent expenses of Missouri. For the contingent expenses of said territory, three hundred and fifty dollars.
- Civil government of Alabama. For compensation to the governor, judges, and secretary, of the Alabama territory, seven thousand one hundred and thirty-three dollars.
- Contingent expenses. For the contingent expenses of said territory, three hundred and fifty dollars.
- Civil government of Michigan. For compensation to the governor, judges, and secretary, of the Michigan territory, six thousand six hundred dollars.
- Contingent expenses. For the contingent expenses of said territory, three hundred and fifty dollars.
- Claims not otherwise provided for, admitted at the Treasury. For the discharge of such claims 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.
- Chief justice, associate judges, &c. For compensation 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, seventy-five thousand nine hundred and fourteen dollars and twenty-eight cents.
- Attorney General. For compensation to the Attorney General of the United States, three thousand five hundred dollars.
- Clerk. 1818, ch. 87. For compensation to his clerk, per act of twentieth April, eighteen hundred and eighteen, one thousand dollars.
- Contingent expenses. For the contingent expenses of his office, five hundred dollars.
- District attorneys and marshals. For compensation to sundry district attorneys and marshals, as granted by law, including those in the several territories, eight thousand two hundred dollars.
- Reporter of decisions of supreme court. For compensation to the reporter of the decisions of the supreme court of the United States, for the year eighteen hundred and nineteen, one thousand dollars.
- Pensions, by late and present governments. For the payment of sundry pensions granted by the late and present governments, two thousand and ninety dollars.
- Collectors of old internal revenue. For the payment of balances due to certain collectors of the old internal revenue pursuant to the provisions of the act of thirteenth of February, eighteen hundred and fifteen, fifteen thousand dollars.
- 1815, ch. 42. For the maintenance and support of lighthouses, beacons, buoys, and public piers, stakeage of channels, bars, and shoals, including the purchase and transportation of oil, keepers' salaries, repairs, and improvements, and contingent expenses, and including, also, balances of former appropriations for Savannah river, lake Erie and Little Gull Island, which were carried to the surplus fund the thirty-first of December last, seventy-four thousand three hundred and sixty-two dollars twenty-seven cents.
- Custom-houses. For the purchase or erection of custom-houses and public warehouses, one hundred thousand dollars.
- Cumberland road. For claims due and becoming due, under existing contracts for constructing the United States' road from Cumberland to the Ohio river, two hundred and fifty thousand dollars; and for completing the said road, the sum of

two hundred and eighty-five thousand dollars: which several sums, hereby appropriated, together with the amount heretofore advanced by the United States for making said road, shall be repaid out of the fund reserved for laying out and making roads to the states of Ohio, Indiana, and Illinois, by virtue of the several acts for the admission of the aforesaid states into the Union.

For surveying the public lands of the United States, one hundred and sixty thousand dollars.

Surveying public lands.

For expenses attending the occupancy of the new executive buildings, including fuel, furniture, and other incidental expenses, twenty-three thousand two hundred and ninety-seven dollars and fifty-nine cents.

New executive buildings.

For covering with slate the two executive buildings now occupied by the State, Treasury, War, and Navy, Departments, ten thousand dollars.

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

Miscellaneous claims, &c.

For additional compensation allowed to the clerks in the office of the superintendent of Indian trade, per act of twentieth April, eighteen hundred and eighteen, four hundred and fifty dollars.

Clerks in office of superintendent of Indian trade.

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

1818, ch. 87.

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

Clerks of commissary general of purchases.

For expense of fuel, stationery, printing, and other contingent expenses, in said office, nine hundred and thirty dollars.

Messenger.

For allowance to the clerks in the office of the commissary general of subsistence, two thousand one hundred and fifty dollars.

Clerks.

For the contingent expenses of said office, two thousand seven hundred dollars.

Contingent expenses.

For salaries to the ministers of the United States to London, Paris, St. Petersburg, Rio Janeiro, and Madrid, with the salaries of their several secretaries of legation, and the salary of a chargé des affaires at the Hague and at Stockholm, and for the usual allowance of three months' salary to the minister at Stockholm, payable on his return home, sixty-three thousand two hundred and fifty dollars.

Salaries to ministers, &c. of the United States at foreign courts, &c.

For outfit for a minister plenipotentiary at Rio Janeiro, and Madrid, and also for the chargé des affaires at London, the Hague, and Stockholm, thirty-one thousand five hundred dollars.

Outfit of minister to Rio Janeiro, Madrid, &c.

For the contingent expenses of the missions aforesaid, ten thousand dollars.

Contingent expenses.

For a deficiency in the appropriations of former years, for the payment of expenses on foreign intercourse, including losses on drafts and the difference of exchange, twenty-five thousand dollars.

Deficiency of former appropriation for foreign intercourse, &c.

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

Contingent expenses of foreign intercourse.

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

Intercourse with Barbary powers.

For the expenses, during the present year, for carrying into effect the fifth, sixth, and seventh, articles of the treaty of peace, concluded with his Britannic majesty on the 24th day of December, one thousand eight hundred and fourteen, including the compensation of the commissioners, agents, and surveyors, and their contingent expenses, forty thousand dollars.

Expenses under the articles of the treaty of Ghent, including, &c.

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

Agents of claims at Paris and London.

For the relief of distressed American seamen in foreign countries, eighty thousand dollars.

Distressed American seamen.

For cost of paper, engraving, and printing certificates of registry, and

Cost of certificates of registry, &c.

1813, ch. 50.
Insurers of British ship *Brio de Mar*.

J. Trumbull, for paintings.

Ante, p. 400.

Owners and underwriters of the British ship *Union*.

To repay John G. Brown, of New Brunswick.

Survey of certain parts of coast of North Carolina.

These appropriations to be paid out of the fund reserved, &c.

Act of Aug. 4, 1790, ch. 34.

lists of crews for vessels of the United States, per provisions of the act of third March, eighteen hundred and thirteen, five thousand dollars.

To indemnify the insurers of the British ship *Brio de Mar*, taken and burnt by the *Peacock*, after the period fixed by the treaty of Ghent for the termination of hostilities between the United States and Great Britain and her dependencies, fifteen thousand dollars.

For the second payment to John Trumbull, for paintings agreeably to his contract with the Secretary of State, made in pursuance of a resolution of Congress, of the sixth of February, eighteen hundred and seventeen, six thousand dollars.

To indemnify the owners and underwriters of the British ship *Union*, Captain Robert Hall, taken and burnt by the American ship of war *Peacock*, after the period fixed by the treaty of Ghent, for the termination of hostilities between the United States and Great Britain and her dependencies, sixty-one thousand four hundred and fifty-one dollars.

For enabling the Secretary of the Treasury to repay to John G. Brown, of New Brunswick, the amount of a forfeiture remitted by Mr. Dallas, while Secretary of the Treasury, a sum not exceeding two hundred and twenty-eight dollars, shall be, and the same is hereby, appropriated.

For carrying into effect a resolution directing a survey of certain parts of the coast of North Carolina, passed December the twenty-fourth, one thousand eight hundred and eighteen, the sum of five thousand dollars shall be, and the same is hereby, appropriated.

SEC. 2. *And be it further enacted*, That the several appropriations, hereinbefore 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, 1819.

STATUTE II.

March 3, 1819.

CHAP. LX.—*An Act extending the term of half-pay pensions to the widows and children of certain officers, seamen, and marines, who died in the public service.*

Act of March 4, 1814, ch. 20.
Act of April 16, 1818, ch. 65.

Act of April 9, 1824, ch. 34.

Five years' additional half pay to the widows and children of officers, seamen, and marines, killed in battle, &c. or who died in service.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in all cases where provision has been made by law for five years, half pay to the widows and children of officers, seamen, and marines, who were killed in battle, or died of wounds received in battle, or who died in the naval service of the United States, during the late war, the said provision shall be continued for the additional term of five years, to commence at the end of the first term of five years, in each case, respectively, making the provision equal to ten years half pay; which shall be paid in the manner, and out of the fund, heretofore designated by law; and the said pensions shall also cease for the reasons mentioned in the said law.

APPROVED, March 3, 1819.

STATUTE II.

March 3, 1819.

CHAP. LXX.—*An Act to provide for the due execution of the laws of the United States within the state of Illinois.* (a)

Laws of the United States not inapplicable, in force in Illinois.
Illinois a district.

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

SEC. 2. *And be it further enacted*, That the said state shall be one district, and be called the Illinois district. And a district court shall be

(a) See notes to the act of April 18, 1818, ch. 67.

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 December; 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.

District court, one judge.
Two sessions of the court annually.

Act of Sept. 24, 1789, ch. 20.
A clerk.

Clerk's fees.

SEC. 3. *And 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 dolls. yearly compensation to the judge.

Payable quarterly.

District attorney.

200 dolls. per ann. for his extra services.

SEC. 4. *And 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.

A marshal.

SEC. 5. *And be it further enacted,* That a marshal be appointed for the 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.

200 dolls. annually for his extra services.

APPROVED, March 3, 1819.

STATUTE II.

March 3, 1819.

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

The law of Maryland in force in the District of Columbia.

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

APPROVED, March 3, 1819.

STATUTE II.

March 3, 1819.

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

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

Post-roads discontinued.

From Brunswick, by Topsham, to Starbird's corner, in Bowdoin, in Maine.

From Plymouth, by Carver and Plympton, to Middleborough, and from Medford to Reading, in Massachusetts.

From Worthington to Urbana, in Ohio.

From Hagerstown, in Maryland, to McConnelstown, in Pennsylvania.

From Currituck Courthouse to Knott's Island, in North Carolina.

Post-roads
established.

New Hamp-
shire.

SEC. 2. *And be it further enacted,* That the following be established post-roads, that is to say :

In New Hampshire.—From Sanborntown bridge, through Gilmanton ; by the house of judge Badger, and New Durham bridge, to the post-office in Farmington.

From Boston, in Massachusetts, on the Medford, Andover, and Londonderry turnpike roads, and over Isle of Hookset bridge, to Concord, in New Hampshire.

From Bartlett, in New Hampshire, to Fryeburg, in Maine.

From Warner, by Sutton and New London, to Stickney's inn, in Springfield.

From Washington, by Leinster and Unity, to Claremont.

From Concord, in Rockingham county, by Loudon, Pittsfield, Gilmon-
ton iron works, Alton, and Wolfsborough, to Tuftonborough.

From Franconia, by Littleton village, to Littleton bridge.

Vermont.

In Vermont.—That the post-road from Danville to Lancaster, pass by Littleton bridge.

From Barnet, by Waterford village, at Mann's store, to Concord.

From Jamaica, by Winhall, to Manchester.

From Richford to Berkshire, in the county of Franklin.

Maine.

In Maine.—From Freeport, by Little river village, in Lisbon, to Star-
bird's corner, in Bowdoin.

That the post-road from Parsonsfield to Effingham, pass by Porter
bridge.

That the post-road from Portland to Fryeburg, pass by Bridgetown and
Denmark.

Massachu-
setts.

In Massachusetts.—From the south parish of Bridgewater, by the Four
Corners, in Middleborough, to New Bedford.

From Williamstown to Hancock.

From the house of Thomas B. Harrub, in Plympton, by Carver, to
Wareham.

From Worcester, by West Boylston, Westminster, and Gardner, to
Templeton.

From Falley's cross roads, in Chester, by Norwich and Westhampton,
to Northampton.

From Concord, by Havard, Shirley, Lunenburg, Fitchburg, and Ash-
burnham, to Winchendon.

From Worcester, by West Boylston, Princeton, Westminster and
Gardner, to Templeton.

From the head of Accushnet river, to the village of Fairhaven.

Connecticut.

In Connecticut.—From Winstead, by Colebrook central meeting house,
Sandisfield and Otis west meeting house, and Tyringham, to Stockbridge,
in Massachusetts.

From Colchester, by Hebron, Andover, and Coventry, to Tolland.

From Lebanon, by Windham and Hampton, to Woodstock.

From Litchfield, by Goshen, East street, to Norfolk.

New York.

In New York.—From Albany, by Spencertown, to Sheffield, in Mas-
sachusetts.

From Troy, on the Hoosick road, by Brunswick, Grafton, and Peters-
burg, to Williamstown, in Massachusetts.

From the city of Schenectady to Utica, on the south side of the Mo-
hawk river.

From Cherry valley, by Long Patent, Westford, and Decatur, to
Worcester.

From Great Bend, Pa. by Harmony and Windsor, to Deposit.

From Troy, by Brunswick and Greenbush, to Sand Lake.

From Cambridge, by Hoosick, Petersburg, Berlin, and Stephentown,
to Lebanon.

From Waterford, by Orange, to Ballston.

- From Pine Plains, on the Ulster and Delaware turnpike, to North
Amenia. Post-roads
established.
- From Waterloo to Port Glasgow, by Clyde village, town of Galen.
- From the village of Peekskill, by Crumpond, to Somerstown, in the
county of West Chester.
- From South Nunda, by M'Clure's, to Ellicottville, in the county of
Cataraugus.
- In New Jersey.*—From Newtown, in Sussex county, by Stillwater,
Marksborough, Butt's bridge, to Columbia glass manufactory, on the
Delaware river. New Jersey
- From Baskenridge, by Liberty Corner, to Doughty's mills, in Morris
county.
- From the city of New York, across Staten Island, by the Richmond
and Woodbridge turnpike roads, to New Brunswick.
- In Pennsylvania.*—From Fannetsburg, in Franklin county, by Mifflin-
town, M'Allisterstown, and Stroupstown, to Selinsgrove. Pennsylvania.
- From New Bedford to New Castle.
- That the mail from Chambersburg to Huntington, return by Trough
Creek, Three Springs Valley, and Fort Littleton, to the Burnt Cabins.
- From Allentown, by M'Leansburg, Orwigsburg, and Hamburg, to
Cootstown.
- That the mail from Washington to New Lisbon, pass on from Brice-
lands, by Manchester, and from thence by Hookstown, Georgetown, and
Little Beaver Bridge.
- From the Yellow Springs, in Huntingdon county, by Williamsburg
and Martinsburg, to Bloody Run.
- That the post-road from Womelsdorf to Sunbury, pass by Gratz.
- From Easton, by the Wind Gap, Hamilton, Pocono, Sterling, Salem,
Canaan, and Mount Republic, to Mount Pleasant.
- From Mount Republic to the Courthouse in Bethany.
- From Halifax, in Dauphin county, to Sunbury, in Northumberland
county, on the east side of the Susquehannah river.
- From Greensburg, by Salem cross roads, Crawford's mills, Freeport,
Kittaning Courthouse, Woodward's mills, Indiana Courthouse, Cono-
maugh salt works and New Alexandria, to Greensburg.
- From Chester, in Delaware county, by Newtown, Spread Eagle, and
King of Prussia, to Norristown, in Montgomery.
- From Philadelphia, by Merion, Mill Creek, Gulf Mills, Lowry, Elliott's
and Mason's Tavern, to Kimberton.
- In Maryland.*—From Hancock to Bath, in Berkley county in Virginia. Maryland.
- From Port Tobacco, by Bryantown, to Benedict.
- That the mail pass on the turnpike road between Hagerstown and
Cumberland.
- From Bladensburg to Magruder's tavern, in Maryland.
- From Fredericksburg, by Cartersville, Cumberland c. h., Prince Edward
c. h., Charlotte c. h., and Halifax c. h., in Virginia, by Milton, Salisbury,
and Charlotte, in North Carolina, by York c. h., Pinckneyville, Union c.
h., Lawrence c. h., and Abbeville c. h., in South Carolina; and by Peters-
burg, Washington, Powelton, and Sparta, to Milledgeville, in Georgia.
- In Virginia.*—From Bowling Green, in Carolina county, by Golans-
ville, to Oxford. Virginia.
- That the post-road called the Three Notched Road, from Richmond
to Milton, shall pass by Price's store, N. J. Poindexter & Co's. store, and
Dobb's store.
- From Morgantown, by Barnes' mills, and Shinston, to Clarksburg.
- From Moorfield's, by Smith's, and the German settlement, to King-
wood.
- From Preston to Howell's mill, on the Little Kenhawa.

Post-roads
established.

From Petersburg, by Moody's, Bevil's bridge, Amelia Courthouse, Painesville, and Jameston, to Farmville, in the county of Prince Edward.

From York to Warwick.

From Kempsville to London bridge.

From Great bridge, by Blackwater, to Knott's island, North Carolina.

From Lewisburg, by Nicholas Courthouse, to Charleston, in Kenhawa county.

From Perkinsonville, in Amelia county, by Jennings' ordinary, in Nottoway, Miller's tavern, and Moore's ordinary, in Prince Edward county, and Key's tavern, in Charlotte county, to Charlotte Courthouse.

From Hanover Courthouse to Taylorsville, in the county of Hanover.

From Lynchburg to the store of Richard Davis, in Bedford county.

North Caro-
lina.

In North Carolina.—From Rutherfordton, by Munford's Cove, and Harmonville, to Mackeysville, in Burk county.

From Lumberton, by Philadelphus, M'Phaulsville, Montpelier, M'Eachin's bridge, Cowper Hill, Stewartsville, Queensdale, and Alfordsville, to Lumberton.

From Haywood Courthouse, at Waynesville, to Houghstonsville, in South Carolina.

From Newbern, by Tilman's mill, to Bay river.

From Tarboro' to Williamstown.

From Louisburg, by Haysville and Healthseat, to Oxford.

From Ashville, North Carolina, to Pendleton Courthouse, in South Carolina.

From Knott's island, by Kempsville, to Norfolk, in Virginia.

From Statesville, by Campbell's Grove, to Morgantown.

From Salem, North Carolina, by Perkins, Good Spur, and Poplar Camp, to Wythe Courthouse, Virginia.

From Oxford, in Granville county, to Louisburg, in the county of Franklin.

From Chapel Hill, in Orange county, to Lexington, in the county of Rowan.

South Caro-
lina.

In South Carolina.—From Parker's Ferry, by Walterboro', to Barnwell Courthouse.

From Columbia, by Lexington, Edgefield, Newbury, and Laurens, to Greenville Courthouse.

From Adam Eifert's, by Mount Willing, R. Coleman's, William Wilson's, Charles Chappel's, on Saluda river, J. Cook's store, and H. Gray's, to Greenville.

From John Thompson's, junr., in Marion District, by Richard Howard's, to Godfrey's Ferry, on Big Pee-Dee river.

From York Courthouse by Fullenwider's store, at Gordan's Old Place, to Lincolnton, in North Carolina; and from thence to Morganton.

Georgia.

In Georgia.—From Milledgeville, by Bollin's ferry, Devereaux, Baxter's bridge, and Greensboro', to Athens.

From Fort Hawkins, by Clinton and Monticello, to Madison.

Ohio.

In Ohio.—From Dresden, by Washington cross roads, West Bedford, and Darling's, to Mansfield.

From Berkshire, by Delaware, to Urbana.

From Ravenna, by Rootstown, and Randolph, to Canton.

From Newark to Mount Vernon.

From Urbana to the county seat in Logan county.

From Columbus, by Urbana, and Piqua, to Greenville.

From Troy, by Piqua, St. Mary's, Fort Wayne, and Fort Defiance, to Fort Meigs.

From Zanesville, by Plainfield, to White Eyes Plains, on the east side of the Muskingum.

- From Wellsburg, Va., by Philipsburg and Smithfield, to Cadiz. Post-roads established.
- From New Lexington to Greenville.
- From Coshocton, by Mechanicstown and Millersburg, to Wooster.
- From Piqua to Hardin, in Shelby county.
- From Hamilton, by Oxford, Dover, Eaton, and New Paris, to Greenville.
- From Cadiz to Rumbly.
- In Kentucky.*—From Catlettsburg, by the mouth of Blaine creek, and the mouth of Louisa, Fork of Sandy, to Floyd Courthouse. Kentucky.
- From Lexington, by the way of the Burnt Tavern, to Lancaster.
- From Princeton, by Bellsford, to Madisonville.
- From Falmouth to Neville, in Ohio.
- From Millersburg, by Ruddle's Mill, to Cynthiana.
- From Louisville, by Mount Vernon, Fairfield, and Bloomfield, to Springfield.
- From Greensburg, by Monroesville, to Glasgow.
- From Newburg, by Ewingsville and Trenton, to Port Royal, in Tennessee.
- From Trenton, in Christian county, to Clarkesville.
- That the mail from Glasgow to Berksville shall pass by Martinsburg.
- From Tompkinsville, by Martinsburg, to Burksville.
- In Tennessee.*—From Clinton, by Morgan Courthouse, to Burkesville, Tennessee.
- From Columbia, in Maury county, to Waynesboro', in Wayne county.
- From the Boat Yard, by Embree's iron works, to Jonesborough.
- In Indiana.*—From Princeton, by Columbia, Petersburg, and the seat of justice in Dubois county, to Paoli. Indiana.
- From Vincennes, by Palestine, to York, in Illinois.
- From Lexington to Vernon.
- From Jeffersonville, by Greenville, Fredericksburg, Paoli, and Washington, to Vincennes.
- From Vincennes, by Carlisle and Belville, in Illinois, to St. Louis, in the Missouri territory.
- From Jacksonborough, in the county of Wayne, to the county seat for Randolph county.
- From Lawrenceburg, in Indiana, to Petersburg and Burlington, in Kentucky.
- From Brookville to Vernon; thence, by Brownstown and Salem, to Geneva.
- From Corydon, by Mount Sterling, Portersville, Petersburg, and Columbia, to Princeton.
- From Elizabeth, Hardin county, Kentucky, by Fredonia, and Mount Sterling, to Paoli, in Indiana.
- In Illinois.*—From Edwardsville, by Alton, to St. Charles, in the Missouri territory; and from Edwardsville, by Ripley, to Perrysville. Illinois.
- That the post-road from Vincennes to Shawneetown, pass by the English Prairie, or section No. 10, of township No. 2, range 10, east.
- From Vincennes, by Palestine, to York, in Illinois.
- In Mississippi.*—From Winchester, by Green Courthouse, Fords on Pearl River, Marion Courthouse, Holmesville, and Liberty, to Woodville. Mississippi.
- From Port Gibson, by Franklin Courthouse and Liberty, to Madisonville, in the state of Louisiana.
- In the Missouri Territory.*—From St. Charles, by Clark's Fort, Stouts' Fort, Lincoln Courthouse, and Clarksville, to Louisiana, at the mouth of Salt River, in Pike county. Missouri Territory.
- From St. Charles, by Montgomery Courthouse, to Howard Courthouse.

Post-roads
established.

From St. Louis, by Franklin Courthouse, Cooper Courthouse, to Howard Courthouse.

From Cadron, by Pulaski Courthouse, Little Rock, Clark Courthouse and Hempstead Courthouse, to Washita Courthouse, in Louisiana.

From Franklin Courthouse to Montgomery Courthouse.

From St. Michael, by the seat of justice in Wayne county, to Hix's Ferry.

From Jackson to the seat of justice in Wayne county.

From St. Louis, by Belle Fontain, and Portage de Sioux, to the seat of justice in Lincoln county.

From Potosi, by Belleview, to Murphy's Settlement.

Alabama
Territory.

In the Alabama Territory.—From Huntsville, to Moorsville, in Limestone county.

From Cahaba to St. Stephens.

From Burnt Corn Spring, Monroe county, by Blakely, to Mobile in Mobile county.

From Cahaba to Tuskalooa.

From Huntsville, in Alabama territory, by Shelbyville and Fayetteville, to Murfreesborough in Tennessee.

The military
road from
Huntsville
to
Madisonville
to be established
a post-road.

SEC. 3. *And be it further enacted*, That the military road commenced by the troops of the United States, under the command of General Jackson, and leading from Huntsville, in the Alabama territory, to Madisonville, in the state of Louisiana, be established a post-route when the same shall be completed.

APPROVED, March 3, 1819.

STATUTE II.

March 3, 1819.

CHAP. LXXIII.—*An Act to enforce those provisions of the act, entitled "An act to incorporate the subscribers to the Bank of the United States," which relate to the right of voting for directors, and for other purposes.*

Act of April
10, 1816, ch. 44.
Persons offer-
ing more than
30 votes, may
be compelled to
make oath.
1816, ch. 44.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in all elections of directors of the Bank of the United States, hereafter to be held, under, and by virtue of, the "Act to incorporate the subscribers to the Bank of the United States," whenever any person shall offer to the judges of such election more than thirty votes in the whole, including those offered in his own right, and those offered by him as attorney, proxy, or agent, for any others, the said judges of the elections, or any one of them, are hereby authorized and required to administer to the said person, so offering to vote, the following oath or affirmation, viz :

Form of the
oath.

I, _____, do solemnly swear, (or affirm as the case may be,) that I have no interest, directly or indirectly, in the shares upon which I shall vote at this election, as attorney for others; that those shares are, to the best of my knowledge and belief, truly, and in good faith, owned by the persons in whose names they now stand; and that, in voting at this election, I shall not, in any manner, violate the first fundamental article of the "Act to incorporate the subscribers to the Bank of the United States." And the said judges of elections, or any one of them, shall be authorized and empowered, in their discretion, or at the instance of any stockholder of the bank, to administer the said oath or affirmation to any person offering to vote at any such election.

Any judge of
elections may
administer the
oath, &c.

Proxies.

SEC. 2. *And be it further enacted*, That no person shall be entitled to vote at any such election as attorney, proxy, or agent, for any other person, copartnership, or body politic, without a power for that purpose, being duly executed, in the presence of a witness, and filed in the bank, and on which power shall be endorsed the oath or affirmation of the person, or one of the copartners, or of the head, or some of the officers, of the

body politic granting such power, in the words following: "I , do solemnly swear, (or affirm as the case may be,) that I am (or that the co-partnership, consisting of myself and , are, or that the corporation known by the name of , is, as the case may be,) truly, and in good faith, the owner (or owners, as the case may be,) of the shares in the capital stock of the Bank of the United States, specified in the within power of attorney, and of no other shares; that no other person has any interest in the said shares, directly or indirectly, except as stated in the said power; and that no other power has been given to any person, which is now in force, to vote for me (or for the co-partnership aforesaid, or for the body politic aforesaid, as the case may be,) at any election of directors of the said bank;" which oath or affirmation may be taken before a notary public, judge, or justice of the peace, and shall be certified by him.

Form of the oath to be endorsed.

Oath may be taken before a notary, &c.

SEC. 3. *And be it further enacted*, That if the judges of any election of directors, to be held as aforesaid, shall permit any person to give more than thirty votes, in the whole, at any such election, without the said person's having taken the aforesaid oath or affirmation, or shall suffer any person whatever to vote as attorney, agent, or proxy, for any other person, or for any co-partnership, or body politic, without a power for that purpose, as prescribed in the foregoing section, with the oath or affirmation and certificate aforesaid; such of the said judges as shall consent thereto, shall severally be deemed guilty of a misdemeanor, and, on due conviction thereof, shall be subject to a fine not exceeding two thousand dollars, or to imprisonment not exceeding one year, at the discretion of the court before which such conviction shall be had. And if any person shall wilfully and absolutely swear or affirm falsely, in taking any oath or affirmation prescribed by this act, such person, so offending, shall, upon due conviction thereof, be subject to the pains and penalties which are by law prescribed for the punishment of wilful and corrupt perjury.

Judges of elections permitting persons to give more than thirty votes without making oath, or suffering any person to vote as proxy without a power, as prescribed, to be deemed guilty, &c.

Persons swearing falsely, subject to the penalties of perjury.

SEC. 4. *And be it further enacted*, That if any person shall, directly or indirectly, give any sum or sums of money, or any other bribe, present, or reward, or any promise, contract, obligation or security, for the payment or delivery of any money, present, or reward, or any thing to obtain or procure the opinion, vote, or interest, of the president of the Bank of the United States, or either of the directors thereof, or the president or a director of either of the branches of the said bank, in any election, question, matter, or thing, which shall come before the said president and directors for decision, in relation to the interest and management of the business of the said bank, and shall be thereof convicted; such person or persons, so giving, promising, contracting, or securing to be given, paid, or delivered, any sum or sums of money, present, reward, or other bribe as aforesaid, and the president or director who shall, in any wise, accept or receive the same, on conviction thereof, shall be fined and imprisoned at the discretion of the court, and shall forever be disqualified to hold any office of trust or profit under the said corporation, and shall, also, for ever, be disqualified to hold any office of honour, trust, or profit, under the United States.

The person giving, and the president or director accepting, any money, or bribe, &c., to be fined and imprisoned, and for ever disqualified, &c.

APPROVED, March 3, 1819.

STATUTE II.

CHAP. LXXIV.—*An Act further to suspend, for a limited time, the sale or forfeiture of lands for failure in completing the payment thereon.*

March 3, 1819.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the operation of the sixth condition of the fifth section of the act, entitled "An act to amend the act entitled 'An act providing for the sale of the lands of the United

The operation of the 6th condition of the 5th section of the act for the

sale of lands, &c., suspended until March 31, 1820, in favour of purchasers.

Act of May 10, 1800, ch. 55.

See act of March 30, 1820, ch. 26.

States north-west of the Ohio, and above the mouth of Kentucky river," be, and the same is hereby, suspended until the thirty-first day of March, one thousand eight hundred and twenty, in favour of the purchasers of public lands at any of the land offices of the United States: *Provided*, That the benefit of this act shall not be extended to any one purchaser for a greater quantity than six hundred and forty acres of land.

APPROVED, March 3, 1819.

STATUTE II.

March 3, 1819.

CHAP. LXXV.—*An Act in addition to "An act concerning tonnage and discriminating duties in certain cases."*

Act of April 20, 1818, ch. 112.

The act of 20th April, 1818, extended to the vessels of Prussia, Hamburg and Bremen.

The act of 3d March, 1815, ch. 76, the act April 20, 1818, ch. 112, and this act to cease on 1st Jan., 1824.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act passed on the twentieth of April, one thousand eight hundred and eighteen, entitled "An act concerning tonnage and discriminating duties in certain cases," be, and the same hereby is, extended, in all its provisions and limitations, to the vessels of Prussia, of the city of Hamburg, and of the city of Bremen.

SEC. 2. *And be it further enacted*, That the act passed on the third of March, eighteen hundred and fifteen, entitled "An act to repeal so much of the several acts imposing duties on the tonnage on [of] ships and vessels, and on goods, wares, and merchandise, imported into the United States, as imposes a discriminating duty on tonnage, between foreign vessels and vessels of the United States, and between goods imported into the United States in foreign vessels and vessels of the United States," and also the act to which this is an addition, together with this act, shall cease and expire on the first day of January, eighteen hundred and twenty-four.

APPROVED, March 3, 1819.

STATUTE II.

March 3, 1819.

CHAP. LXXVII.—*An Act to protect the commerce of the United States, and punish the crime of piracy. (a)*

Act of March 3, 1819, ch. 100.

Act of May 10, 1800, ch. 51. The President authorized to

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 and requested to employ

(a) The decisions of the courts of the United States upon prosecutions for piracy, have been:

Piracy.—A robbery committed on the high seas, although such robbery, if committed on land, would not, by the laws of the United States, be punishable with death, is piracy, under the act of Congress of 1790; and the circuit courts have jurisdiction thereof. *United States v. Palmer*, 3 Wheat. 610; 4 Cond. Rep. 352.

The crime of robbery, as mentioned in the act, is the crime of robbery as recognised and defined at common law. *Ibid*.

The crime of robbery, committed by a person who is not a citizen of the United States, on the high seas, on board of a ship belonging exclusively to subjects of a foreign state, or on persons in a foreign vessel, is not piracy under the act, and is not punishable in the courts of the United States. *Ibid*.

When a civil war rages in a foreign nation, one part of which separates itself from the old established government, and erects itself into a distinct government, the courts of the United States must view such newly constituted government as it is viewed by the legislative and executive departments of the government of the United States. If that government remains neutral, but recognises the existence of a civil war, the courts of the Union cannot consider as criminal, those acts of hostility which war authorizes, and which the new government may direct against its enemy. *Ibid*.

The same testimony which would be sufficient to prove that a vessel or person is in the service of an acknowledged state, is admissible to prove that they are in the service of such newly created government. Its seal cannot be allowed to prove itself, but may be proved by such testimony as the nature of the case admits; and the fact that a vessel or person is in the service of such government may be established otherwise, should it be impracticable to prove the seal. *Ibid*.

A commission issued by Atury, as "brigadier of the Mexican republic," (a republic whose existence is unknown and unacknowledged,) or as "generalissimo of the Floridas," (a province in the possession of Spain,) will not authorize armed vessels to make captures at sea. *United States v. Klintock*, 5 Wheat. 144; 4 Cond. Rep. 614.

so many of the public armed vessels, as, in his judgment, the service may require, with suitable instructions to the commanders thereof, in protecting the merchant vessels of the United States and their crews from piratical aggressions and depredations. employ the public armed vessels to protect merchant vessels.

Query, Whether a person, acting with good faith under such a commission, may be guilty of piracy? *Ibid.*

However this may be, in general, under the particular circumstances of this case, showing that the seizure was made not *jure belli*, but *animo furandi*, the commission was held not to exempt the prisoner from the charge of piracy. *Ibid.*

The act of the 30th of April, 1790, ch. 9, extends to all persons, on board all vessels, which throw off their national character by cruising piratically, and committing piracy on other vessels. *Ibid.* The act of the 3rd March, 1819, ch. 77, sec. 5, referring to the law of nations for a definition of the crime of piracy, is a constitutional exercise of the power of Congress to define and punish that crime. *United States v. Smith*, 5 Wheat. 153; 4 Cond. Rep. 619.

The crime of piracy is defined by the law of nations with reasonable certainty. *Ibid.*

Robbery, or forcible depredation, upon the sea, *animo furandi*, is piracy by the law of nations, and by the act of Congress. *Ibid.*

The eighth section of the act of the 30th of April, 1790, ch. 9, for the punishment of certain crimes against the United States, is not repealed by the act of the 3d of March, 1819, ch. 77, to protect the commerce of the United States, and to punish the crime of piracy. *United States v. Furlong*, alias *Hobson et al.*, 5 Wheat. 184; 4 Cond. Rep. 623.

In an indictment for a piratical murder (under the act of the 30th of April, 1790, ch. 9, sec. 8), it is not necessary that it should allege the prisoner to be a citizen of the United States, nor that the crime was committed on board a vessel belonging to citizens of the United States; but it is sufficient to charge it as committed from on board such a vessel, by a mariner sailing on board such a vessel. *Ibid.*

The words "out of the jurisdiction of any particular state," in the act of the 30th of April, 1790, ch. 9, sec. 8, are construed to mean, out of the jurisdiction of any particular state of the Union. *Ibid.*

A vessel lying in an open roadstead of a foreign country, is "upon the high seas" within the act of 1790, ch. 9, sec. 8. *Ibid.*

A citizen of the United States fitting out a vessel in a port of the United States, to cruise against a power in amity with the United States, is not protected by a foreign commission from punishment for any offence committed against the property of citizens of the United States. *Ibid.*

The courts of the United States have jurisdiction of a murder committed on the high seas from a vessel belonging to the United States, by a foreigner being on board such vessel, upon another foreigner being on board of a foreign vessel. It is not necessary to produce documentary evidence, in order to prove the national character of a vessel, on an indictment for piracy. *Ibid.*

The courts of the United States have not jurisdiction of a murder committed by one foreigner on another foreigner, both being on board a foreign vessel. *Ibid.*

It is competent in an indictment for piracy, for the jury to find that a vessel within a marine league of the shore, at anchor, in an open roadstead, where vessels only ride under shelter of the land at a season when the course of the winds is invariable, is upon the high seas. *Ibid.*

The act of the 3d of March, 1819, ch. 77, sec. 5, furnishes a sufficient definition of piracy; and it is defined to be "robbery on the seas." *Ibid.*

A vessel loses her national character by assuming a piratical character; and a piracy committed by a foreigner from on board such a vessel, upon any other vessel whatever, is punishable under the eighth section of the act of the 30th of April, 1790, ch. 9. *Ibid.*

On an indictment for piracy, the jury may find the national character of a vessel upon such evidence as will satisfy their minds; without the certificate of registry, or other documentary evidence, being produced; and without proof of their having been seen on board. *Ibid.*

On an indictment for piracy, the national character of a merchant vessel of the United States may be proved without evidence of her certificate of registry. *Ibid.*

The courts of the United States have jurisdiction under the act of the 30th of April, 1790, ch. 9, of murder or robbery committed on the high seas; although not committed on board a vessel belonging to citizens of the United States, as if she had no national character; but was held by pirates, or persons not lawfully sailing under the flag of any foreign nation. *United States v. Holmes*, 5 Wheat. 412; 4 Cond. Rep. 708.

In the same case, and under the same act, if the offence be committed on board of a foreign vessel by a citizen of the United States; or on board a vessel of the United States by a foreigner; or by a citizen or foreigner on board of a piratical vessel; the offence is equally cognisable by the courts of the United States. *Ibid.*

It makes no difference in such a case, and under the same act, whether the offence was committed on board of a vessel, or on the sea; as by throwing the deceased overboard and drowning him, or by shooting him when in the sea though he was not thrown overboard. *Ibid.*

In such a case, and under the same act, where the vessel from on board of which the offence was committed, sailed from Buenos Ayres, where she had enlisted her crew; but it did not appear by legal proof that she had a commission from the government of Buenos Ayres, or any ships' papers or documents from that government, or that she was ever recognised as a ship of that nation, or of its subjects, or who were the owners, where they resided, or when or where the vessel was armed and equipped; but it did appear in proof, that the captain and crew were chiefly Englishmen, Frenchmen, and citizens of the United States; that the captain was by birth a citizen of the United States, domiciled at Baltimore, where the privateer was built: *Held*, that the burthen of proof of the national character of the vessel, was on the prisoners. *Ibid.*

General piracy, or murder, or robbery, committed by persons on board a vessel, not at the time belonging to the subjects of any foreign power, but in possession of a crew, acting in defiance of all law, and acknowledging obedience to no government whatever, is within the 8th section of the ac

The President authorized to instruct commanders of public armed vessels to take and

SEC. 2. *And be it further enacted*, That the President of the United States be, and hereby is, authorized to instruct the commanders of the public armed vessels of the United States to subdue, seize, take, and send into any port of the United States, any armed vessel or boat, or any vessel or

of Congress of April 30th, 1790, ch. 9, and is punishable in the courts of the United States. *United States v. Furlong*, 5 Wheat. 185; 4 Cond. Rep. 623.

There is a distinction between the crimes of murder and piracy. The latter is an offence within the criminal jurisdiction of all nations: not so with murder, it is punishable under the laws of each state. *Ibid.*

It is not necessary to produce documentary evidence, to prove the national character of a vessel, on an indictment for piracy. *Ibid.*

Upon a piratical capture, the property of the original owners cannot be forfeited for the misconduct of the captors, in violating the municipal laws of the country where the captors have carried the property. *The Josefa Segunda*, 5 Wheat. 338; 4 Cond. Rep. 672.

Pirates may be lawfully captured by the public or private ships of any nation, in peace or in war; for they are *hostes humani generis*. *The Marianna Flora*, 11 Wheat. 1; 6 Cond. Rep. 201.

On a question of probable cause of seizure, under the piracy acts of 3d of March, 1819, ch. 77, and of the 15th of May, 1820, ch. 113; although the crew may be protected by a commission *bona fide* received, and acted under, from the consequences attaching to the offence of piracy by the general law of nations; although such commission was irregularly issued; yet if the defects in the commission be such as, connected with the insubordination and predatory spirit of the crew, to excite a justly founded suspicion, it is sufficient, under the act of Congress, to justify the captors for bringing in the vessel for adjudication, and to exempt them from costs and damages. *The Palmyra*, 12 Wheat. 1; 6 Cond. Rep. 397.

Whatever difficulty there may be, under our municipal institutions, in punishing as pirates, citizens of the United States who take from a state at war with Spain, a commission to cruise against that power, contrary to the 14th article of the Spanish treaty: yet there is no doubt that such acts are to be considered as piratical acts for all civil purposes, and the offending parties cannot appear, and claim in our courts the property thus taken. *The Bello Corrunes*, 6 Wheat. 152; 5 Cond. Rep. 45.

To constitute the offence of piracy, within the act of 1790, ch. 9, by "piratically and feloniously" running away with a vessel, personal force and violence is not necessary. *United States v. Tully*, 1 Gallis. C. C. R. 247.

The "piratically and feloniously" running away with a vessel, within the act, is the running away with a vessel, with an intent to convert the same to the taker's own use, against the will of the owner. The intent must be *animo furandi*. *Ibid.*

The circuit court has cognisance, under the act of 1790, ch. 9, sec. 8, of piracy on board an American ship, although committed in an open roadstead, adjacent to a foreign territory, and within half a mile of the shore. *United States v. Ross*, 1 Gallis. C. C. R. 524.

Where the defendant was indicted for robbery and piracy, on the high seas, on board a brig called *L'Eclair*, a foreign vessel, belonging exclusively to French owners, and sailing under the French flag: *Held*, that under the acts of Congress, the circuit court had no jurisdiction to try and punish the offence. *United States v. Kessler*, 1 Baldwin's C. C. R. 25.

Whether the offence was committed within or without a marine league of the coast of the United States, makes no difference. *Ibid.*

The defendant who was the first lieutenant of an American privateer, the *Revenge*, was indicted for piracy committed on a Portuguese vessel, and for assaulting the crew, and putting them in bodily fear, &c. The defendant was charged with boarding the vessel, and by force and intimidation, taking from her money and other articles, not claiming the vessel as prize; but pretending that the *Revenge* was an English vessel, and that the articles would be paid for by an order on the English consul. *Held*, that the eighth section of the act for the punishment of certain crimes, makes murder and robbery on the high seas acts of piracy. The words, "which if committed in the body of a county," do not relate to "murder and robbery," but to the words immediately preceding them, or any other offence. *United States v. Jones*, 3 Wash. C. C. R. 209.

To define the meaning of "robbery," the common law must be resorted to: wherever a statute of the United States uses a technical term, which is known, and its meaning clearly ascertained by the common law or civil law, from one or other of which it is obviously borrowed, it is proper to refer for its meaning to the source from which it is taken. *Ibid.*

The act of Congress of 1812, for the government of the navy of the United States, does not repeal the provisions of the law relating to piracy, contained in the act of Congress passed 30th April, 1790. The general rule of law, that robbery on the high seas is piracy, has no exception or qualification in favour of commissioned privateers, in any act of Congress, in the common law, or in the law of nations. Robbery is the felonious taking of goods from the person of another; or in his presence by violence; or by putting him in fear, and against his will. *Ibid.*

As there was no proof under the indictment, that in the first instance any unlawful acts were meditated by the commander of the *Revenge*, and his officers; it was held to be insufficient to charge the defendants, who were part of the crew, with piracy, by proving acts of robbery committed by the crew in general. It must be proved that the defendants, who were part of the crew, participated in the taking; and that they did it feloniously. The captain of the *Revenge* may have been guilty of robbery, and those who executed his orders may have been innocent. *Ibid.*

The crimes of piracy mentioned in the 8th section of the act for the punishment of certain crimes, passed 30th April, 1790, are such as are committed by citizens of the United States, or on board of vessels of the United States; and the 10th and 11th sections of the act, which refer to accessories, refer to acts of piracy mentioned in the 8th section. *United States v. Howard et al.*, 3 Wash. C. C. R. 340.

An endeavour by a mariner to corrupt the master of a vessel, and to induce him to go over to pirates, is within the provisions of the eighth section of the law. *Ibid.*

boat, the crew whereof shall be armed, and which shall have attempted or committed any piratical aggression, search, restraint, depredation or seizure, upon any vessel of the United States, or of the citizens thereof, or upon any other vessel; and also to retake any vessel of the United States, or its citizens, which may have been unlawfully captured upon the high seas.

SEC. 3. *And be it further enacted*, That the commander and crew of any merchant vessel of the United States, owned wholly, or in part, by a citizen thereof, may oppose and defend against any aggression, search, restraint, depredation, or seizure, which shall be attempted upon such vessel, or upon any other vessel owned as aforesaid by the commander or crew of any armed vessel whatsoever, not being a public armed vessel of some nation in amity with the United States; and may subdue and capture the same; and may also retake any vessel, owned as aforesaid, which may have been captured by the commander or crew of any such armed vessel, and send the same into any port of the United States.

SEC. 4. *And be it further enacted*, That whenever any vessel or boat, from which any piratical aggression, search, restraint, depredation or seizure shall have been first attempted or made, shall be captured and brought into any port of the United States, the same shall and may be adjudged and condemned to their use, and that of the captors, after due process and trial, in any court having admiralty jurisdiction, and which shall be holden for the district into which such captured vessel shall be brought; and the same court shall thereupon order a sale and distribution thereof accordingly, and at their discretion.

SEC. 5. *And be it further enacted*, That if any person or persons whatsoever, shall, on the high seas, commit the crime of piracy, as defined

send into port armed vessels, &c. which have attempted or committed piratical aggression, &c.

Merchant vessels may defend against aggression, &c. by any armed vessel other than a public armed vessel of a nation in amity.

Vessels from which piratical aggression, &c. has been attempted or made, when taken may be condemned.

Sale and distribution.

To establish the crime of confederacy, there must be some proof of criminal intentions in the persons charged. *Ibid.*

The language of the 12th section of the law, implies compact and association with pirates, as well in relation to the past as to the future. Any intercourse with them which is calculated to promote their views, is within the provisions of the law. *Ibid.*

In order to affect all the officers and crew of a piratical vessel with guilt, the original voyage must have been undertaken with a piratical design; and the officers and crew have acted upon such design; otherwise those only are guilty who co-operated actively in the piracy. *United States v. Gibert*, 2 Sumner's C. C. R. 19.

It would not be sufficient to affect them with such, if they had known the voyage was to be an illegal one, as in the slave trade, contrary to the laws of Spain. *Ibid.*

The simple fact of presence on board the piratical vessel, where there was no original piratical design, is not of itself sufficient to affect a party with the crime. All who are present, acting and assisting in the piracy, are to be deemed principals. *Ibid.*

The act of 1790, ch. 9, sec. 8, for the punishment of certain crimes, passed by Congress, as well as the act of 1820, ch. 113, applies to all murders and robberies committed on board of, or upon American ships on the high seas. *Ibid.*

The indictment charged the piracy to have been committed "on the high seas within the admiralty and maritime jurisdiction of the United States, and out of the jurisdiction of a particular state." Held, that this was a sufficient statement of the venue, without a further specification of the place. *Ibid.*

Under the act of Congress of 1819, ch. 77, any armed vessel may be seized which shall have attempted or committed any piratical aggression, &c., and the proceeds of the vessel when sold divided between the United States and the captors at the discretion of the court. *Harmony et al. v. The United States*, 2 Howard, 210.

It is no matter whether the vessel be armed for offence or defence, provided she commits the unlawful acts specified. *Ibid.*

To bring a vessel within the act, it is not necessary that there should be actual plunder or intent to plunder; if the act be committed from hatred or an abuse of power, or a spirit of mischief, it is sufficient. *Ibid.*

The word "piratical" in the act is not to be limited in its construction to such acts as by the laws of nations are denominated piracy, but includes such as pirates are in the habit of committing. *Ibid.*

A piratical aggression, search, restraint or seizure, is as much within the act, as a piratical depredation. *Ibid.*

The innocence or ignorance on the part of the owner of the vessel, of these prohibited acts, will not exempt the vessel from condemnation. *Ibid.*

The condemnation of the cargo is not authorized by the act of 1819. Neither does the law of nations require the condemnation of the cargo for petty offences, unless the owner thereof co-operates in and authorizes the unlawful act. An exception exists in the enforcement of belligerent rights. *Ibid.*

Where the innocence of the owners was established, it was proper to throw the costs on the vessel which was condemned, to the exception of the cargo which was liberated. *Ibid.*

Persons committing the crime of piracy on the high seas, to be punished with death.

by the law of nations, and such offender or offenders, shall afterwards be brought into or found in the United States, every such offender or offenders shall, upon conviction thereof, before the circuit court of the United States for the district into which he or they may be brought, or in which he or they shall be found, be punished with death.

SEC. 6. *And be it further enacted*, That this act shall be in force until the end of the next session of Congress.

APPROVED, March 3, 1819.

STATUTE II.

March 3, 1819.

CHAP. LXXX.—*An Act to continue in force, for a further term, the act entitled "An act for establishing trading houses with the Indian tribes," and for other purposes.*

Act of March 2, 1811, ch. 30.

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, by subsequent acts, continued in force until the first day of March, one thousand eight hundred and nineteen, shall be, and the same is hereby, further continued in force until the first day of March, one thousand eight hundred and twenty, and no longer.

The act continued until 1st March, 1820.

Act of April 20, 1818, ch. 104.
The President may transfer Indian agents.

SEC. 2. *And be it further enacted*, That the President of the United States shall have power, and he is hereby authorized, in every case where he shall judge it expedient, to transfer any of the Indian agents, whose compensation was fixed by the act, entitled "An act fixing the compensation of Indian agents and factors," from the places designated by the said act for the discharge of their duties, respectively, to such other places as the public service may require; and shall also have power to appoint, by and with the consent and advice of the Senate, an Indian agent for the Upper Missouri, whose annual compensation shall be one thousand eight hundred dollars.

Indian agent for Upper Missouri with a salary of \$1800.

APPROVED, March 3, 1819.

STATUTE II.

March 3, 1819.

CHAP. LXXXI.—*An Act regulating the payments to invalid pensioners.*

Affidavit of two credible surgeons, &c., stating the continuance and rate of disability, &c., to accompany the application for payment.

Proviso; affidavit not necessary in case of total disability, &c.

Act of March 18, 1818, ch. 19.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in all cases of application for the payment of pensions to invalids, under the several laws of Congress granting pensions to invalids, the affidavit of two surgeons or physicians, whose credibility, as such, shall be certified by the magistrate before whom the affidavit is made, stating the continuance of the disability for which the pension was originally granted, (describing it,) and the rate of such disability at the time of making the affidavit, shall accompany the application of the first payment which shall fall due after the fourth day of March next, and at the end of every two years thereafter; and if, in a case of a continued disability, it shall be stated at a rate below that for which the pension was originally granted, the applicant shall only be paid at the rate stated in the affidavit: *Provided*, That where the pension shall have been originally granted for a total disability, in consequence of the loss of a limb, or other cause which cannot, either in whole or in part, be removed, the above affidavit shall not be necessary to entitle the applicant to payment: *And provided, also*, That this act shall not extend to the invalids of the revolution, who have been, or shall be, placed on the pension list, pursuant to an act of Congress, entitled "An act to provide for certain persons engaged in the land and naval service of the United States in the revolutionary war," approved the

eighteenth day of March, in the year of our Lord one thousand eight hundred and eight. [eighteen.]

APPROVED, March 3, 1819.

CHAP. LXXXII.—*An Act to regulate the duties on certain wines.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the thirtieth day of June, one thousand eight hundred and nineteen, the duties now by law levied, collected, and paid, on wine not enumerated in the "Act to regulate the duties on imports and tonnage," passed the twenty-seventh day of April, one thousand eight hundred and sixteen, when imported in bottles or cases, of seventy cents per gallon, and on wine not enumerated in said act, when imported otherwise than in bottles or cases of twenty-five cents per gallon, shall cease and determine; and there shall be levied collected, and paid, in lieu thereof, the several and specific duties hereinafter mentioned; that is to say: on wines not enumerated in the act aforesaid, when imported in bottles or cases, thirty cents per gallon, and when imported otherwise than in bottles or cases, fifteen cents per gallon.

SEC. 2. *And be it further enacted,* That an addition of ten per centum shall be made to the several rates of duties above specified, and imposed upon the several goods, wares and merchandise, aforesaid, which, after the said thirtieth day of June, one thousand eight hundred and nineteen, shall be imported in ships or vessels not of the United States: *Provided,* That this additional duty shall not apply to such goods, wares, and merchandise, imported in ships or vessels not of the United States, entitled by treaty, or by any act or acts of Congress, to be entered in the ports of the United States, on the payment of the same duties as are paid on goods, wares, and merchandise, imported in ships or vessels of the United States.

SEC. 3. *And be it further enacted,* That there shall be allowed a drawback of the duties by this act imposed on goods, wares, and merchandise, imported into the United States, upon the exportation thereof, within the time, and in the manner, prescribed in the fourth section of the act entitled "An act to regulate the duties on imports and tonnage," passed on the twenty-seventh day of April, one thousand eight hundred and sixteen.

SEC. 4. *And be it further enacted,* That the existing laws shall extend to, and be in force for, the collection of the duties, imposed by this act on goods, wares, and merchandise, imported into the United States; and for the recovery, collection, distribution, and remission, of all fines, penalties, and forfeitures, as fully and effectually as if every regulation, restriction, penalty, forfeiture, provision, clause, matter, and thing, in the existing laws contained, had been inserted in, and re-enacted by, this act.

SEC. 5. *And be it further enacted,* That wines and distilled spirits, imported and deposited in the public stores, under the direction of the surveyor, in the manner prescribed by the "Act providing for the deposit of wines and distilled spirits in public warehouses," passed the twentieth April, one thousand eight hundred and eighteen, may be transported coastwise, from the public warehouses in one district, to those in another district, under such regulations as the Secretary of the Treasury may prescribe, without loss of debenture.

APPROVED, March 3, 1819.

STATUTE II.

March 3, 1819.

[Obsolete.]

The duties on wines not enumerated in the act of 1816, when imported in bottles or cases, &c., to cease after 30th June, 1819.

Act of April 27, 1816, ch. 107.

Specific duties in lieu, &c.

Addition of ten per cent. to the rates specified, upon importations in vessels not of the United States.

Proviso.

Drawback of the duties imposed on exportation, &c.

1816, ch. 107.

Existing laws in force for the collection of the duties imposed by this act.

Wines may be transported coastwise.

Act of April 20, 1818, ch. 129.

STATUTE II.

March 3, 1819.

[Obsolete.]
Act of April
19, 1816, ch. 57.
Instead of
four sections,
&c., any con-
tiguous quarter
sections, frac-
tions, &c., may
be located un-
der direction of
the legislature.

CHAP. LXXXIII.—*An Act respecting the location of certain sections of lands to be granted for the seat of government in the state of Indiana.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That instead of four sections, provided to be located under the direction of the legislature of the state of Indiana, and to be granted for the purpose of fixing thereon the seat of government for that state, it shall be lawful to locate, for that purpose, under the direction of the legislature aforesaid, any contiguous quarter sections, fractions, or parts of sections, not to exceed, in the whole, the quantity contained in four entire sections: Such locations shall be made before the commencement of the public sales of the adjoining and surrounding lands, belonging to the United States.

APPROVED, March 3, 1819.

STATUTE II.

March 3, 1819.

[Obsolete.]

Appropriations for finishing the wings of the Capitol.

Centre building.

Gates, iron railing, &c.,

Enlarging offices west of President's house.

Purchasing a lot of land, and supplying the executive offices with water.
To be paid out of money in the treasury.

CHAP. LXXXIV.—*An Act making appropriations for the public buildings, for the purchase of a lot of land, and furnishing a supply of water for the use of certain public buildings.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there be appropriated for finishing the wings of the Capitol, in addition to the sums already appropriated, the further sum of fifty-one thousand three hundred and thirty-two dollars.

For erecting the centre building of the Capitol, one hundred and thirty-six thousand six hundred and forty-four dollars.

For finishing the gates, the iron railing, and the enclosure north of the President's house, five thousand three hundred and forty-four dollars.

For enlarging the offices west of the President's house, eight thousand one hundred and thirty-seven dollars.

For purchasing a lot of land, and for constructing pipes, for supplying the executive offices and President's house with water, nine thousand one hundred and twenty-five dollars.

Which said several sums of money, hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated.

SEC. 2. *And be it further enacted,* That the several sums hereby appropriated, shall be expended under the direction of the President of the United States.

APPROVED, March 3, 1819.

STATUTE II.

March 3, 1819.

The President authorized to employ capable persons to instruct Indians in agriculture, and to teach Indian children reading, writing and arithmetic, &c.

CHAP. LXXXV.—*An Act making provision for the civilization of the Indian tribes adjoining the frontier settlements.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the purpose of providing against the further decline and final extinction of the Indian tribes, adjoining the frontier settlements of the United States, and for introducing among them the habits and arts of civilization, the President of the United States shall be, and he is hereby authorized, in every case where he shall judge improvement in the habits and condition of such Indians practicable, and that the means of instruction can be introduced with their own consent, to employ capable persons of good moral character, to instruct them in the mode of agriculture suited to their situation; and for teaching their children in reading, writing, and arithmetic, and performing such other duties as may be enjoined, according to such in-

structions and rules as the President may give and prescribe for the regulation of their conduct, in the discharge of their duties.

SEC. 2. *And be it further enacted*, That the annual sum of ten thousand dollars be, and the same is hereby appropriated, for the purpose of carrying into effect the provisions of this act; and an account of the expenditure of the money, and proceedings in execution of the foregoing provisions, shall be laid annually before Congress.

Account of expenditure and proceedings to be laid before Congress.

APPROVED, March 3, 1819.

STATUTE II.

CHAP. LXXXVI.—*An Act explanatory of the act entitled "An act for the final adjustment of land titles in the state of Louisiana and territory of Missouri."*

March 3, 1819.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the provisions of the fifth section of the act of Congress, entitled "An act for the final adjustment of land titles in the state of Louisiana and territory of Missouri," passed the twelfth day of April, one thousand eight hundred and fourteen, shall be so construed as to extend to the citizens of the county of Howard, in the Missouri territory, as established by the act of the legislature of the territory, passed the twenty-third day of January, one thousand eight hundred and sixteen, any construction to the contrary notwithstanding.

Act of April 12, 1814, ch. 52. The provisions of the 5th section of the act of 12th April, 1814, to be construed to extend to citizens of Howard county.

SEC. 2. *And be it further enacted*, That the right of pre-emption given by the aforesaid provisions, as explained and extended by this act, shall not be so construed as to affect any right derived from the United States, by purchase, at public or private sale, of the lands claimed under the aforesaid act.

The right of pre-emption.

SEC. 3. *And be it further enacted*, That any person or persons who have settled on, and improved, any of the lands in the said territory, reserved for the use of schools, before the survey of such lands were actually made, and who would have had the right of pre-emption thereto by the existing laws had not the same been so reserved, shall have the right of pre-emption thereto, under the same terms and conditions, and subject to the same restrictions provided for other cases of a right of pre-emption in said territory and the register of the land office, and receiver of public moneys for the district, shall have power to select any other vacant and unappropriated lands, in the same township, and as near adjacent as lands of equal quantity and like quality can be obtained, in lieu of the section, or parts of a section, which shall have been entered in right of pre-emption, according to the provision of this section.

Persons who would have had the right of pre-emption had not the lands been reserved for schools, to have the right of pre-emption, &c.

APPROVED, March 3, 1819.

STATUTE II.

CHAP. LXXXVII.—*An Act making appropriations to carry into effect treaties concluded with several Indian tribes therein mentioned.*

March 3, 1819.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the purpose of carrying into effect a treaty between the United States and the Wyandot, Seneca, Delaware, Shawanee, Pattawatima, Ottawa, and Chippewa tribes of Indians, concluded at the foot of the rapids of the Miami of Lake Erie, on the twenty-ninth day of September, eighteen hundred and seventeen, and the supplementary treaty concluded with said tribes, at St. Mary's, in the state of Ohio, on the seventeenth of September, eighteen hundred and eighteen, the following sums be, and the same are hereby appropriated, in conformity with the stipulations contained in said treaty and supplement, to wit:

Appropriations for carrying into effect treaties with the Wyandots, Senecas, Delawares, Shawanees, Pattawatimas, Ottawas, and Chippewas.

The sum of thirteen thousand three hundred dollars, for the payment

Annuities.

of the annuities granted to said tribes, in the manner and proportions following:

- Wyandots. To the Wyandot tribe, annually, for ever, at Upper Sandusky, four thousand five hundred dollars.
- Senecas. To the Seneca tribe, annually, for ever, at Lower Sandusky, one thousand dollars.
- Shawanees at Wapaghkonetta. To the Shawanee tribe, annually, for ever, at Wapaghkonetta, two thousand dollars.
- Shawanees and Senecas of Lewistown. To the Shawanees and Senecas of Lewistown, annually, for ever, one thousand dollars.
- Pattawatimas. To the Pattawatimas, annually, for fifteen years, at Detroit, one thousand three hundred dollars.
- Ottawas. To the Ottawas, annually, for fifteen years, at Detroit, one thousand dollars; and the further annual sum of one thousand five hundred dollars forever.
- Chippewas. To the Chippewa tribe, annually, for fifteen years, at Detroit, one thousand dollars.

Delawares and Wyandots in 1818. And the sum of three thousand dollars, to be paid in the course of the year eighteen hundred and eighteen, to the Delaware and Wyandot tribes, to wit:

To the Delaware tribe at Wapaghkonetta, five hundred dollars.

To the Wyandot tribe, two thousand five hundred dollars.

For damages assessed by authority of the Secretary of War. For the payment of the amount of damages, assessed by authority of the Secretary of War, in favour of several tribes and individuals of Indians, whose property was injured or destroyed during the late war, fourteen thousand four hundred and eighty dollars thirteen cents; to be paid in the manner following:

To the Wyandots, at Upper Sandusky, four thousand three hundred and nineteen dollars thirty-nine cents.

To the Senecas, at Lower Sandusky, three thousand nine hundred and eighty-nine dollars twenty-four cents.

Indians at Lewis and Scoutash towns. To the Indians at Lewis and Scoutash towns, one thousand two hundred and twenty-seven dollars fifty cents.

To Delawares for Indian losses at Greentown, &c. To the Delawares, for the use of the Indians who suffered losses at Greentown, and at Jeromestown, at Wapaghkonetta, three thousand nine hundred and fifty dollars and fifty cents.

Representatives of Hembis. To the representatives of Hembis, a Delaware Indian, at Wapaghkonetta, three hundred and forty-eight dollars and fifty cents.

Additional to the Shawanees. To the Shawanees, an additional sum, at Wapaghkonetta, of four hundred and twenty dollars.

Additional to the Senecas. To the Senecas, an additional sum, at Wapaghkonetta, of two hundred and nineteen dollars.

For carrying into effect the Chickasaw treaty. SEC. 2. *And be it further enacted*, That for the purpose of carrying into effect the treaty between the United States and the Chickasaw nation of Indians, concluded on the nineteenth of October, eighteen hundred and eighteen, the following sum be, and the same is hereby, appropriated, in conformity with the stipulations contained in said treaty: that is to say:

20,000 dolls. annually, for 15 years. To the Chickasaw nation, annually, for fifteen successive years, twenty thousand dollars.

For carrying into effect treaties with the Weas, Pattawatimas, Delawares, and Miamis. SEC. 3. *And be it further enacted*, That for the purpose of carrying into effect the treaties concluded at St. Mary's in the state of Ohio, with the Wea tribe, on the second of October, eighteen hundred and eighteen; the Pattawatima tribe, on the second of October eighteen hundred and eighteen; the Delaware tribe, on the third of October, eighteen hundred and eighteen; and with the Miami tribe, on the sixth of October, eighteen hundred and eighteen; the following sums be, and the same are hereby, appropriated, in conformity with the stipulations contained in said treaties; that is to say:

To the Wea tribe, the annual sum of one thousand eight hundred and fifty dollars: which sum, in addition to their former annuity of eleven hundred and fifty dollars, will make a sum total of three thousand dollars.

Weas.

To the Pattawatima tribe, the annual sum of two thousand five hundred dollars.

Pattawatimas.

To the Delaware tribe, the annual sum of four thousand dollars.

Delawares.

And a sum, not exceeding thirteen thousand three hundred and twelve dollars twenty-five cents, to satisfy certain claims against the Delaware nation, stipulated to be paid by the United States, and to be expended by the Indian agent at Piqua and Fort Wayne, agreeably to a schedule examined and approved by the commissioners.

To satisfy claims against the Delawares at Piqua and Fort Wayne, &c.

To the Miami tribe, the annual sum of fifteen thousand dollars.

Miamies.

SEC. 4. *And be it further enacted*, That for the purpose of carrying into effect the treaty concluded on the fourth [24] of August, eighteen hundred and eighteen, with the Quapaw tribe of Indians; and the treaty concluded on the twenty-fifth of September, eighteen hundred and eighteen, with the Peoria, Kaskaskia, Michigania, Cahokia, and Tamarois tribes of the Illinois nation of Indians; the following sums be, and the same are hereby, appropriated, in conformity with the stipulations contained in said treaties; that is to say:

For carrying into effect treaties with the Quapaws, and Peorias, Kaskaskias, &c.

To the Quapaw tribe, the sum of four thousand dollars, and the further annual sum of one thousand dollars.

Quapaws.

To the Peoria, Kaskaskia, the Michigania, Cahokia, and Tamarois tribes of the Illinois nation, the annual sum of three hundred dollars.

Peorias, Kaskaskias, &c.

SEC. 5. *And be it further enacted*, That for the purpose of carrying into effect the treaty concluded on the twenty-fifth of September, eighteen hundred and eighteen, with the Great and Little Osage nations of Indians, a sum not exceeding four thousand dollars, be, and the same is hereby, appropriated, to satisfy claims of citizens of the United States, for property stolen or destroyed by the Osages, agreeably to the stipulation contained in said treaty.

For carrying into effect the treaty with the Great and Little Osages, to satisfy claims of citizens, &c.

SEC. 6. *And be it further enacted*, That for the payment of the annuity granted to the Creek nation of Indians, by the treaty concluded near Fort Wilkinson, on the Oconee, the sixteenth of June, one thousand eight hundred and two, and for which no appropriation has heretofore been made, the annual sum of three thousand dollars be, and the same is hereby, appropriated; and that, for the purpose of carrying into effect the treaty concluded with said nation, at the Creek agency, on the twenty-second day of January, one thousand eight hundred and eighteen, the further annual sum of ten thousand dollars, for the term of ten successive years, be, and the same is hereby, appropriated, conformably to the stipulations contained in said treaty.

For annuity, granted by treaty of 16th June, 1802, to the Creeks.

SEC. 7. *And be it further enacted*, That for the purpose of carrying into effect sundry other stipulations, contained in several of the treaties hereinbefore mentioned, the sum of twenty-five thousand dollars be, and the same is hereby, appropriated.

For carrying into effect the treaty with the Creeks of 22d Jan., 1818.

SEC. 8. *And be it further enacted*, That there be appointed, agreeably to the ninth article of the treaty concluded with the Wyandot, Seneca, Delaware, Shawanee, Pattawatima, Ottawa, and Chippewa, tribes of Indians, on the twenty-ninth day of September, one thousand eight hundred and seventeen, an agent, to reside among or near the Wyandots, who shall also execute the duties of agent for the Senecas, and the Delawares, on the Sandusky river; and an agent to reside among or near the Shawanees; who shall each receive twelve hundred dollars per annum, as a full compensation for their services.

For carrying into effect certain other stipulations in Indian treaties.

An agent to be appointed to reside among the Wyandots, &c.

An agent to reside among the Shawanees. 1200 dollars per annum for each agent.

SEC. 9. *And be it further enacted*, That the several sums hereinbefore appropriated, be paid out of any moneys in the treasury not otherwise appropriated.

Sums to be paid, &c.

APPROVED, March 3, 1819.

STATUTE II.

March 3, 1819.

CHAP. LXXXVIII. — *An Act authorizing the sale of certain military sites.*

The Secretary of War, under direction of the President, authorized to sell certain useless military sites.

The Secretary on payment to make a deed in fee.

Jurisdiction of the United States to cease.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of War be, and he is hereby, authorized, under the direction of the President of the United States, to cause to be sold such military sites, belonging to the United States, as may have been found, or become useless for military purposes. And the Secretary of War is hereby authorized, on the payment of the consideration agreed for, into the treasury of the United States, to make, execute, and deliver, all needful instruments, conveying and transferring the same in fee; and the jurisdiction, which had been specially ceded, for military purposes, to the United States, by a state, over such site or sites, shall thereafter cease.

APPROVED, March 3, 1819.

STATUTE II.

March 3, 1819.

CHAP. LXXXIX. — *An Act in addition to, and alteration of an act, entitled "An act laying a duty on imported salt, granting a bounty on pickled fish exported, and allowances to certain vessels employed in the fisheries." (a)*

Act of July 29, 1813, ch. 35.

Owners of boats and vessels qualified to carry on the cod fishery, and employed four months at sea to be allowed—

Act of May 26, 1824, ch. 152.

If more than 5, and not exceeding 30 tons, &c.

If above 30 tons, &c.

If above 30, with a crew of 10, &c.

Proviso: allowance for one season not to exceed 360 dolls.

Parts of the act amended, contrary, &c. repealed.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the passing of this act, there shall be paid, on the last day of December, annually, to the owner of every fishing boat or vessel, or his agent, by the collector of the district where such boat or vessel may belong, that shall be qualified, agreeably to law, for carrying on the bank and other cod fisheries, and that shall actually have been employed therein, at sea, for the term of four months at least, of the fishing season next preceding, which season is accounted to be from the last day of February to the last day of November in every year, for each and every ton of such boats or vessels, burden according to her admeasurement as licensed or enrolled, if of more than five tons, and not exceeding thirty tons, three dollars and fifty cents; if above thirty tons, four dollars; and if above thirty tons, and having had a crew of not less than ten persons, and having been actually employed in the cod fishery, at sea, for the term of three and one half months, at the least, but less than four months, of the season aforesaid, three dollars and fifty cents: *Provided,* That the allowance aforesaid, on any one vessel, for one season, shall not exceed three hundred and sixty dollars.

SEC. 2. *And be it further enacted,* That such parts of the fifth and sixth sections of the act hereby amended, as are contrary to the provisions of this act, be, and the same are hereby repealed.

APPROVED, March 3, 1819.

(a) Although penal statutes are to be construed strictly, yet all the provisions thereof must be taken together, and interpreted according to the import of the words, and not by the mere division into sections, so as to give effect to the objects and intent of the statute. All statutes relating to the same subject matter are to be interpreted together, and such a construction is to be given to them as will avoid the mischief and promote the objects and policy contemplated by the statutes. The schooner Harriet, Boynton and others, claimants, 1 Story's C. C. R. 251.

The fifth and sixth sections of the act of July 29, 1813, and the act of March 3, 1819, relating to the bounty upon all vessels and boats employed in the bank and other cod fisheries as shall be employed at sea for the term of four months, include within their terms all vessels engaged in the cod fisheries, without limitation or specification as to the length of their fares, or the nature of their fisheries. *Ibid.*

A vessel is "at sea" within the intent of the acts of 1813 and 1819, when she is without the limits of any ports or harbours on the seacoast. *Ibid.*

Where a vessel was enrolled and licensed for the fisheries, and without an oath having been taken by all the owners to the ownership, as prescribed by the statutes of 1813 and 1819, and fraud and deceit were charged in procuring the bounty allowed by law to such vessels, it was held that it must be satisfactorily proved on the part of the United States, that the omission by the owners, who did not take the oath, was through fraud and deceit, and not through mistake, in order to render the vessel liable to forfeiture. *Ibid.*

Where a certificate made by the agent of the owner, of the particular time of sailing and returning of the vessel engaged in the cod fisheries, was discovered to be incorrect and false, after the bounty was received, it was held, that if the incorrectness and falsity were by mistake, there was no forfeiture under the acts of 1813 and 1819; but if by fraud and deceit, there was. *Ibid.*

STATUTE II.

March 3, 1819.

CHAP. XC.—*An Act to authorize the Secretary of War to convey a lot or parcel of land, belonging to the United States, lying in Jefferson county, in the state of Virginia.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of War be, and he is hereby, authorized to convey, by deed, in fee simple, to a certain John Peacher, a lot, or parcel of land, with the appurtenances belonging to the same, lying in Jefferson county, in the state of Virginia, called the Keep-Tryst Furnace, and containing two hundred and twenty-one acres, belonging to the United States, upon such terms as he may think most conducive to the interest of the United States; and the money arising from the sale thereof to deposit in the treasury of the United States.

APPROVED, March 3, 1819.

The Secretary of War authorized to convey Keep-Tryst Furnace, &c. upon terms conducive to the interest of the United States.

The money to be deposited in the Treasury.

STATUTE II.

March 3, 1819.

CHAP. XCI.—*An Act to authorize the Secretary at War to appoint an additional agent for paying pensioners of the United States, in the state of Tennessee.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, from and after the passing of this act, the Secretary for the Department of War be, and he is hereby, authorized to appoint an agent, in addition to the one already appointed in the state of Tennessee, under the act of the twenty-fourth of April, one thousand eight hundred and sixteen, for the purpose of paying pensioners of the United States, residing in East Tennessee; whose duties shall be, in all respects, similar to those appointed under the aforementioned act.

APPROVED, March 3, 1819.

Act of April 24, 1816, ch. 68.

The Secretary of War to appoint an additional agent, to pay pensions in E. Tennessee.

His duties the same, &c.

STATUTE II.

March 3, 1819.

CHAP. XCII.—*An Act to designate the boundaries of districts, and establish land offices for the disposal of the public lands not heretofore offered for sale in the states of Ohio and Indiana.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the sale of the unappropriated public lands in the state of Ohio, to which the Indian title is extinguished, the following districts shall be formed, and land offices therefor established: All the public lands, as aforesaid, lying between the western boundary line of the state of Ohio, and a north and south line to be drawn at forty-eight miles east of the said boundary line, and bounded on the south by the Indian boundary, established by the treaty of Greenville, and on the north by the northern boundary of the state of Ohio, shall form a district, for which a land office shall be established at Piqua: And all the public lands, as aforesaid, lying between the above-described district and the western limits of the Connecticut Reserve and Canton land district as first established, and bounded on the south by the Indian boundary established by the treaty of Greenville, and on the north by the northern boundary of the state of Ohio, shall form a district for which a land office shall be established at the town of Delaware. And for the disposal of the unappropriated public lands in the state of Indiana, to which the Indian title is extinguished, the following districts shall be formed, and land offices established: All the public lands as aforesaid, to which the Indian title was extinguished by the treaties concluded at St. Mary's, in the month of October, eighteen hundred and eighteen, lying east of the range line, separating the first and second ranges, east of the second principal meridian, extended north to the present Indian boundary, and

Act of April 24, 1820, ch. 49.

Act of March 2, 1821, ch. 12.

Act of May 8, 1822, ch. 124.

Districts and offices for the sale of lands to which the Indian title is extinguished, in Ohio.

District and land office at Piqua.

District and land office at Delaware.

Districts and offices for the sale of lands to which the Indian title is extinguished, in Indiana.

A district, and land office at Brookville; and at Terre Haute.

Lands attached to the district of Jeffersonville.

Lands to be offered for sale on the same terms, &c.

The President, &c. authorized to appoint a register and receiver for each district.

All the public lands to which the Indian title has been extinguished, to be offered for sale.

Under the direction of the register and receiver.

Sales open for three weeks. Not less than two dollars an acre.

Lands remaining unsold may be sold at private sale.

Patents, in the same manner, &c.

The President may remove any of the land offices, &c.

north of a line to be run, separating the ninth and tenth tiers of townships north of the base line, shall form a district, for which a land office shall be established at Brookville: And all the public lands as aforesaid, the Indian title to which was extinguished by the treaties aforesaid, and lying west of the last described district, shall form a district for which a land office shall be established at the town of Terre Haute: And all the public lands, as aforesaid, the Indian title to which was extinguished by the treaties aforesaid, lying east of the second principal meridian, and south of a line, to be run, separating the ninth and tenth tiers of townships north of the base line, shall be, and are hereby, attached to the district of Jeffersonville; and the said lands shall be offered for sale with the same exceptions, and on the terms and conditions, in every respect, both at public and private sales, as is provided for the sale of the lands in the districts aforesaid: *Provided also*, That the President of the United States shall have power, and he is hereby authorized, to remove, whenever he shall judge it expedient so to do, the land office from Jeffersonville, to some central and suitable place within the district.

SEC. 2. *And be it further enacted*, That the President is hereby authorized to appoint, by and with the consent and advice of the Senate, for each of the districts aforesaid, a register of the land office and receiver of public moneys; which appointments shall not be made, for any of the aforesaid respective land districts, until a sufficient quantity of public lands shall have been surveyed within such district, as to authorize, in the opinion of the President, a public sale of land within the same; which registers of the land office and receivers of public moneys, when appointed, shall each, respectively, give security, in the same sums, and in the same manner, and whose compensation, emoluments, and duties, and authority, shall, in every respect, be the same, in respect to the lands which shall be disposed of at their offices, as are or may be provided by law in relation to the registers and receivers of public moneys in the several land offices, established for the disposal of the public lands of the United States, in the states of Ohio and Indiana.

SEC. 3. *And be it further enacted*, That all the public lands within the aforesaid several districts, to which the Indian title has been extinguished, and which have not been granted to, or reserved for, the use of any individual or individuals, or appropriated and reserved for any other purpose, by any existing treaties or laws, and, with the exception of section numbered sixteen, in each township, which shall be reserved for the support of schools therein, shall be offered for sale, to the highest bidder, at the land offices for the respective districts, under the direction of the register of the land office and receiver of public moneys, 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 at each place for three 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, on the same terms and conditions as have been, or may be, by law, provided for the sale of the lands of the United States in the states of Ohio and Indiana. All the public lands in the said districts, with these exceptions above mentioned, remaining unsold at the close of the public sales, may be disposed of at private sale, by the register of the respective land offices, in the same manner, under the same regulations, for the same price, and on the same terms and conditions, in every respect, as are or may be provided by law for the sale of the lands of the United States in the states of Ohio and Indiana: And patents shall be obtained, for the lands sold in the said districts, in the same manner, and on the same terms, as are or may be by law provided for other public lands sold in the states of Ohio and Indiana.

SEC. 4. *And be it further enacted*, That the President of the United States shall have power, and he is hereby authorized, to remove, whenever he shall judge it expedient so to do, any and each of the land

offices established by this act, to such suitable place, within the district for which it was established, as he shall judge most proper.

SEC. 5. *And be it further enacted*, That each of the registers of the land office, and receivers of public moneys, shall receive five dollars for each day's attendance in superintending the public sales in their respective districts.

Compensation to each register and receiver.

APPROVED, March 3, 1819.

STATUTE II.

CHAP. XCIII.—*An Act to authorize the President of the United States to take possession of East and West Florida, and establish a temporary government therein. (a)*

March 3, 1819.
[Obsolete.]

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

Act of March 3, 1821, ch. 39.

- (a) The acts passed relating to the territory of Florida have been:—
- An act to authorize the President of the United States to take possession of east and west Florida, and establish a temporary government therein, March 3, 1819, ch. 92.
 - An act for carrying into execution the treaty between the United States and Spain, concluded at Washington on the 22d day of February, 1819, March 3, 1821, ch. 39.
 - An act for establishing a territorial government in the territory of Florida, March 30, 1822, ch. 13.
 - An act to amend an act entitled "An act for the establishment of a territorial government in the territory of Florida," and for other purposes, March 3, 1823, ch. 28.
 - An Act to amend an act entitled "An act to amend an act for the establishment of a territorial government in the territory of Florida, and for other purposes," May 26, 1824, ch. 163.
 - An act granting donation lands to certain actual settlers in the territory of Florida, May 26, 1824, ch. 164.
 - An act authorizing the President of the United States to run and mark a line dividing the territory of Florida from the state of Georgia, May 4, 1826, ch. 31.
 - An act to amend the several acts for the establishment of a territorial government in Florida, May 15, 1826, ch. 46.
 - An act to carry into effect the ninth article of the treaty concluded between the United States and Spain on the twenty-second day of February, one thousand eight hundred and nineteen, March 3, 1823, ch. 35.
 - An act for ascertaining claims and titles to lands within the territory of Florida, May 8, 1822, ch. 129.
 - An act amending and supplementary to "An act for ascertaining claims and titles to land in the territory of Florida," and to provide for the survey and disposal of the public lands in Florida, March 3, 1823, ch. 29.
 - An act to extend the time limited for the settlement of private land claims in Florida, Feb. 28, 1824, ch. 25.
 - An act to extend the time for the settlement of private land claims in the territory of Florida and to provide for the preservation of the public archives in said territory, and for the relief of John Johnson, March 3, 1825, ch. 83.
 - An act giving the right of pre-emption in the purchase of lands to certain settlers in the states of Alabama, Mississippi, and the territory of Florida, April 22, 1826, ch. 28.
 - An act to provide for the confirmation and settlement of private land claims in East Florida, and for other purposes, Feb. 8, 1827, ch. 9.
 - An act confirming claims to lots in the town of Mobile, and to lands in the former province of West Florida, which claims have been reported favourably on by the commissioners appointed by the United States, May 9, 1822, ch. 122.
 - An act for ascertaining the claims to lands within the territory of Florida, May 8, 1822, ch. 129.
 - An act to confirm the reports of the commissioners for ascertaining claims and titles to land in West Florida, and for other purposes, April 22, 1826, ch. 29.
 - An act supplementary to the several acts providing for the settlement and confirmation of land claims in Florida, May 23, 1828, ch. 70.
 - An act to provide for the settlement of land claims in Florida, May 26, 1830, ch. 106.
 - An act to ascertain and mark the line between the state of Alabama and the territory of Florida, and the northern boundary of the state of Illinois, and for other purposes, March 2, 1831, ch. 86.
 - An act to equalize the representation in the territory of Florida, and for other purposes, June 18, 1834, ch. 46.
 - Resolution authorizing the President to furnish rations to certain volunteers of Florida, Feb. 1, 1836.
 - An act to re-organize the legislative council of Florida, and for other purposes, July 7, 1838, ch. 163.
 - An act to provide for the armed occupation and settlement of the unsettled part of the peninsula of East Florida, August 4, 1842, ch. 122.
 - An act to establish an additional land district in Florida, April 30, 1842, ch. 271.
 - An act to amend an act to provide for the armed occupation and settlement of the unsettled parts of East Florida, June 15, 1844, ch. 71.
 - An act for the admission of the States of Iowa and Florida into the Union, March 3, 1845, ch. 43.
 - An act supplemental to the act for the admission of Florida and Iowa into the Union, and for other purposes, March 3, 1845, ch. 75.

The President authorized to take possession of East and West Florida, &c.

He may employ the army, navy, and militia.

The President to appoint officers, and prescribe the manner of government of the territories.

Revenue laws, and laws concerning the slave trade, extended to the territories.

President to establish districts and appoint officers of the customs. Appropriation.

When this act shall take effect.

United States be, and he is hereby, authorized to take possession of, and occupy, the territories of East and West Florida, and the appendages and appurtenances thereof; and to remove and transport the officers and soldiers of the king of Spain, being there, to the Havana, agreeably to the stipulations of a treaty between the United States and Spain, executed at Washington, on the twenty-second day of February, in the year one thousand eight hundred and nineteen, providing for the cession of said territories to the United States; and he may, for these purposes, and in order to maintain in said territories the authority of the United States, employ any part of the army and navy of the United States, and the militia of any state or territory which he may deem necessary.

SEC. 2. *And be it further enacted*, That, until the end of the first session of the next Congress, unless provision for the temporary government of said territories be sooner made by Congress, all the military, civil, and judicial, powers, exercised by the officers of the existing government of the same territories, shall be vested in such person and persons, and shall be exercised in such manner, as the President of the United States shall direct, for the maintaining the inhabitants of said territories in the free enjoyment of their liberty, property, and religion; and the laws of the United States, relative to the collection of revenue, and the importation of persons of colour, shall be extended to the said territories; and the President of the United States shall be, and he is hereby, authorized, within the term aforesaid, to establish such districts, for the collection of the revenue, and, during the recess of Congress, to appoint such officers, whose commissions shall expire at the end of the next session of Congress, to enforce the said laws, as to him shall seem expedient.

SEC. 3. *And be it further enacted*, That the sum of twenty thousand dollars is hereby appropriated for the purpose of carrying this act into effect, to be paid out of any moneys in the treasury not otherwise appropriated, and to be applied under the direction of the President of the United States.

SEC. 4. *And be it further enacted*, That this act shall take effect, and be in force, whenever the aforesaid treaty, providing for the cession of said territories to the United States, shall have been ratified by the king of Spain, and the ratifications exchanged, and the king of Spain shall be ready to surrender said territory to the United States, according to the provisions of said treaty.

APPROVED, March 3, 1819.

STATUTE II.

March 3, 1819.

CHAP. XCIV.—*An Act concerning the allowance of pensions upon a relinquishment of bounty lands.*

The 2d section of the act of 16th April, 1816, ch. 55, &c. continued in force.

Act of March 3, 1817, ch. 107.

Proviso.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the second section of the act making further provision for military services during the late war, and for other purposes, approved April sixteenth, one thousand eight hundred and sixteen, and so much of the act to amend the same, approved March third, one thousand eight hundred and seventeen, as relates to the subject of that section, shall be continued in force for the term of three years from and after the passing of this act: *Provided, nevertheless*, That no pension shall be granted under the said acts, after the sixteenth day of April next, unless, at the time of relinquishing the bounty land, in the manner therein described, the children, for whose benefit the same may be granted, or one of them, shall be under sixteen years of age: *And provided also*, That the pensions shall commence at the date of the relinquishments respectively.

APPROVED, March 3, 1819.

CHAP. XCV.—*An Act granting a donation of land to the state of Illinois, for the seat of government of said state.*

STATUTE II.
March 3, 1819.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there shall be granted to the state of Illinois four sections of land, or contiguous quarter sections and fractions, not exceeding the quantity contained in four entire sections, for the purpose of fixing thereon the seat of government for the said state; which lands shall be selected in the manner provided by the thirtieth section of the schedule to the constitution of the said state: Provided, That such selection shall be made before the public sale of the adjoining public lands shall have taken place.

Act of March 2, 1821, ch. 17.
Four sections granted to Illinois for a seat of government.
To be selected as provided, &c.
Proviso.

APPROVED, March 3, 1819.

CHAP. XCVI.—*An Act authorizing the purchase of fire engines and for building houses for the safe keeping of the same.*

STATUTE II.
March 3, 1819.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby, authorized and requested to cause to be purchased two fire engines, of the first class, with proper copper suction pipes, and six hundred feet of rivet leathern hose, for the purpose of protecting the public and other buildings in the city of Washington from fire.

The President to cause two fire engines to be purchased, with suction pipes and hose, &c., for protecting buildings in Washington.
Engine houses to be built, &c.

SEC. 2. *And be it further enacted, That the President of the United States cause to be built two good and sufficient houses, for the safe keeping of the said engines; one to be located on the Capitol hill near the Capitol, and one near the President's house and public offices.*

4500 dollars appropriated.

SEC. 3. *And be it further enacted, That for defraying the expenses of the same, the sum of four thousand five hundred dollars be, and is hereby, appropriated, out of any unappropriated money in the treasury.*

APPROVED, March 3, 1819.

CHAP. XCVII.—*An Act to continue in force an act regulating the currency, within the United States, of the gold coins of Great Britain, France, Portugal, and Spain, and the crowns of France, and five franc pieces.*

STATUTE II.
March 3, 1819.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the gold coins of Great Britain and Portugal, of their present standard, shall be a legal tender in the payment of all debts, at the rate of one hundred cents for every twenty-seven grains, or eighty-eight cents and eight-ninths per pennyweight. The gold coins of France, of their present standard, at the rate of one hundred cents for every twenty-seven and a half grains, or eighty-seven and a quarter cents per pennyweight: The gold coins of Spain at the rate of one hundred cents for every twenty-eight and a half grains, or eighty-four cents per pennyweight: until the first day of November next: And that, from and after that day, foreign gold coins shall cease to be a tender within the United States, for the payment of debts or demands.

Act of March 3, 1821, ch. 53.
Gold coins of Great Britain and Portugal.

Of France.

Of Spain.

Current until first Nov., 1819; then to cease.

SEC. 2. *And be it further enacted, That so much of the act, entitled "An act regulating the currency, within the United States, of the gold coins of Great Britain, France, Portugal, and Spain," passed on the twenty-ninth day of April, eighteen hundred and sixteen, as relates to foreign silver coins, shall be, and the same is hereby, continued in force two years from and after the twenty-ninth day of April next, and no longer.*

So much of the act of 29th April, 1816, as relates to foreign silver coins, in force until 29th April, 1821.

Act of April 29, 1816, ch. 139.

APPROVED, March 3, 1819.

STATUTE II.

March 3, 1819.

Act of May 24, 1824, ch. 138.

Purchasers making entries different from what they intended, may make application to the register of the land office.

The Secretary of the Treasury may allow the entries to be withdrawn, and the moneys paid to be applied to other purchases of land.

STATUTE II.

March 3, 1819.

The Secretary of War to place the persons named, on the pension list, &c.

CHAP. XCVIII.—*An Act providing for the correction of errors in making entries of land at the land offices.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in every case of a purchaser of public lands, at private sale, having entered, at the land office, a tract different from that he intended to purchase, and being desirous of having the error in his entry corrected, he shall make his application, for that purpose, to the register of the land office; and if it shall appear, from testimony satisfactory to the register and receiver of public moneys, that an error in the entry has been made, and that the same was occasioned by original incorrect marks made by the surveyor, or by the obliteration, or change, of the original marks and numbers at corners of the tract of land; or that it has, in any otherwise, arisen from mistake or error of the surveyor, or officers of the land office; the said register and receiver of public moneys, shall report the case, with the testimony, and their opinion thereon, to the Secretary of the Treasury, who shall have power to direct, if in his opinion it shall be proper, that the purchaser shall be at liberty to withdraw the entry so erroneously made, and that the moneys which have been paid, shall be applied in the purchase of other lands in the same district, or credited in the payment for other lands which shall have been purchased at the same office.

APPROVED, March 3, 1819.

CHAP. XCIX.—*An Act concerning invalid pensions. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of War be, and he is hereby, directed to place the following named persons on the pension list of invalid pensioners of the United States, who shall be entitled to, and receive, pensions, according to the rates, and commencing at the times, hereinafter mentioned; that is to say:

Benijah Abro, at the rate of four dollars per month, to commence on the eleventh of October, one thousand eight hundred and seventeen.

Robert Craighead, at the rate of four dollars per month, to commence on the thirty-first of January, one thousand eight hundred and eighteen.

Solomon Van Ranssallaer, at the rate of thirty dollars per month, to commence on the thirteenth day of October, in eighteen hundred and twelve, and the sum of two thousand five hundred and eighty dollars, the amount of pension to him at the rate of twenty dollars per month, commencing on the thirtieth of January, one thousand eight hundred and two, and ending on the thirteenth of October, one thousand eight hundred and twelve, in consequence of wounds received while serving as a captain of dragoons under General Wayne, in a battle with the Indians, on the twentieth of August, one thousand seven hundred and ninety-four.

Thomas Bailey, at the rate of eight dollars per month, to commence on the ninth December, one thousand eight hundred and seventeen.

Benjamin Pincin, at the rate of eight dollars per month, to commence on the seventeenth of March, one thousand eight hundred and eighteen.

Caleb J. Whaley, at the rate of six dollars and fifty cents per month, to commence on the thirtieth of December, one thousand eight hundred and thirteen.

William Earnest, whose father died of wounds received in battle during the late war, to be applied, under the direction of the Secretary for

(a) This act is inserted, as sec. 2 and 3 are of a public character.

the Department of War, in the education of the said William, at the Connecticut asylum for the education and instruction of deaf and dumb persons, for a period not exceeding five years, at the rate of two hundred and fifty dollars per annum.

John Low, at the rate of eight dollars per month, to commence on the twentieth day of January, one thousand eight hundred and seventeen.

Jeremiah Burnham, at the rate of eight dollars per month, to commence on the twentieth day of January, one thousand eight hundred and seventeen.

John Sargent, of Vermont, at the rate of four dollars per month, to commence on the sixth day of March, one thousand eight hundred and eighteen.

Peter Francisco, of Virginia, at the rate of eight dollars a month, to commence on the first day of January, one thousand eight hundred and nineteen.

SEC. 2. *And be it further enacted*, That the pensions of the following named persons, already placed on the pension list of the United States, be increased to the sums herein respectively annexed to their names; the said increase to commence at the time hereinafter mentioned, and be in lieu of pensions they at present receive; that is to say:

Pensions increased to the persons named.

Benjamin Merrill, at the rate of eight dollars per month, to commence on the twenty-eighth of November, one thousand eight hundred and seventeen.

Timothy Mix, at the rate of eight dollars per month, to commence on the eighteenth of April, one thousand eight hundred and seventeen.

William Lackin, at the rate of six dollars per month, to commence on the eighteenth of February, one thousand eight hundred and seventeen.

John Wright, at the rate of six dollars per month, to commence on the fourth of February, one thousand eight hundred and eighteen.

Samuel Key Kendall, at the rate of twenty dollars per month, to commence on the tenth day of March, one thousand eight hundred and eighteen.

James Campbell, at the rate of six dollars per month, to commence on the thirtieth of September, one thousand eight hundred and seventeen.

Philip Krugh, at the rate of eight dollars per month, to commence on the fifth of June, one thousand eight hundred and seventeen.

George Pierson, at the rate of eight dollars per month, to commence on the tenth of September, one thousand eight hundred and seventeen.

John Long, at the rate of eight dollars per month, to commence on the twenty-eighth of February, one thousand eight hundred and seventeen.

Thomas M'Barney, at the rate of eight dollars per month, to commence on the twelfth of September, one thousand eight hundred and seventeen.

William Simpson, at the rate of eight dollars per month, to commence on the fifth of September, one thousand eight hundred and seventeen.

James C. Wingard, at the rate of eight dollars per month, to commence on the thirtieth of November, one thousand eight hundred and sixteen.

William Arnold, at the rate of seven dollars and fifty cents per month, to commence on the first day of April, one thousand eight hundred and eighteen.

Joseph S. Van Driesen, at the rate of twenty dollars per month, to commence on the tenth of January, one thousand eight hundred and eighteen.

John Tilton, at the rate of thirteen dollars per month, to commence on the thirteenth day of January, one thousand eight hundred and eighteen.

Joseph Westcott, at the rate of twenty dollars per month, to commence on the twentieth day of October, one thousand eight hundred and seventeen.

Aaron Stafford, at the rate of ten dollars per month, to commence on the twentieth day of February, one thousand eight hundred and eighteen.

Officers, soldiers, &c. who served in the revolutionary war, on availing themselves of the act of 1818, ch. 19, not entitled to pensions under this, or other future acts.

Persons entitled may be placed on the pension list without report. 1806, ch. 25. 1808, ch. 58.

SEC. 3. *And be it further enacted*, That any pension granted by this act, or any other act hereafter to be passed, to any officer, soldier, or marine, who served in the revolutionary war, shall cease and be discontinued, in case the individual to whom the same may be granted, hath availed himself, or shall hereafter avail himself of the provisions of an act, passed the eighteenth day of March, one thousand eight hundred and eighteen, entitled "An act to provide for certain persons engaged in the land and naval service of the United States, in the revolutionary war."

SEC. 4. *And be it further enacted*, That all persons entitled to pensions, in conformity with the provision of the act, entitled "An act to provide for persons disabled by known wounds during the revolutionary war," passed April the eighteenth, eighteen hundred and six, and also the fourth section of an act, entitled "An act concerning invalid pensioners," passed the twenty-fifth of April, one thousand eight hundred and eight, may be placed on the pension list by the Secretary of War, without reporting the same to Congress.

APPROVED, March 3, 1819.

STATUTE II.

March 3, 1819.

CHAP. C. — *An Act for adjusting the claims to land, and establishing land offices, in the districts east of the island of New Orleans. (a)*

Act of May 11, 1820, ch. 87.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all the claims to land, founded on complete grants from the Spanish government, reported to

(a) Acts relating to the adjustment of land claims in Louisiana:

An act erecting Louisiana into two territories, and providing for the temporary government thereof, March 26, 1804, ch. 38, sec. 14.

An act for ascertaining and adjusting the titles and claims to land within the territory of Orleans, and the district of Louisiana, March 2, 1805, ch. 26.

An act supplementary to an act, entitled "An act for ascertaining and adjusting titles and claims to lands within the territory of Orleans, and the district of Louisiana," April 21, 1806, ch. 39.

An act respecting claims to lands, in the territories of Orleans and Louisiana, March 3, 1807, ch. 36.

An act for the final adjustment of claims to lands, and for the sale of the public lands in the territories of Orleans and Louisiana, [repealed,] February 15, 1811, ch. 14.

An act providing for the final adjustment of claims to lands, and for the sale of the public lands in the territories of Orleans and Louisiana, and to repeal the act passed for the same purposes, approved Feb. 16, [15] 1811, March 3, 1811, ch. 46.

An act giving further time for registering claims to lands in the western district of the territory of Orleans, March 10, 1812, ch. 38.

An act for ascertaining the titles and claims to lands in that part of Louisiana which lies east of the river Mississippi, and the island of New Orleans, April 25, 1812, ch. 67.

An act giving validity to the sale of certain tracts of public land, sold in the western district of the territory of Orleans, now state of Louisiana, July 1, 1812, ch. 118.

An act giving further time for registering claims to lands in the eastern and western districts of the territory of Orleans, now state of Louisiana, Feb. 27, 1813, ch. 38.

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

An act supplemental to an act, entitled "An act for ascertaining the titles and claims to lands in that part of Louisiana, which lies east of the Mississippi and island of New Orleans, April 18, 1814, ch. 85.

An act concerning certificates of confirmation of claims to lands in the state of Louisiana, April 18, 1814, ch. 93.

An act to provide for the appointment of a surveyor of the public lands, in the territories of Illinois and Missouri, April 29, 1816, ch. 151, sec. 3.

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

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

An act for the adjusting the claims to land, and establishing land offices in the district east of the island of New Orleans, March 3, 1819, ch. 99.

An act confirming claims to lots in the town of Mobile, and to land in the former province of west Florida, which claims have been reported favourably on by the commissioners appointed by the United States, May 8, 1822, ch. 122.

An act supplementary to the several acts for adjusting claims to land, and establishing land offices in the district east of the island of New Orleans, May 8, 1822, ch. 128.

the Secretary of the Treasury, by the commissioners from the districts east and west of Pearl river, appointed under the authority of an act, entitled "An act for ascertaining the titles and claims to lands in that part of Louisiana which lies east of the river Mississippi and island of New Orleans," which are contained in the several reports of the commissioners, and which are, in the opinion of the commissioners, valid, agreeably to the laws, usages, and customs, of the said government, be, and the same are hereby, recognised as valid and complete titles against any claim on the part of the United States, or right derived from the United States: And that all claims founded on British grants, contained in the said reports, which have been sold and conveyed, according to the provisions of the treaty of peace, between Great Britain and Spain, of the third of September, one thousand seven hundred and eighty-three, by which that part of Louisiana, lying east of the island of Orleans, was ceded to Spain, under the denomination of West Florida, or which were settled and cultivated by the person having the legal title therein, at the date of said treaty, are recognised as valid and complete titles, against any claim on the part of the United States, or right derived from the United States.

Claims founded on Spanish grants, favourably reported to the Secretary of the Treasury by the commissioners from the districts east and west of Pearl river, confirmed, &c. Act of April 25, 1812, ch. 67. Act of May 8, 1822, ch. 122. And on British grants.

SEC. 2. *And be it further enacted,* That all claims reported as aforesaid, and contained in the several reports of the said commissioners, founded on any order of survey, requette, permission to settle, or any written evidence of claim, derived from the Spanish authorities, which ought, in the opinion of the commissioners, to be confirmed, and which by the said reports appear to be derived from the Spanish government,

Claims under Spanish orders of survey, requette, &c. prior to 20th Dec., 1803, &c. reported fa-

An act supplementary to the several acts for the adjustment of land claims in the state of Louisiana, Feb. 28, 1823, ch. 15.

An act to revive and continue in force the seventh section of an act, entitled "An act supplementary to the several acts for the adjustment of land claims in the state of Louisiana," approved the 11th May, 1820, and for other purposes, Feb. 28, 1823, ch. 18.

An act to provide for the examination of titles to land in that part of the state of Louisiana, situate between the river Hondo and the Sabine river, March 3, 1823, ch. 30.

An act supplementary to the several acts providing for ascertaining and adjusting the titles and claims to land in the St. Helena, and Jackson Courthouse districts, May 26, 1824, ch. 175.

An act supplementary to an act providing for the examination of titles to land in that part of the state of Louisiana, situated between the Rio Hondo and the Sabine rivers, May 26, 1824, ch. 182.

An act confirming certain claims to lands in the western district of Louisiana, Feb. 5, 1825, ch. 7.

An act to confirm the supplementary report of the commissioners of the western district of Louisiana, March 31, 1826, ch. 18.

An act to confirm certain claims to lands in the district of Opelousas in Louisiana, May 16, 1826, ch. 62.

An act granting the right of preference in the purchase of certain lands to certain settlers, in St. Helena land district, in the state of Louisiana, March 19, 1828, ch. 19.

An act to confirm the claims to lands in the district between Rio Hondo and Sabine rivers, founded on habitation and cultivation, May 24, 1828, ch. 92.

An act to authorize the registers of the several land offices in Louisiana to receive entries of land in certain cases, and give to the purchasers thereof, certificates for the same, May 5, 1830, ch. 86.

An act for the final adjustment of claims to lands in the south-eastern land district, of the state of Louisiana, July 4, 1832, ch. 166.

An act in reference to pre-emption rights in the south-eastern district of Louisiana, June 28, 1834, ch. 125.

An act for the final adjustment of claims to land in the state of Louisiana, February 6, 1835, ch. 17.

An act supplementary to the act of the fourth of July, one thousand eight hundred and thirty-two, entitled "An act for the final adjustment to claims of lands in the south-eastern district of Louisiana," March 3, 1835, ch. 46.

An act confirming claims to lands in the state of Louisiana, July 4, 1836, ch. 358.

An act to authorize the inhabitants of the state of Louisiana to enter the back lands, June 15, 1832, ch. 140.

An act supplementary to the act, entitled "An act to authorize the inhabitants of the state of Louisiana to enter the back lands," Feb. 24, 1835, ch. 24.

An act for the relief of the inhabitants of Terre aux Boeufs, June 25, 1832, ch. 149.

An act to confirm certain entries of lands, in the state of Louisiana, and to authorize the issuing of patents for the same, April 14, 1842, ch. 21.

An act confirming certain land claims in Louisiana, July 6, 1842, ch. 50.

An act relating to lands sold in the Greensburgh, late St. Helena land district, in the state of Louisiana, and authorizing the resurvey of certain lands in that district, August 29, 1842, ch. 258.

An act to provide for the adjustment of land claims within the states of Missouri, Arkansas, and Louisiana, and in those parts of the states of Mississippi and Alabama south of the thirty-first degree of north latitude, and between the Mississippi and the Perdido rivers, June 17, 1844, ch. 95.

vourably, confirmed.

Proviso.

Grants as donations, for other claims.

Proviso.

Confirmation of incomplete titles only a relinquishment forever of the title of the United States.

Proviso.

Grants, as donations, in the case of claims in right of settlers, &c. on or before 15th April, 1813, if comprised in the lists, &c.

Proviso.

No grant for lands recognised by preceding sections.

Pre-emption rights to inhabitants and cultivators on the 12th April, 1814, in the case of lands not claimed by preceding sections.

Proviso.

A land office at St. Helena Courthouse, and at Jackson Courthouse.

A register and receiver of public moneys for each, &c.

Claimants allowed till 1st

before the twentieth day of December, one thousand eight hundred and three, and the land claimed to have been cultivated and inhabited, on or before that day, shall be confirmed in the same manner as if the title had been completed: *Provided*, That in all such claims, where the plat and certificate of survey, made prior to the fifteenth day of April, one thousand eight hundred and thirteen, under the authority of the Spanish government, in pursuance of such claim, has not been filed with the said commissioners, such claim shall not be confirmed to any one person for more than twelve hundred and eighty acres; and that for all the other claims to land comprised in the reports aforesaid, and which ought, in the opinion of the commissioners, to be confirmed; the claimant to such lands shall be entitled to a grant therefor as a donation: *Provided*, That such grant, as a donation, shall not be made to any one person for more than twelve hundred and eighty acres; which confirmation of the said incomplete titles and grants of donations, hereby provided to be made, shall amount only to a relinquishment forever, on the part of the United States, of any claim whatever to the tract of land so confirmed or granted: *And provided, also*, That no such claim shall be confirmed to any person to whom the title to any tract of land shall have been recognised under the preceding provisions.

SEC. 3. *And be it further enacted*, That every person, or his or her legal representative, whose claim is comprised in the lists, or register of claims, reported by the said commissioners, and the persons embraced in the list of actual settlers, or their legal representatives, not having any written evidence of claim reported as aforesaid, shall, where it appears, by the said reports, or by the said lists, that the land claimed or settled on had been actually inhabited or cultivated, by such person or persons in whose right he claims, on or before the fifteenth day of April, one thousand eight hundred and thirteen, be entitled to a grant for the land so claimed, or settled on, as a donation: *Provided*, That not more than one tract shall be thus granted to any one person, and the same shall not contain more than six hundred and forty acres; and that no lands shall be thus granted which are claimed or recognised by the preceding sections of this act.

SEC. 4. *And be it further enacted*, That every person comprised in the said list of actual settlers, not having any written evidence of claim to land in said districts, and who, on the twelfth day of April, one thousand eight hundred and fourteen, shall have inhabited or cultivated a tract of land in either of the said districts, not claimed by virtue of either of the preceding sections of this act, shall be entitled to a preference, on becoming a purchaser, from the United States, of such tract of land, on the same terms and conditions, and at the same price for which the other public lands are sold at private sale: *Provided*, That the first instalment of the purchase money shall be paid to the receiver of public moneys of the district within which the land lies, within two years after the opening of the land office for such district.

SEC. 5. *And be it further enacted*, That for the purpose of adjusting the titles and claims to lands in the districts aforesaid, and for the disposal of the lands which may remain the property of the United States therein, a land office shall be established, in each of the said districts, to be kept, for the western district, at St. Helena Courthouse, and for the eastern district, at Jackson Courthouse; and a register and receiver of public moneys shall be appointed for each of the said land offices, who shall give security in the same manner, and in the same sums, and whose compensation, duties, and authority, shall, in every respect, be the same, in relation to the lands which shall hereafter be disposed of, at their respective offices, as are by law provided in relation to the other registers and receivers of public moneys for the several land offices of the United States.

SEC. 6. *And be it further enacted*, That every person or persons, claiming lands in either of the said districts, whose claims have not

heretofore been filed with the commissioner of the land office, of the district wherein the lands lie, shall be allowed until the first day of July, one thousand eight hundred and twenty, to deliver notices in writing, and the evidences of their claims, in the said districts, respectively, to the register of the land office at Jackson Courthouse and at St. Helena Courthouse; and the notices and evidences so delivered, within the time limited by this act, shall be recorded in the same manner, and on the payment of the same fees, as if the same had been delivered before the commissioners closed their said registers.

SEC. 7. *And be it further enacted*, That every person or persons, who had filed his or their notice of claims to land, within either of the said districts, with the commissioner of the land office, according to the former laws, but have not exhibited sufficient testimony in support of the same, and whose claim has not been recommended for confirmation, shall be allowed until the first day of July, one thousand eight hundred and twenty, to deliver written evidence, or other testimony, in support of his or their claim, the notice of which had been filed as aforesaid, to the register of the land office at St. Helena, for lands lying in the district west of Pearl river, and to the register of the land office at Jackson courthouse, for the lands lying in the district east of Pearl river; and the evidence of claims, the notice whereof had been filed, as aforesaid, for lands lying in the said district, delivered, within the time limited by this section, to the said registers, shall be recorded by them, respectively, in the same manner as was directed by former acts, on receiving the same fees allowed by said acts, for recording evidence of claims to lands in the same districts.

SEC. 8. *And be it further enacted*, That the register and receiver of public moneys of the said respective land offices, at Jackson Courthouse and at St. Helena Courthouse, shall have the same powers, and perform the same duties, in every respect, in relation to the claims that may be filed in virtue of the sixth section of this act, and in relation to the claims, the notices of which had been filed under former acts, as well as to the additional evidence which shall be adduced in support thereof, agreeably to the seventh section of this act, as the commissioners for the districts east and west of Pearl river would have had, or should have performed, if such notices had been filed, and such evidence adduced, before the said commissioners closed their registers.

SEC. 9. *And be it further enacted*, That it shall be the duty of the register of each of the said land offices, respectively, to make, to the commissioner of the general land office, a report of all the claims filed with the register aforesaid, with the substance of the evidence in support thereof; and of the claims formerly filed, in support of which additional evidence shall have been received, with the substance of such evidence; and also their opinion and such remarks respecting the claim as they may think proper to make; which report, together with a list of the claims, which, in the opinion of the register and receiver, ought to be confirmed, and also a list of actual settlers, prior to the passage of this act, noting the time of their respective settlements, shall be laid, by the commissioner of the general land office, before Congress, at their next session, for their determination thereon.

SEC. 10. *And be it further enacted*, That the said registers and receivers shall, respectively, have power to appoint a clerk, who shall be a person capable of translating the French and Spanish languages, and who shall perform the duty of translator, when required by said registers and receivers; and each of the said registers and receivers shall be allowed, as a compensation for their services in relation to the said claims, at the rate of fifteen hundred dollars a year; and each of the clerks at the rate of one thousand dollars a year: *Provided*, That not more than eighteen months' compensation be thus allowed to the register, receiver and clerk,

July, 1820, to deliver notices, evidences, &c. to the registers at Jackson and St. Helena Courthouses.

Notices, &c. delivered in time, to be recorded.

Persons who had filed notices with the commissioner of the land office, &c. whose claims have not been recommended, &c., allowed till first of July, 1820, to deliver written evidence and other testimony, &c.

Evidence delivered in time, to be recorded.

The registers and receivers at Jackson and St. Helena Courthouses to have the same powers, perform the same duties, &c. as the commissioners for the districts east and west of Pearl river would have had, &c.

The register of each of the land offices to report to the commissioner of the general land office.

The commissioner to lay the report, &c. before Congress.

Registers and receivers may appoint clerks.

1500 dollars a year to each register and receiver.

1000 dollars per annum to clerk.

Proviso; not

more than eighteen months' compensation, &c.

Surveyor of the lands south of Tennessee to appoint a principal deputy, with a salary of 500 dollars and fees.

Amount of fees.

Duty of deputy surveyor.

Expense of surveying paid by the United States.

Proviso.

Books of former commissioners to be lodged with the registers, &c.

Register and receiver empowered to examine claims, &c.

A certificate to each claimant, entitled, &c.

The certificate having been fairly obtained, a patent to issue.

The President may appoint the registers and receivers in the recess, &c.

for the district east of Pearl river; nor more than eighteen months' compensation to be allowed to the register, receiver, and clerk, of the district west of Pearl river.

SEC. 11. *And be it further enacted*, That the surveyor for the lands south of the state of Tennessee shall, with the consent and approbation of the President of the United States, appoint a principal deputy surveyor for the lands within the said districts, who shall receive an annual salary, of five hundred dollars, and, in addition thereto, the following fees; that is to say: for examining and recording the surveys executed by any of the deputies, at the rate of twenty-five cents for every mile of the boundary line of such survey; and for a certified copy of any plat of a survey in the office, twenty-five cents; and whose duty it shall be to survey, or cause to be surveyed, by his other deputies, the lands, the claims to which are confirmed, and that are directed to be granted as donations, where the same have not been already surveyed, and the lands which may be claimed by right of pre-emption, whenever directed by the register and receiver, and to execute such other surveys as may be necessary for the ascertainment of the lands, the title or claim to which is embraced in the report of the commissioners aforesaid. And the said principal deputy surveyor shall make out particular plats of the surveys directed by this act, which he shall return to the register of the proper district; and also, a general and connected plat, which he shall return to the surveyor of the lands south of the state of Tennessee; and the expense of surveying shall be paid by the United States: *Provided*, The same shall not exceed, in the whole, four dollars a mile, for every mile which shall be actually surveyed and marked.

SEC. 12. *And be it further enacted*, That the books of the former commissioners, in which the claims, and evidence of claims, are recorded, shall be lodged with the registers of the land office, for the respective districts; and the register and receiver of public moneys, in each respective district, shall have power to examine the claims recognised, confirmed, or provided to be granted, by the provisions of this act, as also, claims to the right of pre-emption; and they shall make out to each claimant, entitled, in their opinion, thereto, a certificate, according to the nature of the case, under such instructions as they may receive from the commissioner of the general land office; and on presentation at the general land office, of such certificate for a confirmed claim, or for a donation, according to the provisions of this act; and where it shall appear, to the satisfaction of the commissioner of the general land office, that the certificate has been fairly obtained, according to the true intent and meaning of this act, then, and in that case, a patent shall be granted, in like manner as for other lands of the United States.

SEC. 13. *And be it further enacted*, That the President shall have power to appoint the register and receiver of public moneys for the said districts in the recess of the Senate, who shall be nominated to them at their next meeting.

APPROVED, March 3, 1819.

STATUTE II.

March 3, 1819.

Act of March 3, 1819, ch. 77.

Act of May 15, 1820, ch. 113.

The President may employ the armed vessels

CHAP. CI.—*An Act in addition to the Acts prohibiting the slave trade. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby, authorized, whenever he shall deem it expedient, to cause any of the armed vessels of the United States, to be employed to cruise on any of the coasts of the United States, or territories thereof, or of the coast of Africa, or elsewhere, where he may judge

(a) See notes to act of March 2, 1807, ch. 22, vol. ii. 426.

attempts may be made to carry on the slave trade by citizens or residents of the United States, in contravention of the acts of Congress prohibiting the same, and to instruct and direct the commanders of all armed vessels of the United States, to seize, take, and bring into any port of the United States, all ships or vessels of the United States, wheresoever found, which may have taken on board, or which may be intended for the purpose of taking on board, or of transporting, or may have transported, any negro, mulatto, or person of colour, in violation of any of the provisions of the act, entitled "An act in addition to an act to prohibit the importation of slaves into any port or place within the jurisdiction of the United States, from and after the first day of January, in the year of our Lord one thousand eight hundred and eight, and to repeal certain parts of the same," or of any other act or acts prohibiting the traffic in slaves, to be proceeded against according to law: And the proceeds of all ships and vessels, their tackle, apparel, and furniture, and the goods and effects on board of them, which shall be so seized, prosecuted, and condemned, shall be divided equally between the United States and the officers and men who shall seize, take or bring, the same into port for condemnation, whether such seizure be made by an armed vessel of the United States or revenue cutter thereof: And the same shall be distributed in like manner as is provided by law for the distribution of prizes taken from an enemy. *Provided*, That the officers and men, to be entitled to one half of the proceeds aforesaid, shall safe keep every negro, mulatto, or person of colour, found on board of any ship or vessel so seized, taken, or brought into port, for condemnation, and shall deliver every such negro, mulatto or person of colour, to the marshal of the district into which they are brought, if into a port of the United States, or, if elsewhere, to such person or persons as shall be lawfully appointed by the President of the United States, in the manner hereinafter directed, transmitting to the President of the United States, as soon as may be after such delivery, a descriptive list of such negroes, mulattoes, or persons of colour, that he may give directions for the disposal of them. *And provided further*, That the commanders of such commissioned vessels, do cause to be apprehended, and taken into custody, every person found on board of such vessel, so seized and taken, being of the officers or crew thereof, and him or them convey, as soon as conveniently may be, to the civil authority of the United States, to be proceeded against, in due course of law, in some of the districts thereof.

SEC. 2. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized to make such regulations and arrangements as he may deem expedient for the safe keeping, support, and removal beyond the limits of the United States, of all such negroes, mulattoes, or persons of colour, as may be so delivered and brought within their jurisdiction: And to appoint a proper person or persons, residing upon the coast of Africa, as agent or agents for receiving the negroes, mulattoes, or persons of colour, delivered from on board vessels, seized in the prosecution of the slave trade, by commanders of the United States' armed vessels.

SEC. 3. *And be it further enacted*, That a bounty of twenty-five dollars be paid to the officers and crews of the commissioned vessels of the United States, or revenue cutters, for each and every negro, mulatto, or person of colour, who shall have been, as hereinbefore provided, delivered to the marshal or agent duly appointed to receive them: And the Secretary of the Treasury is hereby authorized and required to pay or cause to be paid, to such officers and crews, or their agent, the aforesaid bounty, for each person delivered as aforesaid.

SEC. 4. *And be it further enacted*, That when any citizen, or other person, shall lodge information, with the attorney for the district of any state or territory, as the case may be, that any negro, mulatto, or person

of the United States on the coasts of the United States and of Africa, &c.

Vessels unlawfully engaged in the transportation of negroes, &c. may be seized and brought into port, &c.

Act of April 20, 1818, ch. 91. The proceeds of offending vessels, &c. to be divided between the United States and the captors, whether armed vessels or revenue cutters.

To be distributed as prizes.

Officers and men to keep every negro, &c.

A descriptive list to be transmitted to the President.

Proviso.

The President authorized to make regulations for the safe keeping, &c., and removal out of the United States of negroes, &c., and may appoint agents on the coast of Africa to receive them, &c.

Bounty of twenty-five dollars for every negro, &c.

Secretary, &c. to cause bounty to be paid.

District attorney to prosecute by inform-

ation, in the case of persons holding negroes, &c., unlawfully imported.

Upon the verdict of a jury, the court to direct the marshal to take the negroes into custody, subject to the orders of the President.

Informer entitled to a bounty of 50 dollars.

The Secretary of the Treasury to cause the bounty to be paid.

Vessels captured to be sent into a port of the state or territory where they belong, if, &c.

Repugnant acts, and parts of acts, repealed.

100,000 dollars appropriated to carry this law into effect.

STATUTE II.

March 3, 1819.

of colour, has been imported therein, contrary to the provisions of the acts in such case made and provided, it shall be the duty of the said attorney forthwith to commence a prosecution, by information; and process shall issue against the person charged with holding such negro, negroes, mulatto, mulattoes, person or persons of colour, so alleged to be imported contrary to the provisions of the acts aforesaid: And if, upon the return of the process executed, it shall be ascertained, by the verdict of a jury, that such negro, negroes, mulatto, mulattoes, person or persons of colour, have been brought in, contrary to the true intent and meaning of the acts in such cases made and provided, then the court shall direct the marshal of the said district to take the said negroes, mulattoes, or persons of colour, into his custody, for safe keeping, subject to the orders of the President of the United States; and the informer or informers, who shall have lodged the information, shall be entitled to receive, over and above the portion of the penalties accruing to him or them by the provisions of the acts in such case made and provided, a bounty of fifty dollars, for each and every negro, mulatto, or persons of colour, who shall have been delivered into the custody of the marshal; and the Secretary of the Treasury is hereby authorized and required to pay, or cause to be paid, the aforesaid bounty, upon the certificate of the clerk of the court for the district where the prosecution may have been had, with the seal of office thereto annexed, stating the number of negroes, mulattoes, or persons of colour, so delivered.

SEC. 5. *And be it further enacted*, That it shall be the duty of the commander of any armed vessel of the United States, whenever he shall make any capture under the provisions of this act, to bring the vessel and her cargo, for adjudication, into some of the ports of the state or territory to which such vessel, so captured, shall belong, if he can ascertain the same; if not, then to be sent into any convenient port of the United States.

SEC. 6. *And be it further enacted*, That all such acts, or parts of acts, as may be repugnant to the provisions of this act, shall be, and the same are hereby repealed.

SEC. 7. *And be it further enacted*, That a sum not exceeding one hundred thousand dollars, be, and the same is hereby, appropriated to carry this law into effect.

APPROVED, March 3, 1819.

CHAP. CII.—*An Act to authorize the building, erecting, and placing, lighthouses, beacons, and buoys, on places designated in Boston, Buzzard and Chesapeake, Bays, Lakes Ontario and Erie, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall be the duty of the Secretary of the Treasury to provide, by contract, which shall be approved by the President of the United States, for building lighthouses, erecting beacons or land marks, and placing light vessels or boats, on the following sites or shoals, to wit:

A lighthouse on Long-Island Head, and a beacon or land mark on Half-Way Rock, in Boston Bay; and also a lighthouse on Bird's Island, in Buzzard's Bay, in the state of Massachusetts.

A lighthouse on Galloo Island, near the outlet of Lake Ontario, in the state of New York.

A lighthouse, at a proper place, at or between the [mouth] of Grand River, in the state of Ohio, and the mouth of Detroit River, in the territory of Michigan.

Three lighthouses, on the following sites: one on the Bodkin, one on North Point, and one on Sparrow's Point, in the state of Maryland.

The Secretary of the Treasury to provide, by contract, to be approved by the President, for building lighthouses, &c.

Lighthouses, &c.

Act of May 15, 1820, ch. 112, sec. 5.

A lighthouse on Windmill Point, at the mouth of Rappahannock River, or a light vessel or boat on the Wolf-Trap Shoals, if the latter shall be deemed preferable to a lighthouse on Windmill Point; a lighthouse on Craney Island, at the mouth of Elizabeth River, and a light vessel, or boat, on Willoughby's Spit, between Lynnhaven Bay and Hampton Roads in the state of Virginia: And a beacon or land mark, on Wolf Island, near the port of Darien, in the state of Georgia.

SEC. 2. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to cause three buoys to be placed in such manner as to mark out the channel leading into the harbour of Boston, and one buoy to be placed on West Island Ledge, in Buzzard's Bay; a spindle, or buoy, on the outer rock of the reef running from Cochney's Island to Eastern Norwalk Island; another spindle, or buoy, on the reef running about south-west from the western point of the Western Norwalk Island; and a spindle on the rock off the point of Fairweather Island, in the state of Connecticut: And twenty buoys in the Chesapeake Bay, and Patapsco River, for designating the shoals and channel, in the state of Maryland.

SEC. 3. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to cause a pier to be carried out to nine feet water, at the lighthouse heretofore authorized to be erected at the mouth of the Mississippi; and, also, that he cause the present wood tower at the Seguin lighthouse, in the state of Massachusetts, to be replaced with one of stone.

SEC. 4. *And be it further enacted*, That there be appropriated, out of any moneys in the treasury of the United States, not otherwise appropriated, the following sums of money, to accomplish the purposes heretofore enumerated in this act, to wit: For the erection and establishment of lighthouses on Long-Island Head, on Bird's Island, and a beacon or land mark on Half-Way Rock, eleven thousand five hundred dollars: For a lighthouse on Galloo Island, near the outlet of Lake Ontario, twelve thousand five hundred dollars: For a lighthouse, at a proper place, at or between the mouth of Grand River and Detroit River, five thousand dollars: For three lighthouses, one on the Bodkin, one on North Point, and one on Sparrow's Point, in the Chesapeake Bay, and on the Patapsco River, nine thousand dollars: For a lighthouse on Windmill Point, or light vessel or boat on the Wolf-Trap Shoals, a light vessel or boat on Willoughby's Spit, between Lynnhaven Bay and Hampton Roads, and a lighthouse on Craney Island, at the mouth of Elizabeth River, twelve thousand dollars: For three buoys, to mark out the channel leading into Boston harbour, and for one to be placed on West Island Ledge, in Buzzard's Bay, sixteen hundred dollars: For the spindles or buoys on the reef running from Cochney's Island; for that on the reef running about south-west from the western point of the Western Norwalk's Island, and for that on the rock off the point of Fairweather Island, twelve hundred dollars: For twenty buoys, to be placed in the Chesapeake Bay and Patapsco River, eight thousand dollars: For the pier to be carried out from the lighthouse at the mouth of the Mississippi, four thousand dollars; and for replacing the tower at the Seguin lighthouse, twenty-five hundred dollars: and for a beacon or land mark on Wolf-Island, near the port Darien, in the state of Georgia, one thousand dollars.

SEC. 5. *And be it further enacted*, That, to make up the deficiencies of the appropriations heretofore made, for the purposes following, the several sums, respectively named, be, and they are hereby, appropriated, payable out of any money in the treasury not otherwise appropriated, to wit: To pay for the land, and erecting the lighthouse, at Holmes' Hole, sixty-three dollars: For erecting a lighthouse on the south point of Cumberland Island, seven thousand dollars: For erecting a lighthouse on the

Buoys and spindles.

A pier at the mouth of the Mississippi. Stone, instead of wood, tower, at Seguin lighthouse.

Appropriations to accomplish the purposes enumerated in this act.

To make up deficiencies of former appropriations.

south point of Sapelo Island, two thousand five hundred and five dollars.

Additional appropriations to pay the salaries of light-house keepers.

Salary of each keeper fixed at 350 dollars per ann.

Lighthouse authorized on south point of Sapelo, may be placed on Wolfe's Island.

SEC. 6. *And be it further enacted*, That the sum of three thousand and twenty-seven dollars be, and they are hereby appropriated, out of any money in the treasury not otherwise appropriated, in addition to the sums heretofore appropriated, to pay the salaries to the several keepers of the lighthouses within the United States; to be applied under the direction of the Secretary of the Treasury, so as to fix the annual salary of each keeper aforesaid, at the rate of three hundred and fifty dollars per annum.

SEC. 7. *And be it further enacted*, That the Secretary of the Treasury, in case he shall deem it expedient and proper, may cause the lighthouse heretofore authorized to be erected on the south point of Sapelo Island, to be changed to, and placed on Wolfe's Island.

APPROVED, March 3, 1819.

STATUTE II.

March 3, 1819.

CHAP. CVII.—*An Act to repeal part of an act passed on the twenty-seventh day of February, one thousand eight hundred and thirteen, entitled "An act in addition to 'An act regulating the Post-office establishment.'"*

Act of Feb. 27, 1813, ch. 34.

The clause of act of Feb. 27, 1813, for securing the regular transportation of the mail throughout the year, repealed.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of the last clause of the "Act in addition to 'An act regulating the Post-office establishment,'" passed the twenty-seventh day of [February,] one thousand eight hundred and thirteen, as contains these words, being the concluding words of the clause, namely: "And that such contracts shall secure the regular transportation of the mail throughout each year;" be, and the same is hereby, annulled and repealed.

APPROVED, March 3, 1819.

RESOLUTIONS.

Dec. 3, 1818.

Act of 18th April, 1818, ch. 67.

1. RESOLUTION *declaring the admission of the state of Illinois into the Union.*

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That, whereas, in pursuance of an act of Congress, passed on the eighteenth day of April, one thousand eight hundred and eighteen, entitled "An act to enable the people of the Illinois 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," the people of said territory did, on the twenty-sixth day of August, 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 to 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 Illinois shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original states, in all respects whatever.

APPROVED, December 3, 1818.

Vol. i. 51.

Illinois a state of the Union, on an equal footing.

II. RESOLUTION *authorizing the transmission of certain documents free of postage.*

Dec. 5, 1818.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the members of Congress, the delegates from territories, the Secretary of the Senate, and the clerk of the House of Representatives, be, and they are hereby authorized to transmit, free of postage, to any post-office within the United States or the territories thereof, any documents which have been, or may be, communicated to either House of Congress, during the present session, by the President of the United States, or either of the heads of departments, and printed for the use of Congress.

APPROVED, December 5, 1818.

Documents transmitted by the President, or heads of Departments, and printed, may be franked by members of Congress, &c.

III. RESOLUTION *directing a survey of certain parts of the coast of North Carolina.*

Jan. 19, 1819.

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 hereby is, requested to cause surveys to be made of the points of Cape Hatteras, Cape Lookout and Cape Fear, and of the shoals of those capes, respectively; and to cause such an examination to be made of those capes and shoals, respectively, as will ascertain the practicability of erecting lighthouses, beacons, or buoys, on or near the extreme points of them, or either of them; and also to cause the latitude and longitude of the said capes, extreme points, and shoals, respectively, to be ascertained with as much exactness as may be practicable; and that the results of such surveys and examinations be reported to Congress.

APPROVED, January 19, 1819.

The President requested to cause surveys to be made of the points of Cape Hatteras, &c.

Latitude and longitude to be ascertained.

Result to be reported to Congress.

IV. RESOLUTION *for the distribution of Seybert's Statistical Annals; and directing Pitkin's Commercial Statistics to be deposited in the library.*

Jan. 23, 1819.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of State cause to be distributed one copy of Seybert's Statistical Annals to the President of the United States; to the Vice President of the United States, and to the executive of each state and territory, one copy; two copies for the use of each of the Departments, viz: State, Treasury, War, and Navy; one copy for the use of the Attorney General of the United States; and one copy to each member and delegate of the fifteenth Congress; and one copy to each college and university in the United States, if applied for by such college or university; and the residue of the five hundred copies of the Annals aforesaid, together with the two hundred and fifty copies of Pitkin's Commercial Statistics, shall be deposited in the library of Congress, for the use of the members.

APPROVED, January 23, 1819.

The Secretary of State to cause copies of Seybert's Statistics to be delivered to the President, Vice President, &c.

Residue, with Pitkin's, to be deposited in the library.

V. RESOLUTION *authorizing the transmission of the documents accompanying the report of the committee to examine into the proceedings of the Bank of the United [States] free of postage.*

Feb. 15, 1819.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the members of Congress, the delegates from territories, the secretary of the Senate, and clerk of the House of Representatives, be, and they hereby, are authorized to transmit, free of postage, to any post-office within the United States, or the territories thereof, the documents accompanying the report of the committee appointed by the House of Representatives to examine into the proceedings of the Bank of the United States.

APPROVED, February 15, 1819.

Members of Congress, secretary of the Senate, and the clerk of the House, empowered to frank the documents.

March 3, 1819.

VI. RESOLUTION directing the manner in which the printing of Congress shall be executed, fixing the prices thereof, and providing for the appointment of a printer or printers.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the printing of Congress, unless when otherwise specially ordered, shall be done in the following form and manner, viz :

Form and man-
ner of printing.

Bills, as heretofore, with english type, on foolscap paper. Rule or table-work, in royal octavo size, where it can be brought into that size, by any type not smaller than brevier ; and where it cannot, in such form as to fold conveniently into the volume. All other printing with a small pica type, on royal paper, in pages of the same size as those of the last edition of the laws of the United States, including the marginal notes.

Prices allowed.
Composition.

And the following prices shall be allowed and paid for the above described work : For the composition of every page of bills, one dollar ; of every page of small pica, plain work, one dollar ; of every page of small pica, rule-work, two dollars ; of every page of brevier, rule-work, three dollars and fifty cents ; and for a larger form of brevier rule-work, in proportion.

Press-work.

For the press-work of bills, including paper, folding, and stitching— for fifty copies, twenty-five cents per page ; for four hundred copies, one dollar and twenty-five cents per page ; for the press-work of tables, other than those in the regular octavo form, for six hundred copies, including as above, five dollars and fifty cents per form ; for the press work of the journals, of nine hundred copies, including as above, one dollar per page ; for all other printing, in the octavo form, of six hundred copies, including as above, eighty-seven and a half cents per page ; and for a larger or smaller number in proportion.

Each house
to ballot for a
printer.
Printer to give
bond, with sur-
ties.

That as soon as this resolution shall have been approved by the President of the United States, each House shall proceed to ballot for a printer to execute its work during the next Congress ; and the person having the greatest number of votes shall be considered duly elected ; and shall give bond, with sureties, to the satisfaction of the secretary of the Senate and clerk of the House of Representatives, respectively, for the prompt, accurate, and neat, execution of the work ; and in case any inconvenient delay should be, at any time, experienced by either House, in the delivery of its work, the secretary and clerk, respectively, may be authorized to employ another printer to execute any portion of the work of the Senate or House, and charge the excess, in the account of such printer, for executing such work, above what is herein allowed, to the printer guilty of such negligence and delay : *Provided*, That nothing herein contained shall preclude the choice of the same printer by the Senate and by the House of Representatives.

In case of de-
lay, &c.

Proviso.

APPROVED, March 3, 1819.

March 3, 1819.

Ships of the
navy to be
named by the
Secretary, un-
der direction of
the President.

First class
after states.

Second after
rivers.

Third after
principal cities
and towns.

No two of the
same name.

VII. RESOLUTION declaring the manner in which the vessels composing the navy of the United States shall be named.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That all the ships of the navy of the United States, now building, or hereafter to be built, shall be named by the Secretary of the Navy, under the direction of the President of the United States, according to the following rule, to wit : Those of the first class shall be called after the states of this Union ; those of the second class after the rivers ; and those of the third class after the principal cities and towns ; taking care that no two vessels in the navy shall bear the same name.

APPROVED, March 3, 1819.

ACTS OF THE SIXTEENTH CONGRESS

OF THE

UNITED STATES,

Passed at the first session, which was begun and held in the City of Washington, in the District of Columbia, on Monday the sixth day of December, 1819, and ended on the fifteenth day of May, 1820.

JAMES MONROE, President; DANIEL D. TOMPKINS, Vice President of the United States and President of the Senate; JAMES BARBOUR, President of the Senate pro tempore, on the fourteenth of December, 1819; JOHN GAILLARD, President of the Senate pro tempore, from the twenty-eighth of January, 1820; HENRY CLAY, Speaker of the House of Representatives.

STATUTE I.

CHAP. I.—*An Act authorizing the transmission of certain documents free of postage.* Dec. 14, 1819.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the members of Congress, the delegates from territories, the secretary of the Senate, and the clerk of the House of Representatives, be, and they are hereby, authorized to transmit, free of postage, to any post-office within the United States, or the territories thereof, any documents which have been, or may be, printed by order of either House, during the present Congress.

APPROVED, December 14, 1819.

Members, delegates, secretary, and clerk of House may transmit any document.

STATUTE I.

CHAP. II.—*An Act making a partial appropriation for the military service of the United States for the year one thousand eight hundred and twenty.* Jan. 14, 1820.

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 are hereby, appropriated to the objects herein specified, to wit:

For subsistence of the army of the United States, two hundred and twenty thousand dollars. For subsistence.

For the national armories, fifty-six thousand dollars. For armories.

For arrearages, on the settlement of outstanding claims, fifty thousand dollars. For arrearages.

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

APPROVED, January 14, 1820.

STATUTE I.

Jan. 14, 1820.

CHAP. III.—*An Act in addition to the "Act making appropriations for the support of the navy of the United States for the year one thousand eight hundred and nineteen."*

Act of Feb. 16, 1819, ch. 25.

Appropriations.

For pay and subsistence of officers, and pay of seamen.

For provisions.

For medicines, hospital stores, &c.

For repairs of vessels.

For contingent expenses.

For salaries of agents.

1817, ch. 22.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following sums, in addition to those appropriated by the act to which this is a supplement, be, and the same are hereby, appropriated:

For pay and subsistence of the officers and pay of the seamen, two hundred and seventy-three thousand one hundred dollars.

For provisions, forty-one thousand four hundred dollars.

For medicines, hospital stores, and expenses on account of the sick, including those of the marine corps, eight thousand eight hundred and fifty dollars.

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

For contingent expenses, eleven thousand dollars.

For the salaries of two agents, and a surveyor, appointed under the authority of the act of Congress of the first March, one thousand eight hundred and seventeen, entitled "An act making reservation of certain public lands to supply timber for naval purposes," and contingent expenses for carrying the same into effect, seven thousand five hundred 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, January 14, 1820.

STATUTE I.

Jan. 14, 1820.

CHAP. V.—*An Act supplementary to the act, entitled "An act to regulate and fix the compensation of the clerks in the different offices," passed the twentieth of April, one thousand eight hundred and eighteen.*

Act of April 20, 1818, ch. 87.

Additional clerks in the office of the third auditor, and in the office of the second comptroller.

Appropriations.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the authority given in the eighth section of the above-recited act, to the Secretary of the Treasury, to employ nine additional clerks in the office of the third auditor, and three additional clerks in the office of the second comptroller of the Treasury, be, and the same is hereby, continued until the thirty-first day of December, one thousand eight hundred and twenty, and no longer; and that the sum necessary to carry into effect the provisions of this act, be, and the same is hereby, appropriated, and shall be paid, out of any money in the treasury, not otherwise appropriated.

APPROVED, January 14, 1820.

STATUTE I.

Feb. 10, 1820.

CHAP. IX.—*An Act to alter the terms of the court of the western district of Virginia. (a)*

The sessions of the court to be held.

At Wythe.
Lewisburg.
Clarksburg.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sessions of the court for the judicial district of Virginia, west of the Alleghany mountain, instead of the times heretofore appointed, shall hereafter be holden, annually, as follows: At Wythe Courthouse on the first Mondays of May and October; at Lewisburg, on the second Mondays of May and October; and at Clarksburg, on the fourth Mondays of May and October; any law to the contrary notwithstanding.

Process to be

SEC. 2. *And be it further enacted,* That all process which may have

(a) See notes to act of Feb. 4, 1819, ch. 12.

issued, or may hereafter issue, returnable to the next succeeding terms, as heretofore established, shall be held returnable, and be returned, to those terms to which they are severally changed by this act.

APPROVED, February 10, 1820.

STATUTE I.

Feb. 10, 1820.

CHAP. X.—*An Act making appropriations to supply the deficiency in the appropriations heretofore made for the completion of the repairs of the north and south wings of the Capitol, for finishing the President's house, and the erection of two new executive offices.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the purpose of supplying the deficiency in the appropriations heretofore made for completing the repairs of the north and south wings of the Capitol, for finishing the President's house, and the erection of two new executive offices, the following sums be, and the same are hereby, respectively, appropriated, that is to say:

For completing the repairs of the north and south wings of the Capitol, the sum of seventy-five thousand dollars.

For finishing the President's house, the sum of thirteen thousand one hundred and seventy-four dollars and sixty-six cents.

For erecting two new executive offices, the sum of eleven thousand and fifteen dollars and seventy-one cents.

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

APPROVED, February 10, 1820.

Appropriations for supplying deficiencies of former appropriations.

North and south wings of Capitol.
President's house.

Two new executive offices.
Out of moneys in the treasury.

STATUTE I.

Feb. 10, 1820.

CHAP. XI.—*An Act to provide for obtaining accurate statements of the foreign commerce 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 register of the treasury shall, under the direction of the Secretary of the Treasury, annually prepare statistical accounts of the commerce of the United States with foreign countries, for each preceding year; which accounts shall be laid before Congress, by the Secretary of the Treasury, on the first Monday in December in every year, or as soon after as possible.

SEC. 2. *And be it further enacted,* That such accounts shall comprehend and state all goods, wares, and merchandise, exported from the United States to other countries; all goods, wares, and merchandise, imported into the United States from other countries; and all navigation employed in the foreign trade of the United States; which facts shall be stated according to the principles, and in the manner, hereby directed.

SEC. 3. *And be it further enacted,* That the kinds, quantities, and values, of all articles exported, and the kinds, quantities, and values, of all articles imported, shall be distinctly stated in such accounts; except in cases in which it may appear to the Secretary of the Treasury that separate statements of the species, quantities, or values, of any particular articles, would swell the annual statements without utility; and, in such cases, the kinds and total values of such articles shall be stated together, or in such classes as the Secretary of the Treasury may think fit.

SEC. 4. *And be it further enacted,* That the exports shall be so stated as to show the exports to each foreign country, and their values; and that the imports shall be so stated, as to show the imports from each foreign country, and their values.

SEC. 5. *And be it further enacted,* That the exports shall be so stated,

The register of the treasury to prepare statistical accounts of the commerce of the United States.

To be laid before Congress.
Of goods, &c. exported.

Of goods, &c. imported.

Of all navigation employed in foreign trade.

Principles and manner of stating the exports and imports.

Exports, &c. to and from each country, and values, to be stated.

Country of the exported product or manufacture, and values, to be stated.

Manner of stating the navigation.

Manner of ascertaining the kinds and quantities of imported articles free from duty. And their values.

Manner of ascertaining the values of articles subject to specific duties.

Collectors to keep separate accounts as the Secretary of the Treasury may direct.

Articles exported to be valued at actual cost.

Articles imported to be valued at actual cost.

Manifests to be delivered and verified on oath or affirmation.

Manifests to specify kinds, quantities, and value.

Tenor of the oath or affirmation.

as to show, separately, the exports of articles of the production or manufacture of the United States, and their values; and the exports of articles of the production or manufacture of foreign countries, and their values.

SEC. 6. *And be it further enacted*, That the navigation, employed in the foreign trade of the United States, shall be stated in such manner, as to show the amount of the tonnage of all vessels departing from the United States for foreign countries; and, separately, the amount of such tonnage of vessels of the United States, and the amount of such tonnage of foreign vessels; and also the foreign nations to which such foreign tonnage belongs, and the amount of such tonnage belonging to each foreign nation; and in such manner as also to show the amount of the tonnage of all vessels departing for every particular foreign country, with which the United States have any considerable commerce; and, separately, the amount of such tonnage of vessels of the United States, and the amount of such tonnage of foreign vessels; and, in such manner as to show the amount of the tonnage of all vessels arriving in the United States from foreign countries; and, separately, the amount of such tonnage of vessels of the United States, and the amount of such tonnage of foreign vessels; and, also, the foreign nations to which such foreign tonnage belongs, and the amount of such tonnage belonging to each foreign nation; and, in such manner, as also to show the amount of the tonnage of all vessels arriving from every particular foreign country, with which the United States have any considerable commerce; and, separately, the amount of such tonnage of vessels of the United States, and the amount of such tonnage of foreign vessels.

SEC. 7. *And be it further enacted*, That the kinds and quantities of all imported articles free from duty shall be ascertained by entry, made upon oath or affirmation, by the owner, or by the consignee or agent of the importer; or by actual examination, where the collector shall think such examination necessary: and that the values of all such articles shall be ascertained in the same manner in which the values of imports subject to duties ad valorem are ascertained.

SEC. 8. *And be it further enacted*, That the values of all imported articles subject to specific duties, shall be ascertained in the manner in which the values of imports subject to duties ad valorem are ascertained.

SEC. 9. *And be it further enacted*, That the collectors shall keep separate accounts of the kinds, quantities, and values, of such parts of the imports subject to duties ad valorem, as may be directed by the Secretary of the Treasury.

SEC. 10. *And be it further enacted*, That all articles exported shall be valued at their actual cost, or the values which they may truly bear at the time of exportation, in the ports of the United States from which they are exported: and that all articles imported shall be valued at their actual cost, or the values which they may truly bear in the foreign ports from which they are exported for importation into the United States, at the time of such exportation.

SEC. 11. *And be it further enacted*, That before a clearance shall be granted for any vessel bound to a foreign place, the owners, shippers, or consignors, of the cargo on board of such vessel, shall deliver to the collector manifests of the cargo, or the parts thereof shipped by them respectively, and shall verify the same by oath or affirmation; and such manifests shall specify the kinds and quantities of the articles shipped by them respectively, and the value of the total quantity of each kind of articles; and such oath or affirmation shall state that such manifest contains a full, just, and true, account of all articles laden on board of such vessel by the owners, shippers, or consignors, respectively, and that the values of such articles are truly stated, according to their actual cost, or the values which they truly bear at the port and time of exportation; and,

before a clearance shall be granted for any such vessel, the master of every such vessel, and the owners, shippers, and consignors, of the cargo, shall state, upon oath or affirmation, to the collector, the foreign place or country in which such cargo is truly intended to be landed; and the said oaths or affirmation shall be taken and subscribed in writing.

SEC. 12. *And be it further enacted*, That every collector shall keep an accurate account of the national characters and tonnage of all vessels which depart from his district for foreign countries, and of the foreign places or countries for which such vessels depart; and, also, an accurate account of the national characters and tonnage of all vessels which enter his district from foreign countries, and of the foreign places or countries from which such vessels arrive.

SEC. 13. *And be it further enacted*, That the several collectors shall make quarter yearly returns to the register of the treasury, of all the facts and matters which they are hereby required to ascertain.

SEC. 14. *And be it further enacted*, That the Secretary of the Treasury shall give such directions to the collectors, and prescribe such rules and forms to be observed by them, as may appear to him proper for attaining the objects of this act: *Provided*, That such directions or rules shall not be contrary to the provisions of any law of the United States.

SEC. 15. *And be it further enacted*, That the forms of the annual statements hereby required shall be determined by the Secretary of the Treasury, who shall prescribe such forms as may be proper to exhibit the facts hereby required to be stated in the clearest manner, and to show the actual state of commerce and navigation between the United States and foreign countries in each year.

SEC. 16. *And be it further enacted*, That this act shall be in force from the thirtieth day of September next.

APPROVED, February 10, 1820.

Where the cargo is to be landed to be stated on oath or affirmation.

Accounts of national characters and tonnage of vessels departing and arriving to be kept.

Quarterly returns to the register.

Secretary of the Treasury to give directions and prescribe rules and forms.

Secretary of Treasury to determine the forms of the statements.

Act in force from 30th Sept. 1820.

STATUTE I.

CHAP. XIV.—*An Act to remit the duties on a statue of George Washington.*

Feb. 24, 1820.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the duties which have accrued, or may accrue to the United States, upon the importation of a statue of George Washington, by order, and for the use, of the State of North Carolina, be, and they are hereby remitted.

Duties on a statue of George Washington remitted to North Carolina.

APPROVED, February 24, 1820.

STATUTE I.

CHAP. XVII.—*An Act further to extend the charter of the city of Washington.*

Feb. 28, 1820.

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 to incorporate the inhabitants of the city of Washington, in the District of Columbia," and the act supplementary to the same, passed on the twenty-fourth of February, in the year one thousand eight hundred and four, and the act, entitled "An act further to amend the charter of the city of Washington," be, and the same are hereby, extended to the third day of March, one thousand eight hundred and twenty-one, unless sooner repealed.

Act incorporating the inhabitants of Washington, &c. continued till 3d March, 1821.

Act of May 3, 1802, ch. 53.

Act of Feb. 24, 1804, ch. 14

Act of May 4, 1812, ch. 75.

APPROVED, February 28, 1820.

STATUTE I.

March 3, 1820.

CHAP. XIX.—*An Act for the admission of the state of Maine into the Union. (a)*

Act of April 7, 1820, ch. 39.

The people of Maine, with the consent of the legislature of Massachusetts, have formed themselves into an independent state, &c.

Maine admitted into the Union from 15th March, 1820.

WHEREAS, by an act of the state of Massachusetts, passed on the nineteenth day of June, in the year one thousand eight hundred and nineteen, entitled "An act relating to the separation of the district of Maine from Massachusetts proper, and forming the same into a separate and independent state," the people of that part of Massachusetts heretofore known as the district of Maine, did, with the consent of the legislature of said state of Massachusetts, form themselves into an independent state, and did establish a constitution for the government of the same, agreeably to the provisions of said act—Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the fifteenth day of March, in the year one thousand eight hundred and twenty, the state of Maine is hereby declared to be one of the United States of America, and admitted into the Union on an equal footing with the original states, in all respects whatever.

APPROVED, March 3, 1820.

STATUTE I.

March 4, 1820.

CHAP. XX.—*An Act to continue in force for a further time, the act entitled "An act for establishing trading-houses with the Indian tribes."*

Act of March 2, 1811, ch. 30.

The act establishing trading-houses with the Indian tribes, continued until 3d March, 1821.

Act of March 3, 1821, ch. 45.

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, by subsequent acts, continued in force until the first day of March, one thousand eight hundred and twenty, shall be, and the same is hereby, further continued in force until the third day of March, one thousand eight hundred and twenty-one, and no longer.

APPROVED, March 4, 1820.

STATUTE I.

March 4, 1820.

CHAP. XXI.—*An Act altering the place of holding the circuit and district court in the district of Ohio. (b)*

Circuit court to be held at Columbus, the first Mondays of Sept. and Jan. Causes, &c. to be continued over, &c.

District court to be held at Columbus, the second Mondays of Sept. and January.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the circuit court in and for the district of Ohio, shall, from and after the passage of this act, be held at Columbus, in said district, on the first Mondays of September and January, [in] each and every year; and that all causes, actions, suits, process, pleadings, and other proceedings, of every description, that are, or shall be, existing or depending in the said circuit court, shall be continued over and returnable to the said circuit court, to be held at Columbus as aforesaid, and shall be proceeded with in due form of law.

SEC. 2. *And be it further enacted,* That the district court, in and for the district of Ohio, shall, from and after the passage of this act, be held at Columbus, in said district, on the second Mondays of September and January, each and every year; and that all causes, actions, suits, process, pleadings, and other proceedings, of every description, that are or

(a) The acts of Congress relating to the state of Maine, in addition to this act, are:

An act establishing a circuit court within and for the district of Maine, March 30, 1820, ch. 27.

An act apportioning the representatives in the seventeenth Congress to be elected in the state of Massachusetts and Maine, and for other purposes, April 7, 1820, ch. 39.

(b) Act of April 22, 1824, ch. 36, Act of May 20, 1826, ch. 132, Act of May 5, 1830, ch. 89, sec. 3. By the act of March 10, 1838, ch. 33, the circuit and district courts are to be holden on the first Monday of July, and the third Monday in December.

By the act of June 1, 1842, ch. 31, the term of the circuit and district courts of Ohio, required to be holden on the first Monday of July, annually, at Columbus, shall be held at Cincinnati.

shall be existing or depending in the said district court, shall be continued over and returnable to the said district court to be holden at Columbus as aforesaid, and shall be proceeded with in due form of law.

APPROVED, March 4, 1820.

Causes to be continued over.

STATUTE I.

March 6, 1820.

CHAP. XXII.—*An Act to authorize the people of the Missouri 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, and to prohibit slavery in certain territories. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the inhabitants of that portion of the Missouri territory included within the boundaries hereinafter designated, be, and they are hereby, 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 an equal footing with the original states, in all respects whatsoever.

The inhabitants of Missouri authorized to form a constitution and state government, to be admitted into the Union.

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 in the middle of the Mississippi river, on the parallel of thirty-six degrees of north latitude; thence west, along that parallel of latitude, to the St. Francois river; thence up, and following the course of that river, in the middle of the main channel thereof, to the parallel of latitude of thirty-six degrees and thirty minutes; thence west, along the same, to a point where the said parallel is intersected by a meridian line passing through the middle of the mouth of the Kansas river, where the same empties into the Missouri river, thence, from the point aforesaid north, along the said meridian line, to the intersection of the parallel of latitude which passes through the rapids of the river Des Moines, making the said line to correspond with the Indian boundary line; thence east, from the point of intersection last aforesaid, along the said parallel of latitude, to the middle of the channel of the main fork of the said river Des Moines; thence down and along the middle of the main channel of the said river Des Moines, to the mouth of the same, where it empties into the Mississippi river; thence, due east, to the middle of the main channel of the Mississippi river; thence down, and following the course of the Mississippi river, in the middle of the main channel thereof, to the place of

Boundaries.

(a) *Acts relating to the territory of Missouri:*

An act providing for the government of the territory of Missouri, June 4, 1812, ch. 95.

An act for the appointment of an additional judge for the Missouri territory, and for other purposes, Jan. 27, 1814, ch. 8.

An act to alter certain parts of the act providing for the government of the territory of Missouri, April 29, 1816, ch. 155.

An act further to regulate the territories of the United States, and their sending delegates to Congress, March 3, 1817, ch. 42, sec. 2.

State of Missouri.—An act to authorize the people of the Missouri 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, and to prohibit slavery in certain territories, March 6, 1820, ch. 22.

Resolution providing for the admission of the state of Missouri into the Union, on a certain condition, March 2, 1821.

An act to provide for the due execution of the laws of the United States within the state of Missouri, and for the establishment of a district court therein, March 16, 1822, ch. 12.

An act respecting the jurisdiction of certain district courts, Feb. 19, 1831, ch. 28.

An act to extend the western boundary of the state of Missouri to the Missouri river, June 7, 1836, ch. 86.

An act to authorize the President of the United States to cause the southern boundary line of Iowa, to be ascertained and marked, June 18, 1838, ch. 116.

An act to provide for the adjustment of land claims within the state of Missouri, Arkansas and Louisiana, and in those parts of the states of Mississippi and Alabama, south of the thirty-first degree of north latitude, and between the Mississippi and the Perdido river, June 17, 1844, ch. 95.

Proviso: the state to ratify the boundaries, and have concurrent jurisdiction of rivers.

Rivers, &c. to be common highways and free.

Qualifications of electors elected, to form a convention.

Apportionment of representatives to form a convention.

Election on the first Monday of May and two days following, &c.

Members of convention to meet at the seat of government on the second Monday of June, &c.

Convention to determine on the formation of a constitution, or otherwise.

Proviso; con-

beginning: *Provided*, The said state shall ratify the boundaries aforesaid; *And provided also*, That the said state shall have concurrent jurisdiction on the river Mississippi, and every other river bordering on the said state, so far as the said rivers shall form a common boundary to the said state; and any other state or states, now or hereafter to be formed and bounded by the same, such rivers to be common to both; and that the river Mississippi, and the navigable rivers and waters leading into the same, 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. 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 have resided in said territory three months previous to the day of election, and all other persons qualified to vote for representatives to the general assembly of the said territory, shall be qualified to be elected, and they are hereby qualified and authorized to vote, and choose representatives to form a convention, who shall be apportioned amongst the several counties as follows:

From the county of Howard, five representatives. From the county of Cooper, three representatives. From the county of Montgomery, two representatives. From the county of Pike, one representative. From the county of Lincoln, one representative. From the county of St. Charles, three representatives. From the county of Franklin, one representative. From the county of St. Louis, eight representatives. From the county of Jefferson, one representative. From the county of Washington, three representatives. From the county of St. Genevieve, four representatives. From the county of Madison, one representative. From the county of Cape Girardeau, five representatives. From the county of New Madrid, two representatives. From the county of Wayne, and that portion of the county of Lawrence which falls within the boundaries herein designated, one representative.

And the election for the representatives aforesaid shall be holden on the first Monday, and two succeeding days of May next, throughout the several counties aforesaid in the said territory, and shall be, in every respect, held and conducted in the same manner, and under the same regulations as is prescribed by the laws of the said territory regulating elections therein for members of the general assembly, except that the returns of the election in that portion of Lawrence county included in the boundaries aforesaid, shall be made to the county of Wayne, as is provided in other cases under the laws of said territory.

SEC. 4. *And be it further enacted*, That the members of the convention thus duly elected, shall be, and they are hereby authorized to meet at the seat of government of said territory on the second Monday of the month of June next; and the said convention, when so assembled, shall have power and authority to adjourn to any other place in the said territory, which to them shall seem best for the convenient transaction of their business; and which convention, when so 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, as included within the boundaries above designated; and if it be deemed expedient, the convention shall be, and hereby is, authorized to form a constitution and state government; or, if it be deemed more expedient, the said convention shall provide by ordinance for electing representatives to form a constitution or frame of government; which said representatives shall be chosen in such manner, and in such proportion as they shall designate; and shall meet at such time and place as shall be prescribed by the said ordinance; and shall then form for the people of said territory, within the boundaries aforesaid, a constitution and state government: *Provided*, That the same, when-

ever formed, shall be republican, and not repugnant to the constitution of the United States; and that the legislature of said state shall never interfere with the primary disposal of the soil by the United States, nor with any regulations Congress may find necessary for securing the title in such soil to the *bona fide* purchasers; and that no tax shall be imposed on lands the property of the United States; and in no case shall non-resident proprietors be taxed higher than residents.

SEC. 5. *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.

SEC. 6. *And be it further enacted*, That the following propositions be, and the same are hereby, offered to the convention of the said territory of Missouri, when formed, for their free acceptance or rejection, which, if accepted by the convention, shall be obligatory upon the United States:

First. That section numbered sixteen in every township, and when such section has been sold, or otherwise disposed of, other lands equivalent thereto, and as contiguous as may be, shall be granted to the state for the use of the inhabitants of such township, for the use of schools.

Second. That all salt springs, not exceeding twelve in number, with six sections of land adjoining to each, shall be granted to the said state for the use of said state, the same to be selected by the legislature of the said state, on or before the first day of January, in the year one thousand eight hundred and twenty-five; and the same, when so selected, to be used under such terms, conditions, and regulations, as the legislature of said state shall direct: *Provided*, That no salt spring, the right whereof now is, or hereafter shall be, confirmed or adjudged to any individual or individuals, shall, by this section, be granted to the said state: *And provided also*, That the legislature shall never sell or lease the same, at any one time, for a longer period than ten years, without the consent of Congress.

Third. That five per cent. of the net proceeds of the sale of lands lying within the said territory or state, and which shall be sold by Congress, from and after the first day of January 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 state, under the direction of the legislature thereof; and the other two fifths in defraying, under the direction of Congress, the expenses to be incurred in making of a road or roads, canal or canals, leading to the said state.

Fourth. That four entire sections of land be, and the same are hereby, granted to the said state, for the purpose of fixing their seat of government thereon; which said sections shall, under the direction of the legislature of said state, be located, as near as may be, in one body, at any time, in such townships and ranges as the legislature aforesaid may select, on any of the public lands of the United States: *Provided*, That such locations shall be made prior to the public sale of the lands of the United States surrounding such location.

Fifth. That thirty-six sections, or one entire township, which shall be designated by the President of the United States, together with the other lands heretofore reserved for that purpose, shall be reserved for the use of a seminary of learning, and vested in the legislature of said state, to be appropriated solely to the use of such seminary by the said legislature: *Provided*, That the five foregoing propositions herein offered, are on the condition that the convention of the said state shall provide, by an ordinance, irrevocable without the consent of the United States, that every and each tract of land sold by the United States, from and after the first day of January next, shall remain exempt from any tax laid by order or under the authority of the state, whether for state, county, or township, or any other purpose whatever, for the term of five years

stitution to be republican.

Conditions.

The state entitled to one representative in Congress.

Propositions offered to the convention for acceptance or rejection.

1st proposition—
Section No. 16 for schools.

2d proposition—
Salt springs and lands adjacent, for the use of the state.

Proviso; salt springs confirmed to individuals, &c.

3d proposition—5 per centum net proceeds of sales of lands for public roads and canals.

4th proposition—
4 sections of land for a seat of government.

Proviso: location before sale of surrounding lands.

5th proposition—
36 sections of land for a seminary of learning.

Proviso.

from and after the day of sale; *And further*, That the bounty lands granted, or hereafter to be granted, for military services during the late war, shall, while they continue to be held by the patentees, or their heirs, remain exempt as aforesaid from taxation for the term of three years from and after the date of the patents respectively.

A true and attested copy of the constitution to be transmitted to Congress.

SEC. 7. *And be it further enacted*, That in case a constitution and state government shall be formed for the people of the said territory of Missouri, the said convention or representatives, as soon thereafter as may be, shall cause a true and attested copy of such constitution, or frame of state government, as shall be formed or provided, to be transmitted to Congress.

Slavery, &c. forever prohibited in the territory north of 36 deg. 30 minutes north latitude, except in Missouri.

Proviso: fugitives may be reclaimed.

SEC. 8. *And be it further enacted*, That in all that territory ceded by France to the United States, under the name of Louisiana, which lies north of thirty-six degrees and thirty minutes north latitude, not included within the limits of the state, contemplated by this act, slavery and involuntary servitude, otherwise than in the punishment of crimes, whereof the parties shall have been duly convicted, shall be, and is hereby, forever prohibited: *Provided always*, That any person escaping into the same, from whom labour or service is lawfully claimed, in any state or territory of the United States, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labour or service as aforesaid.

APPROVED, March 6, 1820.

STATUTE I.

March 13, 1820.

CHAP. XXIII.—*An Act in addition to an act, entitled "An act regulating the post-office establishment."*

Act of April 3, 1810, ch. 37. The President of the Senate pro tem. and speaker of the House of Representatives, entitled to frank as the Vice President of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That during the present and every subsequent session of Congress, all letters and packets to and from the President of the Senate pro tempore, and the Speaker of the House of Representatives for the time being, shall be received and conveyed by mail, free of postage, under the same restrictions as are provided by law with respect to letters and packets to and from the Vice President of the United States.

APPROVED, March 13, 1820.

STATUTE I.

March 14, 1820.

CHAP. XXIV.—*An Act to provide for taking the fourth census, or enumeration of the inhabitants of the United States, and for other purposes.* (a)

Act of March 3, 1821, ch. 49. Marshals of districts and territories to cause the number of inhabitants to be taken, under the direction of the Secretary of State.

Classes to be enumerated.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the marshals of the several districts of the United States, and of the district of Columbia, and of the territories of Missouri, Michigan, and Arkansas, respectively, shall be, and they are hereby, authorized, and required, under the direction of the Secretary of State, and according to such instructions as he shall give, pursuant to this act, to cause the number of the inhabitants within their respective districts and territories, to be taken, omitting, in such enumeration, Indians not taxed, and distinguishing free persons, including those bound to service for a term of years, from all others; distinguishing, also, the sexes and colours of free persons, and the free males under ten years of age; those of ten years and under sixteen; those of sixteen and under twenty-six; those of twenty-six and under forty-five and those of forty-five and upwards: and, also, distinguishing free females under ten years of age; those of ten and under sixteen; those of sixteen

(a) See note to act of March 1, 1790, vol. i. 101, referring to the acts providing for taking a census of the United States.

and under twenty-six; those of twenty-six and under forty-five; and those of forty-five and upwards; and, also, distinguishing the number of persons engaged in agriculture, commerce, and manufactures, respectively. For effecting which the marshals aforesaid shall have power, and they are hereby, respectively, authorized and required, to appoint one or more assistants in each county and city, in their respective districts and territories, residents of the county and city for which they shall be appointed, and shall assign a certain division to each of the said assistants, which division shall not consist of more than one county or city, but may include one or more towns, townships, wards, hundreds, or parishes, plainly and distinctly bounded by water courses, mountains, public roads, or other monuments. And the said enumeration shall be made by an actual inquiry at every dwelling-house, or of the head of every family, and not otherwise. The marshals and their assistants shall, respectively, take an oath or affirmation before some judge or justice of the peace, resident within their respective districts or territories, before they enter on the duties required by this act. The oath or affirmation of the marshal shall be as follows: I, A. B. marshal of the district of —, do solemnly swear, (or affirm,) that I will well and truly cause to be made, a just and perfect enumeration and description of all persons resident within my district or territory,) and also an account of the manufactures, except household manufactures, and return the same to the Secretary of State, agreeably to the directions of an act of Congress, entitled, “An act to provide for taking the fourth census or enumeration of the inhabitants of the United States, and for other purposes,” according to the best of my ability. The oath or affirmation of an assistant shall be; I, A. B. do solemnly swear, (or affirm,) that I will make a just and perfect enumeration and description of all persons resident within the division assigned to me for that purpose, by the marshal of —, and also an account of the manufactures, except household manufactures, and make due return thereof to the said marshal, agreeably to the directions of an act of Congress, entitled “An act to provide for taking the fourth census or enumeration of the inhabitants of the United States, and for other purposes,” according to the best of my abilities. The enumeration shall commence on the first Monday of August, in the year one thousand eight hundred and twenty, and shall close within six calendar months thereafter. The several assistants shall, within the said six months, transmit to the marshals, by whom they shall respectively be appointed, accurate returns of all persons, except Indians not taxed, within their respective divisions: which returns shall be made in a schedule, distinguishing, in each county, city, town, township, ward, or parish, the several families, by the names of their master, mistress, steward, overseer, or other principal person therein, in the manner following: The number of persons within my division, consisting of —, appears in a schedule hereto annexed, subscribed by me this — day of — in the year one thousand eight hundred and twenty. A. B. assistant to the marshal of —.

Marshals may appoint assistants.

A division to each assistant.

Enumeration by actual inquiry.

Marshals and assistants to take an oath.

Form of marshal's oath.

Form of assistant's oath.

Beginning and close of the enumeration.

Assistants to transmit accurate returns.

Form of the schedule of return.

Name of the county, parish, township, town, or city, where the family resides.	
Names of heads of families.	
Free white males under ten years.	
Free white males of ten and under sixteen.	
Free white males between sixteen and eighteen.	
Free white males of sixteen and under twenty-six, including heads of families.	
Free white males of twenty-six and under forty-five, including heads of families.	
Free white males of forty-five and upwards, including heads of families.	
Free white females under ten years of age.	
Free white females of ten and under sixteen.	
Free white females of sixteen and under twenty-six including heads of families.	
Free white females of twenty-six and under forty-five, including heads of families.	
Free white females of forty-five and upwards, including heads of families.	
Foreigners not naturalized.	
SLAVES.	
Males under fourteen.	
Males of fourteen and under twenty-six.	
Males of twenty-six and under forty-five.	
Males of forty-five and upwards.	
Females of fourteen.	
Females of fourteen and under twenty-six.	
Females of twenty-six and under forty-five.	
Females of forty-five and upwards.	
FREE COLOURED PERSONS.	
Males under fourteen years.	
Males of fourteen and under twenty-six.	
Males of twenty-six and under forty-five.	
Males of forty-five and upwards.	
Females under fourteen years.	
Females of fourteen and under twenty-six.	
Females of twenty-six and under forty-five.	
Females of forty-five and upwards.	
All other persons, except Indians not taxed.	

SCHEDULE of the whole number of persons within the division allotted to A. B.

200 dolls. forfeit for neglect or false returns.

Marshals to file returns, &c. with clerks of courts.

Marshals to transmit aggregate amounts to the Secretary of State.

Marshal failing forfeits 1000 dolls.

SEC. 2. *And be it further enacted*, That every assistant, failing or neglecting to make a proper return, or making a false return, of the enumeration to the marshal, within the time limited by this act, shall forfeit the sum of two hundred dollars, recoverable in the manner pointed out in the next section of this act.

SEC. 3. *And be it further enacted*, That the marshals shall file the several returns aforesaid, and, also, an attested copy of the aggregate amount hereinafter directed to be transmitted by them, respectively, to the Secretary of State, with the clerks of their respective districts, or superior courts, (as the case may be,) who are hereby directed to receive and carefully to preserve, the same. And the marshals, respectively, shall, on or before the first day of April, in the year one thousand eight hundred and twenty-one, transmit to the Secretary of State the aggregate amount of each description of persons within their respective districts or territories. And every marshal failing to file the returns of his assistants, or the returns of any of them, with the clerks of the respective courts, as aforesaid, or failing to return the aggregate amount of each description

of persons, in their respective districts or territories, as required by this act, and as the same shall appear from said returns, to the Secretary of State, within the time limited by this act, shall, for every such offence, forfeit the sum of one thousand dollars; which forfeitures shall be recoverable in the courts of the districts or territories where the said offences shall be committed, or within the circuit courts held within the same, by action of debt, information, or indictment; the one half thereof to the use of the United States, and the other half to the informer; but where the prosecution shall be first instituted on behalf of the United States, the whole shall accrue to their use. And, for the more effectual discovery of such offences, the judges of the several district courts in the several districts, and of the supreme courts in the territories of the United States, as aforesaid, at their next session, to be held after the expiration of the time allowed for making the returns of the enumeration hereby directed, to the Secretary of State, shall give this act in charge to the grand juries in their respective courts, and shall cause the returns of the several assistants, and the said attested copy of the aggregate amount, to be laid before them for their inspection.

SEC. 4. *And be it further enacted*, That every assistant shall receive at the rate of one dollar for every hundred persons by him returned, where such persons reside in the country; and where such persons reside in a city or town, containing more than three thousand persons, such assistant shall receive at the rate of one dollar for every three hundred persons: but where, from the dispersed situation of the inhabitants in some divisions, one dollar will be insufficient for one hundred persons, the marshals, with the approbation of the judges of their respective districts or territories, may make such further allowance to the assistants in such divisions as shall be deemed an adequate compensation: *Provided*, The same does not exceed one dollar and twenty-five cents for every fifty persons by them returned; *Provided farther*, That before any assistant, as aforesaid, shall be entitled to receive said compensation, he shall take and subscribe the following oath or affirmation, before some judge or justice of the peace, authorized to administer the same, to wit: I, A. B. do solemnly swear or affirm, that the number of persons set forth in the return made by me, agreeably to the provisions of the act, entitled "An act to provide for taking the fourth census or enumeration of the inhabitants of the United States, and for other purposes," have been ascertained by an actual inquiry at every dwelling-house, or of the head of every family, in exact conformity with the provisions of said act; and that I have, in every respect, fulfilled the duties required of me by said act, to the best of my abilities, and that the return aforesaid is correct and true, according to the best of my knowledge and belief. The several marshals shall receive as follows: the marshal of the district of Maine, two hundred and fifty dollars; the marshal of the district of New Hampshire, two hundred and fifty dollars; the marshal of the district of Massachusetts, three hundred dollars; the marshal of the district of Rhode Island, one hundred and fifty dollars; the marshal of the district of Connecticut, two hundred dollars; the marshal of the district of Vermont, two hundred and fifty dollars; the marshal of the southern district of New York, two hundred and fifty dollars; the marshal of the northern district of New York, two hundred and fifty dollars; the marshal of the district of New Jersey, two hundred dollars; the marshal of the eastern district of Pennsylvania, three hundred dollars; the marshal of the western district of Pennsylvania, two hundred dollars; the marshal of the district of Delaware, one hundred dollars; the marshal of the district of Maryland, three hundred dollars; the marshal of the eastern district of Virginia, three hundred dollars; the marshal of the western district of Virginia, two hundred dollars; the marshal of the district of Kentucky, three hundred dollars; the marshal of the district of North Carolina,

Forfeitures recoverable where the offences are committed, &c.

Half to the informer; unless, &c.

Judges to give this act in charge to grand juries—

And cause returns and aggregate amount to be laid before them.

Compensation of assistants.

Proviso: limit of compensation.

Proviso: assistant to take and subscribe an oath before compensation.

Form of the oath.

Compensation of the marshals.

three hundred and fifty dollars; the marshal of the district of South Carolina, three hundred dollars; the marshal of the district of Georgia, three hundred dollars; the marshal of the district of East Tennessee, one hundred and fifty dollars; the marshal of the district of West Tennessee, one hundred and fifty dollars; the marshal of the district of Ohio, three hundred dollars; the marshal of the district of Indiana, two hundred dollars; the marshal of the district of Illinois, one hundred and fifty dollars; the marshal of the district of Mississippi, one hundred and fifty dollars; the marshal of the district of Louisiana, one hundred and fifty dollars; the marshal of the district of Alabama, one hundred and fifty dollars; the marshal of the district of Columbia, fifty dollars; the marshal of the Missouri territory, one hundred dollars; the marshal of the Michigan territory, one hundred dollars; the marshal of the Arkansas territory, one hundred dollars.

Abode, family, or habitation of persons enumerated.

SEC. 5. *And be it further enacted,* That every person whose usual place of abode shall be in any family, on the said first Monday in August, one thousand eight hundred and twenty, shall be returned as of such family; and the name of every person who shall be an inhabitant of any district or territory, without a settled place of residence, shall be inserted in the column of the schedule which is allotted for the heads of families in the division where he or she shall be on the said first Monday in August; and every person occasionally absent at the time of enumeration, as belonging to the place in which he or she usually resides in the United States.

Obligation of every free person above 16, to give information.

SEC. 6. *And be it further enacted,* That each and every free person more than sixteen years of age, whether heads of families or not, belonging to any family within any division, district, or territory, made or established within the United States, shall be, and hereby is, obliged to render to the assistant of the division, if required, a true account, to the best of his or her knowledge, of every person belonging to such family, respectively, according to the several descriptions aforesaid, on pain of forfeiting twenty dollars, to be sued for and recovered, in any action of debt, by such assistant; the one half to his own use, and the other half to the use of the United States.

Or forfeit 20 dolls. Half to the assistant.

SEC. 7. *And be it further enacted,* That each and every assistant, previous to making his return to the marshal, shall cause a correct copy signed by himself, of the schedule containing the number of inhabitants within his division, to be set up at two of the most public places within the same, there to remain for the inspection of all concerned; for each of which copies, the said assistant shall be entitled to receive two dollars: *Provided,* Proof of the schedule having been set up and suffered to remain, shall be transmitted to the marshal, with the return of the number of persons; and in case any assistant shall fail to make such proof to the marshal, as aforesaid, he shall forfeit the compensation allowed him by this act.

Assistant to set a correct copy or schedule up at two public places.

Proviso: proof of setting up schedule. Or forfeiture of compensation.

SEC. 8. *And be it further enacted,* That the Secretary of State shall be, and hereby is, authorized and required, to transmit to the marshals of the several districts and territories, regulations and instructions pursuant to this act, for carrying the same into effect, and also the forms contained therein of the schedule, to be returned, and such other forms as may be necessary in carrying this act into execution, and proper interrogatories to be administered by the several persons to be employed in taking the enumeration.

Secretary of State to transmit instructions, forms, and interrogatories, to the marshals.

States with two districts, &c.

SEC. 9. *And be it further enacted,* That in those states composing two districts, and where a part of a county may lie in each district, such county shall be considered as belonging to that district in which the courthouse of said county may be situate.

Account of manufacturing

SEC. 10. *And be it further enacted,* That it shall be the duty of the several marshals and their assistants, at the time for taking the said cen-

sus, to take, under the direction of the Secretary of State, and according to such instructions as he shall give, and such forms as he shall prescribe, an account of the several manufacturing establishments, and their manufactures, within their several districts, territories, and divisions: the said assistants shall make return of the same to the marshals of their respective districts or territories; and the said marshals shall transmit the said returns, and abstracts thereof, to the Secretary of State, at the same time at which they are, by this act, required, respectively, to make their returns to the Secretary of State: for the performance of which additional service, they shall, respectively, receive, as compensation therefor, not exceeding twenty per centum in addition to the sums allowed by this act, to be apportioned in proportion to the services rendered, under the direction of the Secretary of State.

establishments and manufactures to be taken.

Assistants to make returns, and marshals to transmit returns, &c. to the Secretary of State.

Additional compensation.

SEC. 11. *And be it further enacted*, That in all cases where the superficial content of any county or parish shall exceed forty miles square, and the number of inhabitants in said parish or county shall not exceed two thousand five hundred, the marshal or assistants shall be allowed, with the approbation of their judges of the respective districts or territories, such further compensation as shall be deemed reasonable: *Provided*, The same does not exceed three dollars for every fifty persons by them returned.

Further compensation with approbation of the judges.

Proviso.

SEC. 12. *And be it further enacted*, That when the aforesaid enumeration shall be completed, and returned to the office of the Secretary of State, by the marshals of the states and territories, he shall direct the printers to Congress to print, for the use of the Congress, fifteen hundred copies thereof.

1500 copies to be printed for the use of Congress.

APPROVED, March 14, 1820.

STATUTE I.

CHAP. XXV.—*An Act making appropriations for the support of the navy of the United States, for the year one thousand eight hundred and twenty.*

March 17, 1820.

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 twenty, the following sums be, and the same are hereby, respectively appropriated.

Appropriations.

For pay and subsistence of the officers, and pay of the seamen, nine hundred and eighty-nine thousand three hundred and twenty dollars.

Pay of officers and pay of seamen.

For provisions, four hundred and fifteen thousand one hundred and eighty-seven dollars.

Provisions.

For medicines, hospital stores, and all expenses on account of the sick, including the marine corps, thirty-six thousand dollars.

Medicines, hospital stores, &c.

For repairs of vessels, four hundred and eighty-four thousand dollars.

Repairs of vessels.

For store rent, freight, transportation, enlistment of seamen, and all other contingent expenses, two hundred and forty thousand dollars.

Contingent expenses.

For improvement of navy yards, docks, and wharves, pay of superintendents, storekeepers, clerks, and labourers, one hundred thousand dollars.

Repairs of navy yards.

For payment of contracts made for shells and shot, and for military stores, fifty thousand dollars.

Contracts for shells and shot.

For pay and subsistence of the marine corps, one hundred and seventy-seven thousand two hundred and twenty-eight dollars.

Marine corps.

For clothing the same, twenty-seven thousand two hundred and five dollars.

Clothing.

For contingent expenses of the same, twenty thousand dollars.

Contingent expenses.

For military stores, one thousand dollars.

Military stores.

To be paid out of the treasury.

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

APPROVED, March 17, 1820.

STATUTE I.

March 17, 1820.

CHAP. XXVI.—*An Act to authorize the President of the United States to appoint a receiver of the public moneys and register of the land office for the district of Lawrence county, in the Arkansas territory.* (a)

The President authorized to appoint a receiver and register for Lawrence county.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby, authorized to appoint a receiver of the public moneys and register of the land office for the district of Lawrence county, in the Arkansas territory.

Persons having claim to pre-emption, &c. to make it known to the register six weeks before issuing patents to soldiers of the late army.

SEC. 2. *And be it further enacted*, That every person having a claim to a right of pre-emption within the said district, shall make known his claim and location, according to the provisions of the laws now in force, to the register, at least six weeks before the time, to be designated by the President of the United States, for issuing patents to the soldiers of the late army entitled to bounty land in said district.

APPROVED, March 17, 1820.

STATUTE I.

March 30, 1820.

CHAP. XXVII.—*An Act establishing a circuit court within and for the district of Maine.*

Act of March 3, 1801, ch. 32.
Act of March 8, 1802, ch. 3.
Rhode Island, Massachusetts, New Hampshire, and Maine, the 1st circuit.

Two courts in Maine.
At Portland.
At Wiscasset.

Court may be held by the judge attending.

Circuit court powers of district court repealed.

Circuit court of Maine may decide upon actions, &c. originated in the district court.

Causes depending in the circuit court of Massachusetts, may be trans-

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, from and after the passing of this act, the districts of Rhode Island, Massachusetts, New Hampshire and Maine, shall constitute the first circuit; and in addition to the circuit courts now holden in said circuit, there shall be holden annually two circuit courts within and for said district of Maine, by the justice of the Supreme Court residing in said circuit, and by the district judge of Maine, at the times and places following, viz: one session of said court shall commence and be holden at Portland, in said district, on the eighth day of May; and the other at Wiscasset, in said district, on the eighth day of October; and when either of said days shall happen to be Sunday, the session shall commence on the day next following; and when only one of the judges hereby directed to hold the said circuit courts shall be able to attend, such circuit courts may be held by the judge so attending.

SEC. 2. *And be it further enacted*, That all acts and parts of acts, granting said district court of Maine the powers and jurisdiction of a circuit court of the United States, be, and the same are hereby repealed.

SEC. 3. *And be it further enacted*, That the circuit court by this act established in and for the district of Maine, shall have power to, and may, at its first session, take cognisance of, and proceed to act upon, hear, and decide, all actions, causes, pleas, processes, matters, and things which have originated in said district court, and which would, by law, be cognisable, and be heard and determined by the circuit court to be holden in the district of Massachusetts, if this act had never been made and passed.

SEC. 4. *And be it further enacted*, That those causes which have originated as aforesaid, in said district court, and have been entered at the circuit court in the district of Massachusetts, and are now pending therein, on error, appeal, or otherwise, shall be transferred to the circuit

(a) See note of the acts of Congress relating to public lands in Arkansas, Act of May 26, 1824, ch. 154.

court by this act established, and entered on the docket of the same at its first session, in order that the said causes may be heard and decided therein, in the manner provided by the third section of this act.

APPROVED, March 30, 1820.

ferred to the circuit court of Maine.

STATUTE I.

CHAP. XXVIII.—*An Act further to suspend, for a limited time, the sale or forfeiture of lands, for failure in completing the payment thereon.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the operation of the sixth condition of the fifth section of the act entitled "An act to amend the act entitled "An act providing for the sale of the lands of the United States north-west of the Ohio, and above the mouth of Kentucky river," be, and the same is hereby suspended until the thirty-first day of March, one thousand eight hundred and twenty-one, in favour of the purchasers of public lands, at any of the land offices of the United States: *Provided,* That the benefit of this act shall not be extended to any one purchaser for a greater quantity than six hundred and forty acres.

APPROVED, March 30, 1820.

March 30, 1820.

Act of March 3, 1819, ch. 74.
Act of May 10, 1800, ch. 55.
Forfeiture of lands for non-payment suspended till 31st March, 1821.
Proviso; benefit limited to purchasers within 640 acres.

STATUTE I.

CHAP. XXXIX.—*An Act for apportioning the representatives in the seventeenth Congress, to be elected in the state of Massachusetts and Maine, and for other purposes. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, in the election of representatives in the seventeenth Congress, the state of Massachusetts shall be entitled to choose thirteen representatives only; and the state of Maine shall be entitled to choose seven representatives, according to the consent of the legislature of said state of Massachusetts, for this purpose given by their resolve passed on the twenty-fifth day of January last, and prior to the admission of the state of Maine into the Union.

SEC. 2. *And be it further enacted,* That if the seat of any of the representatives in the present Congress, who were elected in and under the authority of the state of Massachusetts, and who are now inhabitants of the state of Maine, shall be vacated by death, resignation, or otherwise, such vacancy shall be supplied by a successor, who shall, at the time of his election, be an inhabitant of the state of Maine.

APPROVED, April 7, 1820.

April 7, 1820.

Act of March 3, 1820, ch. 19.
Massachusetts to choose only 13 representatives in the 17th Congress.

And Maine, 7 representatives.
In case of the vacation of the seat of a representative in the 16th Congress, elected for Massachusetts, being an inhabitant of Maine, his successor to be an inhabitant of Maine also.

STATUTE I.

CHAP. XL.—*An Act making appropriations for the support of government, for the year one thousand eight hundred and twenty.*

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 compensation, granted by law to the members of the Senate and House of Representatives, their officers and attendants, three hundred and eighty-four thousand and ten dollars.

For the expenses of stationery, fuel, printing, and all other contingent and incidental expenses, of both Houses of Congress, forty-five thousand dollars.

April 11, 1820.

Sums appropriated, for—

Members of Congress, &c.

Contingent expenses.

(a) See note to act of December 21, 1811, ch. 9, vol. ii. 669, referring to the acts apportioning the representatives in Congress according to the enumeration of the inhabitants of the United States, conforming to the returns of the census.

Library of Congress.	For the expenses of the library of Congress, including the librarian's allowance, one thousand nine hundred and fifty dollars.
Books, &c. for the library.	For the purchase of books, maps, and charts, for the library of Congress, two thousand dollars.
The President.	For compensation to the President of the United States, twenty-five thousand dollars.
Vice President.	For compensation to the Vice President of the United States, five thousand dollars.
Secretary of State.	For compensation to the Secretary of State, six thousand dollars.
Clerks. 1818, ch. 87.	For compensation to the clerks in the Department of State, per act of twentieth April, one thousand eight hundred and eighteen, fifteen thousand nine hundred dollars.
Messengers.	For compensation to the messengers in said department, including the messenger to the patent office, nine hundred and sixty dollars.
Contingent expenses.	For the contingent and incidental expenses of said department, including expenses of printing and distributing copies of the laws of the first session of the sixteenth Congress, thirty-four thousand four hundred and fifty dollars.
Secretary of the Treasury.	For compensation to the Secretary of the Treasury, six thousand dollars.
Clerks. 1818, ch. 87.	For compensation to the clerks in the office of the Secretary of the Treasury, per act of twentieth April, one thousand eight hundred and eighteen, ten thousand four hundred dollars.
Messengers.	For compensation to the messengers in said office, seven hundred and ten dollars.
1st comptroller.	For compensation to the first comptroller of the treasury, three thousand five hundred dollars.
Clerks. 1818, ch. 87.	For compensation to the clerks in the office of the first comptroller, per act of twentieth April, one thousand eight hundred and eighteen, seventeen thousand eight hundred and fifty dollars.
Messenger.	For compensation to the messenger in said office, four hundred and ten dollars.
2d comptroller.	For compensation to the second comptroller of the treasury, three thousand dollars.
Clerks. 1818, ch. 87.	For compensation to the clerks in said office, per act of twentieth April, one thousand eight hundred and eighteen, nine thousand seven hundred and fifty dollars.
Messenger.	For compensation to the messenger in said office, four hundred and ten dollars.
1st auditor.	For compensation to the first auditor of the treasury, three thousand dollars.
Clerks. 1818, ch. 87.	For compensation to the clerks in the office of the said auditor, per act of twentieth April, one thousand eight hundred and eighteen, fifteen thousand two hundred dollars.
Messenger.	For compensation to the messenger in said office, four hundred and ten dollars.
2d auditor.	For compensation to the second auditor of the treasury, three thousand dollars.
Clerks. 1818, ch. 87.	For compensation to the clerks in the office of said auditor, per act of twentieth April, one thousand eight hundred and eighteen, seventeen thousand two hundred dollars.
Messenger.	For compensation to the messenger in said office, four hundred and ten dollars.
3d auditor.	For compensation to the third auditor of the treasury, three thousand dollars.
Clerks. 1818, ch. 87.	For compensation to the clerks in the office of said auditor, per act of twentieth April, one thousand eight hundred and eighteen, twenty-eight thousand six hundred dollars.
Messengers.	For compensation to the messengers in said office, seven hundred and ten dollars.

For compensation to the fourth auditor of the treasury, three thousand dollars.	4th auditor.
For compensation to the clerks in the office of said auditor, per act of twentieth April, one thousand eight hundred and eighteen, fifteen thousand and fifty dollars.	Clerks. 1818, ch. 87.
For compensation to the messenger in said office, four hundred and ten dollars.	Messenger.
For compensation to the fifth auditor of the treasury, three thousand dollars.	5th auditor.
For compensation to the clerks in the office of said auditor, per act of twentieth April, one thousand eight hundred and eighteen, ten thousand five hundred dollars.	Clerks. 1818, ch. 87.
For three clerks to complete the duties of the commissioner of the revenue, three thousand seven hundred dollars.	Clerks.
For compensation to the messenger in said office, four hundred and ten dollars.	Messenger.
For compensation to the treasurer of the United States, three thousand dollars.	Treasurer.
For compensation to the clerks in the office of said treasurer, per act of twentieth April, one thousand eight hundred and eighteen, five thousand two hundred and fifty dollars.	Clerks. 1818, ch. 87.
For compensation to the two additional clerks in the office of the said treasurer, during the present year, one thousand two hundred dollars.	Additional clerk to treasurer.
For compensation to the messenger in said office, four hundred and ten dollars.	Messenger.
For compensation to the commissioner of the general land office, three thousand dollars.	Commissioner of general land office.
For compensation to the clerks in the office of said commissioner, per act of twentieth April, one thousand eight hundred and eighteen, twenty-two thousand five hundred and fifty dollars.	Clerks. 1818, ch. 87.
For compensation to the messenger in said office, four hundred and ten dollars.	Messenger.
For compensation to the register of the treasury, three thousand dollars.	Register of treasury.
For compensation to the clerks in the office of the said register, per act of twentieth April, one thousand eight hundred and eighteen, and including two hundred dollars to correct an error in stating the total sum, for one thousand eight hundred and nineteen, twenty-two thousand five hundred and fifty dollars.	Clerks. 1818, ch. 87.
For compensation to the messenger in said office, including the allowance for stamping ships' registers, five hundred dollars.	Messenger.
For compensation to the secretary to the commissioners of the sinking fund, two hundred and fifty dollars.	Secretary to sinking fund.
For allowance to the person employed in transmitting passports and sealers, for expense of translating foreign languages in the office of the Secretary of the Treasury, for stationery, printing, fuel, and all other contingent and incidental expenses, in the Treasury Department, and the several offices therein, forty-three thousand seven hundred and fifty dollars.	Transmitting passports, translating, &c. in the Treasury Department.
For compensation to a superintendent, and four watchmen, employed for the security of the state and treasury buildings, and for repairs of engines; hose, and fire buckets, and for the purchase of a small fire engine, for the State Department, two thousand five hundred and sixty-eight dollars.	Superintendent and watchmen of State and Treasury Departments; fire engine, &c.
For compensation to the Secretary of War, six thousand dollars.	Secretary of War.
For compensation to the clerks in the War Department, per act of twentieth April, one thousand eight hundred and eighteen, twenty-five thousand eight hundred dollars.	Clerks. 1818, ch. 87.

- Contingent expenses. For expense of fuel, stationery, printing, and other contingent expenses, in said department, five thousand dollars.
- Maps, &c. For maps, plans, books, and instruments, one thousand dollars.
- Messengers. For compensation to the messengers in said department, seven hundred and ten dollars.
- Paymaster general. For compensation to the paymaster general, two thousand five hundred dollars.
- Clerks. 1818, ch. 87. For compensation to the clerks in the office of the said paymaster, per act of twentieth April, one thousand eight hundred and eighteen, nine thousand two hundred dollars.
- Messenger. For compensation to the messenger in said office, four hundred and ten dollars.
- Commissary general of purchases. For compensation to the commissary general of purchases, three thousand dollars.
- For his compensation for the year one thousand eight hundred and nineteen, no appropriation having been made for that year, three thousand dollars.
- Clerks. For compensation to the clerks in the office of said commissary, two thousand eight hundred dollars.
- Messenger. For compensation to the messenger in said office, three hundred and sixty dollars.
- Contingent expenses. For the contingent expenses of said office, nine hundred and thirty dollars.
- Clerks. 1818, ch. 87. For compensation to the clerks in the office of the adjutant and inspector general, per act of twentieth April, one thousand eight hundred and eighteen, two thousand one hundred and fifty dollars.
- Contingent expenses. For the contingent expenses of said office, one thousand two hundred dollars.
- Clerks. 1818, ch. 87. For compensation to the clerks in the office of the ordnance department, per act of twentieth April, one thousand eight hundred and eighteen, two thousand nine hundred and fifty dollars.
- Contingent expenses. For the contingent expenses of said office, seven hundred and sixty dollars.
- Clerks. 1818, ch. 87. For compensation to the clerks in the office of the commissary general of subsistence, two thousand one hundred and fifty dollars.
- Contingent expenses. For the contingent expenses of said office, one thousand three hundred and fifty dollars.
- Clerks. For compensation to the clerks in the office of the engineer department, two thousand one hundred and fifty dollars.
- Maps, &c. For expenses of maps, books, and stationery, two thousand five hundred dollars.
- Clerk of the surgeon general. For compensation to the clerk in the office of the surgeon general, one thousand one hundred and fifty dollars.
- Contingent expenses. For contingent expenses of said office, five hundred and five dollars.
- Secretary of the Navy. For compensation to the Secretary of the Navy, six thousand dollars.
- Clerks. 1818, ch. 87. For compensation to the clerks in the office of the Secretary of the Navy, per act of twentieth April, one thousand eight hundred and eighteen, eight thousand two hundred dollars.
- Extra clerk in Navy Department. For compensation to an extra clerk in the navy department, during part of the year eighteen hundred and nineteen, three hundred dollars.
- Messenger. For compensation to the messenger in said office, four hundred and ten dollars.
- Contingent expenses. For contingent expenses of said office, two thousand five hundred dollars.
- Commissioners of navy board. For compensation to the commissioners of the navy board, ten thousand five hundred dollars.
- Secretary of navy board. For compensation to the secretary to said commissioners, two thousand dollars.

For compensation to the clerks in the office of said commissioners, per act of twentieth April, one thousand eight hundred and eighteen, three thousand five hundred and fifty dollars.

For additional clerks, for the year one thousand eight hundred and twenty, in said office, four thousand dollars.

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

For the contingent expenses, two thousand dollars.

For compensation to the superintendent, and four watchmen, employed for the security of the war and navy buildings, and for repairs of engines, hose, and fire buckets, and for the purchase of a small fire engine, two thousand two hundred and sixty-eight dollars.

For compensation to the Postmaster General, four thousand dollars.

For compensation to two assistant postmasters general, five thousand dollars.

For compensation to the clerks in the general postoffice, per act of twentieth April, one thousand eight hundred and eighteen, twenty-two thousand seven hundred dollars.

For compensation to the messengers in said office, six hundred and sixty dollars.

For the contingent expenses of said office, four thousand dollars.

For compensation to the surveyor general, two thousand dollars.

For compensation to the clerks in the office of said surveyor, two thousand one hundred dollars.

For compensation to the surveyor south of Tennessee, two thousand dollars.

For compensation to the clerks in the office of said surveyor, one thousand seven hundred dollars.

For compensation to the surveyor in Illinois, Missouri, and Arkansas, two thousand dollars.

For compensation to the clerks in the office of said surveyor, two thousand dollars.

For compensation to the surveyor in Alabama, two thousand dollars.

For compensation to the clerks in the office of said surveyor, one thousand five hundred dollars.

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

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

For wages of persons employed in the different operations of the mint, nine thousand and fifty dollars.

For incidental and contingent expenses, and repairs, cost of machinery, and for allowance of wastage in the gold and silver coinage, of the mint, eight thousand one hundred dollars.

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

For the contingent expenses of said territory, three hundred and fifty dollars.

For compensation to the governor, judges, and secretary, of the Arkansas territory, including arrearages for the year one thousand eight hundred and nineteen, nine thousand seventy-two dollars and twenty-nine cents.

For the 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 the contingent expenses of said territory, three hundred and fifty dollars.

For printing and distributing the laws of the Michigan territory, twelve hundred and fifty dollars.

Clerks.
1818, ch. 87.

Additional
clerk hire, &c.

Messenger.

Contingent
expenses.
Superintendent
of war
and navy build-
ings.

Postmaster
general.

Assistant
postmasters
general.

Clerks.
1818, ch. 87.

Messengers.

Contingent
expenses.

Surveyor gen-
eral.

Clerks.

Surveyor
south of Ten-
nessee.

His clerks, &c.

Surveyor in
Illinois and
Missouri.

Clerks.

Surveyor in
Alabama.

His clerks.

Commission-
er of public
buildings.

Officers and
clerks of the
mint.

Persons em-
ployed in the
mint.

Contingent
expenses.

Governor, &c.
of Missouri.

Contingent
expenses.

Governor, &c.
of Arkansas.

Contingent
expenses.

Governor, &c.
of Michigan.

Contingent
expenses.

Printing, &c.

Judges of the United States.

For compensation 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, seventy-seven thousand one hundred dollars.

Attorney general.

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

Clerk.

1818, ch. 87.

For compensation to the clerk in the office of said attorney general, per act of twentieth April, one thousand eight hundred and eighteen, eight hundred dollars.

District attorneys and marshals.

For compensation to sundry district attorneys and marshals, as granted by law, including those in the several territories, nine thousand dollars.

Marshal of western district of Pennsylvania.

For compensation to the marshal of the western district of Pennsylvania, for his services from the twentieth April, one thousand eight hundred and eighteen, to the twentieth April, one thousand eight hundred and nineteen, two hundred dollars.

And district attorney.

For compensation to the district attorney of the same district, for the same time, two hundred dollars.

Reporter of decisions of Supreme Court.

1817, ch. 63.

For compensation to the reporter of the decisions of the Supreme Court of the United States, one thousand dollars; to be paid upon the conditions prescribed in the act to provide for reports of the decisions of the Supreme Court, passed March third, one thousand eight hundred and seventeen.

Sundry pensions.

For the payment of sundry pensions, granted by the late and present governments, one thousand six hundred and seventy dollars.

Disabled seamen.

1802, ch. 51.

For a deficiency in the fund for the relief and protection of sick and disabled seamen, as established by the act of the third May, one thousand eight hundred and two, eighty-one thousand three hundred and nineteen dollars and thirty-four cents.

For completing contracts for the road from Washington to Wheeling.

For completing the contracts for constructing the road from Washington, Pennsylvania, to Wheeling, made during the year one thousand eight hundred and seventeen, one hundred and forty-one thousand dollars.

Surveying public lands.

For surveying the public lands of the United States, one hundred and sixty thousand dollars.

Clerks.

1818, ch. 87.

For additional compensation to the clerks in the office of the superintendent general of Indian trade, per act of twentieth April, one thousand eight hundred and eighteen, four hundred and fifty dollars.

Balances due relative to prisoners of war.

For payment of balances due to sundry individuals, relative to prisoners of war, eleven thousand eight hundred and twenty-eight dollars and eighty-one cents.

Expense of fourth census.

For defraying the expense of the fourth enumeration of the inhabitants of the United States, two hundred and forty thousand dollars.

Claims of inhabitants of West Florida.

For discharging the claims of the inhabitants of the late province of West Florida, now included within the states of Louisiana, or Mississippi, for advances made for the use and benefit of the United States, prior to, and since, the taking possession of the said portion of the said late province of West Florida, by the United States, as liquidated by the State Department, including principal and interest, twenty-four thousand two hundred and thirty-one dollars fifty-three cents.

Lighthouses, beacons, buoys, and piers, &c.

For the maintenance and support of lighthouses, 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; and including the balances of former appropriations for erecting lighthouses, at Cape Look Out, Sapelo Island, Cumberland Island, and on Tybee, which were carried to the surplus fund, on the thirty-first of December last; one hundred and twenty thousand eight hundred and sixty-three dollars.

Outstanding debentures.

For the payment of outstanding debentures for internal duties, twenty thousand dollars.

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

Miscellaneous claims.

For the third payment to John Trumbull, for paintings, agreeably to his contract with the Secretary of State, made in pursuance of a resolution of Congress, of the sixth of February, one thousand eight hundred and seventeen, six thousand dollars.

John Trumbull, for paintings.

For salaries to the ministers of the United States, at London, Paris, St. Petersburg, Rio Janeiro, and Madrid; with the salaries of their several secretaries of Legation, and the salary of a chargé des affaires at Stockholm and the Hague; and for the salaries for the late ministers at Madrid and Rio Janeiro, during six months of the year one thousand eight hundred and nineteen, and for the usual allowance of three months' salary to those ministers, payable on their return home; seventy-seven thousand five hundred dollars.

Salaries to Ministers of the United States at foreign courts, &c.

For outfits to a minister to St. Petersburg, nine thousand dollars.

For contingent expenses of those missions, ten thousand dollars.

Minister to St. Petersburg.

For the contingent expenses of foreign intercourse, thirty thousand dollars.

Contingent expenses of missions to foreign courts and of foreign intercourse.

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

For carrying into effect treaty of Ghent.

For the expenses, during the present year, for carrying into effect the fifth, sixth, and seventh, articles of the treaty of peace, concluded with his Britannic majesty, on the twenty-fourth of December, one thousand eight hundred and fourteen, including the compensation of the commissioners and surveyors, and an agent appointed under the fifth article of the said treaty, and their contingent expenses, forty-seven thousand three hundred and thirty-three dollars and thirty-two cents.

For the purpose of holding treaties with the Creek and Cherokee tribes of Indians, for the extinguishment of the Indian title to all the lands within the state of Georgia, pursuant to the fourth condition of the first article of the Articles of Agreement and Cession, concluded between the United States and the state of Georgia, on the twenty-fourth day of April, one thousand eight hundred and two, the sum of thirty thousand dollars. And for the purpose of procuring a further extinguishment of Indian title within the territory of Michigan, the sum of twenty thousand dollars.

For extinguishing Indian title within the state of Georgia.

And in Michigan.

For the purpose of negotiating a treaty or treaties with the Indians in the state of Mississippi, for the extinguishment of their title to lands in that state, twenty thousand dollars.

For extinguishing Indian titles to lands in Mississippi.

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

Agents of claims at Paris and London.

For the relief and protection of American seamen in foreign countries, eighty thousand dollars.

Distressed American seamen.

For the payment of a balance due to M. Poirey, ascertained and settled under the law of February twenty-fourth, one thousand eight hundred and nineteen, the sum of three thousand four hundred and eighty-six dollars.

For a balance due M. Poirey. 1819, ch. 40.

For the payment of a balance due M. De Vienne, ascertained and settled under the law of February twenty-fourth, one thousand eight hundred and nineteen, nine hundred and ninety-five dollars and forty cents.

For a balance due M. de Vienne. 1819, ch. 42.

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

APPROVED, April 11, 1820.

STATUTE I.

April 11, 1820.

CHAP. XLI.—*An Act making further appropriations for continuing the work upon the centre building of the Capitol, and other public buildings.*

Sums appropriated for—

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, for continuing the work of the centre building of the Capitol, and other public buildings in the city of Washington, the following sums be, and the same are hereby, appropriated, viz :

The centre building of the Capitol.
Painting.

For continuing the work of the centre building of the Capitol, one hundred and eleven thousand seven hundred and sixty-nine dollars.

For painting the inside of the north and south wings of the Capitol, and providing for the expense of making such alterations therein as have been directed during the present session of Congress, two thousand eight hundred and sixty-seven dollars.

Graduating ground round the Capitol, &c.

For graduating the ground round the Capitol, and supplying the deficiency in former appropriations for enclosing and improving the Capitol square, five thousand five hundred and ninety-one dollars.

Repairs, &c. in the President's house.
Alterations and improvements in the Senate chamber.

For making necessary repairs and alterations in the President's house, one thousand one hundred dollars.

For making alterations and improvements in the Senate chamber, for the better accommodation of the Senate, two thousand four hundred dollars.

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

APPROVED, April 11, 1820.

STATUTE I.

April 14, 1820.

CHAP. XLV.—*An Act making appropriations for the military service of the United States, for the year one thousand eight hundred and twenty.*

Sums appropriated for—

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 :

Pay of the army.

For the pay of the army of the United States, in addition to an unexpended balance of one hundred thousand dollars, one million thirty-six thousand seven hundred and eighty-four dollars.

Subsistence.

For subsistence, in addition to the sum of two hundred and twenty thousand dollars already appropriated, six hundred and two thousand and forty-eight dollars.

Bounties and premiums.

For bounties and premiums for fifteen hundred recruits, twenty-one thousand dollars.

Other expenses for recruits.

For quarters, fuel, straw, and all other expenses for recruits, until organized to join regiments and corps, thirty-four thousand one hundred and twenty-five dollars.

Clothing.

For clothing, three hundred thousand dollars.

Medical and hospital department.

For the medical and hospital department, forty-two thousand one hundred and forty-five dollars.

Quartermaster.

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

Contingencies.

For the contingencies of the army, forty thousand dollars.

Forage.

For forage for officers, in addition to an unexpended balance of twenty thousand dollars, six thousand four hundred and ninety-six dollars.

Fortifications.

For fortifications, eight hundred thousand dollars.

Military academy at West Point.

For the military academy at West Point, for fuel, maps, plans, books, and apparatus, and contingent expenses, eighteen thousand three hundred and twenty-two dollars. For completing the buildings, two thousand five hundred dollars.

Arrearages.

For arrearages, prior to the year one thousand eight hundred and

eighteen, twenty-one thousand four hundred and twenty-eight dollars and fifty-seven cents.

For cannon and shot, to fulfil existing contracts, and for the purchase of flints, and timber for travelling carriages, fifty-three thousand dollars.

For the national armories, in addition to the sum of fifty-six thousand dollars, already appropriated, three hundred and nineteen thousand dollars.

For the current expenses of the ordnance department, one hundred thousand dollars.

For the completion of arsenals, to wit: for completing the arsenal at Augusta, in Georgia, twenty-seven thousand dollars. For completing the arsenal at Baton Rouge, twenty-five thousand dollars; and at Watertown, near Boston, eight thousand six hundred and fifty dollars.

For balances due to certain states, in addition to an unexpended balance of one hundred and fifty-three thousand one hundred and seventy-two dollars, three hundred and fifty thousand dollars.

For arrearages, in addition to fifty thousand dollars already appropriated, one hundred thousand dollars.

For the annual allowance to the invalid pensioners of the United States, in addition to an unexpended balance of eighty-four thousand nine hundred and eighty-two dollars twenty-nine cents, three hundred and forty-one thousand eight hundred and sixty-two dollars and seventy-one cents.

For the annual allowance to the revolutionary pensioners, under the act of the eighteenth of March, one thousand eight hundred and eighteen, two millions seven hundred and sixty-six thousand four hundred and forty dollars.

For the half-pay pensions of widows and orphans, one hundred thousand dollars.

For the current expenses of the Indian Department during the present year, two hundred thousand dollars.

For surveying and marking boundary lines of Indian cessions, fifteen thousand dollars.

For making a survey of the water-courses tributary to, and west of, the Mississippi, also those tributary to the same river and north-west of the Ohio, four thousand five hundred dollars.

For making a survey, maps, and charts, of the Ohio and Mississippi rivers, from the rapids of the Ohio at Louisville, to the Balize, for the purpose of facilitating and ascertaining the most practicable mode of improving the navigation of those rivers, five thousand dollars.

For completing the public road through the Creek nation, between the states of Georgia and Alabama, three thousand three hundred 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, April 14, 1820.

Cannon and shot, &c.

National armories.

Ordnance department.

Completion of arsenals.

Balances due certain states.

Arrearages.

Invalid pensioners.

Revolutionary pensioners.

Widows and orphans.

Indian department.

Indian boundary lines.

Survey of water-courses.

Survey, maps, and charts of the Ohio and Mississippi.

Public road through the Creek nation.

Out of money in the treasury.

STATUTE I.

April 18, 1820.

CHAP. XLVI.—*An Act to continue in force the act passed on the twentieth day of April, one thousand eight hundred and eighteen, entitled "An act supplementary to an act, entitled 'An act to regulate the collection of duties on imports and tonnage,' passed the second day of March, one thousand seven hundred and ninety-nine," 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 act passed on the twentieth day of April, in the year one thousand eight hundred and eighteen, entitled "An act supplementary to an act, entitled 'An act to regulate the collection of duties on imports and tonnage, passed the second day of March, one thousand seven hundred and ninety-nine,'" and for other purposes,

Act of 20th April, 1818, continued in force until 4th March, 1823.

Act of March 2, 1799, ch. 22.

Act of April 20, 1818, ch. 74.

Twenty days from date of clearance for completing entry, &c. in cases of drawback.

Proviso.

shall continue in force for two years from the twentieth day of April, one thousand eight hundred and twenty, and, from that time, until the end of the next session of Congress, thereafter, and no longer.

SEC. 2. *And be it further enacted*, That, in all cases of entry of merchandise for the benefit of drawback, the time of twenty days shall be allowed, from the date of the clearance of the ship or vessel in which the same shall be laden, for completing the entry, and taking the oath required by law: *Provided*, That the exporter shall, in every other particular, comply with the regulations and formalities heretofore established for entries of exportation for the benefit of drawback.

APPROVED, April 18, 1820.

STATUTE I.

April 21, 1820.

Laws of the United States extended to Alabama.

Alabama a district.

A district court of one judge.

Four stated sessions annually, at Mobile and Cahawba.

Powers of the Judge.

Act of 1789, ch. 20.

1793, ch. 22.

Clerks of the court.

Causes, &c. in the territorial general court transferred to the district court.

Act of March 3, 1817, ch. 59.

CHAP. XLVII.—*An Act to establish a district court in the state of Alabama.*(a)

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 be extended to the state of Alabama, and shall have the same force and effect within the same as elsewhere within the United States.

SEC. 2. *And be it further enacted*, That the said state shall be one district, and be called the Alabama district; and a district court shall be held therein, to consist of one judge, who shall reside in the said district, and be called the district judge. He shall hold, alternately, at the towns of Mobile and Cahawba, beginning at the first, four stated sessions annually; the first to commence on the first Monday in April next, and the three other sessions, progressively, on the first Monday of every third calendar month thereafter. 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," and an act entitled "An act in addition to the act, entitled 'An act to establish the judicial courts of the United States,'" approved second March, one thousand seven hundred and ninety-three. He shall appoint clerks for the said district, who shall reside, and keep the records of the court, at the places of holding the same, and shall receive, for the services performed by them, the same fees to which the clerk of the Kentucky district is entitled for similar services.

SEC. 3. *And be it further enacted*, That all causes, actions, indictments, libels, pleas, processes, and proceedings, whatsoever, returnable, commenced, depending, or in any manner existing, in the general court established by an act, entitled "An act to establish a separate territorial government for the eastern part of the Mississippi territory," by virtue of the federal jurisdiction by that act granted, be, and the same are hereby, transferred to the said district court, and may be proceeded in, shall exist, and have like incidents and effects, as if they had been originated and been proceeded in, in the said district court.

(a) The acts which have been passed relating to the district court of Alabama are:

- An act to establish a district court in the state of Alabama, April 21, 1820, ch. 47.
- An act to alter the terms of the district court of Alabama, Nov. 27, 1820, ch. 1.
- An act for the better organization of the district courts of the United States in the state of Alabama, March 10, 1824, ch. 28.
- An act fixing the times and places of holding the district courts of the United States in the district of Alabama, May 22, 1826, ch. 149.
- An act to alter the times of holding the district courts of the United States for the districts of Maine, Illinois, and Alabama, Jan. 27, 1831, ch. 10.
- An act to alter the time of holding the district courts of the United States for the southern district of Alabama, March 2, 1827, ch. 41.
- An act respecting the jurisdiction of certain district courts, Feb. 19, 1831, ch. 28.
- An act supplementary to an act, entitled "An act to amend the judicial system of the United States, March 3, 1837, ch. 32, sec. 3, 4.
- An act to re-organize the district courts of the United States in the state of Alabama, Feb. 6, 1839, ch. 20.

SEC. 4. *And be it further enacted*, That the dockets, books, records, and papers, belonging to the said general court, arising out of, and appertaining to, its federal jurisdiction, shall be transferred to, and become the dockets, books, records, and papers, of the said district court.

Dockets, &c. of the general territorial court to become the dockets, &c. of the district court.

SEC. 5. *And be it further enacted*, That there shall be allowed to the judge of the said district court, the annual compensation of fifteen hundred dollars, to commence from the date of his appointment; to be paid quarter yearly at the treasury of the United States.

Compensation of the judge 1500 dollars per annum.

SEC. 6. *And 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 annually, as a full compensation for all extra services.

A district attorney.

Compensation.

SEC. 7. *And be it further enacted*, That a marshal shall be appointed for the 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 and fifty dollars annually, as a compensation for all extra services.

A marshal.

Compensation.

APPROVED, April 21, 1820.

STATUTE I.

CHAP. XLVIII.—*An Act relative to the Arkansas territory. (a)*

April 21, 1820.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act of Congress passed on the fourth day of June, one thousand eight hundred and twelve, providing for the government of the territory of Missouri, as modified by the act of Congress passed on the twenty-ninth day of April, one thousand eight hundred and sixteen, entitled an act to alter certain parts of the act aforesaid, shall be considered as applicable to the government of the territory of Arkansas, and shall have reference to the proceedings of the said territory, in the organization of the second grade of the territorial government assumed, by said territory, under an act of Congress of the second of March, one thousand eight hundred and nineteen, establishing the territory of Arkansas; and all and every step taken under the last-mentioned act, shall be considered valid, if not inconsistent with the three before-recited acts taken together.

Act of 4th June, 1812, providing for the government of Missouri, &c. in force in the territory of Arkansas, &c.

Act of June 4, 1812, ch. 95.
Act of April 29, 1816, ch. 155.

Act of March 2, 1819, ch. 49.

APPROVED, April 21, 1820.

STATUTE I.

CHAP. L.—*An Act to authorize the Secretary of State to cause the laws of the Michigan territory to be printed and distributed, and for other purposes.*

April 24, 1820.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the laws of the Michigan territory in force, shall be printed, under the direction of the Secretary of State; and that a competent number of copies thereof shall be distributed among the people of said territory, as the governor and judges thereof shall direct: *Provided*, That the expense of such printing shall not exceed twelve hundred and fifty dollars.

The laws of Michigan in force, to be printed under the direction of the Secretary of State, &c. Proviso.

SEC. 2. *And be it further enacted*, That fifteen sets of the laws of the United States, which were compiled by order of Congress, and published by Bioren and Duane, in one thousand eight hundred and fifteen, shall be transmitted by the Secretary of State, to said territory to be distributed therein, as the local government thereof may direct.

Fifteen sets of the laws of the United States to be transmitted to Michigan, &c.

APPROVED, April 24, 1820.

(a) See notes to act of March 2, 1819, ch. 49.

STATUTE I.

April 24, 1820.

CHAP. LI.— *An Act making further provision for the sale of the public lands.*

Act of March 3, 1819, ch. 92.

Act of March 24, 1821, ch. 12.

Act of March 3, 1823, ch. 57.

Public sale of

lands in half

quarter sec-

tions, after 1st

July, 1820.

At private

sale, in entire,

half, quarter, or

half quarter,

sections.

Act of Feb.

11, 1805, ch. 14.

Fractional

sections, less

than 160 acres,

to be sold en-

tire.

Proviso.

No credit on

sales of public

lands, after 1st

July, 1820.

Purchasers at

private sale to

produce a re-

ceipt for the

money before

entry.

Price of lands

1 dollar 25 cts.

per acre after

1st July, 1820.

No sales for

less than 1 dol-

lar 25 cts. per

acre.

Lands offered

at public sales,

and unsold, sub-

ject to private

sale, at 1 dollar

25 cts. per acre.

Exceptions.

Lands revert-

ed, &c. to be

offered at pub-

lic, before pri-

vate sales.

Sale of lands

*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 July next, all the public lands of the United States, the sale of which is, or may be authorized by law, shall, when offered at public sale, to the highest bidder, be offered in half quarter sections; and when offered at private sale, may be purchased, at the option of the purchaser, either in entire sections, half sections, quarter sections, or half quarter sections; and in every case of the division of a quarter section, the line for the division thereof shall run north and south, and the corners and contents of half quarter sections which may thereafter be sold, shall be ascertained in the manner, and on the principles directed and prescribed by the second section of an act entitled, "An act concerning the mode of surveying the public lands of the United States," passed on the eleventh day of February, eighteen hundred and five; and fractional sections, containing one hundred and sixty acres, or upwards, shall, in like manner, as nearly as practicable, be sub-divided into half quarter sections, under such rules and regulations as may be prescribed by the Secretary of the Treasury; but fractional sections, containing less than one hundred and sixty acres, shall not be divided, but shall be sold entire: *Provided*, That this section shall not be construed to alter any special provision made by law for the sale of land in town lots.*

SEC. 2. *And be it further enacted, That credit shall not be allowed for the purchase money on the sale of any of the public lands which shall be sold after the first day of July next, but every purchaser of land sold at public sale thereafter, shall, on the day of purchase, make complete payment therefor; and the purchaser at private sale shall produce, to the register of the land office, a receipt from the treasurer of the United States, or from the receiver of public moneys of the district, for the amount of the purchase money on any tract, before he shall enter the same at the land office; and if any person, being the highest bidder, at public sale, for a tract of land, shall fail to make payment therefor, on the day on which the same was purchased, the tract shall be again offered at public sale, on the next day of sale, and such person shall not be capable of becoming the purchaser of that or any other tract offered at such public sales.*

SEC. 3. *And be it further enacted, That from and after the first day of July next, the price at which the public lands shall be offered for sale, shall be one dollar and twenty-five cents an acre; and at every public sale, the highest bidder, who shall make payment as aforesaid, shall be the purchaser; but no land shall be sold, either at public or private sale, for a less price than one dollar and twenty-five cents an acre; and all the public lands which shall have been offered at public sale before the first day of July next, and which shall then remain unsold, as well as the lands that shall thereafter be offered at public sale, according to law, and remain unsold at the close of such public sales, shall be subject to be sold at private sale, by entry at the land office, at one dollar and twenty-five cents an acre, to be paid at the time of making such entry as aforesaid; with the exception, however, of the lands which may have reverted to the United States, for failure in payment, and of the heretofore reserved sections for the future disposal of Congress, in the states of Ohio and Indiana, which shall be offered at public sale, as hereinafter directed.*

SEC. 4. *And be it further enacted, That no lands which have reverted, or which shall hereafter revert, and become forfeited to the United States for failure in any manner to make payment, shall, after the first day of July next, be subject to entry at private sale, nor until the same shall have been first offered to the highest bidder at public sale; and all such*

lands which shall have reverted before the said first day of July next, and which shall then belong to the United States, together with the sections, and parts of sections, heretofore reserved for the future disposal of Congress, which shall, at the time aforesaid, remain unsold, shall be offered at public sale to the highest bidder, who shall make payment therefor, in half quarter sections, at the land office for the respective districts, on such day or days as shall, by proclamation of the President of the United States, be designated for that purpose; and all lands which shall revert and become forfeited for failure of payment after the said first day of July next, shall be offered in like manner at public sale, at such time, or times, as the President shall by his proclamation designate for the purpose: *Provided*, That no such lands shall be sold at any public sales hereby authorized, for a less price than one dollar and twenty-five cents an acre, nor on any other terms than that of cash payment; and all the lands offered at such public sales, and which shall remain unsold at the close thereof, shall be subject to entry at private sale, in the same manner, and at the same price with the other lands sold at private sale, at the respective land offices.

reverted, &c. before the 1st July, 1820, and reserved sections.

Sale of lands reverting, &c. after 1st July, 1820.

All lands unsold at public, may be entered at private sale.

Public sales for two weeks.

Preference to be given to the highest bidder.

SEC. 5. *And be it further enacted*, That the several public sales authorized by this act, shall, respectively, be kept open for two weeks, and no longer; and the registers of the land office and the receivers of public money shall, each, respectively, be entitled to five dollars for each day's attendance thereon.

SEC. 6. *And be it further enacted*, That, in every case hereafter, where two or more persons shall apply for the purchase, at private sale, of the same tract, at the same time, the register shall determine the preference, by forthwith offering the tract to the highest bidder.

APPROVED, April 24, 1820.

STATUTE I.

May 1, 1820.

CHAP. LIII.—*An Act in addition to the several acts for the establishment and regulation of the Treasury, War, and Navy Departments.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall be the duty of the Secretary of the Treasury, to cause to be carried to the account of the surplus fund, any moneys appropriated for the Department of War, or of the Navy, which may remain unexpended in the treasury, or in the hands of the treasurer, as agent for those departments, whenever he shall be informed, by the secretaries of those departments, that the object for which the appropriation was made has been effected. And it shall be the duty of the Secretaries of War and Navy Departments, to cause any balance of moneys drawn out of the treasury, which shall remain unexpended, after the object for which the appropriation was made shall be effected, to be repaid to the treasury of the United States; and such moneys, when so repaid, shall be carried to the surplus fund.

Act of March 2, 1809, ch. 28.

Unexpended moneys to be carried to the surplus fund.

Balances of moneys drawn, after the object has been effected, to be repaid to the treasury, &c.

SEC. 2. *And be it further enacted*, That it shall be the duty of the Secretaries of the War and Navy Departments, to lay before Congress, on the first day of February, of each year, a statement of the appropriations of the preceding year, for their departments respectively, showing the amount appropriated under each specific head of appropriation, the amount expended under each, and the balance remaining unexpended, either in the treasury, or in the treasurer's hands, as agent of the War or Navy Departments, on the thirty-first December preceding: And it shall be further the duty of the Secretaries aforesaid, to estimate the probable demands which may remain on each appropriation, and the balance shall be deducted from the estimates of their departments, respectively, for the service of the current year; and accounts shall also be annually rendered, in manner and form as aforesaid, exhibiting the sums expended out of the estimates aforesaid, and the balance, if any, which may remain on

Secretaries of War and Navy to lay before Congress, annually, a statement of appropriations, &c.

Secretaries to estimate the probable demands, and the balance to be deducted, &c. Accounts to be annually rendered.

Unexpended moneys in the hands of the treasurer, as agent of War and Navy Departments, for more than two years, &c. to be carried to the surplus fund.
Proviso.

Expenditures for services, &c. under the War Department, and balances to be returned and carried to the surplus fund.

Appropriations for the service of one year not to be transferred to another branch of expenditure in a different year, under act of 3d March, 1809.
Act of 3d March, 1809, ch. 28, amended.
Branches of expenditure in the War Department.

Branches of expenditure in the Navy Department.

No contracts to be made except under authority of a law, or an adequate appropriation.
Exceptions.

No land to be purchased for the United States except under authority of a law.
Secretary of the Treasury to annex to annual estimates, a

hand, together with such information, connected with the same, as shall be deemed proper. And whenever any moneys, appropriated to the Department of War, or of the Navy, shall remain unexpended in the hands of the treasurer, as agent of either of those departments, for more than two years after the expiration of the calendar year in which the act of appropriation shall have been passed, or to which it refers, it shall be the duty of the Secretary of such department to inform the Secretary of the Treasury of the fact, and the Secretary of the Treasury shall thereupon cause such moneys to be carried to the account of the surplus fund: *Provided*, That when an act making an appropriation, shall assign a longer duration for the completion of its object, no transfer of any unexpended balance, to the account of the surplus fund, shall be made until the expiration of the time fixed in such act.

SEC. 3. *And be it further enacted*, That in the settlement of the accounts of the War Department, for services or supplies accruing prior to the first of July, one thousand eight hundred and fifteen, the expenditures shall be charged to arrearages, and the balances of public money hereafter recovered out of advances made in the War Department, for services or supplies prior to the date aforesaid, shall be returned to the treasury, and, by the Secretary of the Treasury, be carried to the surplus fund.

SEC. 4. *And be it further enacted*, That nothing contained in the act of March third, 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 so construed, as to allow any appropriation whatever for the service of one year to be transferred to another branch of expenditure in a different year, nor shall any appropriations be deemed subject to be transferred, under the provisions of the above-mentioned act, after they shall have been placed in the hands of the treasurer, as agent of the War or Navy Departments.

SEC. 5. *And be it further enacted*, That the above-mentioned act of the third of March, one thousand eight hundred and nine, shall be, and the same is hereby, so amended, that the President shall be authorized to direct a portion of the moneys appropriated for any one of the following branches of expenditure in the military department, viz: For the subsistence of the army, for forage, for the medical and hospital department, for the quartermaster's department; to be applied to any other of the above-mentioned branches of expenditure in the same department: And that the President shall be also further authorized, to direct a portion of the moneys appropriated for any of the following branches of expenditure in the Naval Department, viz: For provisions, for medicine and hospital stores, for repairs of vessels, for clothing; to be applied to any other of the above-mentioned branches of expenditure in the same department: and that no transfers of appropriation, from or to other branches of expenditure, shall be hereafter made.

SEC. 6. *And be it further enacted*, That no contract shall hereafter be made by the Secretary of State, or of the Treasury, or of the Department of War, or of the Navy, except under a law authorizing the same, or under an appropriation adequate to its fulfilment; and excepting also, contracts for the subsistence and clothing of the army or navy, and contracts by the quartermaster's department, which may be made by the Secretaries of those departments.

SEC. 7. *And be it further enacted*, That no land shall be purchased on account of the United States, except under a law authorizing such purchase.

SEC. 8. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to annex to the annual estimates of the appropriations required for the public service, a statement of the appropriations for the service of the year which may have been made by former acts; and, also, a statement of the sums remaining in the

treasury, or in the hands of the treasurer, as agent of the War and Navy Departments, from the appropriations of former years, estimating the amount of those sums which will not be required to defray expenses incurred in a previous year, and showing the whole amount which will be subject to the disposition of the executive government in the year to which the estimates apply.

SEC. 9. *And be it further enacted*, That the second section of the act, entitled "An act making appropriations for the payment of the arrearages which have been incurred for the support of the military establishment previous to the first day of January, one thousand eight hundred and seventeen," passed on the sixteenth day of February, one thousand eight hundred and eighteen, be, and is hereby, repealed.

APPROVED, May 1, 1820.

statement of appropriations for the service of the year, &c.

The 2d section of the appropriation act for military arrearages of the 16th Feb. ch. 10, 1818, repealed.

STATUTE I.

May 1, 1820.

CHAP. LIII.—*An Act in addition to an act, entitled "An act to provide for certain persons engaged in the land and naval service of the United States in the revolutionary war," passed the eighteenth day of March, one thousand eight hundred and eighteen.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That no person who now is, or hereafter may be, placed on the pension list of the United States, by virtue of the act, entitled "An act to provide for certain persons engaged in the land and naval service of the United States in the revolutionary war," passed on the eighteenth day of March, one thousand eight hundred and eighteen, shall, after the payment of that part of the pension which became due on the fourth day of March, one thousand eight hundred and twenty, continue to receive the pension granted by the said act, until he shall have exhibited to some court of record, in the county, city, or borough, in which he resides, a schedule, subscribed by him, containing his whole estate and income, (his necessary clothing and bedding excepted) and shall have (before the said court, or some one of the judges thereof,) taken and subscribed, and produced to the said court, the following oath or affirmation, to wit: I, A. B. do solemnly swear or affirm, (as the case may be) that I was a resident citizen of the United States on the eighteenth day of March, one thousand eight hundred and eighteen, and that I have not, since that time, by gift, sale, or in any manner whatever, disposed of my property, or any part thereof, with intent thereby so to diminish it as to bring myself within the provisions of an act of Congress, entitled "An act to provide for certain persons engaged in the land and naval service of the United States in the revolutionary war," passed on the eighteenth day of March, one thousand eight hundred and eighteen; and that I have not, nor has any person in trust for me, any property, or securities, contracts, or debts, due to me; nor have I any income, other than what is contained in the schedule hereto annexed and by me subscribed: Nor until such person shall have delivered, or caused to be delivered, to the Secretary of War, a copy of the aforesaid schedule and oath or affirmation, certified by the clerk of the court to which the said schedule was delivered, together with the opinion of the said court, also certified by their clerk, of the value of the property contained in the said schedule: *Provided*, That in every case in which the pensioner may be insane, or incapable of taking an oath, the court may receive the said schedule, without the aforesaid oath or affirmation, from the committee, or other person authorized to take care of such person.

SEC. 2. *And be it further enacted*, That the original schedule and oath or affirmation shall be filed in the clerk's office, of the court to which the schedule and oath or affirmation aforesaid shall be exhibited:

Act of March 18, 1818, ch. 19.

No person to receive a pension after payment of that due on 4th March, 1820, unless he exhibits a schedule of his whole estate and income.

Oath or affirmation to be taken and subscribed.

Form of the oath, &c.

A certified copy of schedule and oath, and opinion of the court, to be delivered to the Secretary of War.

Proviso.

Original schedule, &c. to be filed in the office

of the clerk of the court, &c. Persons swearing falsely.

The Secretary of War may strike from the pension list the names of persons, who, in his opinion, are not in indigent circumstances, &c.

Proviso.

And any person who shall swear or affirm falsely in the premises, and be thereof convicted, shall suffer as for wilful and corrupt perjury.

SEC. 3. *And be it further enacted*, That on the receipt of the copy of the schedule and oath, or affirmation aforesaid, it shall be the duty of the Secretary of the War Department to cause to be struck from the list of pensioners under the said act, the name of such person, in case the said person shall not, in his opinion, be in such indigent circumstances as to be unable to support himself without the assistance of his country: *Provided*, That every person, who shall have been placed on the pension list in consequence of disability, from known wounds received in the revolutionary war, and who shall have relinquished such pension in order to avail themselves of the benefit of the provisions of the act, to which this is an amendment, who, by virtue of this section, may be stricken from the pension list, shall be forthwith restored to the pension so relinquished.

APPROVED, May 1, 1820.

STATUTE I.

May 1, 1820.

Each judge of the orphans' court in the District of Columbia, allowed 6 dollars for each day he attends, &c.

CHAP. LIV.—*An Act to increase the allowance of the judges of the Orphans' Court in the counties of Washington and Alexandria.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the passing of this act, the judge of the orphans' court for the county of Washington, in the District of Columbia, and the judge of the orphans' court for the county of Alexandria, in the same district, shall each be entitled to receive, in lieu of his present compensation, the sum of six dollars for every day he shall attend in the execution of his office: to be paid in the same manner as is now by law directed.

APPROVED, May 1, 1820.

STATUTE I.

May 4, 1820.

Charters of the banks in the District paying specie, and as long as they pay specie continued until 1st June, 1822.

Charter of Bank of Columbia limited to 1st June, 1822. Proviso.

CHAP. LXII.—*An Act concerning the banks of the district of Columbia.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the charters of the several incorporated banks in the District of Columbia, now paying specie, and during such time only as such banks respectively shall continue to pay specie, be, and the same are hereby extended to the first day of June, one thousand eight hundred and twenty-two, any thing in the said charters to the contrary notwithstanding; and the charter of the Bank of Columbia, be, and the same is hereby declared to be limited in its duration to the said first day of June, one thousand eight hundred and twenty-two: *Provided*, That this act shall be of no force or effect to extend any charter aforesaid, till a majority in interest of the stockholders of the several banks whose charters may be hereby extended, shall file their declarations in writing, in the office of the Secretary of the Treasury, assenting to, and accepting the benefit of this act.

APPROVED, May 4, 1820.

STATUTE II.

May 8, 1820.

Act of April 24, 1816, ch. 69, sec. 1.

Apothecary and assistant

CHAP. LXXV.—*An Act further to regulate the medical department of the army.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the apothecary general and assistant apothecaries general, shall severally give bonds to the United States, with good and sufficient security, for the faithful performance of

their duties, in such sums as shall be required by the Surgeon General of the Army, under the direction of the War Department.

APPROVED, May 8, 1820.

apothecaries
general to give
bonds, with se-
curity, &c.

STATUTE I.

CHAP. LXXXIV.—*An Act to establish additional land offices in the states of Alabama and Illinois.*

May 11, 1820.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the sale of the unappropriated public lands in the state of Alabama, the following districts shall be formed, and land offices therefor established: All the public lands, as aforesaid, bounded on the north by the line which separates townships numbered fourteen and fifteen, in the district of Huntsville; on the south, by the line which separates townships twenty-two and twenty-three, in the district of Cahawba, and the district east of Pearl river; and on the east and west, by the lines of the state of Alabama; shall form a district, for which a land office shall be established at Tuscaloosa. And all the public lands, as aforesaid, bounded on the south by the southern boundary of the state of Alabama; on the west, by the line separating ranges four and five, east of the basis meridian, to the line separating townships five and six north, in the district of Cahawba; thence, east, with said line, to the line separating ranges twenty and twenty-one; thence north, with the said line, to the line separating townships eleven and twelve; thence, east, with said line, to the eastern boundary of the state of Alabama, and bounded on the east by the eastern boundary of said state; shall form a district, for which a land office shall be established at Conecuh Courthouse.

District and
land office at
Tuscaloosa.

District and
land office at
Conecuh Court-
house.

SEC. 2. *And be it further enacted,* That so much of the public lands, heretofore included in the Shawneetown land district, as lies east of the third principal meridian, north of the base line, and west of the range line, between ranges numbered eight and nine, east of the said third principal meridian, shall constitute a separate land district; and, for the sale of the public lands therein, there shall be a land office established at Vandalia, the seat of government for the state of Illinois.

Part of Shaw-
neetown dis-
trict to form a
separate land
district.

Land office at
Vandalia.

SEC. 3. *And be it further enacted,* That so much of the public land as lies north of the base line, east of the aforesaid range line, and west of the Big Wabash river, as lies in the state of Illinois, shall also constitute a separate land district; and for the sale of the public lands, there shall be a land office established at the town of Palestine, on the said Wabash river.

Another land
district at Illi-
nois.

Land office at
Palestine.

SEC. 4. *And be it further enacted,* That there shall be a register and receiver appointed to each of the aforesaid land offices, to superintend the sales of the public lands in their respective districts, who shall reside at the places designated in their respective districts, at which the offices are fixed, give security in the same manner, in the same sums, and whose compensation, emoluments, and duties, and authority, shall, in every respect, be the same, in relation to the lands which shall be disposed of at their offices, as are or may be by law provided in relation to the registers and receivers of public moneys in the several offices established for the sale of the public lands.

A register and
receiver for
each of the land
offices, with
compensation,
&c. as in other
cases.

SEC. 5. *And be it further enacted,* That the provisions of the second, third, and fifth sections of the act, entitled "An act to designate the boundaries of districts, and establish land offices for the disposal of the public lands, not heretofore offered for sale, in the states of Ohio and Indiana," approved March the third, eighteen hundred and nineteen, be, and the same are hereby, made applicable to the aforesaid districts and offices, so far as they are not changed by subsequent laws of the United States.

2d, 3d and 5th
sections of the
act of 3d March,
1819, ch. 92, ap-
plicable, &c., so
far as they have
not been
changed, &c.

APPROVED, May 11, 1820.

STATUTE I.

May 11, 1820.

CHAP. LXXXV.—*An Act to revive the powers of the commissioners for ascertaining and deciding on claims to land in the district of Detroit, and for settling the claims to land at Green Bay and Prairie des Chiens, in the territory of Michigan.*

Powers of the commissioners for deciding on claims to lands in the district of Detroit, under act of 23d April, 1812, ch. 62, revived.

Commissioners to perform the duties prescribed.

Act of March 3, 1817, ch. 99.

And to examine and decide on claims filed, &c.

Report and transcripts to be transmitted to the Secretary of the Treasury, &c.

An agent capable of translating the French language.

Agent to give notice, and attend, &c.

Claimants to produce evidence, &c.

Agent to report to the commissioners, &c.

Commissioners to transmit report and transcripts to the Secretary of the Treasury, &c.

Agent to take an oath.

500 dollars for each commissioner and agent, with fees to agent and register.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the powers of the commissioners for ascertaining and deciding on the rights of persons claiming lands in the district of Detroit, as defined 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 on the twenty-third of April, one thousand eight hundred and twelve, shall be, and are hereby, revived. And the said commissioners shall perform the duties therein prescribed, in relation to the claims which have been filed with the register of the land office for the said district, in pursuance of the act, entitled "An act allowing further time for entering donation rights to lands in the district of Detroit." And the said commissioners shall also have power to examine and decide, according to the laws respecting the same, the claims which have been filed with the register of the land office, and not heretofore decided on; and they shall transmit their report, and transcripts of their decisions, to the Secretary of the Treasury, to be laid before Congress, in the manner directed by former laws providing for the adjustment of such claims.

SEC. 2. *And be it further enacted,* That the said commissioners shall be, and they are hereby, authorized to employ, with the approbation of the Secretary of the Treasury, a person capable of translating the French language, as an agent, for the purpose of ascertaining the titles and claims to land at the settlements of Green Bay, and Prairie des Chiens. It shall be the duty of the said agent to give public notice, at each of the said settlements, of the time and place therein, at which he shall attend for the purpose of receiving notices and evidence of titles and claims to lands within the same. And every person having title or claim to lands within the settlements aforesaid, shall produce the evidence of his title or claim to the said agent, who shall record the same in books to be kept for that purpose. And after the said agent shall have remained at the places aforesaid, a time sufficient for the inhabitants to produce the evidence of their claims, he shall make his report thereof to the said commissioners, who shall have power to examine and decide on the claims so reported to them, according to the laws for adjusting and settling the claims to land in the district of Detroit, except, that which relates to donations of vacant land adjacent to the land confirmed shall not be considered applicable to claims in the settlements aforesaid. And the said commissioners shall transmit their report, and transcripts of their decisions, to the Secretary of the Treasury, on or before the first of October, in the year one thousand eight hundred and twenty-one, to be laid before Congress at their next session thereafter, in the same manner as was directed by law in respect to the claims to lands in the district of Detroit.

SEC. 3. *And be it further enacted,* That the agent aforesaid shall take an oath for the faithful discharge of the duties enjoined on him; and he shall conform, in discharging the said duties, to such general instructions as shall be given him by the Secretary of the Treasury; and the said commissioners and agent shall each receive five hundred dollars, as full compensation for the services to be performed under this act, together with the recording fees to the agent, and allowance to the register, for a certificate of confirmation for donation rights provided for by former laws.

APPROVED, May 11, 1820.

CHAP. LXXXVI.—*An Act for the relief of certain settlers in the state of Illinois who reside within the Vincennes land district.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That every person, who would have been entitled to the right of pre-emption, according to the provisions of the act, entitled "An act giving the right of pre-emption in the purchase of lands to certain settlers in the Illinois territory," passed February the fifth, one thousand eight hundred and thirteen, provided said act had been so construed as to embrace those who were living within the limits of the Vincennes land district, and who became the purchaser, at public sale, of the said land, to which the right of pre-emption would have so attached, at more than two dollars per acre, shall be entitled to a certificate for the amount, so paid or to be paid, exceeding two dollars per acre, from the register of the land office at Vincennes; which certificate shall be receivable in payment of any debt due to the United States on account of the sale of public land: *Provided, however,* That it shall be the duty of every person claiming the benefit of this act, to prove, to the satisfaction of the register and receiver of the land office at Vincennes, that they are entitled thereto, according to its true intent and meaning.

SEC. 2. *And be it further enacted,* That every person who would have been entitled to the right of pre-emption in the said Vincennes district, according to the provisions of the said recited act, passed the fifth day of February, eighteen hundred and thirteen, had it been so construed as to embrace them, and who did not become the purchaser of any tract of land to which such right of pre-emption would have attached, shall be allowed till the first day of September next, to prove, to the satisfaction of the register and receiver at Vincennes, that they would have been so entitled; and it shall be the duty of the register, when the satisfaction aforesaid shall be made, to grant a certificate to every such person, or their legal representatives, stating therein that such person would have been entitled to such right of pre-emption, and that he did not become the purchaser thereof, neither at public nor private sale. And every such person, or his legal representatives, shall, upon producing such certificate to the register of any land office in the state of Illinois, be allowed to enter one quarter section of land, each, at the minimum price fixed by the United States, of any land which may be surveyed previous to the first day of September next, whether the same shall have been offered at public sale or not.

APPROVED, May 11, 1820.

STATUTE I.
May 11, 1820.

[Obsolete.]

Persons who would have been entitled to right of pre-emption, to be entitled to certificate for the excess paid above 2 dollars per acre, &c.
Act of Feb. 5, 1813, ch. 20.
Certificate receivable in payment of debt to United States for land.

Proviso.

Persons who would have been entitled, &c. who were not purchasers, allowed till 1st Sept., 1820, to prove, &c.

Register, on satisfaction, to grant a certificate, &c.

Every person, upon certificate allowed to enter a quarter section, at minimum price, &c.

STATUTE I.

May 11, 1820.

CHAP. LXXXVII.—*An Act supplementary to the several acts for the adjustment of land claims in the state of Louisiana.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the claims for lands within the eastern district of the state of Louisiana, described by the register and receiver of the said district, in their report to the commissioner of the general land office, bearing date the twentieth day of November, one thousand eight hundred and sixteen, and recommended in the said report for confirmation, be, and the same are hereby, confirmed against any claim on the part of the United States.

SEC. 2. *And be it further enacted,* That any person or persons, claiming lands within that part of Louisiana lying west of the river Mississippi, including the island of New Orleans, founded upon any Spanish grant, concession, or order of survey, and whose claims have not heretofore

Act of March 3, 1819, ch. 99.
Claims for lands in the eastern district of Louisiana, confirmed.

Persons claiming lands west of the Mississippi, founded

upon Spanish grants, &c.

Notices, &c. to be recorded.

Twenty-five cents for every hundred words recorded.

Persons neglecting forfeit their rights, &c.

Registers to report to the Secretary of the Treasury.

Persons claiming lands under Spanish grants, &c.

Evidence to be recorded.

Rights of persons neglecting, barred, &c.

Registers, on the 1st of Jan., 1821, to report claims in which additional evidence has been filed, &c.

Secretary of the Treasury to examine, and report to Congress.

Proviso.

The 5th section of the act of 3d March, 1811, ch. 46, revived and continued until 11th May, 1822.

been filed in the proper office, may, from and after the first day of July next, and until the thirty-first day of December thereafter, deliver notices, in writing, and the written evidences, of their claims, to the register of the land district within which such lands may be situate, within the said state, and the said notices and evidences, so delivered, within the time limited by this act, shall, by the said registers, be recorded, in books to be kept for that purpose; for which service a compensation shall be received, from such claimants at the rate of twenty-five cents for every hundred words. And the rights of such persons as shall neglect so doing, within the time limited by this act, shall, so far as they are derived from, or founded on, any act of Congress, ever after be barred, and become void, and the evidences of their claims never after admitted as evidence in any court of the United States, against any grant derived from the United States.

SEC. 3. *And be it further enacted*, That the said registers shall on the first day of January next, make, to the Secretary of the Treasury, a report of all the claims filed in their respective offices, in pursuance of the provisions of this act, together with the substance of the evidence in support thereof, with their opinion of the credit to which such evidence is entitled.

SEC. 4. *And be it further enacted*, That every person or persons, claiming lands within that part of Louisiana described in the preceding section, founded upon any Spanish grant, concession, or order of survey, who had filed their notices of claims in the proper office, according to former laws, and whose claims have not been confirmed, may, at any time before the thirty-first day of December next, deliver additional written evidence, or other testimony, in support of their claims, the notice of which had been filed as aforesaid, to the said registers; and the evidence, so delivered, or offered, shall be recorded in books to be kept for that purpose; for which service a compensation shall be received, from such claimants, at the rate of twenty-five cents for every hundred words. And the rights of such persons as shall neglect so doing within the time limited by this act, shall, so far as they are derived from, or founded on, any act of Congress, ever after be barred, and become void, and the evidences of their claims never after admitted as evidence in any court of the United States, against any grant derived from the United States.

SEC. 5. *And be it further enacted*, That the said registers shall, on the first day of January next, make, to the Secretary of the Treasury, a report of the claims in which additional evidences shall have been filed in their respective offices, together with the substance of the evidence so filed, with their opinion of the credit to which such evidence is entitled, and such other information as the examination of such cases, under any former law, may have placed in their power or possession.

SEC. 6. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, as soon as the reports of the said registers shall be received, to proceed to the examination of the claims aforesaid, and to report to the two houses of Congress a list of the cases, which, in his opinion, ought to be confirmed, together with the reasons upon which his opinion may be founded: *Provided, nevertheless*, That no claim shall be so recommended for confirmation, which contains more than the quantity contained in a league square.

SEC. 7. *And be it further enacted*, That the fifth section of the act of the third day of March, eighteen hundred and eleven, entitled "An act providing for the final adjustment of claims to lands, and for the sale of the public lands, in the territories of Orleans and Louisiana, and to repeal the act passed for the same purpose, and approved February sixteenth, one thousand eight hundred and eleven," be, and the same is hereby revived and continued, for the term of two years, from and after the passing of this act.

SEC. 8. *And be it further enacted*, That the said registers, in addition to the compensation herein prescribed, shall receive, in full for the services required of them, respectively, by this act, the sum of six hundred dollars, which shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 11, 1820.

Additional compensation to the registers, in full, &c.

STATUTE I.

CHAP. LXXXVIII.—*An Act extending the time allowed for the redemption of land sold for direct taxes, in certain cases.*

May 11, 1820.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the time allowed for the redemption of lands which have been, or may be sold for the payment of taxes, under the act passed the ninth day of January, one thousand eight hundred and fifteen, so far as the same regards the direct tax of six millions of dollars, laid in that year, or under the act passed the fifth day of March, one thousand eight hundred and sixteen, so far as the same regards the direct tax of three millions of dollars, laid in that year, and purchased on behalf of the United States, be extended three years beyond the time heretofore allowed: *Provided*, That such extension of time shall not be beyond the first of June, one thousand eight hundred and twenty-one, and that on such redemption interest be paid at the rate of twenty per centum per annum, on the taxes aforesaid, and additions of twenty per centum chargeable thereon; and the right to redeem shall enure as well to persons holding an equitable or reversionary interest in lands so purchased on behalf of the United States, as to the original owners thereof.

Act of May 16, 1826, ch. 59.

The time allowed for redemption under acts of 9th Jan. 1815, and 5th March, 1816, extended three years.

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

Act of March 5, 1816, ch. 24. Proviso.

Rights to redeem equitable and reversionary interests.

SEC. 2. *And be it further enacted*, That where any person or persons, who has or have purchased lands or tenements sold for the non-payment of the direct tax, shall be entitled to have a deed for the same, but, from the death or removal of the collector, or from any other cause, there is no officer who, by the existing laws, is authorized to make a deed, it shall be lawful for such person or persons to apply, by petition, to the district judge of the district in which such lands or tenements are situate, setting forth the circumstances of the case, and upon due proof being made, to the satisfaction of such judge, that such person or persons, is or are a purchaser, or purchasers as aforesaid, and has or have fully complied with all the conditions of sale, and is or are entitled to have a deed, and that there is no officer who, by the existing laws, is authorized to make such deed, it shall be lawful for such judge, and he is hereby authorized and required, to order and direct the marshal of the district to make a deed to the purchaser or purchasers, which deed, being acknowledged in open court, and entered of record, shall have the same effect as if it had been made by the collector or other officer authorized by the laws heretofore or now in force.

Where the collector is dead or has been removed, on petition to the district judge, he is required to direct the marshal to make a deed, &c.

APPROVED, May 11, 1820.

STATUTE I.

CHAP. LXXXIX.—*An Act authorizing the sale of thirteen sections of land, lying within the land district of Canton, in the state of Ohio.*

May 11, 1820.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the thirteen sections of land lying within the land district of Canton, in the state of Ohio, which were reserved for the use of certain persons of the Delaware tribe of Indians, by an act of Congress, passed on the third day of March, one thousand eight hundred and seven, and were subsequently ceded to the

Land in the district of Canton, reserved by act of March 3d, 1807, and subsequently ceded, &c. to be offered for sale

at Wooster, &c.
Act of March
3, 1807, ch. 49,
sec. 2.

United [States] by the eighteenth article of the treaty concluded on the twenty-ninth day of September, one thousand eight hundred and seventeen, shall be offered to public sale, by the register and receiver of the public moneys at the land office at Wooster, on such day, or days, as the President shall designate for that purpose, in the same manner, and on the same conditions and terms, as are provided by law for the sale of the public lands of the United States.

APPROVED, May 11, 1820.

STATUTE I.

May 11, 1820.

CHAP. XCII.—*An Act to amend the act, entitled "An act to provide for the publication of the laws of the United States, and for other purposes."*

Act of April
20, 1818, ch. 80.

The Secretary of State to cause orders, resolutions, and laws, except those of a private nature, to be published.

And public treaties.

Indian treaties only, in states, &c. to which they relate.

First section of the act of 20th April, 1818, ch. 80, repealed.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of State shall, as soon as conveniently may be, after he shall receive any order, resolution, or law, passed by Congress, except such orders, resolutions, and laws, as are of a private nature, cause the same to be published in a number of public newspapers, not exceeding one in the District of Columbia, and in not more than three newspapers in each of the several states and territories of the United States. And he shall also cause to be published, in like manner, in the said newspapers, all public treaties entered into and ratified by the United States, except Indian treaties, which shall be published only in one newspaper, and that to be within the limits of the state, or territory, to which the subject matter of such treaty shall belong.

SEC. 2. *And be it further enacted,* That the first section of the act, entitled "An act to provide for the publication of the laws of the United States, and for other purposes," approved the twentieth of April, one thousand eight hundred and eighteen, be, and the same is hereby, repealed: *Provided,* That such repeal shall not be construed to prevent the payment of any compensation that may be due for the publication of the laws, previous to the promulgation of this act.

APPROVED, May 11, 1820.

STATUTE I.

May 11, 1820.

CHAP. XCIII.—*An Act to alter the times of the session of the circuit and district courts in the District of Columbia.*

Session of
circuit court.

For Washington county, 1st Monday in Oct. and 2d Monday in April.

For Alexandria, 1st Mondays in Nov. and May.

District court to be held on the first Mondays of Dec. and June.

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 January next, instead of the times now provided by law, for the session of the circuit court in the District of Columbia, the same shall be holden at the times and places following, that is to say: At Washington, in and for the county of Washington, on the first Monday in October, and on the second Monday in April, in every year: And in Alexandria, in and for the county of Alexandria, on the first Mondays in November and May, in every year.

SEC. 2. *And be it further enacted,* That from and after the first day of July next, instead of the times now provided by law for the session of the district court for the District of Columbia, the same shall be holden on the first Mondays in December and June in every year.

APPROVED, May 11, 1820.

CHAP. XCIV.—*An Act to annex certain lands within the territory of Michigan to the district of Detroit.*

STATUTE I.
May 11, 1820.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all the public lands of the United States within the territory of Michigan, to which the Indian title was extinguished by the treaty held and concluded at Saguina, in the said territory, on the twenty-fourth day of September, in the year one thousand eight hundred and nineteen, shall be, and hereby are, attached to, and made part of, the district of Detroit, in the said territory.

SEC. 2. *And be it further enacted,* That the lands aforesaid, to which the Indian title has been extinguished, and which have not been reserved or appropriated by existing laws or treaties, shall be surveyed, and offered for sale, under the direction of the President of the United States, in the same manner, with the same reservations and exceptions, and upon the same terms and conditions in every respect, both at public and private sale, as are or may be provided by law, for the disposal of the other public lands within the said district.

APPROVED, May 11, 1820.

Public lands, to which the Indian title was extinguished by the treaty of Saguina, attached to the district of Detroit.

The lands not reserved or appropriated, to be surveyed and offered for sale, &c.

CHAP. XCVII.—*An Act to establish an uniform mode of discipline and field exercises for the militia of the United States.*

STATUTE I.
May 12, 1820.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the system of discipline and field exercise which is and shall be ordered to be observed by the regular army of the United States, in the different corps of infantry, artillery, and riflemen, shall also be observed by the militia, in the exercises and discipline of the said corps, respectively, throughout the United States.

SEC. 2. *And be it further enacted,* That so much of the act of Congress, approved the eighth of May, one thousand seven hundred and ninety-two, as approves and establishes the rules and discipline of the Baron de Steuben, and requires them to be observed by the militia throughout the United States, be, and the same is hereby, repealed.

APPROVED, May 12, 1820.

Act of March 2, 1821, ch. 13, sec. 14.

The system of discipline and field exercise observed by the regular army to be observed by the militia.

The Baron de Steuben's rules and discipline.

Act of May 8, 1792, ch. 33, sec. 7.

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

STATUTE I.

May 13, 1820.

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

Post-roads discontinued.

From Lilly Point to Halcyonville, in Virginia.

From Dublin to Jacksonville, in Georgia.

From Westport to Brunerstown, in Kentucky.

From Whitfield to Jefferson, in Maine.

From Chickasaw Agency to St. Stephens, in Mississippi.

From Choctaw Agency to Monticello; and from Natchez to Lake Pontchartrain, in the same state.

From Rhea Courthouse, Tennessee, to Fort Jackson, in Alabama.

From Haysville to Oxford, in North Carolina.

From Walterborough to Barnwell Courthouse, in South Carolina.

From St. Charles, by Montgomery Courthouse, to Howard Courthouse.

From Franklin, Howard county, to Chariton.

From St. Charles, by Murphey's, in St. John's settlement, to Howard Courthouse, in the Missouri territory.

From Vassalborough to Harlem, in Maine.

Post-roads
discontinued.

From Alna to Parlermo.

From Dunstable to Piscataguog bridge, in New Hampshire.

From Cahaba to St. Stephens.

Post-roads
established.

Sec. 2. *And be it further enacted*, That the following be established post-roads, that is to say:

New Hamp-
shire.

In New Hampshire.—From Amherst, by Lyndborough, and Greenfield, to Hancock.

That the post-road from Keene to Richmond pass by Winchester.

From Keene, by Surry, Drewsville, and Langdon, to Charlestown.

From Dunstable, through Merrimack, by Bedford Meeting-house and Piscataguog bridge, to Isle Hookset.

Vermont.

In Vermont.—From Danville to Montpelier, by Cabot, Marshfield, and Plainfield.

From Vergennes, by Pantton, to Westport, in the state of New York.

From Stockbridge to Randolph.

Maine.

In Maine.—From Alna, by East Pittston, to Whitfield.

From Alna to Gardiner.

From Sedgwick to Deer Island.

From Ellsworth, by Jordon's River School-house, in Trenton, to the towns of Eden and Mount Desert.

From Waldoborough, by Union, Hope, Searsmont, and Belmont, to Belfast.

From Gardiner, by Pittston, Whitfield, Malta, and Jefferson, to Waldoborough.

From New Portland, by Kingfield, to Freeman.

From Hallowell, by Malta, to Harlem.

Massachu-
setts.

In Massachusetts.—From Springfield, by Wilbraham, to Stafford Springs, in Connecticut.

From Sandwick, by Coatuit village, in West Barnstable, Thomas D. Scudder's, Yarmouth, and Dennis, to Harwick, on the south side of Cape Cod.

From Gloucester, by Essex, to Ipswich.

From Hanover, by Hanson, to East Bridgewater.

From Northfield, by Vernon, to Brattleborough, in Vermont.

From Salisbury to Amesbury.

From Taunton, by Raynham, to East Bridgewater.

Connecticut.

In Connecticut.—From Derby, by Huntington, to Newtown.

From Woodbury, by Roxbury, to Warren.

From Hartford, by East Windsor, Ellington, Somers, Wilbraham, and Ludlow, to Belchertown, in Massachusetts.

From New Haven, by Oxford, Southbury, Woodbury, and Washington, to Warren.

From Norwick to Colchester.

New York.

In New York.—From Batavia to Ridgeway.

From Windham, by Roxbury, to Stamford.

From Hopkinton to Keene.

From Mount Hope to Bloomingburg.

From Moscow, by York, Caledonia, and Scottville, to Rochester.

From Dover to Sharon, in Connecticut.

From Porter, by Twelve Mile creek, to Eighteen Mile creek.

From Skeneateles, on the east side of Skeneateles lake, by Spafford, and Scott, to Courtland village.

From Luzerne, by Edinburg to Galway.

From Newton, by Catharine, and Cayuta, to Ithica.

From Bath, by Upper Addison, Troupsburgh, Deerfield, and Elkland, to Batchelorville, in Pennsylvania.

From Constantia, by Cicero, and Salina, to Onondago.

From Reading to Dresden, on Seneca lake, thence, along the lake, by Benton, to Geneva.

- From Goshen, by Scotchtown, to Bloomingburgh.
- From Poughkeepsie, by New Paltz, and Bruynville, to Bloomingburgh. Post-roads established.
- From Sullivan, by Cazenovia, and Woodstock, to De Ruyter.
- In Pennsylvania.*—That the post route from Philadelphia to Athens, pass by Romig's Ferry, and the mouth of Durham creek, to Easton. Pennsylvania.
- From Bedford to Somerset.
- From Harrisburg, by Corbert's Mills, Jonestown, and Rohrsburg, to Hamburg.
- From Catawissee, by Mifflinburg, to Nescopeck.
- From Liverpool, by Mount Pleasant Mills, Freeburg, Middleburg, and New Berlin, to Mifflinburg.
- From Reading, by Morgantown, to Downingtown.
- From Emaus to Millerstown.
- From White Horse, by Berlin, Connelsville, Middletown, Merrittstown, Jefferson, Waynesburg, and Morrisville, to Grave Creek Flatts, in Virginia.
- From Stroudsburg to Orwigsburg.
- From New Hope, by Lumberville, and Erwinna, to Romig's Ferry, near the mouth of Durham Creek.
- From Kutztown, by Martztown, New Goshenhoppen, Seemanytown, Joseph Williams', and Centre Square, to White Marsh.
- In Maryland.*—From Chesapeake, by Port Deposit, to Conewingo. Maryland.
- From Charlotte Hall, by the Three Notched Road, to Fenwick's tavern.
- From Havre de Grace to Woodlawn.
- In Virginia.*—From Bath Courthouse, by McClinton's, and Anthony's creek, to Lewisburg. Virginia.
- From Staunton, by Greenville, and Fairfield, to Lexington.
- From Shepherdstown, by Leetown, and Smithfield, to Winchester.
- From West Liberty to Wellsburg.
- From Lexington, by the Calf Pasture, to Faucett's, in Bath county.
- From Timber Ridge, by North river, to Moorfield.
- From Petersburg, by Southerland's Tavern, Lombardy, and Dennis's Tavern, to Jenning's Old Ordinary.
- In North Carolina.*—From Williamsborough, by Lynnsville, to Clarksville, in Virginia. North Carolina.
- From Fayetteville, by Waynesborough, to Stantonburg.
- From Wadesborough, by Edward Winfield's, Culpepper's store, Jacob Austin's, Charles T. Alexander's, and Maxwell's store, to Charlotte.
- From Charlotte, by Azrai Cockburn's, and William Taylor's, to Wadesborough.
- From Newbern, by Streets' Bridge, Croom's Ferry, Hookerstown, Snowhill, and Stantonburgh, to Smithfield.
- From Lawrenceville, by M'Neill's store, and Nicholas Nall's, to Pittsborough.
- From Pittsborough, by D. Moffitt's, to Lawrenceville.
- From Oxford, by Cannon and Young's store, to Clarksville, in Virginia.
- From Danville, by William Rawling's, and Troublesome Iron Works, to Salem.
- From Haysville, by Hawkins' Mills, and Chalk Level, to Williamsborough.
- In South Carolina.*—From Columbia, by Richard Harrison's store, to Bechamsville. South Carolina.
- From Georgetown, by Black river, Bull creek, and Pee Dee Ferries, to Conwayborough.
- From Conwayborough, by Little river, and Smithville, to Wilmington, in North Carolina.

- Post-roads established. From Chester Courthouse, by Cedar Shoals, and M'Donald's Ferry, to Lancaster Courthouse.
- From John Thompson, junr's, by Richard Howard's, to Godfrey's Ferry, on Big Pee Dee river, or near the same.
- That the mail from Lumberton, to Marion Courthouse, pass by the most eligible route, omitting Barfield's if necessary.
- Georgia. *In Georgia.*—From Hartford, by Jacksonville, to Perry's Mills, in Tatnal county.
- That the mail route from Augusta to Savannah shall pass by Waynesborough.
- Ohio. From Powelton, by Mount Zion and Eatonton, to Monticello.
- In Ohio.*—From Coshocton to Wooster.
- From Neville to Bethel.
- That the mail from Marietta to Woodfield, go by Regnier's Mills, in the town of Aurelius.
- From Feestown, by Bethel, Williamsburg, Lebanon, and Ridgeville, to Dayton.
- From Lebanon, by Springsborough and Ridgeville, to Xenia.
- From West Union, by Decatur, Ripley, Bridgewater, Bethel, and Newtown, to Cincinnati.
- From Greenville to Winchester, in Indiana.
- From Irville to Mount Vernon.
- From Piketon, by Robert Bennett's and Asa Boynton's, to Burlington, on the north side of the Ohio river.
- From Norwalk, in the county of Huron, to Lower Sandusky, in the state of Ohio.
- Kentucky. *In Kentucky.*—From Falmouth, by Theobald's, to Fredericksburg.
- From Whitley Courthouse, by Col. Ross's, to Monticello.
- That the post-road from Mount Sterling to Prestonburg, pass by the Olympian Springs, and Beaver Iron Works, in Bath county.
- That the post-road from the Great Crossings to the mouth of Cedar, pass by Hesslersville, in Owen county.
- From Richmond to Estill Courthouse.
- From Smithland, by America, in Illinois, to Cypress, in Kentucky.
- From Richmond, by Big Hill, to Hazle Patch.
- From Estill Courthouse, to Patrick's Salt Works, on the north fork of Kentucky river.
- From Newcastle, by Westport, and Bethlehem, to Charlestown in Indiana.
- From Stamping Grounds to Heslersville.
- From Frankford, by Heslersville, to Port William.
- From Shelbyville to New Castle.
- Tennessee. *In Tennessee.*—From Knoxville, by Morgan Courthouse, to Overton Courthouse.
- From Morgantown, by Pumpkintown, by the town of Calhoun, to Ross's, on the south side of Tennessee river.
- From Murfreesborough to Shelbyville.
- From Carthage, by Lancaster, and Harmony Grove, to Statesville.
- From Kingston, by William White's on Popular Creek, to Clinton.
- From Monroe, by Gainesborough, Williamsburg, and Beech Hill, to Carthage.
- From Reynoldsburg to the Lower Chickasaw Bluffs.
- From Nashville, by Harpeth, and New Hope, to Fayetteville.
- From Greenville to Greenville College, in the county of Greene.
- From Sparta, by Allen's Ferry, and Liberty, to Statesville.
- From Chickasaw Lower Bluff to the post of Arkansas.
- Indiana. *In Indiana.*—From Palestine, by Hindostan, to Portersville.
- From Madison to Versailles.
- From Lawrenceburg, by Aurora, Hanover, and Rising Sun to Vevey.

In Illinois.—From Kaskaskias, by the Irish Settlement, Covington, Carlisle, and Perrysville, to Vandalia.

Illinois.

From Illinois Saline, in Gallatin, to Golconda.

From York by Aurora, by Terre Haute.

From Montgomery, by Brownsville, and Gill's Ferry, to Jackson, in Missouri territory.

The mail from Cape Girardeau to Salem, Kentucky, shall pass by America.

From Carmi, by Mount Vernon, to Carlisle.

From Carmi to Wayne Courthouse and Jefferson Courthouse.

From Palmyra, by Wayne Courthouse, Jefferson Courthouse, and Covington, to Belleville.

From America to Jonesborough.

In Mississippi.—From Natchez, by Franklin, Monticello, Covington, Wayne, and Winchester, to Fort St. Stephens.

Mississippi.

From Fordsville to Shieldsborough.

In Alabama.—From Tuscaloosa, by Marion County Courthouse, to Columbus.

Alabama.

From Burnt Corn Spring, by Conecuh Courthouse, to Fort Crawford.

From Huntsville, by Jackson Courthouse, and Lawrie's Ferry, to Ross's and Washington, in Tennessee.

From Cahawba, by Portland, Canton, Prairie Bluff, Black's Bluff, and Foster's, to Fort Claiborne.

From Mooresville, by Milton's Bluff, Courtland, Bainbridge, and Big Spring, to Russellville, in Franklin county.

From Cahawba, by Joseph Britton's, Old Town, Falls of Cahawba, King and Smith's store, Shelby Courthouse, David M'Laughlin's, St. Clair Courthouse, Vincent Bennett's, the Cherokee Nation, by Ross's and James Patterson's, to Washington, in Tennessee.

From the town of Cahawba to the Falls of Cahawba, and to Tuscaloosa.

From Courtland to Moulton.

From St. Clair Courthouse to Carolsville.

In the Missouri Territory.—From New Madrid to Point Pleasant.

Missouri.

From Louisiana, by Hannibal, to Palmyra.

From Louisiana to New London.

That the post-road from Cape Girardeau to Winchester pass by Edward Tanner's.

From St. Charles, by Marthasville, Montgomery Courthouse, Loutre Island, Cote Sans Dessein, Nashville, Smithton, John Grayum's, Franklin, Spanish Needle Prairie, Chareton, William W. Monroe's, Grand River, Bloomfield, Missouriit, and Bluffton, to Fort Osage.

From Fort Osage, by Mount Vernon, Tabbo, Little Osage Bottom, and Jefferson, to Chareton.

In Michigan Territory.—From Detroit, by Pontiac, to Mount Clemens.

Michigan.

APPROVED, May 13, 1820.

STATUTE I.

CHAP. CI.—*An Act fixing the time for the next meeting of Congress.*

May 13, 1820.

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

The next meeting of Congress to be on the 2d Monday of Nov., 1820.

APPROVED, May 13, 1820.

STATUTE I.

May 15, 1820.

CHAP. CII.—*An Act to limit the term of office of certain officers therein named, and for other purposes.*

District attorneys, collectors of customs, naval officers, &c. to be appointed for four years, removable at pleasure.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the passing of this act, all district attorneys, collectors of the customs, naval officers and surveyors of the customs, navy agents, receivers of public moneys for lands, registers of the land offices, paymasters in the army, the apothecary general, the assistant apothecaries general, and the commissary general of purchases, to be appointed under the laws of the United States, shall be appointed for the term of four years, but shall be removable from office at pleasure.

Commissions of officers, when to cease.

SEC. 2. *And be it further enacted,* That the commission of each and every of the officers named in the first section of this act, now in office, unless vacated by removal from office, or otherwise, shall cease and expire in the manner following: All such commissions, bearing date on or before the thirtieth day of September, one thousand eight hundred and fourteen, shall cease and expire on the day and month of their respective dates, which shall next ensue after the thirtieth day of September next; all such commissions, bearing date after the said thirtieth day of September, in the year one thousand eight hundred and fourteen, and before the first day of October, one thousand eight hundred and sixteen, shall cease and expire on the day and month of their respective dates, which shall next ensue after the thirtieth day of September, one thousand eight hundred and twenty-one. And all other such commissions shall cease and expire at the expiration of the term of four years from their respective dates.

If dated before Sept. 30, 1814, at their dates ensuing Sept. 30, 1820.

If after 30th Sept. 1814, and before 1st Oct., 1816, at their dates ensuing 30th Sept., 1821.

All others, four years from their dates.

The President authorized, from time to time, to regulate and increase the sums in bonds required.

SEC. 3. *And be it further enacted,* That it shall be lawful for the President of the United States, and he is hereby authorized, from time to time as in his opinion the interest of the United States may require, to regulate and increase the sums for which the bonds required, or which may be required by the laws of the United States, to be given by the said officers, and by all other officers employed in the disbursement of the public moneys under the direction of the War or Navy Departments, shall be given; and all bonds given in conformity with such regulations shall be as valid and effectual, to all intents and purposes, as if given for the sums respectively mentioned in the laws requiring the same.

Commissions of officers employed in collecting revenue recorded at the Treasury Department. Proviso.

SEC. 4. *And be it further enacted,* That the commissions of all officers employed in levying or collecting the public revenue shall be made out and recorded in the Treasury Department, and the seal of the said department affixed thereto; any law to the contrary notwithstanding: *Provided,* That the said seal shall not be affixed to any such commission before the same shall have been signed by the President of the United States.

APPROVED, May 15, 1820.

STATUTE I.

May 15, 1820.

CHAP. CIII.—*An Act to authorize the President of the United States to borrow a sum not exceeding three millions of dollars.*

The President empowered to borrow 3,000,000 dollars on the credit of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby, empowered to borrow, on the credit of the United States, a sum not exceeding three millions of dollars, at a rate of interest, payable quarter yearly, not exceeding five per centum per annum, and reimbursable at the will of the government, at any time after the first day of January, one thousand eight hundred and thirty-two: or at a rate of interest, payable in like manner, not exceeding six per centum per annum, and reimbursable at the pleasure of the United States;

Rates of interest.

to be applied, in addition to the moneys now in the treasury, or which may be received therein from other sources, during the present year, to defray any of the public expenses, which are, or may be authorized, by law. The stock thereby created shall be transferable in the same manner as is provided by law for the transfer of the public debt.

SEC. 2. *And be it further enacted*, That it shall be lawful for the Bank of the United States to lend the said sum, or any part thereof; and it is hereby further declared, that it shall be deemed a good execution of the said power to borrow, for the Secretary of the Treasury, with the approbation of the President of the United States, to cause to be constituted certificates of stock, signed by the register of the treasury, or by a commissioner of loans, for the sum to be borrowed, or for any part thereof bearing an interest of five per centum per annum, transferrable and reimbursable as aforesaid, and to cause the said certificates of stock to be sold: *Provided*, That no stock be sold under par.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized, with the approbation of the President of the United States, to employ an agent or agents, for the purpose of obtaining subscriptions to the loan authorized by this act, or of selling any part of the stock to be created by virtue thereof. A commission, not exceeding one eighth of one per cent. on the amount thus sold, or for which subscriptions shall have been thus obtained, may, by the Secretary of the Treasury, be allowed to such agent or agents; and a sum not exceeding four thousand dollars, to be paid out of any moneys in the treasury, not otherwise appropriated, is hereby appropriated for that object, and also for defraying the expenses of printing, and issuing the subscription certificates, and certificates of stock, and other expenses incident to the due execution of this act.

SEC. 4. *And be it further enacted*, That so much of the funds constituting the annual appropriation of ten millions of dollars, for the payment of the principal and interest, of the public debt of the United States, as may be sufficient for that purpose, after satisfying the sums necessary for the payment of the interest, and of such part of the principal, of the said debt, as the United States are now pledged annually to pay or reimburse, is hereby pledged and appropriated for the payment of the interest, and for the reimbursement of the principal, of the stock which may be created by virtue of this act. It shall, accordingly, be the duty of the commissioners of the sinking fund to cause to be applied and paid, out of the said fund, yearly, such sum and sums as may annually be necessary to discharge the interest accruing on the said stock, and to reimburse the principal, as the same may become due, and may be discharged, in conformity with the terms of the loan. And they are further authorized to apply, from time to time, such sum or sums, out of the said fund, as they may think proper, towards discharging, by purchase, and at a price, not above par, the principal of the said stock, or any part thereof. And the faith of the United States is hereby pledged to establish sufficient revenues for making up any deficiency that may hereafter take place in the funds hereby appropriated for paying the said interest, and principal sums, or any of them, in manner aforesaid.

APPROVED, May 15, 1820.

Stock transferable.

The bank of the United States may lend the money.

The Secretary of the Treasury may cause certificates of stock to be constituted at 5 per cent.

Secretary of the Treasury may employ an agent, &c.

One eighth of one per cent. to the agent.

4000 dollars appropriated for the expenses of the loan.

So much of the annual appropriation of 10,000,000 dollars as may be sufficient, appropriated for redemption of stock, and interest, of this loan.

Commissioners of the sinking fund to apply the sums necessary out of the fund, &c.

And to purchase at a price not above par, &c.

STATUTE I.

May 15, 1820.

CHAP. CIV.—*An Act to incorporate the inhabitants of the city of Washington, and to repeal all acts heretofore passed for that purpose.*(a)

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

Former acts of incorporation &c. inconsistent

(a) Parts of this act are repealed by the act of May 26, 1824, ch. 195.

with this act repealed.

Act of May 3, 1802, ch. 53.
Act of Feb. 24, 1804, ch. 14.
May 4, 1812, ch. 75.

Proviso.
Mayor and aldermen to continue.

And their acts, not inconsistent with this act, to be valid.

Inhabitants of Washington to continue to be a body politic and corporate.

A city seal, &c.

Election of mayor, on the first Monday of June every second year, after June, 1820.
Certificates of the result of the election, &c.

In case of an equal number of votes for mayor, the boards to determine.

Mayor to take an oath, before a justice of the peace.

Powers and duties of the mayor.

Compensation of the mayor to be fixed.

Qualifications necessary for mayor.

to incorporate the inhabitants of the city of Washington, in the District of Columbia," and the act supplementary to the same, passed on the twenty-fourth of February, in the year one thousand eight hundred and four, and the act, entitled "An act further to amend the charter of the city of Washington," and all other acts, or parts of acts, inconsistent with the provisions of this act, be, and the same are hereby, repealed: *Provided, however,* That the mayor, the members of the board of aldermen, and the members of the board of common council, of the corporation of the said city, shall and may remain and continue as such, for and during the terms for which they have been respectively appointed, subject to the terms and conditions in such cases legally made and provided; and all acts or things done, or which may be done, by them in pursuance of the provisions, or by virtue of the authority, of the said acts, or either of them, and not inconsistent with the provisions of this act, shall be valid, and of as full force and effect as if the said acts had not been repealed.

Sec. 2. *And be it further enacted,* That the inhabitants of the city of Washington shall continue to be a body politic and corporate, by the name of the "Mayor, board of aldermen, and board of common council, of the city of Washington," to be elected by ballot, as hereinafter directed, and, by their corporate name, may sue and be sued, implead and be impleaded, grant, receive, and do all other acts, as natural persons; and may purchase and hold real, personal, and mixed, property, or dispose of the same, for the benefit of the city; and may have and use a city seal, and break and alter the same at pleasure.

Sec. 3. *And be it further enacted,* That the mayor of the said city shall be elected on the first Monday in June next, and on the same day in every second year thereafter, at the same time and place, in the same manner, and by the persons qualified to vote for members of the board of aldermen and the board of common council. That the commissioners hereinafter mentioned shall make out duplicate certificates of the result of the election of mayor; and shall return one to the board of aldermen and the other to the board of common council, on the Monday next ensuing the election; and the person having the greatest number of votes shall be the mayor: but in case two or more persons, highest in vote, shall have an equal number of votes, then it shall be lawful for the board of aldermen and the board of common council to proceed forthwith, by ballot, in joint meeting, to determine the choice between such persons. The mayor shall, on the Monday next ensuing his election, before he enters on the duties of his office, in the presence of the boards of aldermen and common council, in joint meeting, take an oath, to be administered by a justice of the peace, "lawfully to execute the duties of his office, to the best of his skill and judgment, without favour or partiality." He shall, ex officio, have and exercise all the powers, authority, and jurisdiction, of a justice of the peace for the county of Washington, within the said county. He shall nominate, and with the consent of the board of aldermen, appoint to all offices under the corporation, (except commissioners of election,) and may remove any such officer from office at his will and pleasure. He shall appoint persons to fill up all vacancies which may occur during the recess of the board of aldermen, to hold such appointments until the end of the then ensuing session. He may convene the two boards when, in his opinion, the public good may require it; and he shall lay before them, from time to time, in writing, such alterations in the laws of the corporation as he may deem necessary and proper; and he shall receive, for his services, annually, a just and reasonable compensation, to be allowed and fixed by the two boards, which shall neither be increased nor diminished during his continuance in office. Any person shall be eligible to the office of mayor who is a free white male citizen of the United States, who shall have attained to the age of thirty years, who shall have resided in the said city for two years immediately pre-

ceding his election, and who shall be the bona fide owner of a freehold estate in the said city; and no other person shall be eligible to the said office. In case of the refusal of any person to accept the office of mayor, upon his election thereto, or of his death, resignation, inability, or removal from the city, the said boards shall assemble and elect another in his place, to serve for the remainder of the term, or during such inability.

SEC. 4. *And be it further enacted,* That the board of aldermen shall consist of two members to be residents in, and chosen from, each ward, by the qualified voters therein, and to be elected for two years, from the Monday next ensuing their election: and the board of common council shall consist of three members, to be residents in, and chosen from, each ward, by the qualified voters therein, and to be elected for one year, from the Monday next ensuing their election; and each board shall meet at the council chamber, on the second Monday in June next, for the despatch of business, at ten o'clock in the morning, and at the same hour on the second Monday in June, in every year thereafter; and at such other times as the two boards may, by law, direct. A majority of each board shall be necessary to form a quorum to do business, but a less number may adjourn from day to day; they may compel the attendance of absent members, in such manner, and under such penalties, and allow such compensation for the attendance of the members, as they may, by law, provide; each board shall appoint its own President, who shall preside during its sessions, and who shall be entitled to vote on all questions; they shall settle their rules of proceedings, appoint their own officers, regulate their respective compensations, and remove them at pleasure; and may, with the concurrence of three-fourths of the whole, expel any member for disorderly behaviour or malconduct in office, but not a second time for the same offence; each board shall keep a journal of its proceedings, and the yeas and nays shall be entered thereon, at the request of any member; and their deliberations shall be public. All ordinances or acts, passed by the two boards, shall be sent to the mayor for his approbation, and, when approved by him, shall be obligatory as such. But, if the mayor shall not approve of any ordinance or act, so sent to him, he shall return the same, within five days, with his reasons in writing therefor; and if two thirds of both boards, on reconsideration thereof, agree to pass the same, it shall be in force, in like manner as if he had approved it; but, if the two boards shall, by their adjournment, prevent its return, the same shall not be obligatory.

SEC. 5. *And be it further enacted,* That no person shall be eligible to a seat in the board of aldermen, or board of common council, unless he shall be more than twenty-five years of age, a free white male citizen of the United States, and shall have been a resident of the city of Washington for one year next preceding the day of election, and shall, at the time of his election, be a resident of the ward for which he shall be elected, and be then the bona fide owner of a freehold estate in the said city, and shall have been assessed on the books of the corporation, for the year ending on the thirty-first day of December next preceding the day of election. And every free white male citizen of the United States, of lawful age, who shall have resided in the city of Washington for one year next preceding the day of election, and shall be a resident of the ward in which he shall offer to vote, and who shall have been assessed on the books of the corporation, for the year ending on the thirty-first day of December next preceding the day of election, and who shall have paid all taxes legally assessed and due on personal property, when legally required to pay the same, and no other person shall be entitled to vote at any election for members of the two boards. And it shall be the duty of the register of the city, or such officer as the corporation may hereafter direct, to furnish the commissioners of election in each ward, previous to

In case of refusal, death, &c. the boards to elect another mayor.

Board of aldermen to consist of two members from each ward, to be elected for two years, &c. and board of common council of three members from each ward, for one year, &c. Meetings of the boards.

Organization, proceedings, and compensation of the boards.

Ordinances, &c. to be sent to the mayor for approbation.

If he does not approve, &c.

Qualifications of the members of the board of aldermen and board of common council.

Qualifications for voters.

City register to furnish com-

missioners of election with a list of persons having a right to vote.

Elections for members of the two boards.

Commissioners of election.

Notice of elections.

Commissioners to take an oath.

Opening and closing the polls.

Counting the ballots.

Return of members.

In case of equality of votes, commissioners to decide by lot.

Result of the election to be published.

Duplicate return to the city register.

Members elect to be notified.

Each board to judge of the legality of elections, and to supply vacancies by new elections.

Each member of the board to take an oath.

Specific powers of the corporation.

opening the polls at every election, a list of the persons having a right to vote, agreeably to the provisions of this section.

SEC. 6. *And be it further enacted*, That an election for members of the board of aldermen and board of common council shall be held on the first Monday of June next, and on the first Monday in June annually thereafter; and all elections shall be held by three commissioners to be appointed in each ward by the two boards in joint meeting, which appointment shall be at least ten days previous to the day of each election. And it shall be the duty of the commissioners so appointed, to give at least five days' previous notice of the place in each ward where such elections are to be held. The said commissioners shall, before they receive any ballot, severally take an oath or affirmation, to be administered by some justice of the peace for the county of Washington, "truly and faithfully to receive and return the votes of such persons as are by law entitled to vote for members of the board of aldermen and board of common council, in their respective wards, according to the best of their judgment and understanding; and not knowingly to receive or return the vote of any person who is not legally entitled to the same." The polls shall be opened at ten o'clock in the morning, and be closed at seven o'clock in the evening of the same day. Immediately on closing the polls, the said commissioners for each ward, or a majority of them, shall count the ballots, and make out, under their hands and seals, a correct return of the persons having the greatest numbers of legal votes for members of the board of aldermen and for members of the board of common council, respectively, together with the number of votes given to each person voted for; and the persons having the greatest number of votes for the two boards, respectively, shall be duly elected; and, in all cases of an equality of votes, the commissioners shall decide the choice by lot. The said returns shall be delivered to the mayor, on the day succeeding the election, who shall cause the result of the election to be published in some newspaper printed in the city of Washington; a duplicate return shall, together with a list of the persons who voted at such election, also to be made, on the day succeeding the election, to the register of the city, who shall preserve and record the same; and shall, within two days thereafter, notify the several persons, so returned, of their election. And each board shall judge of the legality of the elections, returns, and qualifications of its own members, and shall supply vacancies in its own body, by causing elections to be held to fill the same, and appoint commissioners to hold the same, and such commissioners shall give at least five days' public notice of the time and place of holding such elections; each of the members of either board, shall, before entering on the duties of his office, take an oath or affirmation, "faithfully to execute the duties of his office, to the best of his knowledge and ability;" which oath or affirmation shall be administered by the mayor or some justice of the peace for the county of Washington.

SEC. 7. *And be it further enacted*, That the corporation aforesaid shall have full power and authority to lay and collect taxes upon the real and personal property within the said city; provided that no tax shall be laid upon real property, at a higher rate than three quarters of one per centum on the assessment valuation thereof, except for the special purposes hereinafter provided; and that no tax shall be laid upon the wearing apparel, or necessary tools and implements used in carrying on the trade or occupation, of any person; nor shall the same be subject to distress and sale for any tax; and, after providing for all objects of a general nature, the taxes raised on the assessable property in each ward shall be expended therein, and in no other; to establish a board of health, with competent authority to enforce its regulations, and to establish such other regulations as may be necessary to prevent the introduction of contagious diseases, and for the preservation of the health of the city; to prevent and remove

nuisances; to establish night watches or patrols, and erect lamps in the streets; to preserve the navigation of the Potomac and Anacostia rivers adjoining the city; to erect, repair, and regulate, public wharves, and to deepen creeks, docks, and basins; to regulate the manner of erecting, and the rates of wharfage, at private wharves; to regulate the stationing, anchorage, and mooring of vessels; to provide for licensing, taxing, and regulating, auctions, retailers, ordinaries, and taverns, hackney carriages, wagons, carts, and drays, pawn-brokers, venders of lottery tickets, money-changers, and hawkers and pedlars; to provide for licensing, taxing, regulating, or restraining, theatrical or public shows and amusements; to restrain or prohibit tippling houses, lotteries, and all kinds of gaming: to regulate and establish markets; to erect and repair bridges; to open and keep in repair streets, avenues, lanes, alleys, drains, and sewers, agreeably to the plan of the city, to supply the city with water; to provide for the safe-keeping of the standard weights and measures as fixed by Congress, and for the regulation of all weights and measures used in the city; to regulate the sweeping of chimneys, and fix the rates or fees therefor; to provide for the prevention and extinguishment of fires; to regulate the size of bricks to be made or used; and provide for the inspection of lumber and other building materials to be sold in the city; to regulate, with the approbation of the President of the United States, the manner of erecting, and the materials to be used in the erection, of houses; to regulate the inspection of tobacco, flour, butter, and lard, in casks or boxes, and salted provisions; to regulate the gauging of casks and liquors; the storage of gunpowder, and all naval and military stores, not the property of the United States; and the weight and quality of bread; to impose and appropriate fines, penalties, and forfeitures, for the breach of their laws or ordinances; and to provide for the appointment of inspectors, constables, and such other officers, as may be necessary to execute the laws of the corporation.

Specific powers of the corporation.

SEC. 8. *And be it further enacted*, That the said corporation shall have full power and authority to lay taxes on particular wards, parts, or sections, of the city, for their particular local improvements; and, upon application of the owners of more than one half of the property upon any portion of a street, to cause the curb-stones to be set, and the footways to be paved, on such portion of a street, and to lay a tax on such property, to the amount of the expense thereof: *Provided*, That such tax shall not exceed three dollars per front foot; and, upon a like application to cause the carriage-way of any portion of a street to be paved, or lamps to be erected therein, and light the same, and lay a tax, not exceeding the whole expense thereof, in due proportion, on the lots fronting on such portion of a street; and, also, to impose an addition or interest on the amounts of any such taxes, not exceeding ten per centum per annum, when the same shall not have been paid within thirty days after the same shall have become due. The said corporation shall also have power and authority to provide for the establishment and superintendence of public schools, and to endow the same; to establish and erect hospitals or pest-houses, watch and work-houses, houses of correction, penitentiary, and other public buildings, and to lay and collect taxes for the expenses thereof; to regulate party or other walls and fences, and to determine by whom the same shall be kept in repair; to cause new alleys to be opened through the squares, and to extend those already laid out, upon the application of the owners of more than one half the property in such squares: *Provided*, That the damages which may accrue thereby, to any individual or individuals, shall be first ascertained by a jury, to be summoned and impanelled by the marshal of the District of Columbia, (and it is hereby made his duty to summon and impanel the same, in all such cases, upon application to him in writing by the mayor of the city,) and such dam-

Further specific powers of the corporation.

Proviso.
Marshal to summon a jury to ascertain damages.

Further specific powers of the corporation.

ages to be paid by the corporation; the amount thereof, and the expenses accruing, shall be levied, in due proportion, upon the individuals whose property on such squares shall be benefited thereby, and collected as other taxes are; to occupy and improve, for public purposes, by and with the consent of the President of the United States, any part of the public and open spaces and squares in said city, not interfering with any private rights; to regulate the admeasurement and weight by which all articles brought into the city for sale shall be disposed of; to provide for the appointment of appraisers and measurers of builders' work and materials, and also of wood, coal, grain, and lumber; to restrain and prohibit the nightly and other disorderly meetings of slaves, free negroes, and mulattoes, and to punish such slaves by whipping, not exceeding forty stripes, or by imprisonment, not exceeding six months, for any one offence; and to punish such free negroes and mulattoes, by penalties, not exceeding twenty dollars for any one offence; and in case of the inability of any such free negro or mulatto to pay any such penalty and cost thereon, to cause him or her to be confined to labour for any time not exceeding six calendar months; to cause all vagrants, idle or disorderly persons, all persons of evil life or ill-fame, and all such as have no visible means of support, or are likely to become chargeable to the corporation as paupers, or are found begging or drunk in or about the streets, or loitering in or about tippling houses, or who can show no reasonable cause of business or employment in the city, and all suspicious persons who have no fixed place of residence, or who cannot give a good account of themselves; all evesdroppers and nightwalkers; all who shall be guilty of open profanity, or grossly indecent language or behaviour publicly in the streets; all public prostitutes, and such as lead a notoriously lewd or lascivious course of life, and all such as keep public gaming tables, or gaming houses, to give security for their good behaviour for a reasonable time, and to indemnify the city against any charge for their support; and, in case of their refusal or inability to give such security, to cause them to be confined to labour until such security shall be given, not exceeding, however, one year at a time; but if they shall be found again offending, the like proceedings may be again had, and from time to time, as often as may be necessary to enforce the departure of such vagrants and paupers as may come into the city to reside, unless they shall give ample security that they will not become chargeable on the corporation for their support; to provide for the binding out as apprentices of poor orphan children, and the children of drunkards, vagrants, and paupers; to prescribe the terms and conditions upon which free negroes and mulattoes may reside in the city; to authorize, with the approbation of the President of the United States, the drawing of lotteries for the erection of bridges and effecting any important improvements in the city, which the ordinary revenue thereof will not accomplish, for the term of ten years: *Provided*, that the amount so authorized to be raised in each year shall not exceed the sum of ten thousand dollars, clear of expenses; to take care of and regulate burial grounds; to provide for the registering of births, deaths, and marriages; to punish corporeally any coloured servant or slave for a breach of any of their laws or ordinances, unless the owner or holder of such servant or slave shall pay the fine in such cases provided; and to pass all laws which shall be deemed necessary and proper for carrying into execution the powers vested by this act in the said corporation or its officers.

Limitation of the sum to be raised by lottery annually.

Proviso.

General power to pass all necessary laws.

Marshal to keep persons in jail committed under the act, &c.

SEC. 9. *And be it further enacted*, That the marshal of the District of Columbia shall receive and safely keep within the jail for the county of Washington, at the expense of the said corporation, all persons committed thereto under or by authority of the provisions of this act. And in all cases where suit shall be brought before a justice of the peace, for

the recovery of any fine or penalty arising or incurred for a breach of any law or ordinance of the corporation, execution shall and may be issued, as in all other cases of small debts.

SEC. 10. *And be it further enacted*, That real property, whether improved or unimproved, in the city of Washington, on which two or more years' taxes shall have remained due and unpaid, or on which any special tax, imposed by virtue of authority of the provisions of this act, shall have remained unpaid for two or more years after the same shall have become due, or so much thereof, not less than a lot, (when the property upon which the tax has accrued is not less than that quantity,) as may be necessary to pay any such taxes, with all legal costs and charges arising thereon, may be sold at public sale to satisfy the corporation therefor: *Provided*, That public notice be given of the time and place of sale, by advertising once a week in some newspaper printed in the city of Washington, for at least six months, where the property is assessed to persons residing out of the United States; for three months, where the property is assessed to persons residing in the United States, but without the District of Columbia; and for six weeks, where the property is assessed to persons residing within the District of Columbia; in which advertisement shall be stated the number of the lot or lots, (if the square has been divided into lots,) the number of the square or squares, or other sufficient or definite description of the property selected for sale, the name of the person or persons to whom the same may have been assessed, for the respective years' taxes due thereon, as also the name of the person to whom the same is assessed, and the aggregate amount of taxes due. The purchaser or purchasers of any such property shall pay, at the time of such sale, the amount of the taxes due on the property so purchased by him, her, or them, respectively, with the amount of the expenses of sale; and he, she, or they, shall pay the residue of the purchase money within ten days after the expiration of two years from the day of sale, to the collector of taxes, or other officer of the corporation authorized to receive the same; and the amount of such residue shall be placed in the city treasury, where it shall remain, subject to the order of the original proprietor or proprietors, his, her, or their, legal representatives; and the purchaser or purchasers shall receive a title in fee simple, in and to the lot or lots so sold and purchased, under the hand of the mayor and seal of the corporation, which shall be deemed good and valid in law and equity: *Provided nevertheless*, That if, within two years from the day of any such sale, or before such purchaser or purchasers shall have paid the residue of the purchase money as aforesaid, the proprietor or proprietors of any property which shall have been sold as aforesaid, his, her, or their, heirs, agents, or legal representatives, shall repay to such purchaser or purchasers the moneys paid for the taxes, and expenses as aforesaid, together with ten per centum per annum, as interest thereon, or make a tender thereof, or shall deposit the same in the hands of the mayor of the city, or other officer of the corporation appointed to receive the same, for the use of such purchaser or purchasers, and subject to his, her, or their, heirs, or legal representatives' order, of which such purchaser, his heirs or legal representatives, shall be immediately informed, by notice in some newspaper printed in the city of Washington, or otherwise; he, she, or they, shall be reinstated in his, her, or their, original right and title, as if no such sale had been made. And if any such purchaser shall fail to pay the residue of the purchase money as aforesaid, within the time required by this section, for any property so purchased by him, he shall pay ten per centum per annum, as interest thereon, and in addition to such residue, to be computed from the expiration of the two years as aforesaid, until the actual payment of such residue, and the receiving of a conveyance

Execution for city fines.

Real property, the taxes on which have remained unpaid for two years, may be sold.

Proviso.

Roukendorf v. Taylor, 4 Peters' Reports, 340.

Purchaser to pay the amount of taxes, &c. at the time of sale:

And the residue in ten days after two years, &c.

Amount of residue to be deposited in the city treasury subject to the order of the proprietor, &c.

Title in fee to the purchaser.

Proviso.

Notice to purchaser in case of redemption.

Purchaser failing to pay residue, to pay ten per cent. per annum, &c.

Proviso.

A year allowed to minors and mortgagees and others with equitable interest to redeem.

from the corporation; and the said interest shall alike be subject to the order of the original proprietor or proprietors, as the residue of the purchase money as aforesaid: *Provided, also,* That no sale shall be made, in pursuance of this section, of any improved property whereon there is personal property of sufficient value to pay the said taxes: and that minors, mortgagees, or others having equitable interest in real property, which property shall be sold for taxes as aforesaid, shall be allowed one year after such minors' coming to, or being of full age, or after such mortgagees, and others having equitable interests, obtaining possession of, or a decree for the sale of, such property, to redeem the property so sold from the purchaser or purchasers, his, her, or their, assigns, on paying the amount of purchase money so paid therefor, with ten per cent. interest thereon as aforesaid, and all the taxes that have been paid thereon by the purchaser, or his assigns, between the day of sale and the period of such redemption, with ten per cent. interest on the amount of such taxes, and also the full value of the improvements which may have been made or erected on such property, by the purchaser, or his assigns, while the same was in his or their possession. *And provided, moreover,* That where the estate of the tenant in default, as for years, or for life or lives, shall be sufficient to defray the taxes chargeable thereupon, such estate only shall be liable to be sold under the provisions of this act.

Proviso.

The collector may postpone sale for want of bidders, &c.

SEC. 11. *And be it further enacted,* That it shall be lawful for the collector or other officer (duly authorized) to postpone, after such advertisement, the sale of any property advertised according to the provisions of the foregoing section, to any future day, for the want of bidders, he giving public notice of such postponement, and the sale made at such postponed time shall be equally valid as if made on the day stated in the advertisement.

Collector may proceed by distress and sale, on ten days' notice, &c.

SEC. 12. *And be it further enacted,* That the person or persons appointed to collect any tax imposed by virtue of the powers granted by this act, shall have authority to collect the same by distress and sale of the goods and chattels of the person chargeable therewith; but no such sale shall be made unless ten days' previous notice thereof be given in some newspaper printed in the city of Washington. And the provisions of the acts of Assembly of Maryland, now in force within the county of Washington, relating to the right of replevying personal property taken in execution for public taxes, shall apply to all cases of personal property taken by distress to satisfy taxes imposed by virtue of this act.

Acts of Maryland, relative to personal property taken by distress for taxes, &c.

Levy court of Washington county.

Expenditures by levy court, to which the corporation must contribute.

SEC. 13. *And be it further enacted,* That the levy court of the county of Washington, in the District of Columbia, shall not possess the power of assessing any tax on property in the city of Washington; nor shall the corporation of the said city be obliged to contribute, in any manner, towards the expenses or expenditures of said court, except for the one-half part of the expenses incurred on account of the orphans' court, the office of coroner, the jail of said county, and the opening and repairing of roads in the county of Washington, east of Rock creek, leading directly to the city of Washington, but the said corporation shall have the sole control and management of the bridge across or over Rock creek, at the termination of K street north; and shall be chargeable with the expense of keeping the same in repair, and rebuilding it when necessary.

The clerk of the circuit court and register of wills to furnish the city register with lists of the transfers of real property semi-annually.

SEC. 14. *And be it further enacted,* That the clerk of the circuit court, and the register of wills for the county of Washington, respectively, shall furnish the register of the city, or other officer of the corporation, appointed to receive the same, on or about the first Monday in January and July, in every year, correct lists of the transfers of real property in the city, during the next preceding half year, so far as can be ascertained by the records in their respective offices; and the said corpo-

ration shall make to the said clerk and register of wills such compensation therefor as shall be agreed on between the respective parties, not exceeding six cents for each transfer on such lists.

SEC. 15. *And be it further enacted,* That the commissioner of the public buildings, or other person appointed to superintend the United States' disbursements in the city of Washington, shall reimburse to the said corporation a just proportion of any expense which may hereafter be incurred, in laying open, paving, or otherwise improving any of the streets or avenues in front of, or adjoining to, or which may pass through or between any of the public squares or reservations, which proportion shall be determined by a comparison of the length of the front, or fronts, of the said squares or reservations of the United States, on any such street or avenue, with the whole extent of the two sides thereof; and he shall cause the curb stones to be set, and foot ways to be paved, on the side or sides of any such street or avenue, whenever the said corporation shall, by law, direct such improvements to be made by the proprietors of the lots on the opposite side of any such street or avenue, or adjacent to any such square or reservation; and he shall cause the footways to be paved, and the curb stones to be set, in front of any lot or lots belonging to the United States, when the like improvements shall be ordered by the corporation in front of the lots adjoining, or squares adjacent thereto; and he shall defray the expenses directed by this section, out of any moneys arising from the sale of lots in the city of Washington, belonging to the United States, and from no other fund. (a)

SEC. 16. *And be it further enacted,* That the present boards of aldermen and common council shall, before the last Monday in May next, divide the said city into as many wards as in their opinion shall be most conducive to the interests of the city; and the boards of aldermen and common council, may, from time to time, as the interests of the city shall require, alter the number and boundaries of the said wards: *Provided,* That the said wards shall, at all times, be so laid off, altered, and bounded, that each ward shall comprise, as near as may be, an equal number of the inhabitants of the said city: *And provided, however,* That if such division shall not be made prior to the said last Monday in May, then the said city shall be divided into six wards, in manner following, to wit: All that part of said city to the westward of Sixteenth street west, shall constitute the first: that part to the eastward of Sixteenth street west, and to the westward of Tenth street west, shall constitute the second; that part to the eastward of Tenth street west, to the westward of First street west, and to the northward of E street south, shall constitute the third; that part to the eastward of First street west, to the westward of Eighth street east, and to the northward of E street south, shall constitute the fourth; that part to the eastward of Tenth street west, to the westward of Fourth street east, and to the southward of E street south, shall constitute the fifth; and the residue of the city shall constitute the sixth ward. The expenses which may be incurred in improving and repairing the streets which form the boundaries of the several wards, shall be defrayed out of the taxes raised in the wards which adjoin the same, respectively, in equal proportions; and the present boards of aldermen and common council shall, before the first Monday in June next, apportion, by law, such portions of the debt of the city, as have been heretofore chargeable to the existing wards, amongst the wards established by this section, upon just and equitable principles. And the board of aldermen shall, so soon as the same shall have been organized, on the second Mon-

Commissioner of public buildings, &c. to reimburse to the corporation a just proportion of expense in opening and improving streets, passing through or between public squares, &c.

Proportion to be determined by comparison, &c.

Expenses to be defrayed by commissioner out of money from sale of public lots.

The boards may divide the city into wards, &c.

Proviso.

Proviso.

First ward.

Second ward.

Third ward.

Fourth ward.

Fifth ward.

Sixth ward.

Expenses of improving streets bounding wards, to be defrayed out of taxes raised in the wards adjoining, &c.

Board of aldermen to be divided into two classes.

(a) By an act supplementary to the act, entitled "An act to incorporate the inhabitants of the city of Washington, and to repeal all acts heretofore passed for that purpose," passed 15th May, 1820; May 20, 1826, ch. 130; this section "shall not be construed so as to extend the provisions of said section as well to public open spaces as to public squares or reservations."

day in June next, divide the members into two classes, in manner following, to wit: Those members who are now in office, and, by virtue of their election in June last, shall be entitled to take their seats in the new board, as members from the wards in which they shall, respectively, reside, shall be placed in the first class; and those members who shall be elected from the same wards in June next, shall be placed in the second class; and the other members shall be placed in their respective classes by lot; and the seats of the first class shall be vacated at the end of the first year, and the seats of the second class shall be vacated at the end of the second year; so that one member shall be elected in each ward every year thereafter. And the members of the board of aldermen shall be hereafter, ex officio, justices of the peace for the county of Washington, unless holding commissions in the army or navy of the United States.

SEC. 17. *And be it further enacted*, That this act shall continue in force for and during the term of twenty years, and until Congress shall, by law, determine otherwise.

APPROVED, May 15, 1820.

STATUTE I.

May 15, 1820.

Act of March 3, 1817, ch. 45.

Act of March 3, 1797, ch. 20.

An officer to be designated by the President, as agent of the treasury.

Officers receiving public money before it is paid into the treasury, failing to account—

The 1st comptroller to state and certify the amount due—

The agent to issue a warrant of distress against delinquent and sureties to the marshal.

Marshal or deputy to proceed to levy and collect by distress and sale of goods and chattels of delinquent.

Ten days' notice of sale, at two or more public places, &c.

Goods, &c.

CHAP. CVII.—*An Act providing for the better organization of the Treasury Department.*

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 such officer of the Treasury Department as the President of the United States shall, from time to time, designate for that purpose, as the agent of the treasury, to direct and superintend all orders, suits, or proceedings, in law or equity, for the recovery of money, chattels, lands, tenements, or hereditaments, in the name, and for the use of the United States.

SEC. 2. *And be it further enacted*, That from and after the thirtieth day of September next, if any collector of the revenue, receiver of public money, or other officer who shall have received the public money before it is paid into the treasury of the United States, shall fail to render his account, or pay over the same in the manner, or within the time required by law, it shall be the duty of the first comptroller of the treasury to cause to be stated the account of such collector, receiver of public money, or other officer, exhibiting truly the amount due to the United States, and certify the same to the agent of the treasury, who is hereby authorized and required to issue a warrant of distress against such delinquent officer and his sureties, directed to the marshal of the district in which such delinquent officer and his surety or sureties shall reside; and where the said officer and his surety or sureties shall reside in different districts, or where they, or either of them, shall reside in a district other than that in which the estate of either may be situate, which may be intended to be taken and sold, then such warrant shall be directed to the marshals of such districts, and to their deputies respectively; therein specifying the amount with which such delinquent is chargeable, and the sums, if any, which have been paid. And the marshal authorized to execute such warrant, shall, by himself or by his deputy, proceed to levy and collect the sum remaining due, by distress and sale of the goods and chattels of such delinquent officer; having given ten days' previous notice of such intended sale, by affixing an advertisement of the articles to be sold at two or more public places in the town and country where the said goods or chattels were taken, or in the town or county where the owner of such goods or chattels may reside; and if the goods and chattels be not sufficient to satisfy the said warrant, the same may be levied upon the person of such officer, who may be committed to prison, there to remain until

discharged by due course of law. Notwithstanding the commitment of such officer, or if he abscond, or if goods and chattels cannot be found sufficient to satisfy the said warrant, the marshal or his deputy may, and shall proceed to levy and collect the sum which remains due by such delinquent officer, by the distress and sale of the goods and chattels of the surety or sureties of such officer; having given ten days' previous notice of such intended sale, by affixing an advertisement of the articles to be sold, at two or more public places in the town or county where the said goods or chattels were taken, or in the town or county where the owner of such goods or chattels resides. And the amount due by any such officer as aforesaid, shall be, and the same is hereby declared to be, a lien upon the lands, tenements, and hereditaments of such officer and his sureties, from the date of a levy in pursuance of the warrant of distress issued against him or them, and a record thereof, made in the office of the clerk of the district court of the proper district, until the same shall be discharged according to law. And for want of goods and chattels of such officer, or his surety or sureties, sufficient to satisfy any warrant of distress issued pursuant to the provisions of this act, the lands, tenements, and hereditaments of such officer and his surety or sureties, or so much thereof as may be necessary for that purpose, after being advertised for at least three weeks in not less than three public places in the county or district where such real estate is situate, prior to the time of sale, may and shall be sold by the marshal of such district or his deputy; and for all lands, tenements, or hereditaments sold in pursuance of the authority aforesaid, the conveyance of the marshals or their deputies, executed in due form of law, shall give a valid title against all persons claiming under such delinquent officer, or his surety or sureties. And all moneys which may remain of the proceeds of such sales, after satisfying the said warrant of distress, and paying the reasonable costs and charges of the sale, shall be returned to such delinquent officer or surety, as the case may be: *Provided*, That the summary process herein directed shall not affect any surety of any officer of the United States, who became bound to the United States before the passing of this act; but each and every such officer shall, on or before the thirtieth day of September next, give new and sufficient sureties for the performance of the duties required of such officer. (a)

being insufficient, the person of the officer is liable, &c.

Warrants remaining unsatisfied by proceedings against delinquent.

Ten days' notice of sale, at two or more public places, &c.

Amount due by delinquent officer, a lien upon lands, &c. of himself and sureties.

For want of goods, &c. lands, &c. may be sold.

Three weeks' notice of sale of lands, &c.

Conveyance of the marshal to give a valid title to lands sold, &c.

(a) The cases decided upon the provisions of this section are :

The Treasury Department of the United States, on the 14th of July, 1829, issued a warrant of distress, directed to the marshal of the District of Columbia, commanding him to levy and collect, by distress and sale of his goods and chattels, a sum of money alleged to be due to the United States, on a treasury transcript, by Joseph Nourse late register of the treasury. This warrant was issued in pursuance of the 2d, 3d, and 4th sections of the act of May 15th, 1820, "providing for the better organization of the Treasury Department." Under the provisions of the 4th section of the act, Mr. Nourse obtained an injunction from the chief justice of the District of Columbia to stay all further proceedings on the said warrant. The bill presented by Mr. Nourse to the chief justice of the District of Columbia asserted that the United States was indebted to him for compensation for extra services he had rendered to the United States, in a sum exceeding the amount claimed by the United States: which claim was denied in the answer filed by the district attorney of the United States, both as to the legality and the amount of the claim.

The court determined that Mr. Joseph Nourse was entitled to compensation for the extra services he had rendered to the government, in the agencies mentioned in the bill; and appointed auditors to ascertain the value of his services and compensation, and to report thereon without delay. The report of the auditors allowed to the complainant a commission of two and a half per cent. on the sum of nine hundred and forty-three thousand three hundred and eight dollars, and eighty-three cents, disbursed by him in the several agencies in which he had been employed, leaving a balance due to him from the United States. The report was confirmed, and the injunction made perpetual.

The United States then instituted their suit against Joseph Nourse in the circuit court for the District of Columbia, in the county of Washington, on an account authenticated according to law, by the proper accounting officers, being the same account, and claiming the same amount as in the warrant of distress, and on which the decree of the Chief Justice was pronounced. It was agreed that the defendant should have the benefit of the proceedings in that case, as if the same had been pleaded and given in evidence. The circuit court adjudged the proceedings in the former action a bar to this action.

By the Court. It is a rule to which no exception is recollected, that the judgment of a court of competent jurisdiction, while unreversed, concludes the subject-matter as between the same parties. They cannot again bring it into litigation. The United States v. Nourse, 9 Peters' Rep. 8.

SEC. 3. *And be it further enacted,* That, from and after the thirtieth day of September next, if any officer employed, or who has heretofore been employed, in the civil, military, or naval, departments of the government, to disburse the public money appropriated for the service of those

An execution is the end of the law. It gives the successful party the fruits of his judgment, and the distress warrant is a most effective execution. It may act on the body and estate of the individual against whom it is directed. *Ibid.*

It would excite some surprise if, in a government of laws and of principle, furnished with a department whose appropriate duty is to decide questions of right, not only between individuals, but between the government and individuals, a ministerial officer might, at his discretion, issue this powerful process, and levy on the person, lands, and chattels of the debtor, any sum he might believe to be due, leaving to that debtor no remedy, no appeal to the laws of his country, if he should believe the claim to be unjust. But this anomaly does not exist; this imputation cannot be cast on the legislature of the United States. *Ibid.*

Under the act of Congress the chief justice of the District of Columbia had full jurisdiction over the case. *Ibid.*

After a reference to auditors, according to the course of courts of chancery in matters of account, a final decree was pronounced against the United States, and a perpetual injunction awarded. This decree is now in full force, and was in force when this suit was instituted. The act of Congress gave jurisdiction in the specific case to the district judge. He might have enjoined the whole or a part of the warrant. His decree might have been for or against the United States for the whole or a part of the claim. On the sum which he found to be due, he is directed to assess the lawful interest; he may add such damages, as with the interest, shall not exceed the rate of ten per cent. per annum on the principal sum. Had the district judge finally enjoined a part of the sum claimed by the United States, and decreed that the residue should be paid with interest, all would perceive the unfitness of asserting a claim in a new action to that portion of the debt which had been enjoined by the decree of the court. And, yet between the obligation of a decree, against the whole claim, and against a part of it, no distinction is perceived. *Ibid.*

The relief which is given by the act of Congress on which the warrant of distress may be issued, by application to any district judge of the United States for an injunction to stay proceedings on such warrant, is not confined to an officer employed in the civil, military, or naval departments of the government, to disburse the public money appropriated for the service of those departments respectively, who shall fail to render his accounts, or pay over in the manner required by law, any sum of money remaining in the hands of such officer. *Ibid.*

When the legislature turns its attention to the individual against whom the warrant may issue, the language of the law is immediately changed. The word person is substituted for officer; and it declares, "that if any person should consider himself aggrieved by any warrant issued under this act, he may prefer a bill of complaint, &c.," and thereupon the judge may grant an injunction, &c. *Ibid.*

The character of the individual against whom the warrant may be issued is entirely disregarded by that part of the law. Be he whom he may, an officer or not an officer, a debtor or not a debtor; if the warrant be levied on his person or property, he is permitted to appeal to the laws of his country, and to bring his case before the district judge, to be adjudicated by him. *Ibid.*

The district judge had full jurisdiction over the case, and his decision is final. The judgment on the warrant of distress, and the proceedings upon it are, consequently, a bar to any subsequent action for the same cause. *Ibid.*

A party was arrested and held in custody, by virtue of a distress warrant, issued from the Treasury Department, under an act of Congress passed the 15th of May, 1820, "to provide for the better organization of the Treasury Department." The act provides, in substance, for the issuing of this warrant by the agent of the treasury, against all military and naval officers, &c., charged with the disbursement of the public moneys, who shall fail to pay and settle their accounts at the Treasury Department. The party in custody, was a lieutenant in the navy of the United States, and had officiated as acting purser of a national ship, supplying a vacancy occasioned by the death of the regularly commissioned purser of the ship, on the Mediterranean station, and had executed no official bond as purser. On his return to the United States, he had settled his account at the proper department, viz., in 1828; and in 1833, the then fourth auditor, opened and re-stated his account, on the ground that it had been erroneously settled in the first instance, and the account as re-stated, exhibited a large balance against the party, due to the United States. Upon this re-stated account, the distress warrant was issued, by virtue whereof, the party was arrested and was brought before the circuit court under a writ of habeas corpus, directed to the officer, who executed the warrant, and held the petitioner in custody. *Held,* That the account of the petitioner as acting purser, having been once stated, and settled at the Treasury Department, the law invests the auditor with no power to open and re-settle it, of his own mere authority. The act creates a special and limited jurisdiction; and after the accounts of any class of officers, on whom it was intended to act, have been adjusted, however erroneously, that special jurisdiction is functus officio, and any process issued upon a re-establishment of such accounts, is absolutely null and void.

BARBOUR, J. That, assuming that the act, under which this arrest was made, does not violate the Constitution of the United States, which declares, that "the judicial power of the United States shall be vested in one supreme court, and in such inferior courts as Congress shall, from time to time, ordain and establish; the judges, both of the supreme and inferior courts, shall hold their offices during good behaviour," and extends the judicial power to "controversies to which the United States shall be a party;" yet, the authority vested by this law in certain agents of the treasury, and all acts done in pursuance thereof, are purely ministerial. The statement or certificate, authorized by the act, is not a judgment, and the warrant which coerces payment, is not judicial process. They are ministerial acts, (for, otherwise, they could not be sustained,) and the general principles of construction require, that the authority vested by the act, shall be strictly and literally pursued. Per MARSHALL,

departments respectively, shall fail to render his accounts, or to pay over, in the manner, and in the times, required by law, or the regulations of the department to which he is accountable, any sum of money remaining in the hands of such officer, it shall be the duty of the first or second comptroller of the treasury, as the case may be, who shall be charged with the revision of the accounts of such officer, to cause to be stated and certified, the account of such delinquent officer, to the agent of the treasury, who is hereby authorized and required immediately to proceed against such delinquent officer, in the manner directed in the preceding section, all the provisions of which are hereby declared to be applicable to every officer of the government charged with the disbursement of the public money, and to their sureties, in the same manner, and to the same extent, as if they had been described and enumerated in the said section: *Provided, nevertheless,* That the said agent of the treasury, with the approbation of the Secretary of the Treasury, in cases arising under this or the preceding section, may postpone, for a reasonable time, the institution of the proceedings required by this act, where, in his opinion, the public interest will sustain no injury by such postponement.

SEC. 4. *And be it further enacted,* That if any person should consider himself aggrieved by any warrant issued under this act, he may prefer a bill of complaint to any district judge of the United States, setting forth therein the nature and extent of the injury of which he complains; and thereupon the judge aforesaid may, if in his opinion the case requires it, grant an injunction to stay proceedings on such warrant altogether, or for so much thereof as the nature of the case requires; but no injunction shall issue till the party applying for the same shall give bond, and sufficient security, conditioned for the performance of such judgment as shall be awarded against the complainant, in such amount as the judge granting the injunction shall prescribe; nor shall the issuing of such injunction in any manner impair the lien produced by the issuing of such warrant. And the same proceedings shall be had on such injunction as in other cases, except that no answer shall be necessary on the part of the United States; and if, upon dissolving the injunction, it shall appear to the satisfaction of the judge who shall decide upon the same, that the application for the injunction was merely for delay, in addition to the lawful interest which shall be assessed on all sums which may be found due against the complainant, the said judge is hereby authorized to add such damages as that, with the lawful interest, it shall not exceed the rate of ten per centum per annum on the principal sum.

SEC. 5. *And be it further enacted,* That such injunctions may be granted or dissolved by such judge, either in or out of court.

SEC. 6. *And be it further enacted,* That if any person shall consider himself aggrieved by the decision of such judge, either in refusing to issue the injunction, or, if granted, on its dissolution, it shall be competent for such person to lay a copy of the proceedings had before the district judge before a judge of the Supreme Court, to whom authority is hereby given,

Officers employed to disburse public moneys, being delinquent, in rendering account or paying over, &c., the 1st or 2d comptroller to state and certify the accounts, and the agent of the treasury to proceed against them by warrant of distress, &c.

Proviso.

Persons aggrieved may prefer a bill of complaint to a district judge, &c.

The judge may grant an injunction.

No injunction until bond and security.

Injunction not to impair the lien of the warrant.

Damages, if application for the injunction was merely for delay.

Injunction, &c., either in or out of court.

Persons aggrieved by the district judge, may apply to a judge of the Supreme Court,

C. J. The act does not apply, in sound construction, to every commissioned officer of the army or navy of the United States, to whose hands any public money may be intrusted, but only to those regularly appointed disbursing officers, who have given official bonds, with sureties for the faithful discharge of the duties of their office; it does not embrace a mere acting purser in the navy. The construction put by the court upon this act does not affect the responsibility of a temporary acting disbursing officer of the army or navy, but simply denies his liability to the particular process authorized by the act. The responsibility of such an officer is precisely the same with that of the regularly appointed officer, who has given his official bond with surety; and if his account has been erroneously settled, it may be opened, and any balance remaining due from him to the United States, may be recovered in a regular course of legal proceeding. *Per Curiam.* In case of an erroneous settlement, a bill in equity would lie to surcharge and falsify, as in the case of a settled account between individuals. If even at law, though the settled account would be prima facie evidence, might not the true balance be recovered upon proving mistakes and omissions? *Per BARBOUR, J. Ex parte Randolph,* 2 Brockenk. C. C. R. 447.

who may grant relief.

Attorneys of the United States to conform to instructions from the agent of the treasury.

Attorneys, at the end of every term, to forward a statement of cases decided, &c. and information, to the agent, &c.

Clerks of circuit and district courts, within 30 days after term, to forward a list of judgments and decrees entered, to the agent, showing the amount, &c.

Marshals, within 30 days before terms, to make returns, to the agent, of proceedings on writs of execution, &c.

Nothing in this act to impair any right or remedy, under preceding laws.

STATUTE I.

May 15, 1820.

[Obsolete.]

The President authorized to cause to be built, &c. not exceeding five vessels of war, of not more than 12 guns each.

60,000 dolls. appropriated for the object.

STATUTE I.

May 15, 1820.

[Expired.]

Act of April 10, 1806, ch. 25,

either to grant the injunction, or permit an appeal, as the case may be, if, in the opinion of such judge of the Supreme Court, the equity of the case requires it; and thereupon the same proceedings shall be had upon such injunction in the circuit court, as are prescribed in the district court, and subject to the same conditions in all respects whatsoever.

SEC. 7. *And be it further enacted*, That the attorneys of the United States, for the several judicial districts of the United States, in the prosecution of all suits in the same, in the name and for the benefit of the United States, shall conform to such directions and instructions, touching the same, as shall, from time to time, be given to them, respectively, by the said agent of the treasury. And it shall, moreover, be the duty of each of the said attorneys, immediately after the end of every term of the district and circuit courts, or of any state court, in which any suit or action may be pending, on behalf of the United States, under the direction of any district attorney, to forward to the said agent of the treasury a statement of the cases which have been decided during the said term, together with such information touching such cases as may not have been decided, as may be required by the said officer.

SEC. 8. *And be it further enacted*, That it shall be the duty of the clerks of the district and circuit courts, within thirty days after the adjournment of each successive term of the said courts, respectively, to forward to the said agent of the treasury a list of all judgments and decrees which have been entered in the said courts, respectively, during such term, to which the United States are parties, showing the amount which has been so adjudged or decreed for or against the United States, and stating the term to which execution thereon will be returnable. And it shall, in like manner, be the duty of the marshals of the several judicial districts of the United States, within thirty days before the commencement of the several terms of the said courts, to make returns, to the said agent, of the proceedings which have taken place upon all writs of execution or other process which have been placed in his hands for the collection of the money which has been so adjudged and decreed to the United States in the said courts, respectively.

SEC. 9. *And be it further enacted*, That nothing in this act contained shall be construed to take away or impair any right or remedy which the United States now have, by law, for the recovery of taxes, debts, or demands.

APPROVED, May 15, 1820.

CHAP. CVIII.—*An Act authorizing the building of a certain number of small vessels of war.*

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 is hereby authorized to cause to be built and equipped, any number of small vessels of war (not exceeding five) which, in his judgment, the public service may require; the said vessels to be of a force not more than twelve guns each, according to the discretion of the President. And, for carrying this act into effect, the sum of sixty thousand dollars is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 15, 1820.

CHAP. CIX.—*An Act to revive and continue in force an act, entitled "An act to provide for persons who were disabled by known wounds received in the revolutionary 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 act, entitled "An

act to provide for persons who were disabled by known wounds received in the revolutionary war," passed on the tenth of April, one thousand eight hundred and six, and limited, as in said act declared, to the term of six years, and afterwards revived and continued in force by an act, entitled "An [act] to revive and continue in force 'An act to provide for persons who were disabled by known wounds received in the revolutionary war,' and for other purposes," for and during the term of six years, as in the said act is declared, shall be, and the same is hereby, revived, and is continued in force for one year, and no longer, from the passing of this act; *Provided*, That this act shall not be construed to repeal or make void the fourth section of an act, entitled "An act concerning invalid pensions," passed the third of March, one thousand eight hundred and nineteen; but the said fourth section of the said last-mentioned act shall be, and hereby is declared to be, in full force and effect, any thing in the said act hereby revived and made perpetual to the contrary notwithstanding.

SEC. 2. *And be it further enacted*, That the right any person now has, or may hereafter acquire, to receive a pension in virtue of any law of the United States, be considered to commence at the time of completing his testimony, pursuant to the act hereby revived and continued in force.

SEC. 3. *And be it further enacted*, That the agents for the payment of invalid pensioners of the United States shall, in future, be required to give bond, with two or more sureties, to be approved by the Secretary for the Department of War, in a sum not exceeding five thousand dollars, for the faithful discharge of the duties confided to them, respectively.

APPROVED, May 15, 1820.

continued in force to 15th May, 1821.

Act of April 25, 1812, ch. 69.

Proviso; this act not to make void the 4th section of the act of 3d March, 1819, ch. 99.

The right to receive a pension to commence at the time of completing the testimony.

Agents for paying pensions to give bond, in not exceeding 5000 dollars.

STATUTE I.

CHAP. CX.—*An Act designating the ports within which only foreign armed vessels shall be permitted to enter.*

May 15, 1820.

[Expired.]

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, after the first day of July, one thousand eight hundred and twenty, it shall not be lawful for any foreign armed vessels to enter any harbour belonging to the United States, excepting only those of Portland, Boston, New London, New York, Philadelphia, Norfolk, Smithville, in North Carolina, Charleston, and Mobile; unless when such vessels shall be forced in by distress, by the dangers of the sea, or by being pursued by an enemy, and be unable to make any of the ports above mentioned; in which cases, the commanding officer shall immediately report his vessel to the collector of the district, stating the object or causes of his entering such harbour; shall take such position therein as shall be assigned him by such collector, and shall conform himself to such regulations as shall be signified to him by the said collector, under the authority and direction of the President of the United States.

After 1st July, 1820, foreign armed vessels to enter certain ports only, unless forced in by distress, dangers of the seas, or an enemy, &c.

SEC. 2. *And be it further enacted*, That it shall be lawful for the President of the United States to employ such part of the land and naval forces of the United States, or the militia thereof, as he may deem necessary to enforce the provisions of the first section of this act; and the President shall also be authorized to employ such forces to prevent any foreign armed vessel from entering or remaining within any waters within the jurisdiction of the United States, except such as shall lie in her direct course in entering from sea, or leaving, to proceed to sea, either of the harbours above mentioned.

The President may employ land and naval forces and militia, to enforce this act.

SEC. 3. *And be it further enacted*, That this act shall continue in force

This act in force until 1st July, 1822.

until the first day of July, one thousand eight hundred and twenty-two, and no longer.

APPROVED, May 15, 1820.

STATUTE I.

May 15, 1820.

The terms to be hereafter holden on the first Monday in May and second Monday in October.

Suits, &c. commenced and pending, made valid to the times fixed.

Appeals and writs of error to the Supreme Court, as from circuit courts.

Act of April 20, 1818, ch. 103.

Salaries to the district attorneys and marshals of the western district of Pennsylvania and northern district of New York.

STATUTE I.

May 15, 1820.

The Secretary of the Treasury to provide, by contract, for a lighthouse on

CHAP. CXI.—*An Act for altering the times for holding the court of the United States for the western district of Pennsylvania, and for other purposes. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the terms of the district court for the western district of Pennsylvania, which are now directed by law to be holden on the first Mondays of the months of June and December, in each year, shall hereafter be holden, for the said district, on the first Monday in May, and second Monday in October, in each year.

SEC. 2. *And be it further enacted,* That all actions, suits, process, pleadings, and other proceedings, commenced or pending in the said district court, shall be as good and valid to the said first Monday in May, and second Monday in October, in each year, as if this change had not been made, any law to the contrary notwithstanding.

SEC. 3. *And be it further enacted,* That appeals and writs of error shall lie from decisions in the said district court for the western district of Pennsylvania, when exercising the powers of a circuit court, to the Supreme Court of the United States, in the same manner as from circuit courts; and that so much of the fourth section of the act, entitled "An act to divide the state of Pennsylvania into two judicial districts," passed on the twentieth day of April, one thousand eight hundred and eighteen, as provides that writs of error shall lie from decisions in the said district court to the circuit court in the eastern district of Pennsylvania, be, and the same is hereby, repealed.

SEC. 4. *And be it further enacted,* That there shall be allowed to the district attorney, and to the marshal of the said western district of Pennsylvania, and the northern district of New York, the yearly sum of two hundred dollars each; to commence from the twentieth day of April, one thousand eight hundred and nineteen; to be paid quarterly, at the treasury of the United States.

APPROVED, May 15, 1820.

CHAP. CXII.—*An Act to authorize the erection of a lighthouse on one of the Isles of Shoals, near Portsmouth, in New Hampshire, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, as soon as the jurisdiction of such one of the Isles of Shoals, in the state of New Hampshire, in the state of Massachusetts, or in the state of Maine, as the President of the United States shall select for the site of a lighthouse,

(a) *Acts relating to the courts of the United States in the western district of Pennsylvania:*

An act to divide the state of Pennsylvania into two judicial districts, April 20, 1818, ch. 108.

An act concerning the western district court of Pennsylvania, Dec. 16, 1818, ch. 4.

An act for altering the times for holding the court of the United States for the western district of Pennsylvania, May 15, 1820, ch. 111.

An act to alter the judicial districts of Pennsylvania, and for other purposes, May 26, 1824, ch. 170.

An act supplementary to an act entitled "An act to amend the judicial system of the United States," March 3, 1837, ch. 34, sec. 4.

An act respecting the jurisdiction of certain district courts, Feb. 19, 1831, ch. 28.

An act altering the time of holding the district court of the United States for the western district of Pennsylvania, May 8, 1840, ch. 23.

An act to authorize the judge of the district court for the western district of Pennsylvania, to hold a special session of said court, March 19, 1842, ch. 6.

An act to amend "An act for altering the time of holding the district court of the United States, for the western district of Pennsylvania at Williamsport," approved May 8, one thousand eight hundred and forty, July 27, 1842, ch. 68.

shall be ceded to, and the property thereof vested in, the United States, it shall be the duty of the Secretary of the Treasury to provide, by contract, which shall be approved by the President, for building a lighthouse on such island, to be so lighted as to be distinguishable from other lighthouses on the east and west of the same; and, also, to agree for the salaries, wages, or hire, of the person or persons to be appointed by the President for the superintendence of the same.

SEC. 2. *And be it further enacted,* That the sum of five thousand dollars be, and the same is hereby, appropriated, for the purpose of building such lighthouse, to be paid out of any moneys in the treasury, not otherwise appropriated.

SEC. 3. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby, authorized to provide, by contract, for building lighthouses, erecting piers, beacons, or land marks, and building and placing light vessels, or boats, and buoys, on the following sites or shoals, to wit: A pier at the mouth of Kennebunk river, in the state of Maine; two lighthouses, one on Tenpound island, at the entrance into Gloucester harbour, and the other on Baker's island, near Salem, in the state of Massachusetts; a lighthouse at a proper site near the mouth of Genessee river, in the state of New York; a buoy on Southwest Ledge, and another on Adams' Fall, in or near to the harbour of New Haven, in the state of Connecticut: A light vessel at the end of Smith's Point Shoals, in the Chesapeake bay, in the state of Virginia: A lighthouse on Shell Castle Island, in the state of North Carolina: or, in lieu thereof, a light vessel, to be moored in a proper place, near the said island, if, in the opinion of the Secretary of the Treasury, the latter shall be preferred: A beacon and two buoys on proper sites in the channel leading to the harbour of Charleston, in the state of South Carolina: A lighthouse on a proper site in Mobile bay, in the state of Alabama, or, in lieu thereof, a light vessel in the said bay; if the same shall be preferred: A light vessel, should the same be deemed necessary by the Secretary of the Treasury, at the mouth of the Mississippi, in the state of Louisiana.

SEC. 4. *And be it further enacted,* That there be appropriated, out of any moneys in the treasury not otherwise appropriated, the following sums of money, to accomplish the objects specified in this act, to wit: for erecting a pier at the mouth of Kennebunk river, a sum not exceeding five thousand dollars; for placing a bell near the lighthouse on West Quody Head, a sum not exceeding one thousand dollars; for erecting two lighthouses, one on Tenpound Island, and the other on Baker's Island, and placing three buoys on the rocks and flats near Salem, a sum not exceeding nine thousand dollars; for defraying the expense of lighting the lighthouse on the south side of the harbour of Nantucket, and superintending the same, a sum not exceeding three hundred dollars; for a lighthouse near the mouth of Genessee river, a sum not exceeding five thousand dollars; for placing two buoys, one on Southwest Ledge, and the other on Adams' Fall, in or near the harbour of New Haven, a sum not exceeding three hundred dollars; for a light vessel, and placing the same at the end of Smith's Point Shoals, a sum not exceeding eight thousand dollars; for a lighthouse on Shell Castle Island, or a light vessel, if preferred, a sum not exceeding fourteen thousand dollars; for a beacon and two buoys on proper sites in or near to the channel leading to Charleston harbour, a sum not exceeding six thousand five hundred dollars; for a lighthouse, or light vessel, for Mobile bay, a sum not exceeding nine thousand dollars; for a light vessel at the mouth of the Mississippi, a sum not exceeding fifteen thousand dollars.

SEC. 5. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby, authorized, if he shall deem it expedient and proper, to build the lighthouse directed to be built on Sparrow's Point, in the state of Maryland, on North Point in said state; and also to substitute a

the Isles of Shoals, as soon as the jurisdiction has been ceded, &c.

And to agree for salaries, &c. of superintendents.

Appropriation for the lighthouse on the Isles of Shoals.

The Secretary of the Treasury to provide, by contract, for building other lighthouses, piers, &c.

Kennebunk river.
Tenpound Island.
Baker's Island.
Genessee river.
South-west Ledge.
Adams' Fall.
Smith's Point.
Shell Castle Island.
Charleston.
Mobile bay.
Mouth of the Mississippi.

Sums appropriated for objects of this act.

The lighthouse directed on Sparrow's Point may be built on North Point.

A light vessel may be substituted for a lighthouse on Craney Island.

Additional sums appropriated, for lighthouses and light vessels heretofore directed.

No lighthouse, &c. previous to cession of jurisdiction.

STATUTE I.

May 15, 1820.

First, 2d, 3d and 4th sections of act of 3d March, 1819, ch. 77, continued for two years, &c.

Fifth section of the act of 3d March, 1819, continued as to crimes heretofore committed.

Persons committing robbery, on any ship or vessel, or ship's company, &c. or on the high seas, in a roadstead, &c.

Conviction in circuit court where brought or found.

Persons engaged in any piratical enterprise, &c. and committing robbery on shore, declared pirates, and to suffer death.

Persons landing on a foreign shore, and seizing negroes or mulattoes, not held to service, &c. with intent to make them slaves, or decoying, forcibly bringing or carrying, &c. them on board, &c.

light vessel for the lighthouse directed to be built on Craney Island, at the mouth of Elizabeth river, in the state of Virginia.

SEC. 6. *And be it further enacted*, That, to complete the lighthouses and light vessels heretofore directed to be built, there be appropriated, out of any moneys in the treasury not otherwise appropriated, the following additional sums, to wit : for the lighthouses in the state of Maryland, a sum not exceeding six thousand six hundred dollars : for the lighthouse directed to be built between the mouth of Grand River, in the state of Ohio, and the mouth of Detroit River, in the territory of Michigan, five thousand dollars : and for the lighthouses or light vessels for the state of Virginia, a sum not exceeding six thousand six hundred dollars.

SEC. 7. *And be it further enacted*, That no lighthouse, beacon, nor landmark, shall be built or erected on any site previous to the cession of jurisdiction over the same being made to the United States.

APPROVED, May 15, 1820.

CHAP. CXIII.—*An Act to continue in force "An act to protect the commerce of the United States, and punish the crime of piracy," and also to make further provisions for punishing the crime of piracy.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the first, second, third, and fourth, sections of an act, entitled "An act to protect the commerce of the United States and punish the crime of piracy," passed on the third day of March, one thousand eight hundred and nineteen, be, and the same are hereby, continued in force, from the passing of this act for the term of two years, and from thence to the end of the next session of Congress, and no longer.

SEC. 2. *And be it further enacted*, That the fifth section of the said act be, and the same is hereby, continued in force, as to all crimes made punishable by the same, and heretofore committed, in all respects as fully as if the duration of the said section had been without limitation.

SEC. 3. *And be it further enacted*, That, if any person shall, upon the high seas, or in any open roadstead, or in any haven, basin, or bay, or in any river where the sea ebbs and flows, commit the crime of robbery, in or upon any ship or vessel, or upon any of the ship's company of any ship or vessel, or the lading thereof, such person shall be adjudged to be a pirate : and, being thereof convicted before the circuit court of the United States for the district into which he shall be brought, or in which he shall be found, shall suffer death. And if any person engaged in any piratical cruise or enterprise, or being of the crew or ship's company of any piratical ship or vessel, shall land from such ship or vessel, and, on shore, shall commit robbery, such person shall be adjudged a pirate : and on conviction thereof before the circuit court of the United States for the district into which he shall be brought, or in which he shall be found, shall suffer death : *Provided*, That nothing in this section contained shall be construed to deprive any particular state of its jurisdiction over such offences, when committed within the body of a county, or authorize the courts of the United States to try any such offenders, after conviction or acquittance, for the same offence, in a state court.

SEC. 4. *And be it further enacted*, That if any citizen of the United States, being of the crew or ship's company of any foreign ship or vessel engaged in the slave trade, or any person whatever, being of the crew or ship's company of any ship or vessel, owned in the whole or part, or navigated for, or in behalf of, any citizen or citizens of the United States, shall land, from any such ship or vessel, and, on any foreign shore, seize any negro or mulatto, not held to service or labour by the laws of either of the states or territories of the United States, with intent to make such negro or mulatto a slave, or shall decoy, or forcibly bring or carry, or shall receive, such negro or mulatto on board any

such ship or vessel, with intent as aforesaid, such citizen or person shall be adjudged a pirate; and, on conviction thereof before the circuit court of the United States for the district wherein he may be brought or found, shall suffer death.

declared pirates, and to suffer death.

SEC. 5. *And be it further enacted*, That if any citizen of the United States, being of the crew or ship's company of any foreign ship or vessel engaged in the slave trade, or any person whatever, being of the crew or ship's company of any ship or vessel, owned wholly or in part, or navigated for, or in behalf of, any citizen or citizens of the United States, shall forcibly confine or detain, or aid and abet in forcibly confining or detaining, on board such ship or vessel, any negro or mulatto not held to service by the laws of either of the states or territories of the United States, with intent to make such negro or mulatto a slave, or shall, on board any such ship or vessel, offer or attempt to sell, as a slave, any negro or mulatto not held to service as aforesaid, or shall, on the high seas, or any where on tide water, transfer or deliver over, to any other ship or vessel, any negro or mulatto, not held to service as aforesaid, with intent to make such negro or mulatto a slave, or shall land, or deliver on shore, from on board any such ship or vessel, any such negro or mulatto, with intent to make sale of, or having previously sold, such negro or mulatto, as a slave, such citizen or person shall be adjudged a pirate; and, on conviction thereof before the circuit court of the United States for the district wherein he shall be brought or found, shall suffer death.

Persons forcibly confining, detaining, or aiding to confine or detain negroes, &c. on board vessels, &c. declared pirates, and to suffer death.

APPROVED, May 15, 1820.

STATUTE I.

CHAP. CXVII. — *An Act for the relief of persons holding confirmed unlocated claims for lands in the state of Illinois.*

May 15, 1820.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all persons lawfully holding confirmed unlocated claims for land within the tract reserved by the third section of the act, entitled "An act confirming certain claims to land in the Illinois territory and providing for their location," passed the sixteenth day of April, in the year one thousand eight hundred and fourteen, be allowed until the first day of November, one thousand eight hundred and twenty, to register the same: and the said claims shall be receivable in payment for public lands within the said reserved tract, conformably with the provisions of the said act, and of the act, entitled "An act making further provision for settling claims to land in the territory of Illinois," passed the twenty-sixth day of April, one thousand eight hundred and sixteen, at any time before the first day of November, one thousand eight hundred and twenty.

Persons holding confirmed unlocated claims for land within the tract reserved by 3d section of act of 16th April, 1814, &c. Act of 1814, ch. 120. Claims to be receivable, &c. Act of 1816, ch. 101.

APPROVED, May 15, 1820.

STATUTE I.

CHAP. CXVIII. — *An Act in addition to the act, entitled "An act making appropriations for the support of government for the year one thousand eight hundred and twenty," and for other purposes.*

May 15, 1820.

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, appropriated, that is to say:

Act of April 11, 1820, ch. 38. Sums appropriated —

For compensation granted by law to the members of the Senate and House of Representatives, in addition to the appropriation heretofore made for that object, twenty-three thousand three hundred and forty dollars.

For compensation of members of Congress.

For rebuilding the public wharf, and repairing the public warehouses, on Staten Island, fifteen thousand dollars.

For public wharf, &c. on Staten Island.

For graduating the Capitol square, putting the grounds in order, and planting trees within the same, two thousand dollars.

For graduating Capitol square, planting trees, &c.

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

Arrearages.

SEC. 3. *And be it further enacted*, That the arrearages of the Department of War, from the first of July, one thousand eight hundred and fifteen, to the first of July, one thousand eight hundred and seventeen, be paid out of the sum of one hundred and fifty thousand dollars already appropriated for arrearages prior to the first of July, one thousand eight hundred and fifteen; any thing in the act entitled "An act in addition to the several acts for the establishment and regulation of the Treasury, War, and Navy Departments," passed the first of May, one thousand eight hundred and twenty, to the contrary notwithstanding.

Act of May 1,
1820, ch. 50.

APPROVED, May 15, 1820.

STATUTE I.

May 15, 1820.

CHAP. CXIX. — *An Act to provide for the building an addition to the custom-house now erecting in the city of New Orleans, for the use of the district court of the United States for the state of Louisiana.*

An addition
to be built to the
custom-house at
New Orleans.

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 cause to be built an addition to the custom-house now erecting in the city of New Orleans, which shall contain rooms suitable for the use of the district court of the United States for the state of Louisiana; and that so much of the appropriation for the erection of custom-houses and public warehouses as shall be sufficient for that purpose, be, and the same is hereby declared to be, applicable to that object.

When the
new building is
completed, the
present house
and lot, &c.
are to be sold,
&c.

SEC. 2. *And be it further enacted*, That, as soon as the said building shall be completed, the Secretary of the Treasury shall be authorized and required to cause to be sold, at public sale, upon such terms, and in such manner, as he shall judge to be expedient, the house and lot in which the district court is now held, and to cause the amount for which they shall be sold to be paid into the treasury of the United States.

APPROVED, May 15, 1820.

STATUTE I.

May 15, 1820.

CHAP. CXXI. — *An Act to authorize the governor of Illinois to obtain certain abstracts of lands from certain public offices.*

The register
of the land office
at Vincennes to
furnish a complete
abstract of lands
purchased and
lying in Illinois,
&c.

Ten cents to
the register for
each entry.
Proviso.

Secretary of
the Treasury to
cause a complete
abstract to be
made out, of
military bounty
lands patented
to soldiers, lying
in Illinois.

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 register of the United States' land office at Vincennes, in the state of Indiana, to furnish to the governor of the state of Illinois, when he shall apply for the same, a complete abstract of all the lands which have been purchased at that office, or which may hereafter be purchased, which lie within the state of Illinois, designating the name of each purchaser, and the time of making the purchase; for which he shall be entitled to receive, from such applicant, at the rate of ten cents for each separate entry, a copy whereof is required; *Provided, however*, That all the expense incurred by virtue of this act, shall be defrayed by said state.

SEC. 2. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, upon the application of the governor of said state, to cause a complete abstract to be made out, for the use of said state, of all the military bounty lands which have been patented to the soldiers of the late army, lying within the same, designating the name of each patentee.

APPROVED, May 15, 1820.

STATUTE I.

May 15, 1820.

CHAP. CXXII. — *An Act supplementary to an act, entitled "An act concerning navigation."*

Act of April
18, 1818, ch. 65.
After 30th

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

tieth day of September next, the ports of the United States shall be and remain closed against every vessel owned wholly, or in part, by a subject or subjects of his Britannic majesty, coming, or arriving by sea, from any port or place in the province of Lower Canada, or coming or arriving from any port or place in the province of New Brunswick, the province of Nova Scotia, the islands of Newfoundland, St. Johns, or Cape Breton, or the dependencies of any of them, the islands of Bermuda, the Bahama islands, the islands called Caicos, or the dependencies of any of them, or from any other port or place in any island, colony, territory, or possession, under the dominion of Great Britain in the West Indies, or on the continent of America, south of the southern boundary of the United States, and not included within the act to which this act is supplementary. And every such vessel, so excluded from the ports of the United States, that shall enter, or attempt to enter, the same, in violation of this act, shall, with her tackle, apparel, and furniture, together with the cargo on board such vessel, be forfeited to the United States.

Sec. 2. *And be it further enacted*, That from and after the thirtieth day of September next, the owner, consignee, or agent, of every vessel, owned wholly, or in part, by a subject or subjects of his Britannic majesty, which shall have been duly entered in any port of the United States, and on board of which shall have been there laden, for exportation, any article or articles of the growth, produce, or manufacture, of the United States, other than provisions and sea stores, necessary for the voyage, shall, before such vessel shall have been cleared outward at the custom-house, give bond in a sum double the value of such article or articles, with one or more sureties, to the satisfaction of the collector, that the article or articles so laden on board such vessel, for exportation, shall be landed in some port or place other than a port or place in any province, island, colony, territory, or possession, belonging to his Britannic majesty, that is mentioned or described in this act, or in the act to which this act is supplementary. And every such vessel that shall sail, or attempt to sail from any port of the United States, without having complied with the provisions aforesaid, by giving bond as aforesaid, shall, with her tackle, apparel, and furniture, together with the article or articles aforesaid, laden on board the same as aforesaid, be forfeited to the United States: *Provided*, That nothing herein contained shall be deemed or construed so as to violate any provision of the convention to regulate commerce between the territories of the United States and of his Britannic majesty, signed the third day of July, one thousand eight hundred and fifteen.

Sec. 3. *And be it further enacted*, That from and after the thirtieth day of September next, no goods, wares, or merchandise, shall be imported into the United States of America from the province of Nova Scotia, the province of New Brunswick, the islands of Cape Breton, St. Johns, Newfoundland, or their respective dependencies, from the Bermuda islands, the Bahama islands, the islands called Caicos, or either or any of the aforesaid possessions, islands, or places, or from any other province, possession, plantation, island, or place, under the dominion of Great Britain in the West Indies, or on the continent of America, south of the southern boundaries of the United States, except only such goods, wares, and merchandise, as are truly and wholly of the growth, produce, or manufacture, of the province, colony, plantation, island, possession, or place aforesaid, where the same shall be laden, and from whence such goods, wares, or merchandise, shall be directly imported into the United States; and all goods, wares, and merchandise, imported, or attempted to be imported, into the United States of America, contrary to the provisions of this act, together with the vessel on board of which the same shall be laden, her tackle, apparel, and furniture, shall be forfeited to the United States.

Sept., 1820, ports of United States closed against British vessels coming from Lower Canada, New Brunswick, &c.

Vessel and cargo forfeited on attempting to enter.

Bonds to be given by the owner, &c. of British vessels, after 30th Sept., 1820, laden with articles of the growth, &c. of the United States for exportation, not to land them in the prohibited places.

Vessels and articles forfeited for attempting to sail before bond given.

Proviso.

No goods, wares, or merchandise, to be imported from the prohibited places, except they are wholly of the growth, &c. of the colony where laden and whence directly imported.

Vessel and goods forfeited in case of importations contrary to this act.

This act to be carried into effect as act of 18th April, 1818, ch. 65.

SEC. 4. *And be it further enacted*, That the form of the bond aforesaid shall be prescribed, and the same shall be discharged, and all penalties and forfeitures, incurred under this act, shall be sued for, recovered, distributed, and accounted for, and the same may be mitigated, or remitted, in the manner, and according to the provisions, of the act to which this act is supplementary.

APPROVED, May 15, 1820.

STATUTE I.

May 15, 1820.

CHAP. CXXIII.—*An Act to authorize the appointment of commissioners to lay out the road therein mentioned. (a)*

Whereas, by the continuation of the Cumberland road from Wheeling in the state of Virginia, through the states of Ohio, Indiana, and Illinois, the lands of the United States may become more valuable—

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby, authorized to appoint three impartial and judicious persons, not being citizens of any of the states aforesaid, to be commissioners, and, in case of the death or resignation of any of them, to appoint other and like persons in their place, who shall have power carefully to examine the country, between Wheeling, in the state of Virginia, and a point on the left bank of the Mississippi river, to be chosen by said commissioners, between St. Louis and the mouth of the Illinois river, and to lay out a road from Wheeling aforesaid, to the point so to be chosen on the left bank of the river Mississippi; the said road to be on a straight line, or as nearly so as, having a due regard to the condition and situation of the ground and water-courses over which the same shall be laid out, shall be deemed expedient and practicable. And said commissioners shall have power to employ able surveyors, chain-bearers, and other necessary assistants, in laying out said road; and so much of the lands of the United States as may be included within the same, shall be, and is hereby, reserved and excepted from the sales of the public lands. The said road to be eighty feet wide, and designated by marked trees, stakes, or other conspicuous monuments, at the distance of every quarter of a mile, and at every angle of deviation from a straight line. And the said commissioners shall cause to be made, and delivered to the President of the United States, an accurate plan of said road, so laid out by them as aforesaid, with a written report of their proceedings, describing therein the state lines crossed, and the marks, monuments, courses, and distances, by which the said road shall be designated; describing also, the water-courses, and the nature and quality of the ground over which the same shall be laid out; they shall, moreover, divide said road into sections of not more than ten, nor less than five, miles long, noticing the materials that may be used in making, and giving an estimate of the expense of making, each section of the road aforesaid.

SEC. 2. *And be it further enacted*, That the commissioners, surveyors, chain-bearers, and other necessary assistants, to be appointed in pursuance of this act, shall severally take an oath, or affirmation, faithfully and diligently to perform their respective duties, and shall receive, in full compensation for their services and expenses, each commissioner six dollars, each surveyor three dollars, and each other necessary assistant one dollar, for each day in which they shall be necessarily employed in the service aforesaid: *Provided always, and it is hereby enacted and declared*, That nothing in this act contained, or that shall be done in pursuance thereof, shall be deemed or construed to imply any obligation on the part of the United States to make, or to defray the expense of making, the road hereby authorized to be laid out, or of any part thereof.

The President to appoint three commissioners, not citizens of Ohio, Indiana, or Illinois, to examine the country between Wheeling and a point on the Mississippi, &c. and lay out a road.

Surveyors, chain-bearers, &c.

Lands for the road reserved from sales.

Road to be 80 feet wide, &c.

A plan of the road to be made out.

Roads to be divided into sections, with notice of materials for making each, and expense.

Commissioners, &c. to take an oath.

Compensation.

Proviso.

(a) For the acts of Congress relating to the Cumberland road, see vol. ii. p. 357.

SEC. 3. *And be it further enacted*, That ten thousand dollars, to be paid out of any money in the treasury not otherwise appropriated, be, and are hereby, appropriated to defray the expense of laying out the road aforesaid.

10,000 dolls. appropriated for laying out the road.

APPROVED, May 15, 1820.

STATUTE I.

CHAP. CXXV.—*An Act for the relief of the inhabitants of the village of Peoria, in the state of Illinois.*

May 15, 1820.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That every person, or the legal representatives of every person, who claims a lot or lots in the village of Peoria, in the State of Illinois, shall, on or before the first day of October next, deliver to the register of the land office, for the district of Edwardsville, a notice, in writing, of his or her claim; and it shall be the duty of the said register to make to the Secretary of the Treasury a report of all claims filed with the said register, with the substance of the evidence in support thereof; and also his opinion and such remarks respecting the claims as he may think proper to make; which report, together with a list of the claims which, in the opinion of the said register, ought to be confirmed, shall be laid by the Secretary of the Treasury before Congress for their determination. And the said register shall be allowed twenty-five cents for each claim on which a decision shall be made, whether such decision shall be in favour or against the claims; which allowance shall be in full for his services under this act.

Persons claiming lots in Peoria to deliver notice in writing to the register at Edwardsville, before Oct. 1, 1820.

Register to report to the Secretary of the Treasury.

Report, &c. to be laid before Congress.

APPROVED, May 15, 1820.

STATUTE I.

CHAP. CXXVI.—*An Act to impose a new tonnage duty on French ships and vessels.*

May 15, 1820.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, in lieu of the tonnage duty now paid on French ships or vessels, there shall be paid a duty of eighteen dollars per ton, on all French ships or vessels which shall be entered in the United States, any act to the contrary notwithstanding: *Provided, however*, That nothing contained in this act, shall be so construed as to prevent the extension of the provisions of the act, entitled "An act to repeal so much of the several acts imposing duties on the tonnage of ships and vessels, and on goods, wares, and merchandise, imported into the United States, as imposes a discriminating duty on tonnage between foreign vessels and vessels of the United States, and between the goods imported into the United States in foreign vessels, and vessels of the United States," to French ships or vessels, and the goods imported therein, whenever the government of France shall accede to the provisions of the act above referred to.

[Repealed.]
Act of March 3, 1815, ch. 76.
Act of March 3, 1821, ch. 46.
Act of May 6, 1822, ch. 56.
Act of March 3, 1823, ch. 24.
Eighteen dollars per ton on French ships or vessels, in lieu of present duty.

SEC. 2. *And be it further enacted*, That the tonnage duty laid, and directed to be paid, by this act, shall be collected and paid according to the provisions of the act, entitled "An act to regulate the collection of duties on imports and tonnage," passed the second day of March, one thousand seven hundred and ninety-nine.

The duty to be collected according to act of 2d March, 1799, ch. 22.

SEC. 3. *And be it further enacted*, That this act shall commence, and be in force, from and after the first day of July, one thousand eight hundred and twenty.

This act in force from 1st July, 1820.

APPROVED, May 15, 1820.

STATUTE I.

May 15, 1820.

5000 dollars appropriated for surveying certain parts of the coast of North Carolina.

Appropriation of sums to pay persons who paid duties on goods at Castine, and for relief of W. Channing.

1820, ch. 40.

CHAP. CXXVII.—*An Act to provide for the expense of surveying certain parts of the coast of North Carolina, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, for carrying into effect a resolution directing a survey of certain parts of the coast of North Carolina, passed on the nineteenth day of January, in the year one thousand eight hundred and nineteen, the sum of five thousand dollars be, and the same is hereby, appropriated, to be paid out of any unappropriated money in the treasury.

SEC. 2. *And be it further enacted,* That the sums respectively necessary to carry into effect the "Act for the relief of certain persons who have paid duties on certain goods imported into Castine," approved the eleventh day of April, in the present year, and also the "Act for the relief of Walter Channing," approved the eleventh day of April aforesaid, shall be paid out of any moneys in the treasury not otherwise appropriated.

APPROVED, May 15, 1820.

STATUTE I.

May 15, 1820.

Act of 3d March, 1817, ch. 63, continued for three years.

Act of Feb. 22, 1827, ch. 18.

Act of August 29, 1842, ch. 264.

CHAP. CXXXI.—*An Act to continue in force the act, entitled "An act to provide for reports of the decisions of the Supreme Court," approved the third of March, one thousand eight hundred and seventeen. (a)*

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 to provide for reports of decisions of the Supreme Court," approved the third day of March, one thousand eight hundred and seventeen, be, and the same is hereby, continued in force for three years and no longer.

APPROVED, May 15, 1820.

STATUTE I.

May 15, 1820.

Second sec. of the act of 31st Jan., 1809, ch. 11, amended—

So as to authorize enlistments for the service or the cruise.

CHAP. CXXXII.—*An Act to amend the act, entitled "An act to amend the act authorizing the employment of an additional naval force."*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the second section of the act, entitled "An act authorizing the employment of an additional naval force," passed on the thirty-first day of January, eighteen hundred and nine, be, and the same is hereby, amended, so far as to authorize the enlistment of able seamen, ordinary seamen, and boys, during the continuance of the service or cruise for which they shall be enlisted; not, however, to exceed the period of three years.

APPROVED, May 15, 1820.

STATUTE I.

May 15, 1820.

The Postmaster General to cause the roof of the building to be repaired and slated, and to procure a fire engine.

CHAP. CXXXIII.—*An Act to provide for repairing the roof of the general post-office, and to procure an engine for the protection of said building.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Postmaster General be, and he hereby is, directed to cause the roof of the general post-office to be repaired and covered with slate; and also to procure and keep, for the protection of said building, an engine and apparatus for extinguishing fire, and to cause to be built a suitable house for the safe keeping of such engine.

(a) See notes to the act of March 3, 1817, ch. 63.

SEC. 2. *And be it further enacted*, That there be, and there is hereby, appropriated, to be paid out of the moneys arising from the postage of letters and packets, such sum as may be necessary for the purposes aforesaid, not exceeding six thousand and twenty dollars.

APPROVED, May 15, 1820.

6020 dollars,
appropriated
for the objects,
out of postages.

STATUTE I.

CHAP. CXXXIV.—*An Act to increase the number of clerks in the Department of War.*

May 15, 1820.

[Expired.]

The Secretary of War authorized to employ six additional clerks.

6000 dollars appropriated for their compensation.

This act in force for a year.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of the Department of War be, and he is hereby, authorized and empowered to employ six additional clerks in his Department; and that the sum of six thousand dollars be, and the same is hereby, appropriated, for their compensation; to be paid out of any money in the treasury, not otherwise appropriated. This act to continue in force for one year, and no longer.

APPROVED, May 15, 1820.

STATUTE I.

CHAP. CXXXV.—*An Act granting to the state of Ohio the right of pre-emption to certain quarter sections of land.*

May 15, 1820.

Right of pre-emption at minimum price, to one quarter section, in the centre of each county, in the purchase by the Indian treaty of St. Mary's granted to Ohio, for a seat of justice.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there be granted to the state of Ohio, at the minimum price for which the public lands are sold, the right of pre-emption to one quarter section, in or near the centre of each county, included in the purchase recently made of the Indians, by the treaty concluded at St. Mary's, on the twentieth day of September, one thousand eight hundred and eighteen, for the establishment of a seat of justice in the said counties: *Provided*, The purchase be made before the commencement of the public sales: *And provided also*, That the proceeds of the sale of each quarter section, which may be made under the authority of the state of Ohio, shall be appropriated for the purpose of erecting public buildings in said counties, respectively, after deducting therefrom the sums originally paid by the state aforesaid: *And provided further*, That the seat of justice for said counties, respectively, shall be fixed on the lands so selected.

APPROVED, May 15, 1820.

STATUTE I.

CHAP. CXXXVI.—*An Act to amend "An act making reservation of certain public lands for naval purposes," passed first March, one thousand eight hundred and seventeen.*

May 15, 1820.

Act of 1st March, 1817, ch. 22.

Power of the Secretary of the Navy to appoint agents and surveyor, repealed.

Duties to be performed by surveyors of public lands.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, so much of the first section of the act of Congress passed on the first day of March one thousand eight hundred and seventeen, entitled "An act making reservation of certain public lands for naval purposes," as empowers the Secretary of the Navy to appoint an agent or agents and surveyor, be, and the same is hereby, repealed; and the duties and the services required by said section be performed in future by such surveyors of public lands as may be designated by the President of the United States.

APPROVED, May 15, 1820.

STATUTE I.

May 15, 1820.

CHAP. CXXXVII.—*An Act making appropriations for carrying into effect the treaties concluded with the Chippewa and Kickapoo nations of Indians.*

Appropriation for carrying into effect the 4th article of the treaty with the Chippewas of Sept. 24th, 1819.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the purpose of carrying into effect the stipulation contained in the fourth article of the treaty concluded between the United States and the Chippewa nation of Indians, on the twenty-fourth of September, one thousand eight hundred and nineteen, and which was ratified by the President of the United States, by and with the advice and consent of the Senate, on the twenty-fifth day of March, one thousand eight hundred and twenty, there be, and hereby is, appropriated the sum of one thousand dollars, to be paid in silver, annually, forever, to the said Chippewa nation.

Further appropriation.

SEC. 2. *And be it further enacted,* That there be, and hereby is, appropriated, the sum of two thousand dollars, to carry into effect any other stipulations contained in the said treaty.

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

For carrying into effect the 3d article of the treaty with the Kickapoos, of Aug. 30th, 1819.

SEC. 4. *And be it further enacted,* That for the purpose of carrying into effect the stipulations contained in the third article of the treaty concluded between the United States and the tribe of Kickapoo Indians, of Vermilion, on the thirtieth day of August, one thousand eight hundred and nineteen, and which was ratified by the President of the United States, by and with the advice and consent of the Senate, on the tenth day of May, one thousand eight hundred and twenty, there be, and is hereby, appropriated the sum of two thousand dollars, to be paid annually, for ten years, out of any money in the treasury, not otherwise appropriated.

2000 dollars appropriated annually, for ten years.

APPROVED, May 15, 1820.

RESOLUTIONS.

Dec. 14, 1819.

I. RESOLUTION *declaring the admission of the state of Alabama into the Union.*

Act of March 2, 1819, ch. 47.

WHEREAS, in pursuance of an act of Congress, passed on the second day of March, one thousand eight hundred and nineteen, entitled "An act to enable the people of the Alabama 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," the people of the said territory did, on the second day of August, 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 to 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, so far as the same have been extended to the said territory by the articles of agreement between the United States and the state of Georgia:—

The people of Alabama have formed a constitution and state government, &c.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the state of Alabama shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original states, in all respects whatever.

Vol. i. 51.

Alabama admitted into the Union on an equal footing with the original states.

APPROVED, December 14, 1819.

II. RESOLUTION *for the further distribution of the journal of the convention which formed the Constitution of the United States.*

Jan. 19, 1820.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of State be instructed to furnish to each member of the present Congress and the delegates from territories, (who may not be entitled to the same, under the resolution of Congress of the twenty-seventh of March, one thousand eight hundred and eighteen,) the President and Vice President of the United States, the executive of each state and territory, the attorney general and judges of the courts of the United States, and the colleges and universities in the United States, each one copy; for the use of each of the departments, viz: State, Treasury, War, and Navy, two copies each; for the use of the Senate, five copies; and for the use of the House of Representatives, ten copies of the volumes containing the journal, acts and proceedings of the convention which formed the present Constitution of the United States; and that the residue of the copies of said journal be deposited in the library of Congress, for the use of the members.

APPROVED, January 19, 1820.

The Secretary of State to furnish each member of Congress, not entitled by resolution of 27th March, 1818, the President, Vice-President, &c. with copies of the journal, &c. of the Federal convention.

III. RESOLUTION *to authorize the publication of part of the secret journal of Congress, under the articles of confederation.*

April 21, 1820.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the secret journal, together with all the papers and documents connected with that journal, and all other papers and documents heretofore considered confidential, of the old Congress, from the date of the ratification of the definitive treaty of peace between the United States and Great Britain, in the year one thousand seven hundred and eighty-three, to the formation of the present government, now remaining in the office of the Secretary of State, be published under the direction of the President of the United States, and that a thousand copies thereof be printed and deposited in the library, subject to the disposition of Congress.

APPROVED, April 21, 1820.

The secret journal, papers, &c. of the old Congress, heretofore considered confidential, from the year 1783 to the year 1789, to be published, under the direction of the President, and 1000 copies printed, &c.

IV. RESOLUTION *for the distribution of certain copies of the journal of the convention which formed the Constitution.*

May 5, 1820.

Resolved 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, directed to transmit one copy of the journal of the Federal convention at Philadelphia, in one thousand seven hundred and eighty-seven, which formed the Constitution of the United States, to each of the members, now alive, of the said convention.

APPROVED, May 8, 1820.

The Secretary of State to transmit a copy of the Journal to each of the surviving members of the Convention.

V. RESOLUTION *giving the consent of Congress to a compact concluded between the states of Kentucky and Tennessee, for the settlement of their boundary line.*

May 12, 1820.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the consent of Congress be, and the same is hereby, given to a compact or agreement, made and concluded, by and between the states of Kentucky and Tennessee, at Frankfort, in Kentucky, on the second day of February, one thousand eight hundred and twenty, to adjust and establish the boundary line between them, and for other purposes.

APPROVED, May 12, 1820.

The consent of Congress given to the compact between Kentucky and Tennessee.

ACTS OF THE SIXTEENTH CONGRESS

OF THE

UNITED STATES,

Passed at the second session, which was begun and held at the City of Washington, in the District of Columbia, on Monday the thirteenth day of November, 1820, and ended on the third day of March, 1821.

JAMES MONROE, President; DANIEL D. TOMPKINS, Vice President of the United States and President of the Senate; JOHN GAILLARD, President of the Senate pro tempore; JOHN W. TAYLOR, Speaker of the House of Representatives.

STATUTE II.

Nov. 27, 1820.

First session to be holden at Mobile, 3d Monday of Feb. 1821.

Stated sessions at Mobile and Cahawba.

Process returnable accordingly.

But one clerk and one set of records.

CHAP. I.—*An Act to alter the terms of the district court in Alabama. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the first session of the district court for the district of Alabama, shall be holden at Mobile, on the third Monday of February, eighteen hundred and twenty-one; and thereafter, the stated sessions of said court, instead of the times heretofore appointed, shall be holden, annually, as follows: At Mobile, on the first Mondays of January and June; and at Cahawba, on the first Mondays of April and November; any law to the contrary notwithstanding.

SEC. 2. *And be it further enacted,* That all process which may have issued, or may hereafter issue, returnable to the next succeeding terms, as heretofore established, shall be held returnable, and be returned, to those terms to which they are severally changed by this act.

SEC. 3. *And be it further enacted,* That there shall be but one clerk for the district, who shall keep only one set of records, any law to the contrary notwithstanding.

APPROVED, November 27, 1820.

STATUTE II.

Dec. 12, 1820.

The Secretary of the Treasury to pay three per cent. of the net proceeds of public lands sold in Illinois after 1st Jan., 1819, to the agent of the state.

CHAP. II.—*An Act to provide for paying to the state of Illinois three per cent. of the net proceeds arising from the sale of the public lands within the same.*

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, from time to time, and whenever the quarterly accounts of public moneys of the several land offices shall be settled, pay three per cent. of the net proceeds of the lands of the United States, lying within the state of Illinois, which, since the first day of January, one thousand eight hundred and nineteen, have been, or hereafter may be, sold by the United States, after deducting all expenses incidental to the same, to such person or persons as may be authorized by the legislature

(a) See notes to the "Act to establish a district court in the state of Alabama," April 21, 1820, ch. 47, for a reference to the acts which have been passed relating to the district court of Alabama.

of the said state to receive the same; which sums, thus paid, shall be applied to the encouragement of learning within said state, in conformity to the provisions on this subject, contained in the act, entitled "An act to enable the people of the Illinois 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," approved April eighteenth, one thousand eight hundred and eighteen, and to no other purpose; and an annual account of the application of the same shall be transmitted to the Secretary of the Treasury, by such officer of the state as the legislature thereof shall direct; and in default of such return being made, the Secretary of the Treasury is hereby required to withhold the payment of any sums that may then be due, or which may thereafter become due, until a return shall be made, as herein required.

APPROVED, December 12, 1820.

To be applied for the encouragement of learning.

Act of April 18, 1818, ch. 67.

Annual account of the application of the moneys to be transmitted to the Secretary of the Treasury, or payment may be withheld.

STATUTE II.

CHAP. III.—*An Act to amend the act, entitled "An act to alter the times of the session of the circuit and district courts in the District of Columbia."*

Dec. 29, 1820.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act, passed on the eleventh day of May last, to alter the times of the session of the circuit and district courts in the District of Columbia, instead of being limited to take effect on the first day of January next, shall have full operation and effect from and after the passing hereof; and that all the writs and process of the circuit court of the District of Columbia, for the county of Washington, shall be returned and continued in like manner as if the said act had taken effect from and after the thirtieth day of July last.

APPROVED, December 29, 1820.

Act of May 11, 1820, ch. 93.

The act of 11th May, 1820, to have full effect from the date of this act.

Writs and process to be returned and continued accordingly.

STATUTE II.

CHAP. VI.—*An Act to alter the time of holding the district court in the district of Mississippi. (a)*

Jan. 11, 1821.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the district court, in the district of Mississippi, heretofore holden on the first Mondays in May and December, shall hereafter hold its regular terms only on the first Monday in January and July; any law to the contrary notwithstanding.

SEC. 2. *And be it further enacted,* That every writ, process, subpoena, or recognisance, returnable, according to law, or the tenor thereof, to either of the aforesaid terms, holden on the first Mondays in May and December, shall be returnable to the next succeeding term of said court, to be holden on the first Monday in January and July.

APPROVED, January 11, 1821.

The regular terms to be holden only on the 1st Monday in January and July.

Writs, process, &c., to be returned accordingly.

(a) The acts relating to the district courts in Mississippi are:

An act to provide for the due execution of the laws of the United States, within the state of Mississippi, April 3, 1818, ch. 29.

An act to alter the time of holding the district court in the state of Mississippi, Jan. 11, 1821, ch. 6.

An act to change the time of holding the court of the United States for the district of Mississippi, and the circuit court of the United States in the district of Ohio, May 5, 1830, ch. 89.

An act to change the place of holding the district court of the United States for the district of Mississippi, March 3, 1835, ch. 35.

An act to reorganize the district courts of the United States, in the state of Mississippi, June 18, 1838, ch. 115.

STATUTE II.

Jan. 17, 1821.

[Obsolete.]

Sums appropriated,—

For subsistence.

Arrearages.

Quartermaster's department.

CHAP. VIII.—*An Act making a partial appropriation for the military service of the United States, for the year one thousand eight hundred and twenty-one.*

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 they are hereby, appropriated, on account of the military service for the year one thousand eight hundred and twenty-one, to wit:

For subsistence of the army of the United States, one hundred and fifty thousand dollars.

For arrearages on the settlement of outstanding claims, twenty thousand dollars.

For the quartermaster's department, one hundred and fifty thousand dollars.

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

APPROVED, January 17, 1821.

STATUTE II.

Feb. 9, 1821.

[Obsolete.]

Time allowed until 4th Jan., 1823, to obtain warrants and complete locations; and until 4th Jan., 1826, to return surveys and warrants to procure patents.

Act of March 3, 1807, ch. 31.

The provisions of the act of 3d March, 1807, revived, with limitation, as to time, as in the preceding section, &c.

Proviso; no location on tracts previously patented or surveyed.

CHAP. XI.—*An Act to extend the time for locating Virginia military land warrants, and returning surveys thereon to the general land office. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the officers and soldiers of the Virginia line on continental establishment, their heirs or assigns, entitled to bounty lands within the tract of country reserved by the State of Virginia, between the little Miami and Sciota rivers, shall be allowed a further time of two years, from the fourth day of January, one thousand eight hundred and twenty-one, to obtain warrants and complete their locations, and the further time of four years, from the fourth day of January, one thousand eight hundred and twenty-two, to return their surveys and warrants, or certified copies of warrants, to the general land office, to obtain patents.

SEC. 2. *And be it further enacted,* That the provisions of the act, entitled "An act authorizing patents to issue for lands located and surveyed by virtue of certain Virginia resolution warrants," passed the third day of March, one thousand eight hundred and seven, shall be revived and in force, with all its restrictions, except that the respective times allowed for making locations, and returning surveys thereon, shall be limited to the terms prescribed by the first section of this act, for the location and return of surveys on other warrants, and that the surveys shall be returned to the general land office: *Provided,* That no locations as aforesaid, in virtue of this or the preceding section of this act, shall be made on tracts of land for which patents had previously been issued, or which had been previously surveyed; and any patent which may, nevertheless, be obtained for land located contrary to the provisions of this act, shall be considered null and void.

APPROVED, February 9, 1821.

STATUTE II.

March 2, 1821.

Lands purchased prior to 1st July, 1820,

CHAP. XII.—*An Act for the relief of the purchasers of public lands prior to the first day of July, eighteen hundred and twenty. (b)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in all cases where lands

(a) Acts relating to Virginia resolution land warrants, and sale of lands north-west of the river Ohio, vol. i. 464.

(b) Act of March 3, 1819, ch. 92. Act of April 24, 1820, ch. 51. Act of March 3, 1823, ch. 57. Act of May 18, 1824, ch. 88. Act of May 4, 1826, ch. 34.

have been purchased from the United States, prior to the first day of July, eighteen hundred and twenty, it shall be lawful for any such purchaser, or other person or persons, being the legal holder of any certificate or certificates of land, on or before the thirtieth day of September, eighteen hundred and twenty-one, to file, with the register of the land office, where any tract of land has been purchased, a relinquishment, in writing, of any section, half section, quarter section, half quarter section, or legal subdivision of any fractional section, of land so purchased, upon which the whole purchase money has not been paid, and all sums paid on account of the part relinquished, shall be applied to the discharge of any instalments which may be, or shall hereafter become, due and payable upon such land, so purchased, as shall not have been relinquished, and shall be so applied and credited as to complete the payment on some one or more half-quarter sections where the payments by transfer are sufficient for that purpose: *Provided*, That all divisions and subdivisions, contemplated by this act, shall be made in conformity with the first section of an act making further provision for the sale of public lands, passed the twenty-fourth day of April, one thousand eight hundred and twenty: *And, provided, also*, That the right of relinquishment hereby given shall, in no case, authorize the party relinquishing to claim any repayment from the United States: *And, provided, also*, That where any purchaser has purchased, at the same time, two or more quarter sections, he shall not be permitted to relinquish less than a quarter section.

SEC. 2. *And be it further enacted*, That the interest which shall have accrued before the thirtieth day of September next, upon any debt to the United States, for public land, shall be, and the same is hereby, remitted and discharged.

SEC. 3. *And be it further enacted*, That the persons indebted to the United States, as aforesaid, shall be divided into three classes; the first class to include all such persons as shall have paid to the United States only one fourth part of the original price of the land by them respectively purchased or held; the second class to include all such persons as shall have paid to the United States only one-half part of such original price; and the third class to include all such persons as shall have paid to the United States, three-fourth parts of such original price; and the debts of the persons included in the first class shall be paid in eight equal annual instalments; the debts of the persons included in the second class shall be paid in six equal annual instalments; and the debts of the persons included in the third class shall be paid in four equal annual instalments, the first of which instalments, in each of the classes aforesaid, shall be paid in manner following, to wit: of the third class, on the thirtieth day of September next; of the second class, on the thirty-first day of December next; and of the first class, on the thirty-first day of March, one thousand eight hundred and twenty-two; and the whole of the debt aforesaid, shall bear an equal annual interest at the rate of six per cent.: *Provided always*, That the same shall be remitted upon each and every of the instalments aforesaid which shall be punctually paid when the same shall become payable as aforesaid.

SEC. 4. *And be it further enacted*, That in all cases where complete payment of the whole sum due, or which may become due, for any tract of land purchased from the United States, as aforesaid, shall be made on or before the thirtieth day of September, one thousand eight hundred and twenty-two, a deduction at the rate of thirty-seven and a half per centum, shall be allowed upon the sum remaining unpaid: *Provided*, That nothing herein contained shall authorize any discount upon payments made by a transfer of former payments under the provisions of the first section of this act.

SEC. 5. *And be it further enacted*, That each and every individual or company that has laid off, on any lands by him or them purchased of the

and not wholly paid for, may be relinquished by the legal holder of the certificate filing a notice, in writing, with the register, &c.

Sums paid on account of the part relinquished to be applied to discharge instalments due on lands not relinquished. 1820, ch. 51.

Proviso.

Proviso.

Interest remitted.

Debtors divided into three classes.
1st class.
2d class.

3d class.

Payment of the debts by the respective classes, in instalments.

Times of paying the first instalment.

Debt to bear an interest of 6 per cent per annum.

Proviso.

Deduction of 37½ per cent. on payment of the whole sum due Sept. 30, 1822.

Proviso.

Those who have laid off towns, part or the whole of the

lots whereof have been sold, are entitled to the benefits of this act.

United States, any town, a part or the whole of the lots whereof have been sold, shall be entitled to the benefits of this act in relation to any half quarter, or quarter section of land, on which such town may be situated, and of all land by him or them owned, contiguous to, and adjoining said half quarter, quarter section, or section, on which said town is situated, upon condition only, that each and every person who has purchased of him, or them, a town lot, or part of a lot, or land in and adjoining the same, shall be entitled to a remission of all interest that has accrued, and to a discount of twenty per centum on the amount unpaid, and to discharge their debt by bonds, with security, in equal annual instalments of four years from the thirtieth day of December next. Nor shall the provisions of this act be construed to extend to any person or persons claiming title to land under the provisions of an act passed the third day of March, one thousand eight hundred and seventeen, entitled "An act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive."

Proviso.

Act of March 3, 1817, ch. 61.

The lands are forfeited on failure to pay, &c.

No person is entitled to the benefit of this act who does not file his written consent before Sept. 30, 1821.

Duty of registers and receivers.

Report to be made to the treasury department three months after the 30th Sept., 1821.

Fees to the register and receiver.

No lands purchased prior to 1st of July, 1820, not already forfeited, to be forfeited before Sept. 30, 1821.

Lands relinquished to be deemed forfeited.

Act of April 24, 1820, ch. 51.

Lands surrendered not to be sold for two years after surrender.

SEC. 6. *And be it further enacted*, That, for failure to pay the several debts aforesaid, in manner aforesaid, and for the term of three months after the day appointed for the payment of the last instalment thereof, in each of the classes aforesaid, the land so purchased or held by the respective persons indebted to the United States as aforesaid, shall, ipso facto, become forfeited, and revert to the United States.

SEC. 7. *And be it further enacted*, That no person shall be deemed to be included within, or entitled to, the benefit of any of the provisions of this act, who shall not, on or before the thirtieth day of September next, sign, and file in the office of the register of the land office of the district where the land was purchased, or where the residue of the purchase money is payable, a declaration in writing, expressing his consent to the same; and shall pay to the register, for receiving, recording, and filing the same, fifty cents.

SEC. 8. *And be it further enacted*, That it shall be, and hereby is made, the duty of the several registers and receivers of the land offices of the United States, according to the forms and instructions which shall be given in that behalf by the Treasury Department, to assist in carrying this act in[to] execution, to keep full and faithful accounts and records of all proceedings under the same; and, within the term of three months after the said thirtieth day of September next, to transmit to the said department a correct report of the quantity of land relinquished to the United States; the quantity on which full payment shall have been made; and the quantity on which a further credit shall have been given, distinguishing the amount of the debt on which a further credit shall have been allowed; and the registers and receivers, respectively, shall be entitled to receive fifty cents from the party relinquishing, for each half quarter section, quarter section, half section, section, or legal subdivision of a fractional section, so relinquished.

SEC. 9. *And be it further enacted*, That no lands purchased from the United States on or before the first day of July, eighteen hundred and twenty, which are not already forfeited, shall be considered as forfeited to the government, for failure in completing the payment thereon, until the said thirtieth day of September next; and all the lands which shall be relinquished to the United States, as aforesaid, shall be deemed and held to be forfeited, and, with all other lands which may become forfeited under this act, shall be sold according to the provisions of the act, entitled "An act making further provision for the sale of the public lands," passed the twenty-fourth day of April, eighteen hundred and twenty.

SEC. 10. *And be it further enacted*, That no land which shall be surrendered under the provisions of this act, shall be offered for sale for the term of two years after the surrender thereof.

APPROVED, March 2, 1821.

CHAP. XIII.—*An Act to reduce and fix the military peace establishment of the United States.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, from and after the first day of June next, the military peace establishment of the United States shall be composed of four regiments of artillery, and seven regiments of infantry, with such officers of engineers, of ordnance, and of the staff, as are hereinafter provided for.

SEC. 2. *And be it further enacted,* That each regiment of artillery shall consist of one colonel, one lieutenant colonel, one major, one sergeant major, one quartermaster sergeant, and nine companies, one of which shall be designated and equipped as light artillery; and that there shall be attached to each regiment of artillery one supernumerary captain to perform ordnance duty; and that each company shall consist of one captain, two first lieutenants, two second lieutenants, four sergeants, four corporals, three artificers, two musicians, and forty-two privates. That each regiment of infantry shall consist of one colonel, one lieutenant colonel, one major, one sergeant major, one quartermaster sergeant, two principal musicians, and ten companies; each of which shall consist of one captain, one first lieutenant, one second lieutenant, three sergeants, four corporals, two musicians, and forty-two privates; and that to each regiment of artillery and infantry there shall be one adjutant, who shall be taken from the subalterns of the line.

SEC. 3. *And be it further enacted,* That the corps of engineers, (bombardiers excepted,) and the topographical engineers, and their assistants, shall be retained in service as at present organized.

SEC. 4. *And be it further enacted,* That the ordnance department shall be merged in the artillery; and that the President of the United States be, and he is hereby, authorized to select, from the regiments of artillery, such officers as may be necessary to perform ordnance duties, who, while so detached, shall receive the pay and emoluments now received by ordnance officers, and shall be subject only to the orders of the War Department; and that the number of enlisted men in the ordnance department be reduced to fifty-six.

SEC. 5. *And be it further enacted,* That there shall be one major general, with two aids-de-camp, two brigadier generals, each with one aid-de-camp; and that the aids-de-camp be taken from the subalterns of the line, and, in addition to their other duties, shall perform the duties of assistant adjutant general.

SEC. 6. *And be it further enacted,* That there shall be one adjutant general, and two inspectors general, with the rank, pay, and emoluments, of colonels of cavalry.

SEC. 7. *And be it further enacted,* That there shall be one quartermaster general; that there shall be two quartermasters, with the rank, pay, and emoluments, of majors of cavalry; and ten assistant quartermasters, who shall, in addition to their pay in the line, receive a sum not less than ten dollars, nor more than twenty dollars, per month, to be regulated by the Secretary of War.

SEC. 8. *And be it further enacted,* That there shall be one commissary general of subsistence; and that there shall be as many assistant commissaries as the service may require, not exceeding fifty, who shall be taken from the subalterns of the line, and shall, in addition to their pay in the line, receive a sum not less than ten, nor more than twenty, dollars per month; and that the assistant quartermasters, and assistant commissaries of subsistence, shall be subject to duties in both departments under the orders of the Secretary of War.

SEC. 9. *And be it further enacted,* That there shall be one paymaster general, with the present compensation, and fourteen paymasters, with

STATUTE II.
March 2, 1821.

Act of April 14, 1818, ch. 61.
Act of May 12, 1820, ch. 97.
Military peace establishment.

Artillery.

Light artillery.
A supernumerary captain for ordnance duty.

Infantry.

Adjutant to each regiment.

Engineers retained, except bombardiers.

Ordnance department to be merged in the artillery.

One major general with two aids, and two brigadiers with an aid each.

One adjutant and two inspectors general, &c.

A quartermaster general.
Two quartermasters.

Ten assistant quartermasters, &c.

A commissary general of subsistence.

Assistant commissaries.

A paymaster general and

fourteen paymasters.

Commissary of purchases.

Military storekeepers.

A surgeon general.

Eight surgeons.

Forty-five assistant surgeons.

Rank, pay, &c.

The force subject to rules and articles of war.

The President to cause the force retained to be formed and completed out of the corps now in service.

Three months' additional pay, on discharge.

General regulations, &c. of General Scott.

the pay and emoluments of regimental paymasters; and that there shall be one commissary of purchases, and two military storekeepers, to be attached to the purchasing department.

SEC. 10. *And be it further enacted*, That the medical department shall consist of one surgeon general, eight surgeons, with the compensation of regimental surgeons, and forty-five assistant surgeons, with the compensation of post surgeons.

SEC. 11. *And be it further enacted*, That the officers, non-commissioned officers, artificers, musicians, and privates, retained by this act, except those specially provided for, shall have the same rank, pay, and emoluments, as are provided, in like cases, by existing laws; and that the force authorized and continued in service under this act, shall be subject to the rules and articles of war.

SEC. 12. *And be it further enacted*, That the President of the United States cause to be arranged the officers, non-commissioned officers, artificers, musicians, and privates, of the several corps now in the service of the United States, in such manner as to form and complete, out of the same, the force authorized by this act, and cause the supernumerary officers, non-commissioned officers, artificers, musicians, and privates, to be discharged from the service of the United States.

SEC. 13. *And be it further enacted*, That there shall be allowed and paid to each commissioned officer who shall be discharged from the service of the United States in pursuance of this act, three months' pay, in addition to the pay and emoluments to which he may be entitled by law at the time of his discharge.

SEC. 14. *And be it further enacted*, That the system of "General regulations for the army," compiled by Major General Scott, shall be, and the same is hereby, approved and adopted for the government of the army of the United States, and of the militia, when in the service of the United States. (a)

APPROVED, March 2, 1821.

STATUTE II.

March 2, 1821.

CHAP. XIV.—*An Act further to regulate the entry of merchandise imported into the United States from any adjacent territory.*

Act of March 3, 1823, ch. 58.

Persons coming into the United States from adjacent foreign territory with merchandise subject to duty, are to deliver manifests, of the cargo or loading, at the office of the nearest collector, &c.

Manifests to be verified by oath before the collector, &c.

Merchandise, vessel, carriage, &c. forfeited.

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 master of any vessel, except registered vessels, and of every person having charge of any boat, canoe, or raft, and of the conductor or driver of any carriage or sleigh, and of every other person, coming from any foreign territory adjacent to the United States, into the United States, with merchandise subject to duty, to deliver, immediately on his or her arrival within the United States, a manifest of the cargo or loading of such vessel, boat, canoe, raft, carriage, or sleigh, or of the merchandise so brought from such foreign territory, at the office of any collector or deputy collector which shall be nearest to the boundary line, or nearest to the road or waters by which such merchandise is brought; and every such manifest shall be verified by the oath of such person delivering the same; which oath shall be taken before such collector or deputy collector; and such oath shall state that such manifest contains a full, just, and true, account, of the kinds, quantities, and values, of all the merchandise, so brought from such foreign territory; and if the master, or other person having charge of such vessel, boat, canoe, or raft, or the conductor or driver of such carriage or sleigh, or other person, bringing merchandise as aforesaid, shall neglect or refuse to deliver the manifest herein required, or pass by, or avoid, such office, the merchandise subject to duty, and so imported, shall be forfeited to the United States, together with the vessel,

(a) This section is repealed by the act of May 7, 1822, ch. 83.

boat, canoe, or raft, the tackle, apparel, and furniture of the same, or the carriage or sleigh, and harness and cattle, drawing the same, or the horses with their saddles and bridles, as the case may be; and such master, conductor, or other importer, shall be subject to pay a penalty of four hundred dollars.

SEC. 2. *And be it further enacted*, That any deputy collector stationed in any district of the customs contiguous to a foreign territory, to whom a manifest of merchandise, subject to duty, shall be delivered as aforesaid, is hereby authorized to require of the importer of such merchandise the payment of the duties thereon, or good and ample security, either by bond, with one or more sufficient sureties, for the payment thereof, or by the deposit of a portion of such merchandise, equal, at least, to double the amount of the duties on the whole importation; which bond shall be cancelled, or the merchandise, so deposited, shall be delivered to the owner, on the producing to the deputy collector a certificate, of the collector of the district, that the duties have been duly paid.

SEC. 3. *And be it further [enacted,]* That all penalties and forfeitures incurred by force of this act, shall be sued for, recovered, distributed, and accounted for, in the manner prescribed by the act, entitled "An act to regulate the collection of duties on imports and tonnage," passed on the second day of March, one thousand seven hundred and ninety-nine, and may be mitigated or remitted in the manner prescribed by the act, entitled "An act to provide for the mitigating or remitting the forfeitures, penalties, and disabilities, accruing in certain cases therein mentioned," passed on the third day of March, one thousand seven hundred and ninety-seven.

APPROVED, March 2, 1821.

Master conductor, &c. subject to penalty.

Deputy collector authorized to require the payment of the duties, &c.

Bond or deposit to be cancelled or delivered up, &c.

Penalties and forfeitures to be recovered, &c. according to the act of 2d March, 1799, ch. 22.

And may be mitigated or remitted according to act of 3d March, 1797.

Act of March 3, 1797, ch. 13.

STATUTE II.

CHAP. XV.—*An Act extending the time for issuing and locating military land warrants to officers and soldiers of the revolutionary army.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the time limited, by the second section of the act approved on the twenty-fourth day of February, one thousand eight hundred and nineteen, for issuing military land warrants to the officers and soldiers of the revolutionary army, shall be extended to the fourth day of March, one thousand eight hundred and twenty-three; and the time for locating the unlocated warrants shall be extended to the first day of October thereafter.

APPROVED, March 2, 1821.

March 2, 1821.

[Expired.]

Act of March 3, 1823, ch. 36.

Act of May 26, 1824, ch. 177.

Act of May 20, 1826, ch. 138.

Act of March 2, 1827, ch. 35.

Act of Feb. 24, 1819, ch. 41.

STATUTE II.

CHAP. XVI.—*An Act to establish the district of Pearl river.*

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 July next, all the bays, waters, and shores, on Lake Borgne and the Gulf of Mexico, and all the rivers emptying into the same, within the limits of the state of Mississippi, shall be a collection district, to be called the district of Pearl river; of which a port near the mouth of Pearl river, at such place as the President of the United States shall designate, shall be the port of entry; and a collector for the district shall be appointed, to reside at such place as the President shall direct, at or near the said port, who shall be entitled to receive in addition to the fees and other emoluments established by law, the annual salary of two hundred and fifty dollars.

APPROVED, March 2, 1821.

VOL. III.—78

March 2, 1821.

Bays, shores, &c. on Lake Borgne, &c. to be a collection district, after July 1, 1821.

A port of entry near the mouth of Pearl river.

A collector for the district.

STATUTE II.

March 2, 1821.

Act of March 3, 1819, ch. 95.
Four sections of land, &c., selected by commissioners for the seat of government of Illinois, confirmed to the state.

The governor authorized to select a section in lieu of No. 16.

CHAP. XVII.—*An Act confirming the location of the seat of government of the state of Illinois, 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 four sections of land, including the section number sixteen, in township number six north, range number one east, of the third principal meridian, heretofore selected by commissioners appointed for that purpose, for the seat of government of the state of Illinois, be, and the same are hereby declared to be, confirmed to, and vested in, the said state, for the purpose aforesaid.

SEC. 2. *And be it further enacted,* That the governor of said state be, and he is hereby, authorized to select any unappropriated section in said township, for the use of the inhabitants thereof, which shall be in lieu of the said sixteenth section.

APPROVED, March 2, 1821.

STATUTE II.

March 2, 1821.

[Obsolete.]
The charters of the Bank of Alexandria, the Farmers' Bank of Alexandria, Bank of Washington, Bank of the Metropolis, the Patriotic Bank, the Farmers' Bank of Georgetown, the Bank of Columbia extended.

Interest at the rate of 12 per cent. per annum, for failure or refusal of the banks to pay their notes in lawful currency.

And Congress may revoke their charters.

Officers and directors of the banks liable to prosecution, by indictment, for fraudulent practices :

And to be adjudged felons on conviction,

CHAP. XVIII.—*An Act to extend the charters of certain banks in the District of Columbia.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the acts incorporating the several banks in the District of Columbia, herein named, that is to say : The Bank of Alexandria, and the Farmers' Bank of Alexandria, in the town of Alexandria; the Bank of Washington, the Bank of the Metropolis, and the Patriotic Bank of Washington, in the city of Washington; the Union Bank of Georgetown, the Farmers' and Mechanics' Bank of Georgetown, and the Bank of Columbia, in the town of Georgetown; be, and the same are hereby, extended and limited to the third day of March, which shall be in the year of our Lord one thousand eight hundred and thirty-six, under, and subject to, such limitations, modifications, and conditions, as are hereinafter enacted.

SEC. 2. *And be it further enacted,* That if any one of the banks herein named, shall, at any time, fail or refuse to pay, on demand, any bill, note, or obligation, issued by such bank, in lawful currency of the United States, when required, or shall neglect or refuse to pay, on demand, in like currency, if required, any moneys received by such 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 demanding such deposit as aforesaid, shall, respectively, be entitled to receive and recover interest on the same, at the rate of twelve per centum per annum, from the time of the demand until the same be fully paid and satisfied. *And further,* It shall be lawful for Congress, forthwith, to revoke the charter of such bank, and to provide for liquidating and settling the accounts and affairs thereof, in such manner as to their judgment may seem expedient.

SEC. 3. *And be it further enacted,* That any president, director, cashier, teller, clerk, or other officer, or servant, of any of the said banks, or of the Bank of Potomac, hereinafter named, who shall withhold, withdraw, conceal, or embezzle, or connive at the withholding, withdrawal, concealment, or embezzlement, of the money or other property of the bank whereof he is an officer or servant, with intent to defraud the said bank, shall be subject to prosecution therefor, in the name of the United States, by indictment, on presentment or information, in the circuit court of the county wherein such offence shall have been committed, and, on conviction thereof, shall be adjudged a felon, and suffer an imprisonment of not less than one year, nor more than ten years, and forfeit and pay

a sum not less than one thousand, nor more than twenty thousand, dollars, one moiety whereof shall go to the United States, and the other to the informer.

SEC. 4. *And be it further enacted*, That, unless the president and directors, for the time being, of each of the banks respectively, whose charters are hereby extended, shall on behalf of their stockholders, and in virtue of an authority from them, or a majority in interest and number of them, file their declaration, in writing, in the office of the Secretary of the Treasury, within six months from the passage of this act, assenting to, and accepting, the extension of charter hereby granted under the terms, conditions, and limitations, contained in this act, such bank shall forfeit all title to such extension of charter.

SEC. 5. *And be it further enacted*, That every stockholder of the bank of Alexandria, of the Farmers' Bank of Alexandria, and of the Bank of Washington, being a citizen of the United States, and not otherwise, shall be entitled to vote by himself, his agent, or proxy, appointed under his hand and seal, at all elections, in virtue of this act, and shall have as many votes as he has shares, as far as thirty shares, and not more than one vote for every five shares thereafter.

SEC. 6. *And be it further enacted*, That a meeting of the stockholders of the Bank of Alexandria, in the town of Alexandria, shall be held on the third Monday of January in every year, during the continuance of this act; previous notice whereof shall be published in some newspaper printed in Alexandria or the city of Washington, for the space of four weeks successively; and the stockholders assembled in consequence of such notice, shall choose by ballot from among themselves, by a majority of votes of such as shall be present, or by proxy, ten directors being citizens of the United States, for the term of one year thereafter, and on the same day annually, for and during the continuance of this act, a like election shall be made; and in case of death, resignation, refusal, or disqualification, of any director, the remaining directors, at their next meeting, or as soon as convenient thereafter, shall elect, by ballot, another person, qualified as aforesaid, in his place, for the residue of the year. The directors, or any seven of them, shall, at their next meeting after every general election, elect, by a majority of members present, by ballot, from among themselves a president, who shall retain all the powers and privileges of a director; and in case of refusal, death, resignation, or disqualification, of the president, the directors shall meet as soon as conveniently can be thereafter, and after filling the vacancy in the number of directors required by this act, elect another person for president, in manner before directed.

SEC. 7. *And be it further enacted*, That it shall not be lawful for any of the said banks, after the first day of January next, to make issue, or re-issue, any bill, note, or obligation, payable to bearer or order, of a denomination under five dollars.

SEC. 8. *And be it further enacted*, That the fourteenth section of the act incorporating the Bank of Columbia, aforesaid, passed the twenty-eighth day of December, one thousand seven hundred and ninety-three, be, and the same is hereby, repealed and annulled: (a) *Provided*, That the said fourteenth section shall remain in full force and effect in relation to all debts contracted with the said bank previous to the passing of this act.

SEC. 9. *And be it further enacted*, That it shall be lawful for the Central Bank of Georgetown and Washington to proceed forthwith, to liquidate and close all the concerns of the corporation, and after paying and satisfying the debts, contracts, and obligations, of the corporation, to di-

and suffer fine and imprisonment.

Right to extension of charter forfeited.

Assent in writing in the office of the Secretary of the Treasury.

Citizen stockholders in the bank of Alexandria, Farmers' Bank of Alexandria, and Bank of Washington may vote by agent or proxy.

Annual meeting of the stockholders of the Bank of Alexandria in January.

Ten citizen directors, by ballot, for a year.

Remaining directors to fill vacancies. Election of a President.

No note under five dollars after Jan. 1, 1822.

The 14th section of the act incorporating the Bank of Columbia, repealed. Proviso.

Central Bank of Georgetown and Washington authorized to liquidate and

(a) The fourteenth section, here annulled, authorized this bank to enforce the payment of debts by a summary process to execution. The Bank of Columbia was chartered by an act of the general assembly of Maryland.

close its concerns.

For which purpose only the corporation is continued.

The stockholders of the Central Bank may reduce, &c.

The corporation of the Bank of Potomac continued to March 3, 1836.

Act of Feb. 16, 1811, ch. 18.

Election of directors of the Bank of Potomac annually in November, on notice in the newspapers.

Thirteen directors, by ballot, for a year.

Directors may fill vacancies.

Election of a President.

Citizen stockholders may vote according to shares.

Proviso; shares pledged confer no right to vote.

Consolidation of the Union Bank of Alexandria and the Bank of Potomac.

vide the capital and profits which may remain among the stockholders, in proportion to their respective interests; and for this purpose, and for no other intent or purpose whatever, all the necessary powers, as fully as they are now enjoyed by the said corporation, shall be, and the same are hereby, continued to the said corporation, for the term of five years from the first day of January next, and no longer.

SEC. 10. *And be it further enacted*, That it shall and may be lawful for the stockholders of the Central Bank of Georgetown and Washington aforesaid, at their next annual meeting for the election of directors, to reduce the board of directors, for the said Central Bank, to any number not less than six.

SEC. 11. *And be it further enacted*, That the corporation of the Bank of Potomac be, and the same is hereby, continued and extended to the third day of March, in the year of our Lord one thousand eight hundred and thirty-six, during which time it shall hold and be possessed of all the rights, privileges, and immunities, now secured to it by an act passed on the sixteenth day of February, one thousand eight hundred and eleven, entitled "An act to incorporate the Bank of Potomac," and shall be subject to all the restraints and limitations expressed in the said act, except so far as the same shall be altered by any provisions hereinafter contained.

SEC. 12. *And be it further enacted*, That an election for directors of the Bank of Potomac shall be held in the town of Alexandria, on the first Monday in November in each year, of which notice shall be given in one or more newspapers published in said town, for four weeks at least before the day of election; and the stockholders shall choose, by ballot, to be given in person or by proxy, by a majority of votes, from amongst the stockholders, thirteen directors, for the term of one year thereafter, and on resignation, disqualification, or removal, of any director out of the county of Alexandria, or out of the county of Fairfax, in Virginia, the other directors, at their next meeting thereafter, may elect by ballot another person, qualified as aforesaid, in his place, for the residue of the year. The directors, of said bank shall, at the first meeting after every general election, elect, by ballot, from among their own number, by a majority of their whole number, a president; and in case of his death, resignation, or removal, out of the county of Alexandria, or out of the county of Fairfax, or of his refusal to accept his office, the directors shall meet as soon as conveniently can be thereafter, and elect another person as president, in the manner before described.

SEC. 13. *And be it further enacted*, That every stockholder of the Bank of Potomac, being a citizen of the United States, shall be entitled to vote at all elections to be holden by the stockholders of said bank, in pursuance of this act, and shall have as many votes in proportion to the stock he may hold, as follows, that is to say: For every share, from one to twenty, one vote for each share; from twenty to fifty shares, one vote for two shares; from fifty to one hundred, one vote for four shares; above one hundred shares, one vote for six shares: *Provided*, That no share, or number of shares, pledged to the said bank as security for any debt due, or to become due, to it, shall be considered as conferring any right to vote at the said elections.

SEC. 14. *And be it further enacted*, That it shall be lawful for the president of the Union Bank of Alexandria, at any time before the first day of April next, with the consent of a majority in interest of the stockholders thereof, to subscribe to the said Bank of Potomac the full amount of the capital stock of the said Union Bank, and, on such subscription being made, to deliver over and transfer to the said Bank of Potomac, all the books, papers, money, property, and evidences of debts, belonging to the said Union Bank, and to convey to the said Bank of Potomac, the real estate belonging to said Union Bank, for passing the title of which bank, in the said estate, to the said Bank of Potomac, the deed of the

President of the said Union Bank shall be effectual; on which subscription, delivery, transfer, and conveyance, being made, the stockholders of the said Union Bank shall, forthwith, become stockholders in the said Bank of Potomac, and shall be entitled to the same privileges and advantages, and the stock of the said Union Bank shall, to all intents and purposes, be considered as forming a part of the capital of the said Bank of Potomac; and the proper officers of the said Bank of Potomac shall forthwith issue to the stockholders of the said Union Bank, certificates of stock in the said Bank of Potomac, at the rate of one share, or one hundred dollars of Potomac bank stock, for every hundred dollars of the Union Bank stock so subscribed, according to the respective interests of the said stockholders in the stock so subscribed.

SEC. 15. *And be it further enacted*, That on the said union being made as aforesaid, all contracts legally made by the said Union Bank shall, forthwith, become obligatory on the said Bank of Potomac, and all debts due by the said Union Bank on notes issued by it, or otherwise, shall become chargeable on, and payable by the said Bank of Potomac: and the parties to such contracts, and the creditors of the said Union Bank, shall have the same remedies to enforce the performance of such contracts, and the payment of such debts, against the said Bank of Potomac, its property and effects, as are now, by law, given to them against the said Union Bank; and that the said Bank of Potomac may, in its own name, sustain all actions and suits which may be necessary to enforce the payment of debts due to, and the performance of contracts made with the said Union Bank, and for the recovery of any lands, tenements, goods, and chattels, belonging to and improperly withheld from, the said Union Bank.

SEC. 16. *And be it further enacted*, That all bonds, bills, notes, or other securities for money, which, by the terms thereof, have been, or shall be, made payable at the said Union Bank, which shall fall due after the said union shall have been carried into effect, shall, from thenceforth, be considered as if the same had been made payable at the said Bank of Potomac; and that a demand of payment at the said Bank of Potomac shall, to all intents and purposes, be as effectual in law as if the same were made at the said Union Bank.

SEC. 17. *And be it further enacted*, That from the time the said union of the said banks shall be carried into effect, the twenty-seventh section of an act of Congress, passed on the third of March, one thousand eight hundred and seventeen, entitled "An act to incorporate the subscribers to certain banks in the District of Columbia, and to prevent the circulation of the notes of unchartered associations, within the said District," shall be, and the same is hereby repealed: *Provided*, That such repeal shall not, in any way, impair the right of the said Bank of Potomac to the money, property, debts, and effects, which shall be transferred or conveyed to it, as aforesaid, nor its remedies in its own name for the recovery thereof; nor shall any suit now brought in the name of the said Union Bank, thereby abate, but the same may be carried on and prosecuted for the benefit of the said Bank of Potomac to final judgment and execution; and the proceedings on such judgments or executions may be instituted and carried on in the name of the said Union Bank, against the bail, securities, and all other persons bound in such suits, for the defendants therein.

SEC. 18. *And be it further enacted*, That, if any stockholder or stockholders in either of the said banks, who has not heretofore assented to the union aforesaid, shall, within three months from the passing of this act, file his declaration, in writing, in the said Bank of Potomac, declaring himself dissatisfied with the said union, and his determination to withdraw his interest from the same; and if the said bank cannot agree with such stockholder or stockholders on the amount of such interest,

The union being effected, the Bank of Potomac becomes bound by the legal contracts of the Union Bank of Alexandria.

And the Bank of Potomac may enforce the payment of debts due, &c.

Bonds, bills, notes, &c., falling due at the Union Bank of Alexandria, made payable at the Bank of Potomac.

Upon the union of the two banks, the 27th section of the act of March 3, 1817, is repealed.

Act of March 3, 1817, ch. 93. Proviso.

Suits not to abate.

Proceedings in the name of the Union Bank.

Dissatisfied stockholders may file a declaration within three months.

If the parties cannot agree, circuit court on petition may

appoint three commissioners to ascertain the value, of the stockholders' interest, &c.

Decree of the commissioners may be enforced by execution.

Any two or more of the banks whose charters are extended may unite and form a bank, &c.

This act declared a public act.

Repugnant parts of former acts repealed.

STATUTE II.

March 2, 1821.

Part of an act of Feb. 17, 1818, ch. 11, repealed.

The President may establish the office at any suitable place.

STATUTE II.

March 2, 1821.

From the 23d of Aug., 1819, the sums mentioned are to be settled on the persons named, &c.

On the widow of the late O. H. Perry, 400 dollars during her natural life,

and shall not forthwith pay the same, then it shall be lawful for the circuit court of the District of Columbia, at Alexandria, on the petition in writing of such stockholder or stockholders, to appoint three commissioners, whose duty it shall be to ascertain the value of the interest of such stockholder or stockholders in the bank to which he or they may belong at the time of the said union, for which purpose such commissioners shall, under the direction of the said court, have access to the books, papers, and accounts, of the said banks, and, on the report of the said commissioners, and such other evidences, as may be laid before them, then said court shall proceed to ascertain the value of the stock of such stockholder or stockholders, and shall decree the value, so ascertained, to be paid to him or them by the said Bank of Potomac, and shall have power to enforce such decree by execution, attachment, or other legal process.

SEC. 19. *And be it further enacted*, That it shall and may be lawful for any two or more of the banks, whose charters are hereby extended, by their respective presidents and directors, with the consent of a majority in interest of their respective stockholders, to agree, under written articles of association, to unite and form one bank, by a style and name to be prescribed in such articles; and the subscribers thereto, and their legal representatives, shall, from the day fixed for that purpose in the said articles, be incorporated under the style and name set forth in the said articles, and thenceforth subject to the same rules, duties, regulations, conditions, provisions, and impositions, and be vested with the same rights, privileges, and immunities, as a body corporate, as by this act appertains to the Bank of Potomac, and are prescribed for the union of the Union Bank of Alexandria with the Bank of Potomac.

SEC. 20. *And be it further enacted*, That this act be, and the same is hereby declared to be, a public act, and that so much, and such parts, of the said acts, incorporating the several banks aforesaid, as may be repugnant to this act, be, and the same are hereby, repealed and annulled.

APPROVED, March 2, 1821.

CHAP. XXV.—*An Act authorizing the President of the United States to remove the land office in the district of Lawrence county, in the territory of Arkansas.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, so much of the act, entitled "An act making provision for the establishment of additional land offices in the territory of Missouri," as requires that the land office for the district of Lawrence county shall be established at the seat of justice in said county, shall be, and the same is hereby, repealed; and the President of the United States is hereby authorized to remove and establish said office at any suitable place, within the said district.

APPROVED, March 2, 1821.

CHAP. XXXI.—*An Act for the relief of the family of the late Oliver Hazard Perry, Esquire.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, from and after the twenty-third day of August, in the year of our Lord one thousand eight hundred and nineteen, the following sums be, and the same hereby are, settled, by way of annuity, payable, under the direction of the Secretary of the Treasury, half yearly, at the treasury of the United States, or at the loan office at Providence, at the option of the annuitants, on the widow and children of the late Oliver Hazard Perry, Esquire, of the United States' navy; that is to say: On Elizabeth Perry, dowager of the aforesaid Oliver Hazard Perry, four hundred dollars during her natural life:

Provided, That the said annuity shall cease and determine on the determination of her widowhood: on Christopher Grant Perry, his eldest son, one hundred and fifty dollars: on Oliver Hazard Perry, his second son, one hundred and fifty dollars: and on Christopher Raymond Perry, his third son, one hundred and fifty dollars: until the said Christopher Grant, Oliver Hazard, and Christopher Raymond, shall arrive at full age of twenty-one years respectively: and on Margaret Perry, only daughter, and youngest child, of the said Oliver Hazard Perry, deceased, the sum of one hundred and fifty dollars, until she shall arrive at the age of twenty-one years, aforesaid: *Provided*, That, in case the said Margaret shall have contracted any marriage on or before she shall reach the age of twenty-one years aforesaid, then the said pension or annuity shall cease and determine on the day whereon the said marriage shall have been contracted, as aforesaid: *Provided always*, That in case the said Margaret shall not have contracted any marriage on that day, or prior thereto, then the said pension or allowance shall continue to be paid until the marriage or natural demise of the said Margaret; *And provided further*, That in case any of the said children of the said Oliver Hazard Perry, deceased, shall die under lawful age as aforesaid, then, and in that case, the pension or annuity granted by this act, shall, in such case, cease and determine, in respect to such child, so deceasing.

APPROVED, March 2, 1821.

continuing a widow.
Sons and daughter of Oliver H. Perry.

Any child dying before the times specified, his annuity ceases.

STATUTE II.

CHAP. XXXII.—*An Act to alter the times of holding the district court in the northern district of New York. (a)*

March 2, 1821.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the district court of the United States of America, for the northern district of New York, directed by law to be holden at Utica, shall hereafter be holden at the same place, on the last Tuesday of August, instead of the third Tuesday of May, in each year; and that the court directed by law to be holden at Albany, on the second Tuesday of November, shall, instead thereof, hereafter be holden at the same place, on the last Tuesday of January, in each year.

District court to be hereafter holden at Utica on the last Tuesday of August, and the court at Albany on the last Tuesday of January.

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

Proceedings, &c., continued accordingly.

APPROVED, March 2, 1821.

STATUTE II.

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

March 3, 1821.

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

Post-roads discontinued.

From Concord, in Rockingham county, by Salisbury, Andover, New Chester, Bridgewater, and Plymouth, thence by New Holderness, New Hampton, Sanbornton, and Salisbury, to Concord, and

From Farmington to Middleton, in New Hampshire.

From Carver to Wareham.

(a) See note to act of April 3, 1818, ch. 32, for the acts which have been passed relating to the district court of the northern district of New York.

Post-roads dis-
continued.

From Northampton, by Southampton, to Springfield, in Massachusetts.

From Herkimer, by Woodworth's, Columbia, by Underwood's, Litchfield, to Laghwaite.

From Vernon to Delhi.

From Little Falls, by Fairfield, Newport, and Russia, to Remsen, in New York.

From Liberty Corner, by Doughty's Mills, and New Providence, to Springfield, in New Jersey.

From Morgantown, by Crab Orchard, to Kingwood, in Virginia.

From Milledgeville, to Greensborough, in Georgia.

From Pocatigo, by Hickory Hill, to Augusta, in South Carolina.

From Clinton, in Tennessee, to Pulaski, in Kentucky.

From Washington to Cincinnati; and

From Lancaster to Washington, in Ohio.

From Falmouth to Grant's Lick, on the east side of the river in Kentucky.

From Smithton to John Graham's, in Missouri.

Post-roads
established.

SEC. 2. *And be it further enacted*, That the following be established post-roads, that is to say:—

Maine.

In Maine.—From Brunswick, by Topsham, Lisbon, Wales, Monmouth, Leeds, Wayne, and Fayette, to Jay; and thence, by Livermore, Turner, and Durham, to Brunswick.

From Green, by Leeds and Wayne, to Winthrop.

From Bangor, by Levant, Corinth, New Charleston, Atkinson, Sebec, Brownsville, Williamsburg, Foxcroft, Guilford, and Sangerville, to Bangor.

From Warsaw, by Hartland, and St. Albin's, to Palmyra.

From Bethel, by Gilead, Shelburne, Durand, Kilkenny, and Jefferson, to Lancaster, in New Hampshire.

New Hamp-
shire.

In New Hampshire.—From Concord, in Rockingham county, by the M'Crillis tavern, in Canterbury, Northfield meeting house, Sanborn-ton, Smith's village on the turnpike, across the river near Pine Hill, and Bridgewater, to Plymouth.

From Smith's village on the turnpike, by New Hampton meeting house, and the paper mill in Holderness, to Plymouth.

From Concord, by Boscowan, Salisbury village, Andover, New Chester, Bristol, and the Mayhew turnpike, to Rumney.

From Rochester, by Chesnut Hill, in Farmington, to Middleton.

That the post-route from Centre Harbour to Plymouth, and the post-route from Portsmouth, by Meredith, and New Hampton to Plymouth, shall be by the post-office in Holderness.

Massachu-
setts.

In Massachusetts.—From Greenfield, by Bernardstown, Northfield, Warwick, Orange, New Salem, Shutesbury, Leverett, Sunderland, and Montague, to Greenfield.

From Richmond to West Stockbridge.

From North Hampton, by East Hampton, South Hampton, Westfield, Southwick, and East Granby, to Hartford, in Connecticut.

From Worcester to Groton.

From Boston, by a turnpike road, to Taunton; and thence by Welling-ton, Dighton, Swanzey, Warren, Bristol, Portsmouth, and Middleton, to Newport, in Rhode Island.

From South Hadley, by Granby, to Belchertown.

Connecticut.

In Connecticut.—From Mansfield to Willington.

From Stafford, by Union, to Woodstock.

From Brooklyn, by South Killingly, to Thompson.

From Bridgeport, by Long Hill, Trumbull, Levi Edwards', in Hunting-ton, Newtown, and Brookfield, to New Milford.

In New York.—From Utica, by Whitesborough, Floyd, Steuben, and Western, to Rome.

Post-roads
established.
New York.

From Cayuga to Montezuma.

From Turin, by Harrisburg, Copenhagen, Tylersville, Pinkney, and Rodman, to Adams.

From Newburgh, by Middletown, Marlborough, Milton, and New Paltz, to Poughkeepsie.

From Upper Red Hook Landing, to the present post-road from New York, to Albany.

From Watertown, by Le Raysville, to Antwerp.

From Mooresville, by Bovina, in Delaware county, to Delhi.

From Bergen, by Riga and East Riga, to Rochesterville.

From Ellicottville, by Little Valley, Conewongo Creek, and Gerry, to Mayville.

From Caledonia to Riga.

From Whitehall, in Washington county, by Putnam, to Ticonderoga.

From Southold, in Suffolk, to the village of Oysterponds.

From Utica, in the county of Oneida, to Bainbridge, in the county of Chenango, by New Hartford, Paris Furnace, Bridgewater, Brookfield, Columbus, New Berlin, Norwich, and Guilford.

From Lisle, in the county of Broome, through the towns of Berkshire and Caroline, on the Susquehanna, and Bath turnpike road, to Ithica, in the county of Tompkins.

From Manlius, by Oran, Delhi, Fabius, Pompey, and thence to Manlius.

From Utica, by Rome, to Montezuma, and thence to Rochester, upon and near the Great Canal.

From Bennington, Vermont, by White Creek, Cambridge, Easton and Greenwich, to Saratoga Springs, New York.

From Ritchfield by Peltrie's, in Columbia, by Underwood's, in Litchfield, to Utica.

From Peltrie's, in Columbia, by Elie Palmer's, to Herkimer.

From Little Falls, Herkimer county, by Eaton's Bush, Middleville, Newport, Naham Daniel's, Russia post-office, to Trenton, with a side mail from Middleville to Fairfield post-office.

From Canandaigua, in the state of New York, by Manchester, to Palmyra; from thence by South Williamson and Williamson, to Pultneyville.

New Jersey.

In New Jersey.—From Chester to Flanders.

From Liberty Corner to Somerville.

From Trenton, by Croswick's tavern, Rickle's Town, Julius, and Army's, to New Egypt.

Pennsylvania.

In Pennsylvania.—From Easton, by Stockertown, to Roscommon.

From Chester, by Village Green, Wilcoxe's mills, Concord meeting house, and Dilworthtown, to West Chester.

From Clark's Ferry, by Landisburg, Douglas's Mills, and Concord, to Fannellsburg.

From Somerset, by Connelville, Union, Smithfield, Germantown, and Geneva, to Morgantown, in Virginia.

From Hanover, by Berlin, to Dillstown.

From Lambpeter square to Cochranville.

From Gettysburg, by Petersburg, and Dillstown, to Harrisburg.

From Berwick, on the Tioga and Susquehanna turnpike, to Meansville.

From Lancaster, by New London Cross Roads, Newark, and Christiana Bridge, to New Castle, in Delaware.

From Gettysburg, by Lughtersburg, to Hagerstown, in Maryland.

From Leditz, in Lancaster county, by Elizabeth Furnace, and Shueferston, to Lebanon.

From Beavertown, by Jeffriestown and Noblestown, to Cannonsburg.

Post-roads
established.
Delaware.
Maryland.

In Delaware.—From Milford to the village of Milton; a new route.

In Maryland.—That the mail-route from Easton to Princess Anne, shall pass over Dover Bridge, and by New Market and Cambridge; the route from Easton, by the Trappe, to Cambridge, shall nevertheless be continued.

From Easton to the Trappe, in Talbot county.

From Harford to Michael's store.

Virginia.

In Virginia.—From Kingwood, by Crab Orchard, Hagan's store, to Smithfield, in Pennsylvania.

From Lewis Courthouse, by French Creek Settlement, Flatwood's, and Elk river, to Nicholas Courthouse.

From Woodring's mill, in Preston county, by Goff's Ferry, on Cheat river, to Leading Creek, in Randolph county.

From the mouth of Fishing Creek, on Ohio river, by Buffalo, Barnes' mills, Prickett's Settlement, and Smithfield, to Kingwood.

From Springfield to Romney, in Hampshire county.

From Morgantown, by Jackson's Iron Works, Carlisle's Furnace, to Sandy Creek Glades.

From Charlottesville, by Warren, to Buckingham Courthouse.

From Culpepper Courthouse, by State mills, to Woodville.

From Staunton, by Little River, to the Panther Gap.

From Jacksonville, in Wood county, by Murphy's Settlement, to Lewis Courthouse.

That the mail-route from Marietta to Wheeling, pass by Sisterville and the mouth of Fishing Creek.

That the mail-route from the Warm Springs, in Bath county, by Anthony's creek, to Lewisburg, shall, in returning, pass by Frankford, Locust creek, Barnes' Mill, Cackley's, Bradshaw's, and Gatewood's, to the Warm Springs.

North Caro-
lina.

In North Carolina.—From Salisbury to Fayetteville.

From Wilkesborough, by Mock's old fields, Salisbury, Skeen's Ferry, Lawrenceville, Wadesborough, and Sneedsborough, to Cheraw, formerly Chatham, in South Carolina.

From Charlotte, by Chester Courthouse, and Newberry Courthouse, to Edgefield Courthouse, in South Carolina.

That the mail-route from Fayetteville to Wilmington, pass by David Wright's store, in Duplin county.

From Salisbury, by Fulton, to Huntsville.

South Caro-
lina.

In South Carolina.—From Columbia, by Ashville and Warm Springs, in North Carolina, to Lexington, in Kentucky.

From Coosawatchie, by Robertsville and King creek, to Augusta.

Georgia.

In Georgia.—From Monticello, by Monroe in Walton county, and Lawrenceville, in Gwinnett county, to Hall Courthouse.

From Jefferson to Fairfield, in Camden county.

From Carnesville, by Habersham Courthouse, to Rabun Court-
house.

From Powelton, in Hancock county, by Greensborough, to Madison, in Morgan county.

From Carnesville, by Bushville, to Hall Courthouse.

Kentucky.

In Kentucky.—From Franklin to Nashville, in Tennessee.

From Eddyville, by Iron banks, to New Madrid, in Missouri.

That the post-route from Burkesville to Monticello shall pass by Robert Poage's, in Stockton's Valley.

That the post-route from Columbia to Glasgow shall pass by Edmon-
ton, in Barren county.

From Scottsville to Cairo, in Tennessee.

From Falmouth, in Pendleton county, passing the three forks of Grassy
creek and Gains's, to Burlington, in Boone county.

From Bowling Green, by Litchfield and Hardinsburg, to Corydon in Indiana.

Post-roads established.

In Tennessee.—From Clinton to Burkesville, in Kentucky.

Tennessee.

From Washington, in Rhea county, by Hamilton Courthouse, and the new turnpike road, to Morganton, at the mouth of Sequatchee, by Marion Courthouse, and Jackson Courthouse, to Huntsville, in Alabama.

From McMinnville, by Shelbyville, to Columbia.

From Sparta, by Cookeville, Gainesborough, and Meigsville, to Tompkinsville, in Kentucky.

From Kingston, by Washington, to Huntsville, in Alabama.

That the route from Springfield to Russelville, in Kentucky, shall pass Fort's mills, on Red river.

From Murfreesborough to Statesville.

From Vernon, by Perry Courthouse, to Reynoldsburg.

In Ohio.—From Lebanon, by Monroe, to Hamilton.

Ohio.

From Washington, in Pennsylvania, by Wellsburg, in Virginia, Steubenville, New Salem, New Philadelphia, Wooster, and Norwalk, to Lower Sandusky.

From Canton, in Stark county, by New Portage, Norton, and Wadsworth, to Medina, in Medina county.

From Lancaster, by Circleville, to Chillicothe.

From Granville, in Licking county, by Worthington, to Dublin, in Franklin county.

From Urbana, by Troy, to Granville, in Dark county.

From Dover, in Tuscarawas county, by Shanesville and Berlin, to Millersburg, in Coshocton county.

From Dresden, in the county of Muskingum, to Mansfield, in the county of Richland, by the way of West Carlisle, in Coshocton county.

From Aurelius, by Duck creek salt works, in Morgan county, by Senecaville, to Guernsey salt works, and to Washington, Guernsey county.

In Indiana.—From Brownstown to Indianapolis.

Indiana.

From Vernon to Indianapolis.

From Connersville to Indianapolis.

From Lawrenceburg, by Aurora, Hanover, and the Rising Sun, to Versailles; and to return by the way of Vaughan's, in Manchester township.

From Richmond, by Salisbury and Centreville, to Indianapolis.

From Brookville to Indianapolis.

In Illinois.—From Golconda, by Franklin Courthouse, and Hinds', to Vandalia.

Illinois.

From Golconda to Belgrade.

From Shawneetown to Golconda.

The mail from Vincennes, Indiana, to St. Louis, Missouri, shall pass by Vandalia.

From Vandalia, by the seats of justice of such counties as may be established by the legislature prior to the next session of Congress, north of Madison county, to Edwardsville.

From Fairfield, by John G. Fitch's, to Vandalia.

From Palestine to Vandalia.

The mail from Golconda, by Bloomfield, to Jonesborough, to pass by Vienna.

In Mississippi.—From Columbia, by Fort Alford's, to Monticello.

Mississippi.

From Green Courthouse, by New Augusta and Monroe, to Covington Courthouse.

In Alabama.—From Blakely to Mobile Point.

Alabama.

From Fort Hawkins, by Fort Gaines and Butler Courthouse, to Conecuh Courthouse.

In Missouri.—From Shawneetown, by Road's, Jonesborough, in Illinois, and Bainbridge, in Cape Girardeau county, to Jackson.

Missouri.

From St. Charles, by James Journey's, John Biven's, Isaac Vanbibber's, John Grayum's, and Augustus Thrall's, to Franklin.

From Franklin, by the mouth of Arrow Rock and Mount Vernon, to Fort Osage.

From St. Genevieve, by the Saline, Amos Bird's, John F. Henry's, and Bainbridge, to Cape Girardeau.

From Franklin to Boonsville.

From Smithton to Augustus Thrall's.

From Alton, by the house of Levi Roberts, John Shaw, and Leonard Ross, to Louisianaville, in Missouri.

APPROVED, March 3, 1821.

STATUTE II.

March 3, 1821.

[Obsolete.]
Sums appropriated, for—

CHAP. XXXIV.—*An Act making appropriations for the support of government, for the year one thousand eight hundred and twenty-one.*

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 for the service of the year one thousand eight hundred and twenty-one; that is to say:

Congress and their officers.

For compensation, granted by law to the Senate and House of Representatives, their officers and attendants, three hundred fourteen thousand eight hundred and sixty-six dollars.

Senators, &c. of Missouri.

For the compensation of the senators and representatives, elected by Missouri, six thousand dollars.

Contingent expenses.

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

Library of Congress.

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

Books, &c. for the library.

For the purchase of books for the library of Congress, comprehending the statutes and the reports of the decisions of the courts of law and chancery of the different states, with the latest maps of the several states and territories of the United States, one thousand dollars.

The President.

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

Vice President.

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

Secretary of State.

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

Clerks.
1818, ch. 87.

For compensation to the clerks in the Department of State, by the act of twentieth April, one thousand eight hundred and eighteen, fifteen thousand nine hundred dollars.

Messengers.

For compensation to the messengers in said Department, including the messenger to the patent office, nine hundred and sixty dollars.

Contingent expenses.

For the contingent and incidental expenses of the department of State, including expenses of distributing copies of the laws of the second session of the sixteenth Congress, twenty-two thousand seven hundred dollars.

Secretary of the Treasury.

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

Clerks.
1818, ch. 87.

For compensation to the clerks in the office of the Secretary of the Treasury, per act of twentieth April, one thousand eight hundred and eighteen, ten thousand four hundred dollars.

Messengers.

For compensation to the messengers in said office, seven hundred and ten dollars.

1st comptroller.

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

Clerks.
1818, ch. 87.

For compensation to the clerks in the office of the first comptroller, per act of twentieth April, one thousand eight hundred and eighteen, seventeen thousand eight hundred and fifty dollars.

For compensation to the messenger in said office, four hundred and ten dollars.	Messenger.
For compensation to the second comptroller, three thousand dollars.	2d comptroller.
For compensation to the clerks in the office of the second comptroller, per act of twentieth April, one thousand eight hundred and eighteen, nine thousand seven hundred and fifty dollars.	Clerks. 1818, ch. 87.
For compensation to the messenger in said office, four hundred and ten dollars.	Messenger.
For compensation to the first auditor of the treasury, three thousand dollars.	1st auditor.
For compensation to the clerks in the office of the first auditor, per act of twentieth April, one thousand eight hundred and eighteen, fifteen thousand two hundred dollars.	Clerks. 1818, ch. 87.
For compensation to the messenger in said office, four hundred and ten dollars.	Messenger.
For compensation to the second auditor of the treasury, three thousand dollars.	2d auditor.
For compensation to the clerks in the office of the second auditor, per act of twentieth April, one thousand eight hundred and eighteen, seventeen thousand two hundred dollars.	Clerks. 1818, ch. 87.
For compensation to the messenger in said office, four hundred and ten dollars.	Messenger.
For compensation to the third auditor of the treasury, three thousand dollars.	3d auditor.
For compensation to the clerks in the office of the third auditor, per act of twentieth April, one thousand eight hundred and eighteen, twenty-eight thousand six hundred dollars.	Clerks. 1818, ch. 87.
For compensation to the messengers in said office, seven hundred and ten dollars.	Messenger.
For compensation to the fourth auditor of the treasury, three thousand dollars.	4th auditor.
For compensation to the clerks in the office of the fourth auditor, per act of twentieth April, one thousand eight hundred and eighteen, fifteen thousand and fifty dollars.	Clerks. 1818, ch. 87.
For compensation to the messenger in said office, four hundred and ten dollars.	Messenger.
For compensation to the fifth auditor of the treasury, three thousand dollars.	5th auditor.
For compensation to the clerks in the office of the fifth auditor, per act of twentieth April, one thousand eight hundred and eighteen, ten thousand five hundred dollars.	Clerks. 1818, ch. 87.
For three clerks to complete the duties of the commissioner of the revenue, transferred to the office of the fifth auditor, three thousand seven hundred dollars.	Clerks.
For compensation to the messenger in said office, four hundred and ten dollars.	Messenger.
For compensation to the treasurer of the United States, three thousand dollars.	Treasurer.
For compensation to the clerks in the office of the treasurer, per act of twentieth April, one thousand eight hundred and eighteen, five thousand two hundred and fifty dollars.	Clerks. 1818, ch. 87.
For compensation to an additional clerk, as allowed by act of appropriation of one thousand eight hundred and nineteen, and one thousand eight hundred and twenty; and, also, for an assistant to the chief clerk, one thousand two hundred dollars.	Additional clerk to treasurer, 1819, ch. 54.
For compensation to the messenger in said office, four hundred and ten dollars.	1820, ch. 40. Messenger.

- Commissioner of general land office. For compensation to the commissioner of the general land office, three thousand dollars.
- Clerks. For compensation to the clerks in the office of said commissioner, per act of twentieth April, one thousand eight hundred and eighteen, twenty-two thousand five hundred and fifty dollars.
- 1818, ch. 87.
- Messenger. For compensation to the messenger in said office, four hundred and ten dollars.
- Register of treasury. For compensation to the register of the treasury, three thousand dollars.
- Clerks. For compensation to the clerks in the office of the register, per act of twentieth April, one thousand eight hundred and eighteen, twenty-two thousand three hundred and fifty dollars.
- 1818, ch. 87.
- Messenger. For compensation to the messenger in said office, including the allowance for stamping ships' registers, five hundred dollars.
- Secretary to sinking fund. For compensation to the secretary of the commissioners of the sinking fund, two hundred and fifty dollars.
- Transmitting passports, translating, &c. in the treasury. For allowance to the person employed in transmitting passports and sea-letters, for expense of translating foreign languages in the office of the Secretary of the Treasury, for stationery, fuel, printing, and all other contingent and incidental expenses, in the Treasury Department, and the several offices therein, forty-eight thousand seven hundred and forty dollars.
- Superintendent and watchmen of State and Treasury Departments. For allowance to the superintendent, and four watchmen, employed for the security of the state and treasury buildings, one thousand nine hundred dollars.
- Secretary of War. For compensation to the Secretary of War, six thousand dollars.
- Clerks. For compensation to the clerks in the War Department, per act of twentieth April, one thousand eight hundred and eighteen, twenty-three thousand four hundred dollars.
- 1818, ch. 87.
- Messenger. For compensation to the messengers in said department, seven hundred and ten dollars.
- Contingent expenses. For expense of fuel, stationery, printing, and other contingent expenses, in said department, five thousand dollars.
- Maps, books, &c. For maps, plans, books, and instruments, one thousand dollars.
- Paymaster general. For compensation to the paymaster general, two thousand five hundred dollars.
- Clerks. For compensation to the clerks in the office of the paymaster general, per act of twentieth April, one thousand eight hundred and eighteen, nine thousand two hundred dollars.
- 1818, ch. 87.
- Messenger. For compensation to the messenger in said office, four hundred and ten dollars.
- Commissary general. For compensation to the commissary general of purchases, three thousand dollars.
- Clerks. For compensation to the clerks in the office of said commissary, two thousand eight hundred dollars.
- Messenger. For compensation to the messenger in said office, three hundred and sixty dollars.
- Adjutant general's clerks. For compensation to the clerks in the office of the adjutant and inspector general, per act of twentieth April, one thousand eight hundred and eighteen, two thousand one hundred and fifty dollars.
- 1818, ch. 87.
- Clerks of the Ordnance. For compensation to the clerks in the office of the ordnance, per act of twentieth April, one thousand eight hundred and eighteen, two thousand nine hundred and fifty dollars.
- 1818, ch. 87.
- Clerks of commissary general of subsistence. For compensation to the clerks in the office of the commissary general of subsistence, two thousand one hundred and fifty dollars.
- Clerks in the engineer office. For compensation to the clerks in the engineer office, two thousand one hundred and fifty dollars.
- Clerks. For compensation to the clerks in the surgeon general's office, one thousand one hundred and fifty dollars.

For the contingent expenses of the said office, five hundred dollars.	Contingent expenses.
For compensation to the Secretary of the Navy, six thousand dollars.	Secretary of the Navy.
For compensation to the clerks in the office of the Secretary of the Navy, per act of twentieth April, one thousand eight hundred and eighteen, eight thousand two hundred dollars.	Clerks.
For compensation to the messengers in said office, seven hundred and ten dollars.	1818, ch. 87.
For the contingent expenses of said office, two thousand dollars.	Messengers.
For compensation to the commissioners of the navy board, ten thousand five hundred dollars.	Contingent expenses.
For compensation to the secretary of the commissioners of the navy board, two thousand dollars.	Commissioners of navy board.
For compensation to the clerks in the office of the commissioners of the navy board, per act of twentieth April, one thousand eight hundred and eighteen, three thousand five hundred and fifty dollars.	Secretary of navy board.
For compensation to three clerks, and a draftsman, as allowed by acts of appropriation for one thousand eight hundred and nineteen, and one thousand eight hundred and twenty, in the office of said commissioners, four thousand dollars. For compensation to the messenger, in said office four hundred and ten dollars.	Clerks.
For the contingent expenses of said office, two thousand dollars.	1818, ch. 87.
For allowance to the superintendent, and four watchmen, for the security of the war and navy buildings, and for the repairs of engine, hose, and buckets, one thousand nine hundred dollars.	Other clerks, &c.
For compensation to the Postmaster General, four thousand dollars.	1819, ch. 54.
For compensation to two assistant postmasters general, five thousand dollars.	1820, ch. 40.
For compensation to the clerks in the general post-office, per act of twentieth April, one thousand eight hundred and eighteen, twenty-two thousand seven hundred dollars.	Messenger.
For compensation to the messengers in said office, six hundred and sixty dollars.	Contingent expenses.
For contingent expenses of said office, four thousand dollars.	Security of war and navy buildings.
For compensation to the surveyor general, two thousand dollars.	Postmaster general.
For compensation to the clerks in the office of the surveyor general, two thousand one hundred dollars.	Assistant P. M. general.
For compensation to the surveyor south of Tennessee, two thousand dollars.	Clerks.
For compensation to the clerks in the office of said surveyor, one thousand seven hundred dollars.	1818, ch. 87.
For compensation to the surveyor in Illinois, Missouri, and Arkansas, two thousand dollars.	Messengers.
For compensation to the clerks in the office of said surveyor, two thousand dollars.	Contingent expenses.
For compensation to the surveyor in Alabama, two thousand dollars.	Surveyor general.
For compensation to the clerks in the office of the surveyor, in Alabama, one thousand five hundred dollars.	Clerks.
For compensation to the commissioner of public buildings, at Washington city, two thousand dollars.	Surveyor south of Tennessee.
For compensation to the officers and clerks in the mint, nine thousand six hundred dollars.	Clerks.
For wages of persons employed in the different operations of the mint, nine thousand and fifty dollars.	Surveyor in Illinois and Missouri.
For incidental and contingent expenses, and repairs, cost of machinery, and for allowance of wastage in the gold and silver coinage of the mint, eight thousand one hundred dollars.	Clerks.
For compensation to the governor, judges, and secretary, of the Arkansas territory, six thousand six hundred dollars.	Surveyor in Alabama.
For the contingent expenses of said territory, three hundred and fifty dollars.	Clerks.
	Commissioner of public buildings.
	Officers and clerks in the mint.
	Persons employed in the mint.
	Contingent expenses.
	Governor, &c. of Arkansas.
	Contingent expenses.

- Governor, &c. of Michigan. For compensation to the governor, judges, and secretary, of the Michigan territory, six thousand six hundred dollars.
- Contingent expenses. For the contingent expenses of said territory, three hundred and fifty dollars.
- Judges of the United States. For compensation 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, seventy-eight thousand two hundred dollars.
- Attorney general. For compensation to the attorney general of the United States, three thousand five hundred dollars.
- Clerks. 1818, ch. 87. For compensation to the clerk in the office of the attorney general, per act of twentieth April, one thousand eight hundred and eighteen, eight hundred dollars.
- Contingent expenses. For contingent expenses of said office, including compensation to the messenger, five hundred dollars.
- Reporter of decisions of Supreme Court. For compensation to the reporter of the decisions of the Supreme Court, one thousand dollars.
- District attorneys and marshals. For compensation to sundry district attorneys and marshals, as granted by law, including those in the several territories, eight thousand nine hundred and fifty dollars.
- Sundry pensions. For the payment of sundry pensions, granted by the late and present governments, one thousand five hundred and ninety dollars.
- Disabled seamen. For making good a deficiency in the fund for the relief and protection of sick and disabled seamen, fifty thousand dollars.
- Lighthouses. For the support of lighthouses, and other establishments for the protection of navigation, one hundred and two thousand three hundred and forty-one dollars and twenty-eight cents.
- Surveying public lands. For surveying the public lands of the United States, one hundred and fifty thousand dollars.
- Clerks in the office of superintendent of Indian trade. For additional compensation allowed by the act of the twentieth April, one thousand eight hundred and eighteen, to the clerks in the office of the superintendent general of Indian trade, four hundred and fifty dollars.
- Bringing votes, &c. For bringing on the votes of President and Vice President, three thousand one hundred and ninety-five dollars and fifty cents.
- Ships' registers. For expenses of ships' registers, three thousand seven hundred and fifty dollars.
- Miscellaneous claims. For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall be admitted in due course of settlement at the treasury, six thousand dollars.
- Salaries of ministers of the United States in foreign places. For the salaries of the ministers of the United States to London, Paris, St. Petersburg, and Madrid, with the salaries of their several secretaries of legation, and the salaries of the charge d'affaires at the Hague, Rio Janeiro, and at Stockholm, fifty-seven thousand five hundred dollars.
- Outfit for minister at Paris. For an outfit to a minister at Paris, nine thousand dollars.
- Contingencies of foreign missions. For the contingent expenses of those missions, ten thousand dollars.
- Foreign intercourse. For the contingent expenses of foreign intercourse, thirty thousand dollars.
- Barbary powers. For the expenses of intercourse with the Barbary powers, forty-two thousand dollars.
- Agents for claims and seamen. For salaries of the agents for claims on account of spoiliations and for seamen, at London and Paris, four thousand dollars.
- Relief of seamen. For the relief and protection of American seamen in foreign countries, forty thousand dollars.
- Opening a road in the Indian country. For opening, under the direction of the Secretary of War, within the Indian country, a road from a point at or near Turner Brashears' stand, on the old Natchez road, to a point at or near Columbus, on the military road, the sum of five thousand dollars, which, by an act of the twenty-seventh of March, one thousand eight hundred and eighteen, was appro-

priated for keeping in repair said old road from Natchez to Columbia, in Tennessee, and which remains unexpended.

1818, ch. 24.

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.

Out of moneys in the treasury.

APPROVED, March 3, 1821.

STATUTE II.

CHAP. XXXV.—*An Act making appropriations for the military service of the United States, for the year one thousand eight hundred and twenty-one.*

March 3, 1821.

[Obsolete.]

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 for the military service of the United States, for the year one thousand eight hundred and twenty-one, to wit:

Sums appropriated, for—

For the pay of the army and subsistence of the officers, nine hundred and fifty-four thousand five hundred and fifty-five dollars eighty-six cents, in addition to an unexpended balance of the year one thousand eight hundred and twenty, of one hundred and eighty thousand eight hundred and eighty dollars and seventy-eight cents.

Pay and subsistence of officers.

For three months' gratuitous pay for disbanded officers and soldiers, including travelling allowances for the same, sixty thousand dollars.

Pay of disbanded officers.

For subsistence, one hundred and four thousand six hundred and fifty-four dollars and sixty-seven cents, in addition to the sum of one hundred and fifty thousand dollars already appropriated.

Subsistence.

For forage for officers, forty-one thousand five hundred and forty-one dollars.

Forage.

For clothing, two hundred and seventy-six thousand five hundred and sixty-five dollars and twenty-five cents, in addition to an unexpended balance of thirteen thousand nine hundred and three dollars and seventy-two cents.

Clothing.

For the medical and hospital department, twenty-four thousand five hundred and five dollars, in addition to an unexpended balance of nine thousand eight hundred and eighty-one dollars and sixty-five cents.

Medical and hospital department.

For the quartermaster general's department, two hundred and two thousand eight hundred and sixty-eight dollars, in addition to the sum of one hundred and fifty thousand dollars already appropriated, to wit:

Quartermaster general's department.

For regular supplies, transportation, rents, and repairs, postage and courts martial, and contingencies of the department, and pay of soldiers employed in the erection and repairs of barracks, surveys, roads, and other labour, three hundred and seventeen thousand eight hundred and sixty-eight dollars.

Supplies, transportation, rents, &c.

To complete the barracks at Baton Rouge, twenty thousand dollars; and for the transportation of ordnance, fifteen thousand dollars.

Barracks at Baton Rouge.

For arrearages in the quartermaster general's department, twenty thousand dollars.

Arrearages.

For the military academy, seventeen thousand and thirty-six dollars and twenty-two cents.

Military academy.

For fortifications, two hundred and two thousand dollars, in addition to an unexpended balance of one hundred thousand dollars; to be applied to the following fortifications, to wit:

Fortifications.

Fort Delaware, fifty-five thousand dollars, to complete the same.

Fort Delaware.

Fort Washington, twenty-two thousand dollars.

Fort Washington.

Fort Monroe, sixty-five thousand dollars.

Fort Monroe.

Fort Calhoun, fifty thousand dollars.

Fort Calhoun.

Rigolets, sixty thousand dollars.

Rigolets.

Mobile Point, thirty thousand dollars.

Mobile Point.

Repairs, &c.	Repairs and contingencies, twenty thousand dollars.
Contingencies.	For the contingencies of the army, forty thousand dollars.
National armories.	For the national armories, three hundred and forty thousand dollars, in addition to an unexpended balance of twenty thousand dollars.
Ordnance service.	For the current expenses of the ordnance service, an unexpended balance of twenty-three thousand six hundred and sixty-three dollars and seven cents.
Contracts, &c.	For the fulfilment of existing contracts for cannon, shot, and shells, and for the purchase of one thousand sword belts, and of timber for gun carriages, fifty-three thousand two hundred and fifty dollars.
Invalid pensioners.	For the annual allowance to the invalid pensioners of the United States, two hundred and thirteen thousand three hundred and twenty-four dollars, in addition to an unexpended balance of one hundred and one thousand six hundred and seventy-six dollars and seventy-five cents.
Widows and orphans.	For the half-pay pensions of widows and orphans, thirty thousand dollars.
Arrearages.	For arrearages, prior to the first of January, eighteen hundred and seventeen, fifty thousand dollars, in addition to a former appropriation of twenty thousand dollars.
Arrearages in Indian department.	For arrearages in the Indian department, one hundred and thirty thousand two hundred and five dollars and forty-four cents.
Indian department.	For the current expenses of the Indian department, one hundred thousand dollars.
Revolutionary pensioners.	For the annual allowance to the revolutionary pensioners of the United States, one million two hundred thousand dollars, being part of the unexpended balance of a former appropriation.
Creek treaty.	For carrying into effect the treaty concluded with the Creek nation, on the eighth of January, one thousand eight hundred and twenty-[one,] and ratified by and with the advice and consent of the Senate, on the twenty-fourth of February, one thousand eight hundred and twenty-one, forty-eight thousand five hundred dollars.
Choctaw treaty.	For carrying into effect the treaty concluded with the Choctaw nation of Indians, on the eleventh of October, one thousand eight hundred and twenty, sixty-five thousand dollars; and for payment of one year's annuity to Mushulatubba, a Choctaw chief, one hundred and fifty dollars.
Road in the state of Georgia.	For completing the road in the state of Georgia, through the Creek nation, under the acts of the twenty-seventh April, one thousand eight hundred and sixteen, twenty-seventh March, one thousand eight hundred and eighteen, and fourteenth April, one thousand eight hundred and twenty, one thousand dollars.
1816, ch. 112.	
1818, ch. 24.	
1820, ch. 45.	
Arsenal at Augusta.	For discharging arrearages incurred in building the arsenal at Augusta, in Georgia, forty thousand dollars.
Out of money in the treasury.	SEC. 2. <i>And be it further enacted,</i> That the several appropriations, hereinbefore made, shall be paid out of any money in the treasury not otherwise appropriated.
	APPROVED, March 3, 1821.

STATUTE II.

March 3, 1821.

[Obsolete.]
Sums appropriated, for—

CHAP. XXXVI.—*An Act making appropriations for the support of the navy of the United States, for the year one thousand eight hundred and twenty-one.*

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

Pay and subsistence of officers.

For the pay and subsistence of the officers, and pay of the seamen, nine hundred and eighty-three thousand three hundred and twenty-five dollars and twenty-five cents.

For provisions, three hundred and thirty-seven thousand eight hundred and thirty-one dollars.

Provisions.

For medicines, hospital stores, and all expenses on account of the sick, thirty-two thousand dollars.

Medicines.

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

Repairs of vessels.

For improvement of navy yards, docks, and wharves, pay of superintendents, storekeepers, clerks, and labourers, twenty-five thousand dollars.

Navy yards, &c.

For ordnance and ordnance stores, twenty-five thousand dollars.

Ordnance, &c.

For contingent expenses, two hundred thousand dollars.

Contingent expenses.

For pay and subsistence of the marine corps, one hundred and sixty-nine thousand three hundred and ninety-three dollars.

Marine corps.

For clothing the same, thirty thousand six hundred and eighty-six dollars and thirty-one cents.

For fuel for the same, six thousand eight hundred and fifty-seven dollars and fifty cents.

For contingent expenses of the same, fourteen thousand dollars.

For completing the equipment of the vessels constructed in pursuance of the act authorizing the building of a certain number of small vessels of war, ten thousand dollars.

Equipment of small vessels of war.

For the purpose of enabling the Secretary of the Navy to remove obstructions placed in the river Thames, in Connecticut, by the commander of the American ships, during the late war, one hundred and fifty dollars.

Removing obstructions in river Thames.

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.

Out of moneys in the treasury.

APPROVED, March 3, 1821.

STATUTE II.

CHAP. XXXVII.—*An Act making appropriations for the public buildings.*

March 3, 1821.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, for continuing the work on the centre building of the capitol, and other improvements on the public buildings, the following sums of money be, and hereby are, appropriated:

[Obsolete.] Sums appropriated, for—

For continuing the work on the centre building, the sum of eighty thousand dollars.

Centre building.

For covering the roof of the President's house with copper, seven thousand eight hundred and forty-five dollars.

President's house.

For graduating and improving the ground around the Capitol, two thousand dollars.

Ground round the Capitol.

For improvements in the Senate chamber, and in the hall of the House of Representatives, and in the library, seven hundred dollars.

Senate chamber, hall, and library.

SEC. 2. *And be it further enacted*, That the unexpended balances of appropriations to other public buildings, are hereby appropriated to the centre building.

Unexpended balance to the centre building.

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

Out of moneys in the treasury.

APPROVED, March 3, 1821.

STATUTE II.

CHAP. XXXVIII.—*An Act to authorize the President of the United States to borrow a sum not exceeding five millions of dollars.*

March 3, 1821.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby, empowered to borrow, on the credit of the United States, a sum not exceeding five millions of dollars, at a

[Obsolete.]

The President empowered to borrow not more than 5,000,000 dollars at not

exceeding five per centum.
Reimbursable after 1st Jan., 1835.

Stock transferable.

The Bank of the United States may lend the money.

Certificates of stock may be constituted and sold.

Proviso.

The Secretary of Treasury may employ agents to obtain subscriptions, or to sell the stock.

Commissions to agents.

Surplus of the annual appropriation of 10,000,000 dollars pledged for the payment of the principal of the stock of the loan.

Commissioners of the sinking fund authorized to apply the sums necessary.

Faith of the United States pledged.

rate of interest, payable quarter-yearly, not exceeding five per centum per annum, and reimbursable, at the will of the government, at any time after the first day of January, one thousand eight hundred and thirty-five; to be applied, in addition to the moneys now in the treasury, or which may be received therein from other sources, during the present year, to defray any of the public expenses which are, or may be, authorized by law. The stock thereby created shall be transferable in the same manner as is provided by law for the transfer of the public debt.

SEC. 2. *And be it further enacted,* That it shall be lawful for the Bank of the United States to lend the said sum, or any part thereof; and it is hereby further declared, that it shall be deemed a good execution of the said power to borrow, for the Secretary of the Treasury, with the approbation of the President of the United States, to cause to be constituted certificates of stock, signed by the register of the treasury, or by a commissioner of loans, for the sum to be borrowed, or for any part thereof, bearing an interest of five per centum per annum, transferable and reimbursable as aforesaid, and to cause the said certificates of stock to be sold: *Provided,* That no stock be sold under par.

SEC. 3. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby, authorized, with the approbation of the President of the United States, to employ an agent, or agents, for the purpose of obtaining subscriptions to the loan authorized by this act, or of selling any part of the stock to be created by virtue thereof. A commission of not exceeding one-eighth of one per centum on the amount thus sold, or for which subscriptions shall be obtained, may, by the Secretary of the Treasury, be allowed to such agent or agents; and a sum not exceeding four thousand dollars, to be paid out of any moneys in the treasury not otherwise appropriated, is hereby appropriated for that object, and subscription certificates, and certificates of stock, and other expenses incident to the due execution of this act.

SEC. 4. *And be it further enacted,* That so much of the funds constituting the annual appropriation of ten millions of dollars, for the payment of the principal and interest of the public debt of the United States, as may be sufficient for that purpose, after satisfying the sums necessary for the payment of the interest, and of such part of the principal, of the said debt, as the United States are now pledged annually to pay and reimburse, is hereby pledged and appropriated for the payment of the interest, and for the reimbursement of the principal, of the stock which may be created by virtue of this act. It shall, accordingly, be the duty of the commissioners of the sinking fund to cause to be applied, and paid out of the said fund, yearly, such sum and sums as may annually be necessary to discharge the interest accruing on the said stock, and to reimburse the principal, as the same may become due, and may be discharged in conformity with the terms of the loan. And they are further authorized to apply, from time to time, such sum or sums towards discharging, by purchase, and at a price not above par, the principal of the said stock, or any part thereof; and the faith of the United States is hereby pledged to establish sufficient revenues for making up any deficiency that may hereafter take place in the funds hereby appropriated for paying the said interest and principal sums, or any of them, in manner aforesaid.

APPROVED, March 3, 1821.

CHAP. XXXIX.—*An Act for carrying into execution the treaty between the United States and Spain, concluded at Washington on the twenty-second day of February, one thousand eight hundred and nineteen. (a)* March 3, 1821.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the President authorized to take possession of

(a) See note to the act of March 3, 1819, for the acts passed relating to the territory of Florida. The decisions of the Supreme Court upon the treaty between the United States and Spain of 22d of February, 1819, by which Florida was ceded to the United States, and upon the act of March 3, 1821, have been :

By the stipulations of a treaty, are to be understood its language and apparent intentions, manifested in the instrument; with a reference to the contracting parties, the subject matter and persons on whom it is to operate. *United States v. Arredondo et al.*, 6 Peters, 710.

The judiciary is not that department of the government to which the assertion of its interest against foreign powers is confided; and its duty, commonly, is to decide upon individual rights according to those principles which the political departments of the nation have established. If the course of the nation has been a plain one, its courts would hesitate to pronounce it erroneous. However individual judges might construe the treaty of St. Ildefonso, it is the province of the Supreme Court of the United States to confine its decisions to the will of the legislature, if that will has been clearly expressed. *Foster and Elam v. Neilson*, 2 Peters, 307. *United States v. Arredondo*, 6 Peters, 710.

A treaty of cession is a deed of the ceded territory; the sovereign is the grantor, and the act is his; so far as relates to the cession the treaty is his act and deed, and all courts must so consider it; and deeds are construed in equity by the rules of law. *Ibid.* 738.

The Spanish version of the Florida treaty was in the words of the king, and expressed his intention; and though the American version showed the intention of the American government to be different, the Supreme Court cannot adopt it to decide what was granted by the king of Spain, what accepted and what reserved: the rules of law are too imperative to be disregarded or mistaken. The true interpretation of the Spanish language of the treaty is, that the grants of lands in Florida, made before the treaty, except those specially excepted, is that these grants remain confirmed.—The proprietors of such grants could bring suits to recover them without any action of Congress; and any question arising would be purely a judicial question. *Ibid.* 741.

The object of the treaty with Spain, which ceded Florida to the United States, dated 22d May, 1819, was to invest the commissioners with full power and authority to receive, examine, and decide upon the amount and validity of asserted claims upon Spain, for damages and injuries. Their decision, within the scope of this authority, is conclusive and final, and is not re-examinable. The parties must abide by it, as the decree of a competent tribunal of exclusive jurisdiction. A rejected claim cannot be brought again under review in any judicial tribunal. But it does not naturally follow that this authority extends to adjust all conflicting rights, of different citizens, to the fund so awarded. The commissioners are to look to the original claim for damages and injuries against Spain itself; and it is wholly immaterial, who is the legal or equitable owner of the claim, provided he is an American citizen. *Comegys et al. v. Vasse*, 1 Peters, 212.

After the validity and amount of the claim has been ascertained by the award of the commissioners, the rights of the claimant to the fund, which has passed into his hands and those of others, are left to the ordinary course of judicial proceedings, in the established courts of justice. *Ibid.* 212.

The treaty with Spain recognised an existing right in the aggrieved parties to compensation; and did not, in the most remote degree, turn upon the notion of donation or gratuity. It was demanded by our government as matter of right, and as such was granted by Spain. *Ibid.* 217.

Even in cases of conquest, it is very unusual for the conqueror to do more than to displace the sovereign and assume dominion over the country. The modern usage of nations, which has become law, would be violated; that sense of justice and of right, which is acknowledged and felt by the whole civilized world, would be outraged, if private property should be generally confiscated, and private rights annulled on a change in the sovereignty of the country, by the Florida treaty. The people change their allegiance, their relation to their ancient sovereign is dissolved; but their relations to each other and their rights of property remain undisturbed. Had Florida changed its sovereign by an act containing no stipulation respecting the property of individuals, the right of property in all those who became subjects or citizens of the new government would have been unaffected by the change. It would have remained the same as under the ancient sovereign. *United States v. Percheman*, 7 Peters 51.

The language of the second article of the treaty between the United States and Spain, of 22d February, 1819, by which Florida was ceded to the United States, conforms to this general principle. *Ibid.*

The eighth article of the treaty must be intended to stipulate expressly for the security to private property, which the laws and usages of nations would, without express stipulation, have conferred. No construction which would impair that security, further than its positive words require, would seem to be admissible. Without it, the titles of individuals would remain as valid under the new government as they were under the old. And those titles, so far at least as they were consummated, might be asserted in the courts of the United States, independently of this article. *Ibid.*

The treaty was drawn up in the Spanish as well as in the English languages. Both are original, and were unquestionably intended by the parties to be identical. The Spanish has been translated; and it is now understood that the article expressed in that language is, that "the grants shall remain ratified and confirmed to the persons in possession of them, to the same extent," &c.; thus conforming exactly to the universally received law of nations. *Ibid.*

If the English and Spanish part can, without violence, be made to agree, that construction which establishes this conformity ought to prevail. *Ibid.*

No violence is done to the language of the treaty by construction which conforms the English and Spanish to each other. Although the words "shall be ratified and confirmed," are properly words of

east and west
Florida.

And remove
Spanish troops,
according to
treaty.

United States be, and he is hereby, authorized to take possession of, and occupy, the territories of east and west Florida, and the appendages and appurtenances thereof; and to remove and transport the officers and soldiers of the king of Spain, being there, to the Havanna, agreeably to the stipulations of the treaty between the United States and Spain, concluded at Washington, on the twenty-second day of February, in the year one thousand eight hundred and nineteen, providing for the cession

contract, stipulating for some future legislation, they are not necessarily so. They may import that "they shall be ratified and confirmed" by force of the instrument itself. When it is observed that in the counterpart of the same treaty, executed at the same time, by the same parties, they are used in this sense, the construction is proper, if not unavoidable. *Ibid.*

In the case of Foster and Elam v. Neilson, 2 Peters, 253, the Supreme Court considered those words importing a contract. The Spanish part of the treaty was not then brought into view, and it was then supposed there was no variance between them. It was not supposed that there was even a formal difference of expression in the same instrument, drawn up in the language of each party. Had this circumstance been known, it is believed it would have produced the construction which is now given to the article. *Ibid.*

By the law of nations, the inhabitants, citizens, or subjects of a conquered or ceded country, territory, or province, retain all the rights of property which have not been taken from them by the orders of the conqueror; and this is the rule by which we must test its efficacy according to the act of Congress, which we must consider as of binding authority. *United States v. Clarke*, 9 Peters, 168.

A treaty of cession is a deed or grant by one sovereign to another, which transferred nothing to which he had no right of property; and only such right as he owned, and could convey to the grantee. By the treaty with Spain, the United States acquired no lands in Florida to which any person had lawfully obtained such a right, by a perfect or inchoate title, that this court could consider it as property under the second article; or which had, according to the stipulations of the eighth article of the treaty, been granted by the lawful authorities of the king; which words, grants, or concessions, were to be construed in their broadest sense, so as to comprehend all lawful acts which operated to transfer a right of property, perfect or imperfect. *Ibid.*

The effect of the clauses of the confirmation of grants made was, that they confirmed them presently on the ratification of the treaty, to those in possession of the lands; which was declared to be, that legal seisin and possession which follows title, is co-extensive with the right, and continues till it is ousted by an actual adverse possession, as contradistinguished from residence and occupation. *Ibid.*

The United States, by accepting the cession under the terms of the eighth article, and the ratification by the king, with an exception of the three annulled grants to Allegon, Punon Rostro, and Vargas, can make no other exceptions of grants made by the lawful authorities of the king. *Ibid.*

The meaning of the words lawful authorities, in the eighth article, or competent authorities in the ratification, must be taken to be, "by those persons who exercised the granting power by the authority of the crown." The eighth article expressly recognises the existence of these lawful authorities in the ceded territories, designating the governor or intendant, as the case might be, as invested with such authority: which is to be deemed competent till the contrary is made to appear. *Ibid.*

By "the laws of Spain" is to be understood the will of the king expressed in his orders, or by his authority, evidenced by the acts themselves; or by such usage and customs in the province as may be presumed to have emanated from the king, or to have been sanctioned by him, as existing authorized local laws. *Ibid.*

In addition to the established principles heretofore laid down by this court as the legal effect of an usage or custom, there is one which is peculiarly appropriate to this case. The act of Congress giving jurisdiction to this court to adjudicate on these causes, contains this clause in reference to grants, &c., "which was protected and secured by the treaty, and which might have been perfected into a complete title, under and in conformity to the laws, usages and customs of the government under which the same originated." This is an express recognition of any known and established usage or custom in the Spanish provinces, in relation to the grants of land, and the title thereto, which brings them within a well established rule of law: that a custom or usage, saved and preserved by a statute, has the force of an express statute, and shall control all affirmative statutes in opposition, though it must yield to the authority of negative ones, which forbid an act authorized by a custom or usage thus saved and protected; and this is the rule by which its efficacy must be tested, according to the act of Congress, which must be considered of binding authority. *Ibid.*

By the eighth article of the treaty ceding Florida to the United States, the same time is allowed to the owners of land granted under the authority of Spain, to fulfil the conditions of their grants, after the date of the treaty as was limited in the grants. It has been decided by this court, in the case of *Arredondo*, that as to individual rights, the treaty is to be considered as dated at its ratification. *United States v. Sibbald*, 10 Peters, 313.

It has been decided, in *Arredondo's* case, that that provision of the treaty as to the performance of the conditions in grants, is not confined to owners of land by occupancy or residence; but extends to persons who have a legal seisin and possession of land, in virtue of a grant; and that, in the situation of the province, and the claimants to land at the time of the cession, it was enough that they should show a performance of the condition *cy pres*. *Ibid.*

In the construction of the Florida treaty, it is admitted that the United States succeeds to all those equitable obligations which we are to suppose would have influenced his Catholic majesty, to secure their property to his subjects, and which would have been applied by him in the construction of a conditional grant, to make it absolute; and further, that the United States must maintain the rights of property under it, by applying the laws and customs by which those rights were secured, before Florida was ceded; or by which an inchoate right of property would, by those laws and customs, have been adjudicated by the Spanish authority to have become a perfect right. *United States v. Mills' Heirs*, 12 Peters, 215.

of said territories to the United States; and he may, for these purposes, and in order to maintain in said territories the authority of the United States, employ any part of the army and navy of the United States, and the militia of any state or territory, which he may deem necessary.

SEC. 2. *And be it further enacted,* That, until the end of the first session of the next Congress, unless provision for the temporary government of said territories be sooner made by Congress, all the military, civil, and judicial, powers exercised by the officers of the existing government of the same territories, shall be vested in such person and persons, and shall be exercised in such manner, as the President of the United [States] shall direct, for the maintaining the inhabitants of said territories in the free enjoyment of their liberty, property, and religion; and the laws of the United States relating to the revenue and its collection, subject to the modification stipulated by the fifteenth article of the said treaty, in favour of Spanish vessels and their cargoes, and the laws relating to the importation of persons of colour, shall be extended to the said territories. And the President of the United States shall be, and he is hereby, authorized within the term aforesaid, to establish such districts for the collection of the revenue, and during the recess of Congress, to appoint such officers, whose commissions shall expire at the end of the next session of Congress, to enforce the said laws, as to him shall seem expedient.

SEC. 3. *And be it further enacted,* That the President of the United States be, and he is hereby, authorized to appoint, during the recess of the Senate, a commissioner and surveyor, whose commissions shall expire at the end of the next session of Congress, to meet the commissioner and surveyor who may be appointed on the part of Spain, for the purposes stipulated in the fourth article of said treaty; and that the President be, and he is hereby, further authorized to take all other measures which he shall judge proper, for carrying into effect the stipulations of the said fourth article.

SEC. 4. *And be it further enacted,* That a board of three commissioners shall be appointed, conformably to the stipulations of the eleventh article of the said treaty: and the President of the United States is hereby authorized to take any measures which he may deem expedient for organizing the said board of commissioners, and, for this purpose, may appoint a secretary well versed in the French and Spanish languages, and a clerk; which appointments, if made during the recess of the Senate, shall, at the next meeting of that body, be subject to nomination for their advice and consent.

SEC. 5. *And be it further enacted,* That the compensation of the respective officers, for whose appointment provision is made by this act, shall not exceed the following sums:

The commissioner to be appointed conformably to the fourth article, at the rate, by the year, of three thousand dollars.

To the surveyor, two thousand dollars.

To each of the three commissioners to be appointed conformably to the eleventh article of the treaty, three thousand dollars.

To the secretary of the board, two thousand dollars.

To one clerk, one thousand five hundred dollars.

SEC. 6. *And be it further enacted,* That, for carrying this act into execution, the sum of one hundred thousand dollars be, and hereby is, appropriated, to be taken from any moneys in the treasury not otherwise appropriated.

APPROVED, March 3, 1821.

May employ the army, navy, and militia.

Organization of government, as the President may direct.

Revenue laws, and laws prohibiting the importation of persons of colour, to be in force.

President authorized to establish collection districts, and appoint officers.

President to appoint a commissioner and surveyor, &c.

President may take all other measures necessary, &c.

Board of three commissioners, according to 11th article of the treaty.

President may organize the board.

Secretary. Clerk.

Compensation.

Of commissioner under the 4th article.

Of surveyor.

Of the commissioners under the 11th article.

Of the secretary.

Clerk. 100,000 dollars for carrying this act into execution.

STATUTE II.

March 3, 1821.

[Obsolete.]
25000 dolls. per
annum to each
commissioner.

2500 dolls. per
annum to each
agent.

In full.

Proviso.

Commission-
ers and agents
not entitled, be-
fore Jan. 1,
1821, to
more than
4444 dollars
per annum in
full, &c.

25,000 dollars
for payment of
salaries, &c.,
during 1821.

CHAP. XL.—*An Act establishing the salaries of the commissioners and agents appointed under the treaty of Ghent.*

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 January, one thousand eight hundred and twenty-one, each commissioner now appointed, or who may be appointed agreeably to the provisions of the treaty of Ghent, shall be entitled to receive at the rate of twenty-five hundred dollars per annum; and each agent appointed, or who may be appointed, as aforesaid, shall be entitled to receive at the rate of twenty-five hundred dollars per annum; which said sums, so allowed to said officers, respectively, shall be a full compensation for services and all personal expenses incurred while in the performance of the duties of their respective offices: *Provided,* That the compensation by this section allowed, shall not be continued longer than two years from the said first day of January, one thousand eight hundred and twenty-one.

SEC. 2. *And be it further enacted,* That each commissioner and agent shall not be entitled to receive, for services performed in their respective offices, before the said first day of January, one thousand eight hundred and twenty-one, any greater sum than the rate of four thousand four hundred and forty-four dollars per annum, which shall be considered a full compensation for services, and all personal expenses incurred while in the discharge of their respective duties.

SEC. 3. *And be it further enacted,* That the sum of twenty-five thousand dollars be, and the same is hereby appropriated for the payment of the salaries of the said commissioners and agents, and for the expenses under the several commissions under the treaty of Ghent, for the present year.

APPROVED, March 3, 1821.

STATUTE II.

March 3, 1821.

[Obsolete.]
Debentures
issued upon the
exportation of
spirits distilled
from molasses,
or refined sugar,
to be payable
within thirty
days, &c.

CHAP. XLI.—*An Act to authorize the collectors of customs to pay debentures issued on the exportation of loaf sugar and spirits distilled from molasses.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all debentures which have been, or may hereafter be issued upon the exportation of spirits distilled from molasses, or sugar refined within the United States, shall be payable within thirty days after the passing of this act, or thirty days after the date of their issue, as the case may be, and shall be discharged by the collector of the customs, by whom they may have been, or shall be, issued, out of the product of the duties upon imports and tonnage; any thing in any act or acts of Congress to the contrary notwithstanding.

APPROVED, March 3, 1821.

STATUTE II.

March 3, 1821.

[Obsolete.]
Vessels ex-
ceeding 300 tons
allowed 20 days
for unloading.

CHAP. XLII.—*An Act to extend the time for unloading vessels arriving from foreign ports, in certain cases.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That when the capacity of any vessel, arriving with a cargo from a foreign port, shall exceed three hundred tons, the term for unloading such vessel shall hereafter be twenty days from the report of arrival, Sundays excepted.

APPROVED, March 3, 1821.

CHAP. XLIII.—*An Act authorizing the Secretary of the Treasury of the United States to sell and convey a certain tract of land in Northumberland county, in the state of Virginia.*

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 of the United States be, and he is hereby, authorized and empowered to sell and dispose of, at public or private sale, all the estate, right, title, interest, claim, and demand, of the United States of America, of, in, and to, all that certain tract, or piece of land, situate in Northumberland county, in the state of Virginia, formerly owned by Presly Thornton, of the said county and state, and late of Sharp Delany, containing about two thousand five hundred acres, be the same more or less; the same being the premises which William Lewis and Thomas Robinson, by deed of indenture, executed on the second day of June, anno domini one thousand eight hundred and nine, granted and conveyed to the United States; the moneys arising from the said sale to be appropriated towards the payment of a debt due from the late Sharp Delany to the United States; and the residue thereof, if any there be, to be paid over to the legal representatives of the said Sharp Delany.

APPROVED, March 3, 1821.

STATUTE II.
March 3, 1821.
[Obsolete.]

The Secretary of the Treasury authorized to sell the right of the United States to a piece of land formerly owned by Presly Thornton, in Virginia.

Appropriation of the moneys arising from the sale.

CHAP. XLIV.—*An Act to regulate the location of land warrants, and the issuing of patents, in certain cases.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the holders, by assignment, of warrants issued under the acts of Congress, of the fifth of March, eighteen hundred and sixteen, the third of March eighteen hundred and seventeen, to Canadian volunteers, may be, and hereby are, authorized to locate the said warrants, and to receive patents therefor in their own names, as had been the practice before the twenty-sixth of December, eighteen hundred and nineteen: *Provided, however,* That in no case shall lands be so located, until, after having been exposed to public sale, shall remain unsold.

APPROVED, March 3, 1821.

STATUTE II.
March 3, 1821.
[Obsolete.]

Act of March 5, 1816, ch. 25.
Act of March 3, 1817, ch. 106.
Assignees of warrants issued to Canadian volunteers, may locate them, &c.
Proviso.

CHAP. XLV.—*An Act to continue in force, for a further time, the act, entitled "An act for establishing trading-houses with the Indian tribes."*

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, by subsequent acts, continued in force until the first day of March, one thousand eight hundred and twenty-one, shall be, and the same is hereby, further continued in force until the third day of June, one thousand eight hundred and twenty-two, and no longer.

APPROVED, March 3, 1821.

STATUTE II.
March 3, 1821.
[Repealed.]

The act of March 2, 1811, ch. 30, continued until June 3, 1822.

CHAP. XLVI.—*An Act to release French ships and vessels, entering the ports of the United States prior to the thirtieth of September, one thousand eight hundred and twenty, from the operation of the act, entitled "An act to impose a new tonnage duty on French ships and vessels," 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 provisions of the act,

VOL. III.—81

3 H 2

STATUTE II.
March 3, 1821
[Obsolete.]

Act of May 15, 1820, ch. 126.
The provisions

of the act of May 15th, 1820, not to extend to French vessels, &c.

The Secretary of the Treasury to refund the extra duties to vessels, &c.

1820, ch. 126.

In case of a convention of navigation or commerce, the President may suspend the act to impose a new tonnage duty on French vessels, &c.
1820, ch. 126.

entitled "An act to impose a new tonnage duty on French ships and vessels," passed May fifteenth, one thousand eight hundred and twenty, shall not extend to, or operate upon, any French ship or vessel that shall have entered into any port within the jurisdiction of the United States prior to the thirtieth day of September, one thousand eight hundred and twenty.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury, after deducting a tonnage duty equal to that paid by every French ship or vessel which entered the ports within the jurisdiction of the United States prior to the passage and operation of the act, entitled "An act to impose a new tonnage duty on French ships and vessels," passed May fifteenth, one thousand eight hundred and twenty, from the tonnage duty collected from French ships and vessels, by virtue of the above-recited act, between the first day of July, one thousand eight hundred and twenty, and the thirtieth day of September following, be, and he is hereby, authorized and directed to pay and refund the remainder of such tonnage duty, free from costs and charges, to any person or persons who shall have authority to receive the same.

SEC. 3. *And be it further enacted*, That, in the event of the signature of any treaty or convention concerning the navigation or commerce between the dominions of the United States and France, the President of the United States be, and is hereby, authorized, should he deem the same expedient, by proclamation to suspend, until the end of the next session of Congress, the operation of the aforesaid act, entitled "An act to impose a new tonnage duty on French ships and vessels, and for other purposes;" and, also, to suspend, as aforesaid, all other duties on French vessels, or the goods imported in the same, which may exceed the duties on American vessels, and on similar goods imported in the same.

APPROVED, March 3, 1821.

STATUTE II.

March 3, 1821.

CHAP. XLVII.—*An Act to amend the act, entitled "An act for the gradual increase of 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 first section of the act, entitled "An act for the gradual increase of the navy of the United States," approved April twenty-ninth, eighteen hundred and sixteen, shall be, and the same is hereby, repealed.

SEC. 2. *And be it further enacted*, That, instead of the appropriation therein contained, there shall be, and is hereby, appropriated, the sum of five hundred thousand dollars per annum, for six years, from the year eighteen hundred and twenty-one, inclusive, to be applied to carry into effect the purposes of the said act.

APPROVED, March 3, 1821.

STATUTE II.

March 3, 1821.

CHAP. XLVIII.—*An Act to establish a port of entry in the district of Sandusky, in the state of Ohio, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, from and after the first day of May next, the town of Portland in the district of Sandusky, in the state of Ohio, shall be the port of entry for that district; and that from and after that time the present port of entry established at Danbury shall cease to be the port of entry for said district.

APPROVED, March 3, 1821.

Portland to be the port of entry after 1st May, 1821.

CHAP. XLIX.—*An Act to amend the act, entitled "An act to provide for taking the fourth census or enumeration of the inhabitants of the United States, and for other purposes."*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, instead of the time prescribed in the above-recited act, in which the marshals and their assistants should perform the various duties assigned them by the said act, the same is hereby enlarged to the first day of September next.

APPROVED, March 3, 1821.

STATUTE II.

March 3, 1821.

Act of March 14, 1820, ch. 24.
Time enlarged till Sept. 1, 1821.

STATUTE II.

March 3, 1821.

CHAP. L.—*An Act to authorize the clerk of the district court of the United States for the district of Louisiana, to appoint a deputy to aid him in the discharge of the duties of his office.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the clerk of the district court of the United States for the district of Louisiana, shall be authorized to appoint a deputy to aid him in the discharge of the duties of his office; and that the said clerk shall be, in all respects, liable for the acts of his said deputy.

APPROVED, March 3, 1821.

The clerk of the district court of Louisiana authorized to appoint a deputy, &c.

STATUTE II.

March 3, 1821.

CHAP. LI.—*An Act to amend an act, entitled "An act for regulating process in the courts of the United States." (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in all suits and actions in any district court of the United States, in which it shall appear that the judge of such court is any ways concerned in interest, or has been of counsel for either party, or is so related to, or connected with, either party, as to render it improper for him, in his opinion, to sit on the trial of such suit or action, it shall be the duty of such judge, on application of either party, to cause the fact to be entered on the records of the court; and, also, an order that an authenticated copy thereof, with all the proceedings in such suit or action, shall be forthwith certified to the next circuit court of the district; and if there be no circuit court in such district, to the next circuit court in the state; and if there be no circuit court in such state, to the most convenient circuit court in an adjacent state; which circuit court shall, upon such record being filed with the clerk thereof, take cognisance thereof, in the like manner as if such suit or action had been originally commenced in that court, and shall proceed to hear and determine the same accordingly; and the jurisdiction of such circuit court shall extend to all such cases so removed, as were cognisable in the district court from which the same was removed.

APPROVED, March 3, 1821.

Act of May 8, 1792, ch. 36, vol. i. 275.

In suits in a district court, where the judge may be interested, &c. he must enter the fact on record, &c.

Proceedings to be certified to the next circuit court, &c.

Circuit court to take cognisance and proceed, &c.

STATUTE II.

March 3, 1821.

CHAP. LII.—*An Act to authorize the building of lighthouses therein mentioned, 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 Secretary of the Treasury be, and he is hereby, authorized and empowered to provide, by contract, for building lighthouses, and placing buoys, on the following

The Secretary of the Treasury to provide for building the lighthouses and

(a) See notes to act of Sept. 29, 1789, vol. i. 93, and notes to act of May 8, 1792, vol. i. 275.

placing the
buoys mention-
ed.

sites and shoals, to wit: five lighthouses; one on Cross Island, near Machias; one in the harbour of Boothbay, at such place as the Secretary of the Treasury shall designate; and one on Pond island, at the mouth of the Kennebeck river; one on the Stratford Point, in Connecticut; and one on Throg's Neck, in New York; and on the shoals of Nantucket, and the Vineyard sound, a number of buoys, not exceeding ten, in the state of Massachusetts. A lighthouse at the mouth of Oswego river, at such place as shall be designated by the Secretary of the Treasury, in the state of New York. And two buoys, one on James' Ledge, and one on the rock called Old Gay; and a spindle on the Brothers, in the state of Rhode Island.

Appropriations for the lighthouses and buoys.

SEC. 2. *And be it further enacted*, That there be appropriated, out of any money in the treasury not otherwise appropriated, the following sums of money, to wit: For building three light-houses; one on Cross island, near Machias; one in the harbour of Boothbay; and one on Pond island; ten thousand five hundred dollars: for building the lighthouses on Stratford point and Throg's Neck, four thousand dollars; for a lighthouse at the mouth of Oswego river, three thousand five hundred dollars; for ten buoys on Nantucket shoals, and the Vineyard sound, one thousand five hundred dollars; for two buoys and a spindle for the rocks called James' Ledge, Old Gay, and the Brothers, four hundred and fifty dollars: and for placing buoys, and anchors with buoys, in the Altamaha river, between the port of Darien and Doboy sound, in the state of Georgia, a sum not exceeding one thousand five hundred dollars.

No light-house previous to cession of jurisdiction.

SEC. 3. *And be it further enacted*, That no lighthouse shall be built on any site previous to the cession of jurisdiction over the same to the United States.

President requested to cause a survey of the Isles of Shoals, &c.

SEC. 4. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized and requested to cause such an examination or survey of the Isles of Shoals, on the coast of New Hampshire and Maine, to be made, by proper and intelligent persons, as may be requisite to ascertain the expediency and practicability of repairing the sea-wall, at Smutty Nose island, and of building a sea-wall between said island and Cedar island. And that the President be further requested in like manner, to ascertain the expediency of erecting a stone pier on Sunken rocks, in the harbour of Portsmouth, in the state of New Hampshire. And the President is hereby authorized to cause the sea-wall aforesaid to be repaired, and the pier aforesaid to be erected, by contract, under the direction of the collector of the district of Portsmouth, if, on the report of such persons, he shall deem it necessary. And the President is further requested to communicate to Congress, at their next session, the result of so much of the examination and survey, as relates to the expediency and practicability of building the sea-wall aforesaid: *Provided*, That no money shall be expended in erecting the pier aforesaid, until the jurisdiction of the site thereof shall be ceded by the state of New Hampshire to the United States.

President authorized to cause the sea-wall to be repaired, if, &c.

Result to be communicated to Congress.

Proviso.

2500 dollars appropriated, &c.

SEC. 5. *And be it further enacted*, That a sum, not exceeding two thousand five hundred dollars, is hereby appropriated for the purposes aforesaid; to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1821.

CHAP. LIII.—*An Act to continue in force an act, entitled "An act regulating the currency, within the United States, of the gold coins of Great Britain, France, Portugal, and Spain," passed on the twenty-ninth day of April, one thousand eight hundred and sixteen, so far as the same relates to the crowns and five franc pieces of France.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of the act, entitled "An act regulating the currency, within the United States, of the gold coins of Great Britain, France, Portugal, and Spain," passed on the twenty-ninth day of April, eighteen hundred and sixteen, as relates to the crowns and five franc pieces of France, shall be, and the same hereby is, continued in force for the further term of two years, from and after the twenty-ninth day of April next.

APPROVED, March 3, 1821.

STATUTE II.
March 3, 1821.

Act of April 29, 1816, ch. 139.
Act of March 3, 1819, ch. 97.
The act of April 29, 1816, ch. 139, as far as relates to the crowns and five franc pieces of France, continued in force.

CHAP. LIV.—*An Act to revive and continue in force "An act fixing the compensations of the secretary of the Senate and clerk of the House of Representatives, of the clerks employed in their offices, and of the librarian," approved the eighteenth day of April, one thousand eight hundred and eighteen.*

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 fixing the compensations of the secretary of the Senate and clerk of the House of Representatives, of the clerks employed in their offices, and of the librarian," approved the eighteenth day of April, one thousand eight hundred and eighteen, be, and the same is hereby, revived and continued in force from the first day of January, one thousand eight hundred and twenty-one, until the first day of January, one thousand eight hundred and twenty-four.

APPROVED, March 3, 1821.

STATUTE II.
March 3, 1821.
[Obsolete.]

Act of April 18, 1818, ch. 69.
The act of April 18, 1818, ch. 69, revived and continued until Jan. 1, 1824.

RESOLUTIONS.

I. RESOLUTION *providing for the admission of the state of Missouri into the Union, on a certain condition. (a)*

March 2, 1821.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That Missouri shall be admitted into this union on an equal footing with the original states, in all respects whatever, upon the fundamental condition, that the fourth clause of the twenty-sixth section of the third article of the constitution submitted on the part of said state to Congress, shall never be construed to authorize the passage of any law, and that no law shall be passed in conformity thereto, by which any citizen, of either of the states in this Union, shall be excluded from the enjoyment of any of the privileges and immunities to which such citizen is entitled under the constitution of the United States: *Provided*, That the legislature of the said state, by a solemn public act, shall declare the assent of the said state to the said fundamental condition, and shall transmit to the President of the United States, on or before the fourth Monday in November next, an authentic copy of the said act; upon the receipt whereof, the President, by proclamation, shall announce the fact; whereupon, and without any further proceeding on the part of Congress, the admission of the said state into this Union shall be considered as complete.*

Missouri admitted into the Union on a certain condition, &c.

Proviso; the legislature of the state to declare its assent, &c.

APPROVED, March 2, 1821.

(a) See notes to the act of March 6, 1820, ch. 20.

March 3, 1821. II. RESOLUTION *providing for jails in certain cases, for the safe custody of persons committed under the authority of the United States.* (a)

Vol. i. 96.
Any state having granted and

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That where any state or states,

(a) The resolutions and acts of Congress relating to jails are :

Resolution of September 23, 1789, vol. i. 96. Resolution of March 3, 1821. An act for the relief of persons imprisoned for debt, Jan. 6, 1800, ch. 4. Act of May 19, 1828, ch. 68.

The cases decided within the courts of the United States on the laws of "escapes" are, A discharge from the prison rules, by the insolvent law of Virginia, although obtained by fraud, is a discharge in due course of law ; and upon such discharge, no action can be sustained upon the prison bound bond for an escape. *Simms and Wise v. Slacum*, 3 Cranch, 300 ; 1 Cond. Rep. 539.

The obligors in a bond for the prison limits, are not discharged from their liability for an escape, by the subsequent assent of the plaintiff. Such assent, to have any effect, must be given prior to the escape. *Slocum et al. v. Hathaway*, 1 Paine, 290.

The condition of a bond, that a prisoner "shall faithfully and absolutely remain within the limits of the jail, and not depart therefrom," &c. is not broken by the escape of the prisoner, while in a state of insanity. *Hazard v. Hazard et al.* 1 Paine, 295.

The liability of the sureties in a prison bounds bond, for an escape, is not co-extensive with that of the sheriff : as it regards the latter, the prisoner on the limits is supposed to be in his immediate custody, and the escape of an insane prisoner, therefore, is as much a negligent escape as any other ; and he is not allowed to excuse himself, when he might so easily collude, or be imposed upon. But there is no analogy, in these respects, between a sheriff and the sureties. *Ibid.*

Under the act of Congress of January 6, 1800, ch. 4, the sheriff of a county is bound to take a bond for the limits, as provided by the state laws, from a prisoner confined on process from the courts of the United States ; and false imprisonment would lie, on his refusal. Such a bond has, in all respects, the same incidents, and the like legal effect with a bond taken under the state laws. It is assignable ; and an assignment discharges the sheriff from liability for a subsequent escape. *The United States v. Noah*, 1 Paine, 368.

The United States are expressly named in the act, and bound by it ; and an assignment of the bond to them, when they are plaintiffs, is valid. *Ibid.*

The Secretary of the Treasury having accepted such an assignment, will be presumed to be authorized ; and the United States are bound by such acceptance. *Ibid.*

The term "process," includes executions as well as mesne process. *Ibid.*

After a prisoner has been enlarged upon a limit bond, the sheriff can confine him again only on the bail's becoming insufficient ; he cannot accept a surrender of him ; at all events, not after the assignment of the bond. *Ibid.*

If a debtor, committed to the state jail under process from the courts of the United States, escape, the marshal is not liable. *Randolph v. Donaldson*, 9 Cranch, 76 ; 3 Cond. Rep. 280.

The act of Congress has limited the responsibility of the marshal to his own acts, and the acts of his deputies. The keeper of a state jail is, neither in fact nor in law, the deputy of the marshal ; he is not appointed by, nor removable at the will of the marshal. When a prisoner is regularly committed to a state jail by the marshal, he is no longer in the custody of the marshal, or controllable by him. *Ibid.*

Under the laws of Rhode Island, a discharge according to the act for the relief of poor prisoners for debt, although obtained by fraud and perjury, is a lawful discharge, and not an escape ; and upon such a discharge, no action can be maintained upon a bond for the liberty of the prison limits. *Amnidon v. Smith et al.* 1 Wheat. 447 ; 3 Cond. Rep. 619.

At common law, it is not an escape for a jailer to allow prisoners, confined for debt, the liberty of all the apartments within the jail wall ; for confinement within the walls, is *salva et arcta custodia*. *Steere v. Field*, 2 Mason's C. C. R. 486.

It is an escape, in the jailer, to make a prisoner for debt, a turnkey ; and to intrust him with the keys of the outer doors, as well as inner doors, at all times by night and by day. *Ibid.*

If the jailer be committed to his own jail, on execution by the sheriff, and no new keeper is appointed, it is an escape of the jailer, for which the sheriff is answerable ; but it is not an escape of the other prisoners, if they are in fact kept in custody, under the authority of the jailer or his agents. *Ibid.*

In Rhode Island, the doctrine as to escapes is the same as at common law ; and the statutes giving the liberty of the limits to prisoners, on giving bonds not to escape, &c. have not altered the common law. In Rhode Island, an action of debt for an escape, is a legal remedy ; that action being incorporated into the laws, by implication, by the adoption of the laws of England. *Ibid.*

Where the conditions of a bond for the jail limits, in Rhode Island, required the party to remain a true prisoner in the custody of the keeper of the prison, and within the limits of the prison, "until he shall be lawfully discharged, without committing any manner of escape or escapes, during the time of restraint, then this obligation to be void, or else to remain in full force and virtue." *Held*, that a discharge under the insolvent laws of the state, obtained from the proper court, in pursuance of a resolution of the legislature, and discharging the party from all his debts, &c. and "from all imprisonment, arrest, and restraint of his person therefor," was a lawful discharge ; and that his going at large under it, was no breach of the condition of the bond. *Mason v. Haile*, 12 Wheat. 370 ; 6 Cond. Rep. 535.

After judgment obtained in the circuit court of the United States against the drawer of a note, a *capias ad satisfaciendum* was issued against him by the holder, and he was put in prison. Two justices of the peace ordered his discharge, claiming to proceed according to the law of Kentucky, in the case of insolvent debtors ; and the jailer permitted him to leave the prison. The jailer made himself and his securities liable for an escape, by permitting the prisoner to leave the prison. *Bank of the United States v. Tyler*, 4 Peters, 366.

The act of Congress of 1800, ch. 4, is not that by which the liberties of the jail-yard allowed to

having complied with the recommendation of Congress, in the resolution of the twenty-third day of September, one thousand seven hundred and eighty-nine, shall have withdrawn, or shall hereafter withdraw, either in whole or in part, the use of their jails for prisoners committed under the authority of the United States, the marshal in such state or states, under the direction of the judge of the district, shall be, and hereby is, authorized and required to hire a convenient place to serve as a temporary jail, and to make the necessary provision for the safe keeping of prisoners committed under the authority of the United States, until permanent provision shall be made by law for that purpose; and the said marshal shall be allowed his reasonable expenses, incurred for the above purposes, to be paid out of the treasury of the United States.

APPROVED, March 3, 1821.

withdrawing the use of a jail, the marshal, under direction of the judge, may hire a place, &c.

debtors imprisoned on execution issuing from the courts of the United States, are now regulated. The United States v. Knight et al., 3 Sumners' C. C. R. 358.

The act of 1828, ch. 68, has adopted the state laws on the subject of jail liberties then existing in the states, under the words "that writs of execution and other final process issued on judgment and decrees rendered in any of the courts of the United States and the proceedings thereon shall be the same, &c., as are now used in such states," &c. *Ibid.*

Action on a bond given to the United States for liberty of the jail-yard, in Portland, in the state of Maine. The condition of the bond was that J. K. and B. K. should continue true prisoners, in the custody of the jailer, within the limits of the jail-yard. It was agreed by the counsel of the plaintiff and defendant that J. K. and B. K. had remained within "the limits of the jail-yard" as established under the laws of Massachusetts of 1787, then prevailing in Maine, the limits of the jail-yard having, in October, 1798, been extended over the whole county; but had not remained within the limits established on the 28th of May, 1787, and existing when the act of Congress was passed, 4th January, 1800, authorizing persons under process from the United States, to have "the jail limits," as established by the laws of the states. *Held*, that the act of Congress of May 19, 1828, gives the debtor imprisoned under execution from the courts of the United States, at the suit of the United States, the privilege of the jail limits, in the several states, as they were fixed by laws of the several states at the date of that act. The United States v. Knight et al. 14 Peters, 301.

Whatever might be the liability of the officer who took the bond from the defendants, if the jail limits continued to be such as were established under the law of Massachusetts of 1787, the bond not having been taken under that law, and the condition being different from the requirements of those regulations, the parties to the bond, the suit being upon the bond, are bound for nothing whatever, but what is contained in the condition, whether it be or be not conformable to the law. *Ibid.*

The statute of May 19, 1828, entitled "An act to regulate process in the courts of the United States," which proposes only to regulate the mode of proceeding in civil cases, does not divest the public of any right, does not violate any principle of public policy, but on the contrary makes a provision with the policy which the government has vindicated by many acts of previous legislation, to conform to the laws of the state, in giving to persons imprisoned under execution the privilege of jail limits, embracing executions at the suit of the United States. *Ibid.*

Action for an escape against the sheriff of Madison, Mississippi, he having received into his custody as a prisoner, the defendant in an action in the circuit court of Mississippi, taken under execution, and having permitted and suffered him to escape. The declaration set out the judgment obtained by the plaintiffs against Scott, the defendant in the circuit court, the execution, the arrest of Scott, and his delivery to Long, the sheriff, who received him into his custody under the execution, and detained him, until, without leave or license of the plaintiffs in the execution, and against their will, he permitted him to escape and go at large, &c., &c. To this declaration the defendant pleaded that he does not owe the sum of money demanded in the declaration "in the manner and form as complained against him," and the jury found that the defendant Long "doth owe the debt in the declaration mentioned as therein alleged," and assessed damages for the detention thereof, at one thousand and sixteen dollars and ninety-six cents, upon which the court gave judgment for six thousand three hundred and fifty-six dollars, and one thousand and sixteen dollars and ninety-six cents damages. *Held*, that the judgment of the circuit court is correct under the provisions of the statute of Mississippi of 7th June, 1822. The jury were not required in the action to find specially that the prisoner escaped with the consent, and through the negligence of the sheriff. The plea alleged that the defendant did not owe the sum of money demanded, "in the manner and form as the plaintiff complained against him." This plea put in issue every material averment in the declaration; on this issue, on the most strict and rigid construction, the jury have expressly found all that is required to be found by the requirements of the act. Long v. Palmer et al. 16 Peters, 65.

If the sheriff suffers or permits a prisoner to escape, this, both in common parlance, and legal intentment, is an escape with the consent of the sheriff. *Ibid.*

The object of the act is to make the sheriff liable for a voluntary or negligent escape; and that this shall be found by the jury; and if this appear from the record by express finding, or by the necessary conclusion of law, it is sufficient. *Ibid.*

March 3, 1821.

III. RESOLUTION *authorizing the President of the United States to cause astronomical observations to be made, to ascertain the longitude of the Capitol, in the city of Washington, from some known meridian in Europe.*

The President authorized to cause astronomical observations to be made to insure a determination of the longitude of 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 authorized to cause such number of astronomical observations to be made, by methods which may, in his judgment, be best adapted to insure a correct determination of the longitude of the Capitol, in the city of Washington, from Greenwich, or some other known meridian in Europe; and that the data, with accurate calculations or statements founded thereon, be laid before Congress at their next session.

APPROVED, March 3, 1821.

ACTS OF THE SEVENTEENTH CONGRESS

OF THE

UNITED STATES,

Passed at the first session, which was begun and held at the City of Washington, in the District of Columbia, on Monday the third day of December, 1821, and ended on the eighth day of May, 1822.

JAMES MONROE, President; DANIEL D. TOMPKINS, Vice President of the United States and President of the Senate from the eleventh of January to the fourth of February; JOHN GAILLARD, President of the Senate pro tempore from the third of December to the eleventh of January, and from the fourth of February to the end of the session; PHILIP P. BARBOUR, Speaker of the House of Representatives.

STATUTE I.

CHAP. I.—*An Act authorizing the transmission of certain documents free of postage.*

Dec. 19, 1821.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the members of Congress, the delegates from territories, the secretary of the Senate, and the clerk of the House of Representatives, be, and they are hereby, authorized to transmit, free of postage, to any post-office within the United States, or the territories thereof, any documents which have been, or may be, printed by order of either House.

[Obsolete.]
Members, delegates, &c., authorized to transmit documents to any post-office, free, &c.

APPROVED, December 19, 1821.

STATUTE I.

CHAP. IV.—*An Act reviving and extending the time allowed for the redemption of land sold for direct taxes in certain cases.*

Feb. 4, 1822.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the time allowed for the redemption of lands which have been, or may be, sold for the non-payment of taxes, under the several acts, passed the second day of August, one thousand eight hundred and thirteen, (a) the ninth day of January, one thousand eight hundred and fifteen, (b) and the fifth day of March, one thousand eight hundred and sixteen, for laying and collecting a direct tax within the United States, (c) so far as the same have been purchased for and in behalf of the United States, be revived and extended for the term of one year, from the end of the present session of Congress: *Provided,* That, on such redemption, interest shall be paid, at the rate of twenty per centum per annum, on the taxes aforesaid, and on the additions of twenty per centum chargeable thereon; and the right of redemption shall enure, as well to the heirs and assignees of the lands so purchased on behalf of the United States, as to the original owners thereof.

[Expired.]
The time allowed for redemption of lands sold for direct taxes, revived and extended, &c.

Proviso.

APPROVED, February 4, 1822.

(a) An act to lay and collect a direct tax within the United States, August 2, 1813, ch. 37.

(b) An act to provide additional revenue 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, Jan. 9, 1815, ch. 21.

(c) An act to reduce the amount of direct tax upon the United States and the District of Columbia, March 5, 1816, ch. 24.

STATUTE I.

Feb. 4, 1822.

CHAP. VI.—*An Act to revive and continue in force an act, entitled "An act to provide for persons who were disabled by known wounds received in the revolutionary war."*

Act of April
10, 1806, ch. 25.

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 to provide for persons who were disabled by known wounds received in the revolutionary war," passed on the tenth day of April, one thousand eight hundred and six, and limited, as in said act declared, to the term of six years, and afterwards revived and continued in force, for and during the term of six years, by an act, entitled "An act, to revive and continue in force 'An act to provide for persons who were disabled by known wounds received in the revolutionary war,' and for other purposes," passed on the twenty-fifth day of April, in the year one thousand eight hundred and twelve, and afterwards revived and continued in force for the term of one year, by an act, entitled "An act to revive and continue in force an act, entitled 'An act to provide for persons who were disabled by known wounds received in the revolutionary war,'" passed on the fifteenth day of May, in the year one thousand eight hundred and twenty, shall be, and the said act is hereby, revived and continued in full force and effect, for and during the term of six years from and after the passing of this act, and from thence unto the end of the next session of Congress: *Provided,* That any evidence which has been taken to support any claim of any person disabled in the revolutionary war, under the authority of the act of the fifteenth of May, one thousand eight hundred and twenty, reviving and continuing in force, for one year, "An act to provide for persons who were disabled by known wounds received in the revolutionary war," shall be received and acted upon by the Secretary of War, in the same manner as if said act was still in force and had not expired: *And provided also,* That this act, and any thing contained in the act hereby revived and continued in force, shall not be construed to repeal or make void the fourth section of an act, entitled "An act concerning invalid pensions," passed the third of March, one thousand eight hundred and nineteen; and the said fourth section of the said last-mentioned act shall be, and the same is hereby declared to be, and to continue to be, in full force and effect; any thing in the said act hereby revived and continued in force to the contrary notwithstanding.

Act of April
25, 1812, ch. 69.

Act of May 15,
1820, ch. 109,
revived and
continued until
Feb. 4, 1828,
&c.

Proviso.

Act of May 15,
1820, ch. 109.

Proviso.

Act of March
3, 1819, ch. 99.

Pensions to
commence at
the time of
completing tes-
timony.

Pension agents
to give bonds
with two or
more sureties.
&c.

SEC. 2. *And be it further enacted,* That the right any person now has, or hereafter may acquire, to receive a pension in virtue of any law of the United States, shall be construed to commence at the time of completing his testimony pursuant to the act hereby revived and continued in force.

SEC. 3. *And be it further enacted,* That the agents for the payment of pensions to invalid pensioners of the United States, shall, in future, be required to give bonds, with two or more sureties, to be approved by the Secretary of the Department of War, in such penalty as he shall direct, for the faithful discharge of the duties confided to them respectively.

APPROVED, February 4, 1822.

STATUTE I.

Feb. 19, 1822.

CHAP. VII.—*An Act making partial appropriations for the support of the navy of the United States during the year one thousand eight hundred and twenty-two.*

[Obsolete.]
Sums appro-
priated for pay,
subsistence,
provisions, re-
pairs and con-
tingent ex-
penses.

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 they are hereby, appropriated to the objects herein specified, to wit: for the pay and subsistence of the officers and pay of the seamen, one hundred thousand dollars; for provisions, twenty thousand dollars; for repairs, twenty thousand dollars; for contingent expenses, twenty 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, February 19, 1822.

Out of money
in the treasury.

STATUTE I.

CHAP. VIII.—*An Act authorizing the transfer of certain certificates of the funded debt of the United States.*

Feb. 19, 1822.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the certificates of the funded debt of the United States, which, upon the assumption of the debts of the several creditor states, were issued in their favour, respectively, be, and hereby are, made transferable, according to the rules and forms instituted for the purpose of transfers of the public debt.

APPROVED, February 19, 1822.

[Obsolete.]
Certificates of the funded debt, issued to creditor states upon the assumption of their debts, made transferable.

STATUTE I.

CHAP. IX.—*An Act for the preservation of the timber of the United States in Florida.*

Feb. 23, 1822.

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 employ so much of the land and naval forces of the United States as may be necessary effectually to prevent the felling, cutting down, or other destruction of the timber of the United States in Florida; and also to prevent the transportation or carrying away any such timber as may be already felled or cut down; and to take such other and further measures as may be deemed advisable for the preservation of the timber of the United States in Florida.

APPROVED, February 23, 1822.

Act of March 1, 1817, ch. 22.
The President may employ the land and naval forces to prevent the destruction of, or carrying away, public timber, &c.

STATUTE I.

CHAP. X.—*An Act for the apportionment of representatives among the several states, according to the fourth census. (a)*

March 7, 1822.

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, one thousand eight hundred and twenty-three, the House of Representatives shall be composed of members elected agreeably to a ratio of one representative for every forty thousand persons in each state, computed according to the rule prescribed by the constitution of the United States; that is to say: within the state of Maine, seven; within the state of New Hampshire, six; within the state of Massachusetts, thirteen; within the state of Rhode Island, two; within the state of Connecticut, six; within the state of Vermont, five; within the state of New York, thirty-four; within the state of New Jersey, six; within the state of Pennsylvania, twenty-six; within the state of Delaware, one; within the state of Maryland, nine; within the state of Virginia, twenty-two; within the state of North Carolina, thirteen; within the state of South Carolina, nine; within the state of Georgia, seven; within the state of Alabama, two; within the state of Mississippi, one; within the state of Louisiana, three; within the state of Tennessee, nine; within the state of Kentucky, twelve; within the state of Ohio, fourteen; within the state of Indiana, three; within the state of Illinois, one; and within the state of Missouri, one.

After the 3d of March, 1823, the House of Representatives to be composed of members elected agreeably to a ratio of one for every 40,000 persons, &c.

Number of members to which each state is entitled.

(a) See the acts relating to the apportionment of representatives among the several states, according to the census of the United States, vol. ii. 128.

Alabama to have three members, if it is made to appear, &c.

SEC. 2. *And be it further enacted*, That, as the returns of the marshal of the state of Alabama are not complete, in consequence of the death of the former marshal, who commenced the enumeration in said state, nothing in this act contained shall be construed to prevent the state of Alabama from having three representatives, if it shall be made to appear to Congress, at the next session, that the said state, at the time of passing this act, would have been entitled to that number, according to its population and the ratio hereby established, if the said returns had been complete.

APPROVED, March 7, 1822.

STATUTE I.

March 15, 1822.

[Obsolete.]

Sums appropriated for the military service of the United States of the year 1822.

Pay and subsistence of officers.

Subsistence in addition to an unexpended balance.

Forage.

Medical and hospital department.

Purchasing department.

Quartermaster general's department.

Contingencies.

Quartermaster's supplies, &c.

Pensions to invalids and others.

Revolutionary pensioners.

CHAP. XI.—*An Act making appropriations for the military service of the United States for the year one thousand eight hundred and twenty-two, and towards the service of the year one thousand eight hundred and twenty-three.*

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 for the military service of the United States for the year one thousand eight hundred and twenty-two, to wit :

For the pay of the army and subsistence of the officers, nine hundred and eighty-two thousand nine hundred and seventeen dollars, including the sum of eighty-six thousand nine hundred dollars for the pay and subsistence of the officers and cadets belonging to the military academy at West Point.

For subsistence, in addition to an unexpended balance of one hundred and twenty thousand eight hundred and sixty-three dollars and thirty-seven cents, the sum of one hundred and seventy-four thousand seven hundred and ninety-three dollars and sixty-three cents.

For forage for officers, in addition to an unexpended balance of eleven thousand eight hundred and sixty-nine dollars, the sum of five thousand six hundred and seventy-five dollars.

For the medical and hospital department, in addition to an unexpended balance of twelve thousand one hundred and thirty-three dollars and forty-four cents, the sum of twenty-two thousand eight hundred and fifty-four dollars and fifty-six cents.

For the purchasing department, in addition to an unexpended balance of fifty-five thousand and eighty-nine dollars and forty cents, the sum of seventy-three thousand four hundred and thirty-three dollars ; and for the purchase of woollens for the year one thousand eight hundred and twenty-three, the sum of seventy-five thousand dollars.

For the quartermaster general's department, for regular supplies, transportation, rent, and repairs, postage, courts martial, fuel, and contingencies, and for extra pay to soldiers employed in the erection and repairs of barracks and other labour, three hundred and thirteen thousand two hundred and seventeen dollars.

For the contingencies of the army, twenty thousand dollars.

For quartermaster's supplies, transportation, mathematical instruments, books, and stationery, for the military academy, thirteen thousand nine hundred and seventy-nine dollars.

For the pensions to the invalids, to the commutation pensioners, and to the widows and orphans, in addition to an unexpended balance of twenty-seven thousand eight hundred and ninety-one dollars and five cents, the sum of three hundred and seventeen thousand one hundred and eight dollars.

For pensions to the revolutionary pensioners of the United States, including a deficiency in the appropriation of last year of four hundred and fifty-one thousand eight hundred and thirty-six dollars and fifty-seven

cents, and in addition to an unexpended balance of one hundred and ninety-one thousand three hundred and forty-five dollars and thirty-six cents, of the year one thousand eight hundred and twenty, the sum of one million six hundred and forty-two thousand five hundred and ninety-one dollars.

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

Balance due the state of Maryland.

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.

Out of any money in the treasury.

APPROVED, March 15, 1822.

STATUTE I.

March 16, 1822.

CHAP. XII.—*An Act to provide for the due execution of the laws of the United States within the state of Missouri, and for the establishment of a district court therein.*(a)

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 Missouri as elsewhere within the United States.

Laws not locally inapplicable are of force and effect in Missouri.

SEC. 2. *And be it further enacted*, That the said state of Missouri shall be one district, and be called the Missouri 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, three sessions annually, the first to commence on the first Monday in June next, and the other two sessions progressively, on the like Monday in every fourth calendar month afterwards; 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," and an act, entitled "An act in addition to the act, entitled 'An act to establish the judicial courts of the United States,'" approved the second day of March, one thousand seven hundred and ninety-three, and the acts supplementary thereto. The said judge 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: *Provided*, That until the government shall be removed to the permanent seat fixed, or to be fixed, by the said state, the said court shall be held at the town of St. Louis.

The state of Missouri a judicial district.

Act of Sep. 24, 1789, ch. 20. vol. i. 79.
Act of March 2, 1793, ch. 22.

The judge to appoint a clerk.

Clerk's fees.

Proviso.

Salary of the judge.

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

District attorney to receive 200 dollars annually besides fees.

SEC. 4. *And 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 annually, as a full compensation for all extra services.

A marshal for the district to

SEC. 5. *And be it further enacted*, That a marshal shall be appointed for the said district, who shall perform the same duties, be subject to

(a) See notes to act of March 6, 1820, ch. 22, for a reference to the acts passed relative to the territory of Missouri, and state of Missouri.

receive 200 dollars besides fees.

Causes pending in the state courts transferable, &c., may be removed.

the same regulations and penalties, and be entitled to the same fees, as are provided for, and 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.

SEC. 6. *And be it further enacted*, That all causes pending in the state courts at the passage of this act, which, by law, were transferable to the United States courts, may be so removed, under the rules governing such removals, as soon after the passage of this act as may be reasonably practicable.

APPROVED, March 16, 1822.

STATUTE I.

March 30, 1822.

CHAP. XIII.—*An Act for the establishment of a territorial government in Florida.* (a)

East and west Florida, as

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all that territory ceded

- (a) The acts relating to the territory of Florida are:
- An act to authorize the President of the United States to take possession of East and West Florida, and establish a temporary government therein, March 3, 1819, ch. 93.
- An act for carrying into execution the treaty between the United States and Spain, concluded at Washington, on the twenty-second day of February, 1818, March 3, 1821, ch. 39.
- An act for establishing a territorial government in Florida, March 30, 1822, ch. 13.
- An act to provide for the collection of duties on imports and tonnage in Florida, and for other purposes, May 7, 1822, ch. 62.
- An act concerning the commerce and navigation of Florida, March 30, 1822, ch. 15.
- An act to amend "An act for establishing a territorial government in Florida," and for other purposes, March 3, 1823, ch. 28.
- An act to carry into effect the ninth article of the treaty concluded between the United States and Spain, on the 22d day of February 1819, March 3, 1823, ch. 35.
- An act to amend an act, entitled "Act to amend an act for the establishment of a territorial government in Florida, and for other purposes," May 26, 1824, ch. 163.
- An act to amend the several acts for the establishment of a territorial government in Florida, May 15, 1826, ch. 46.
- An act to authorize the governor and legislative council of Florida to provide for holding additional terms of the superior courts therein, March 3, 1827, ch. 91.
- An act authorizing the legislative council of Florida to meet in October instead of December, and repealing the proviso in the sixth section of the act entitled "An act to amend an act for the establishment of a territorial government in Florida, and for other purposes," approved March the third, one thousand eight hundred and three, April 28, 1828, ch. 42.
- An act to authorize the citizens of the territories of Arkansas and Florida to elect their officers, and for other purposes, Jan. 21, 1829, ch. 13.
- An act to amend the several acts establishing a territorial government in Florida, March 22, 1832, ch. 52.
- An act to ascertain and mark the line between the state of Alabama, and the territory of Florida, and the northern boundary of Illinois, and for other purposes, March 2, 1831, ch. 86.
- An act to authorize the territory of Florida to open a canal through the public lands between Chipola river and Saint Andrew's bay, in West Florida, March 2, 1831, ch. 73.
- An act making provision for the sale and disposition of the public grounds in the cities of St. Augustine and Pensacola, and to reserve certain lots and buildings for public purposes, and to provide for their repair and preservation, June 28, 1832, ch. 152.
- An act to authorize the surveying and laying out a road from Detroit to the mouth of Grand river, in late Michigan territory, and for the survey of canal routes in the territory of Florida, July 4, 1832, ch. 164.
- An act to amend the several acts for the establishment of a territorial government in Florida, July 14, 1832, ch. 239.
- An act to establish a court at St. Mark's, in Florida, March 2, 1833, ch. 93.
- An act to equalize representation in the territory of Florida, and for other purposes, June 18, 1834, ch. 46.
- An act repealing certain acts of the legislative council of the territory of Florida, June 30, 1834, ch. 166.
- An act for the relief of the inhabitants of East Florida, June 26, 1834, ch. 87.
- An act to disapprove and annul certain acts, of the territorial legislature of Florida, and for other purposes, July 1, 1836, ch. 231.
- An act regulating the terms of the Superior Court of the district of Florida, and for other purposes, July 2, 1836, ch. 261.
- An act authorizing a special term of the court of appeals for the territory of Florida, and for other purposes, Feb. 25, 1836, ch. 41.
- Resolution authorizing the President to furnish rations to certain inhabitants of Florida, February 1, 1836.
- An act to re-organize the legislative council of Florida, and for other purposes, July 7, 1838, ch. 168.
- An act to establish a new judicial district in the territory of Florida, July 7, 1838, ch. 181.

by Spain to the United States, known by the name of East and West Florida, shall constitute a territory of the United States, under the name of the territory of Florida, the government whereof shall be organized and administered as follows:

SEC. 2. *And be it further enacted,* That the executive power shall be vested in a governor, who shall reside in the said territory, and hold his office during the term of three years, unless sooner removed by the President of the United States. He shall be commander-in-chief of the militia of the said territory, and be ex officio superintendent of Indian affairs; and shall have power to grant pardons for offences against the said territory, and reprieves for those against the United States, until the decision of the President of the United States thereon shall be made known; and to appoint and commission all officers, civil and of the militia, whose appointments are not herein otherwise provided for, and which shall be established by law: he shall take care that the laws be faithfully executed.

SEC. 3. *And be it further enacted,* That the secretary of the territory shall also be appointed, who shall hold his office during the term of four years, unless sooner removed by the President of the United States; whose duty it shall be, under the direction of the governor, to record and preserve all the papers and proceedings of the executive, and all the acts of the governor and legislative council, and transmit authentic copies of the proceedings of the governor, in his executive department, every six months, to the President of the United States.

SEC. 4. *And be it further enacted,* That, in case of the death, removal, resignation, or necessary absence, of the governor of the said territory, the secretary thereof shall be, and he is hereby, authorized and required to execute all the powers, and perform all the duties, of the governor, during the vacancy occasioned by the removal, resignation, or necessary absence, of the said governor.

SEC. 5. *And be it further enacted,* That the legislative power shall be vested in the governor, and in thirteen of the most fit and discreet persons of the territory, to be called the legislative council, who shall be appointed annually, by the President of the United States, by and with the advice and consent of the Senate, from among the citizens of the United States residing there. The governor, by and with the advice and consent of the said legislative council, or a majority of them, shall have power to alter, modify, or repeal the laws which may be in force at the commencement of this act. Their legislative powers shall also extend to all the rightful subjects of legislation; but no law shall be valid which is inconsistent with the constitution and laws of the United States, or which shall lay any person under restraint, burthen, or disability, on account of his religious opinions, professions, or worship; in all which he shall be free to maintain his own, and not burthened with those of another. The governor shall publish, throughout the said territory, all the laws which shall be made, and shall, on or before the first day of December in each year, report the same to the President of the United States, to be laid before Congress, which, if disapproved by Congress, shall thenceforth be of no force. The governor and legislative council shall have no power over the primary disposal of the soil, nor to tax the lands of the

ceded by Spain, to constitute the territory of Florida.

Executive power vested in a governor, to be appointed for three years. &c.

Powers and duties of the governor.

A secretary of the territory to be appointed for four years, &c.

Duties of the secretary.

The secretary to act as governor, in case of a vacancy.

Legislative power vested in the governor and a legislative council of thirteen, to be appointed, &c.

Powers of the legislature.

Restriction of the powers of legislation.

The governor to publish the laws and report them to the President, &c.

The governor and council have no power over, &c.

An act to provide for the armed occupation and settlement of the unsettled part of the peninsula of East Florida, August 4, 1842, ch. 122.

An act to amend an act, entitled "An act to provide for the armed occupation and settlement of the unsettled parts of the peninsula of Florida," June 15, 1844, ch. 71.

An act to confirm certain sections of land in St. Augustine land district in the territory of Florida, made under the pre-emption law of June 22, 1838, June 15, 1844, ch. 74.

An act for the admission of the states of Iowa and Florida into the Union, March 3, 1845, ch. 48.

An act supplemental to the act for the admission of the states of Iowa and Florida into the Union, March 3, 1845, ch. 75.

Sessions of the legislative council.

The governor to obtain information and communicate it to the President.

Judicial power vested in two superior courts, &c.

A superior court for East Florida, with sessions at St. Augustine, &c.

A superior court for West Florida, with sessions at Pensacola, &c.

Jurisdiction of the superior courts.

Each judge to appoint a clerk to reside where the court is held.

Established fees to the clerks.

The superior courts to have the same jurisdiction as the court of Kentucky district, &c.

Act of 1789, ch. 20.

Act of March 2, 1793, ch. 22, vol. i. 333.

Writs of error and appeal to the Supreme Court, &c.

Clerks to keep the records, &c.

Clerks' fees as in the Kentucky district, &c.

Two attorneys for the territory.

Attorneys' additional fees.

A marshal for each superior court.

200 dollars annually, be-

United States, nor to interfere with the claims to lands within said territory: the legislative council shall hold a session once in each year, commencing its first session on the second Monday of June next, at Pensacola, and continue in session not longer than two months; and thereafter on the first Monday in May, in each and every year; but shall not continue longer in session than four weeks; to be held at such place in said territory as the governor and council shall direct. It shall be the duty of the governor to obtain all the information in his power in relation to the customs, habits, and dispositions, of the inhabitants of the said territory, and communicate the same, from time to time, to the President of the United States.

SEC. 6. *And be it further enacted*, That the judicial power shall be vested in two superior courts, and in such inferior courts and justices of the peace, as the legislative council of the territory may, from time to time, establish. There shall be a superior court for that part of the territory known as East Florida, to consist of one judge; he shall hold a court on the first Mondays in January, April, July, and October, in each year, at St. Augustine, and at such other times and places as the legislative council shall direct. There shall be a superior court for that part of the territory known as West Florida, to consist of one judge; he shall hold a court at Pensacola on the first Mondays in January, April, July, and October, in each year, and at such other times and places as the legislative council shall direct. Within its limits, herein described, each court shall have jurisdiction in all criminal cases, and exclusive jurisdiction in all capital cases, and original jurisdiction in all civil cases of the value of one hundred dollars, arising under, and cognisable by, the laws of the territory, now of force therein, or which may, at any time, be enacted by the legislative council thereof. Each judge shall appoint a clerk for his respective court, who shall reside, respectively, at St. Augustine and Pensacola, and they shall keep the records there. Each clerk shall receive for his services, in all cases arising under the territorial laws, such fees as may be established by the legislative council.

SEC. 7. *And be it further enacted*, That each of said superior courts shall, moreover, have and exercise the same jurisdiction within its limits, in all cases arising under the laws and constitution of the United States, which, by an act to establish the judicial power [courts] of the United States, approved the twenty-fourth day of September, one thousand seven hundred and eighty-nine, and "An act in addition to the act, entitled 'An act to establish the judicial courts of the United States,'" approved the second day of March, one thousand seven hundred and ninety-three, was vested in the court of the Kentucky district. And writs of error and appeal from the decisions in the said superior court, authorized by this section of this act, shall be made to the Supreme Court of the United States, in the same cases, and under the same regulations, as from the circuit courts of the United States. The clerks, respectively, shall keep the records at the places where the courts are held, and shall receive, in all cases arising under the laws and constitution of the United States, the same fees which the clerk of the Kentucky district received for similar services, whilst that court exercised the powers of the circuit and district courts. There shall be appointed, in the said territory, two persons learned in the law, to act as attorneys for the United States as well as for the territory; one for that part of the territory known as East Florida, the other for that part of the territory known as West Florida: to each of whom, in addition to his stated fees, shall be paid, annually, two hundred dollars, as a full compensation for all extra services. There shall also be appointed two marshals, one for each of the said superior courts, who shall each perform the same duties, be subject to the same regulations and penalties, and be entitled to the same fees, to which marshals in other

districts are entitled for similar services; and shall, in addition, be paid the sum of two hundred dollars, annually, as a compensation for all extra services.

SEC. 8. *And be it further enacted*, That the governor, secretary, judges of the superior courts, district attorneys, marshals, and all general officers of the militia, shall be appointed by the President of the United States, by and with the advice and consent of the Senate. All judicial officers shall hold their offices for the term of four years, and no longer. The governor, secretary, judges, members of the legislative council, justices of the peace, and all other officers, civil and of the militia, before they enter upon the duties of their respective offices, shall take an oath or affirmation to support the constitution of the United States, and for the faithful discharge of the duties of their office; the governor, before the President of the United States, or before a judge of the Supreme or district court of the United States, or before such other person as the President of the United States shall authorize to administer the same; the secretary, judges, and members of the legislative council, before the governor, and all other officers, before such persons as the governor shall direct. The governor shall receive an annual salary of two thousand five hundred dollars; the secretary of one thousand five hundred dollars; and the judges of one thousand five hundred dollars, each; to be paid quarter yearly out of the treasury of the United States. The members of the legislative council shall receive three dollars each, per day, during their attendance in council, and three dollars for every twenty miles in going to, and returning from any meeting of the legislative council, once in each session, and no more. The members of the legislative council shall be privileged from arrest, except in cases of treason, felony, and breach of the peace, during their going to, attendance at, and returning from, each session of said council.

SEC. 9. *And be it further enacted*, That the following acts, that is to say: "An act for the punishment of certain crimes against the United States," approved April thirtieth, one thousand seven hundred and ninety, and all acts in addition or supplementary thereto, which are now in force:

"An act to provide for the punishment of [certain] crimes and offences committed within the Indian boundaries," approved March third, one thousand eight hundred and seventeen:

"An act in addition to the act for the punishment of certain crimes against the United States, and to repeal the acts therein mentioned," approved April twentieth, one thousand eight hundred and eighteen:

"An act for the punishment of [certain] crimes therein specified," approved January thirtieth, one thousand seven hundred and ninety-nine:

"An act respecting fugitives from justice and persons escaping from the service of their masters," approved twelfth February, one thousand seven hundred and ninety-three:

"An act to prohibit the carrying on the slave trade from the United States to any foreign place or country," approved March twenty-second, one thousand seven hundred and ninety-nine: [four]

"An act in addition to the act entitled 'An act to prohibit the carrying on the slave trade from the United States to any foreign place or country,'" approved May tenth, one thousand eight hundred:

"The act to prohibit the importation of slaves into any port or place within the jurisdiction of the United States, from and after the first day of January, in the year of our Lord one thousand eight hundred and eight," approved March second, one thousand eight hundred and seven:

"An act to prevent settlements being made on lands ceded to the United States until authorized by law," approved March third, one thousand eight hundred and seven:

"An act in addition to 'An act to prohibit the importation of slaves

sides fees, to each marshal.

Governor, secretary, judges, &c., to be appointed by the President and Senate.

Term of judicial offices.

Governor, secretary, judges, &c., to take an oath.

The governor to take the oath before the President or judge, &c.

The secretary, &c., before the governor.

Salaries to the governor, &c.

The members of the legislative council privileged from arrest, &c.

The acts mentioned in force in Florida.

1790, ch. 9.

1817, ch. 92.

1818, ch. 88.

1799, ch. 1.

1793, ch. 7.

1794, ch. 11.

1800, ch. 51.

1807, ch. 22.

1807, ch. 46.

1818, ch. 91.

into any port or place within the jurisdiction of the United States, from and after the first day of January, in the year of our Lord one thousand eight hundred and eight, and to repeal certain parts of the same," approved April twentieth, one thousand eight hundred and eighteen :

- 1819, ch. 101. "An act in addition to the acts prohibiting the slave trade," approved March third, one thousand eight hundred and nineteen :
- 1810, ch. 37. "An act to establish the post-office of the United States:" (a)
- 1802, ch. 48. "An act further to alter and establish certain post-roads, and for the more secure carriage of the mail of the United States:"
- 1804, ch. 60. "An act for the more general promulgation of the laws of the United States:"(b)
- "An act in addition to an act, entitled 'An act for the more general promulgation of the laws of the United States:'"
- 1818, ch. 80. "An act to provide for the publication of the laws of the United States, and for other purposes:"
- 1793, ch. 11. "An act to promote the progress of useful arts, and to repeal the act heretofore made for that purpose:"
- 1800, ch. 25. "An act to extend the privilege of obtaining patents for useful discoveries and inventions to certain persons therein mentioned, and to enlarge and define the penalties for violating the rights of patentees:"
- 1790, ch. 15. "An act for the encouragement of learning, by securing the copies of maps, charts, and books, to the authors and proprietors of such copies, during the time therein mentioned:"
- 1802, ch. 36. "The act supplementary thereto, and for extending the benefits thereof to the arts of designing, engraving, and etching, historical and other prints:"
- 1790, ch. 11. "An act to prescribe the mode in which the public acts, records, and judicial proceedings, in each state, shall be authenticated, so as to take effect in any other state:"
- 1804, ch. 56. "An act supplementary to the act, entitled 'An act to prescribe the mode in which the public acts, records, and judicial proceedings, in each state, shall be acknowledged, so as to take effect in any other state:'"
- 1811, ch. 30. "An act for establishing trading-houses with the Indian tribes," and the several acts continuing the same :
- 1800, ch. 68. "An act making provision relative to rations for Indians, and their visits to the seat of government."

And all laws relating to the revenue and its collection subject to the modification stipulated by the fifteenth article of the treaty with Spain, &c.

The inhabitants protected in their liberty, property, and the exercise of religion.

Contracts not to be impaired, &c.

Qualification of grand and petit jurors, and

And the laws of the United States relating to the revenue and its collection, subject to the modification stipulated by the fifteenth article of the treaty of the twenty-second February, one thousand eight hundred and nine, in favour of Spanish vessels and their cargoes ; and all other public laws of the United States, which are not repugnant to the provisions of this act, shall extend to, and have full force and effect in, the territory aforesaid.

SEC. 10. *And be it further enacted*, That, to the end that the inhabitants may be protected in their liberty, property, and the exercise of their religion, no law shall ever be valid which shall impair, or in any way restrain, the freedom of religious opinions, professions, or worship. They shall be entitled to the benefit of the writ of habeas corpus. They shall be bailable in all cases, except for capital offences, where the proof is evident or the presumption great. All fines shall be moderate and proportioned to the offence ; and excessive bail shall not be required, nor cruel nor unusual punishments inflicted. No ex post facto law, or law impairing the obligation of contracts, shall ever be passed ; nor shall private property be taken for public uses without just compensation.

SEC. 11. *And be it further enacted*, That all free male white persons, who are housekeepers, and who shall have resided one year, at least, in the said territory, shall be qualified to act as grand and petit jurors in the

(a) The title of this act is "An act regulating the post-office establishment," April 30, 1810, ch. 37.

(b) The title of this act is "An act to provide for a more extensive distribution of the laws of the United States," passed March 27, 1804, ch. 60.

courts of the said territory; and they shall, until the legislature thereof shall otherwise direct, be selected in such manner as the judges of the said courts shall respectively prescribe, so as to be most conducive to an impartial trial, and to be least burthensome to the inhabitants of the said territory.

selection of them.

SEC. 12. *And be it further enacted*, That it shall not be lawful for any person or persons to import or bring into the said territory, from any port or place without the limits of the United States, or cause or procure to be so imported or brought, or knowingly to aid or assist in so importing or bringing, any slave or slaves. And every person so offending, and being thereof convicted before any court within the said territory, having competent jurisdiction, shall forfeit and pay, for each and every slave so imported or brought, the sum of three hundred dollars, one moiety for the use of the United States, and the other moiety for the use of the person or persons who shall sue for the same; and every slave so imported or brought shall thereupon become entitled to, and receive, his or her freedom.

Importation of slaves prohibited.

Under a penalty of 300 dollars from each person, for every slave.

SEC. 13. *And be it further enacted*, That the laws in force in the said territory, at the commencement of this act, and not inconsistent with the provisions thereof, shall continue in force until altered, modified, or repealed, by the legislature.

Present territorial laws in force till altered.

SEC. 14. *And be it further enacted*, That the citizens of the said territory shall be entitled to one delegate to Congress, for the said territory, who shall possess the same powers heretofore granted to the delegates from the several territories of the United States. The said delegate shall be elected by such description of persons, at such times, and under such regulations, as the governor and legislative council may, from time to time, ordain and direct.

Citizens of the territory entitled to a delegate, &c.

The persons by whom, and the times at which, &c., the delegate may be elected.

APPROVED, March 30, 1822.

STATUTE I.

CHAP. XIV.—*An Act to authorize the state of Illinois to open a canal through the public lands, to connect the Illinois river with Lake Michigan.*

March 30, 1822.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the state of Illinois be, and is hereby, authorized to survey and mark, through the public lands of the United States, the route of the canal connecting the Illinois river with the southern bend of Lake Michigan; and ninety feet of land on each side of said canal shall be for ever reserved from any sale to be made by the United States, except in the cases hereinafter provided for, and the use thereof for ever shall be, and the same is hereby, vested in the said state for a canal, and for no other purpose whatever; on condition, however, that if the said state does not survey and direct by law said canal to be opened, and return a complete map thereof to the Treasury Department, within three years from and after the passing of this act; or if the said canal be not completed, suitable for navigation, within twelve years thereafter; or if said ground shall ever cease to be occupied by, and used for, a canal, suitable for navigation; the reservation and grant hereby made shall be void and of none effect: *Provided always, and it is hereby enacted and declared*, That nothing in this act contained, or that shall be done in pursuance thereof, shall be deemed or construed to imply any obligation on the part of the United States to appropriate any money to defray the expenses of surveying or opening said canal: *Provided also, and it is hereby further enacted and declared*, That the said canal, when completed, shall be, and for ever remain, a public highway for the use of the government of the United States, free from any toll or other charge whatever, for any property of

Act of March 2, 1827, ch. 51.

Illinois authorized to survey and mark through public lands, the route of a canal, connecting Illinois river with the southern bend of Lake Michigan, and 90 feet on each side reserved and vested in the state for a canal on condition, &c.

Proviso; no obligation on the part of the United States to appropriate money, &c.

Proviso; canal always a public highway, free of toll to

the United States.

Sections through which the canal passes reserved until, &c.

The state may use necessary adjacent materials without waste.

the United States, or persons in their service, passing through the same.

SEC. 2. *And be it further enacted*, That every section of land through which said canal route may pass, shall be, and the same is hereby, reserved from future sale, until hereafter specially directed by law: and the said state is hereby authorized and permitted, without waste, to use any materials on the public lands adjacent to said canal, that may be necessary for its construction.

APPROVED, March 30, 1822.

STATUTE I.

March 30, 1822.

CHAP. XV.—*An Act concerning the commerce and navigation of Florida. (a)*

Vessels having Spanish registers on the 10th July, 1821, belonging wholly to resident citizens or to inhabitants on the 10th July, 1821, the master being a citizen or inhabitant, may be registered, &c. and then deemed a ship or vessel of the United States, &c.

Proviso: as to collectors varying forms of oaths of registry, &c.

Proviso: former register, &c. to be first surrendered, and oath of allegiance taken.

Form of the oath.

Inhabitants on July 10, 1821, taking the oath, &c., entitled to own ships, &c.

For 12 years from the 22d of May, 1821, Spanish vessels

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That any ship or vessel possessed of, and sailing under, a Spanish register, on the tenth day of July, one thousand eight hundred and twenty-one, belonging, and continuing to belong, wholly to a citizen or citizens of the United States then residing within the territories ceded to the United States by the treaty of the twenty-second of February, one thousand eight hundred and nineteen, between the United States and the King of Spain, the ratifications of which were exchanged on the twenty-second of February, one thousand eight hundred and twenty-one, or to any person or persons being, on the said tenth day of July, an inhabitant or inhabitants of the said ceded territory, and who continue to reside therein, and of which the master is a citizen of the United States, or an inhabitant as aforesaid, may be registered, enrolled, and licensed, in the manner prescribed by law; and being so registered, enrolled, and licensed, shall be denominated and deemed a ship or vessel of the United States, and entitled to the same privileges and benefits: *Provided*, That it shall be lawful for the collector to whom application shall be made for a certificate of registry, enrolment, or license, by any citizen or inhabitant as aforesaid, to make such variations in the forms of the oaths, certificates, and licenses, as shall render them applicable to the cases herein intended to be provided for: *And provided also*, That every such inhabitant, applying as aforesaid, shall, prior to his being entitled to receive such certificate of registry, enrolment, or license, deposit, with the collector, the register and other papers under which such ship or vessel had been navigated; and also take and subscribe, before the collector, (who is hereby authorized to administer the same,) the following oath: "*I, A B, do swear (or affirm) that I will be faithful and bear true allegiance to the United States of America, and that I do entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state, or sovereignty whatever, and particularly to the King of Spain.*"

SEC. 2. *And be it further enacted*, That the inhabitants of said ceded territory, who were residents thereof on the said tenth day of July, and who shall take the said oath, and who continue to reside therein, or citizens of the United States resident therein, shall be entitled to all the benefits and privileges of owning ships or vessels of the United States, to all intents and purposes, as if they were resident citizens of the United States.

SEC. 3. *And be it further enacted*, That during the term of twelve years, to commence three months after the twenty-second day of February, one thousand eight hundred and twenty-one, being the day of the exchange of the ratifications of said treaty, Spanish ships or vessels, coming

(a) See notes of the acts of Congress relating to the territory of Florida, Act of March 30, 1822, ch. 13.

laden only with the productions of Spanish growth or manufacture, directly from the ports of Spain or her colonies, shall be admitted into the ports of Pensacola and St. Augustine, in the said ceded territory, in the same manner as ships and vessels of the United States, and without paying any other or higher duties on their cargoes than by law now are, or shall at the time be made payable by citizens of the United States, on similar articles imported into said Pensacola or St. Augustine, in ships and vessels of the United States, from any of the ports or places of Spain or her colonies, and without paying any higher tonnage duty than by law now is, or at the time shall be, laid on any ship or vessel of the United States, coming from any port or place of Spain or any of her colonies, to said ports of Pensacola or St. Augustine.

APPROVED, March 30, 1822.

laden with Spanish productions, and from Spanish ports, entitled to entry as American vessels under like circumstances.

STATUTE I.

CHAP. XVI.—*An Act supplemental to an act, entitled "An act authorizing the disposal of certain lots of public ground in the city of New Orleans and town of Mobile."*

March 30, 1822.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the corporation of the city of New Orleans be, and are hereby, authorized to appropriate so much of the lot of ground on which Fort St. Charles formerly stood, as may be necessary for continuing Esplanade street to the Mississippi river; and, also, to sell and convey that portion of the said ground which lies below said street; the proceeds of such sale shall be applied to the purchase of the ground necessary for the opening of Victory street, and the public walk and Elysian fields, and to such other purpose as the said corporation may deem expedient.

APPROVED, March 30, 1822.

Act of April 20, 1818, ch. 115.

Corporation of New Orleans may sell so much of the ground on which Fort Charles stood, as may be necessary for continuing Esplanade street.

STATUTE I.

CHAP. XVIII.—*An Act to amend the laws now in force as to the issuing of original writs and final process in the circuit courts of the United States within the state of Tennessee. (a)*

March 30, 1822.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in each and every case where a citizen of any one of the United States shall wish to commence a suit in the circuit court of the United States, for either the district of east or of west Tennessee, against two or more citizens of the state of Tennessee, some of whom reside in east and some in west Tennessee, it shall and may be lawful for such citizen to cause the clerk of the circuit court in which he may elect to commence his suit, to issue duplicate writs; one directed to the marshal of east, and the other to the marshal of west, Tennessee; which writs it shall be the duty of the respective marshals to execute and return, and when returned they shall be docketted and proceeded in to judgment as one case only.

SEC. 2. *And be it further enacted,* That in each and every case where a judgment has been recovered, or may be hereafter recovered, in either of said circuit courts, it shall and may be lawful for the plaintiff in any such action, to cause his writ of fieri facias, alias fieri facias, or other process of execution, to be directed and delivered to the marshal of either east or west Tennessee, at his election; and it shall be the duty of such marshal to whom the same may be directed, to do execution thereof, in the same manner, and under the same penalties, that he would be if the judgment had been rendered in the court of the district of which he is marshal.

APPROVED, March 30, 1822.

Act of May 8, 1792, ch. 36.

Act of March 3, 1797, ch. 27.

Act of May 19, 1828, ch. 68.

Duplicate writs may be issued, from the circuit courts where defendants reside, in East and West Tennessee, &c.

Where judgment has been recovered in either circuit court, the plaintiff may issue his execution, and the marshal of either East or West Tennessee must do the execution thereof, &c.

(a) See notes to the act of September 29, 1789, ch. 21, vol. i. 93, for the decisions of the courts of the United States in relation to process.

STATUTE I.

April 17, 1822.

CHAP. XXIII.—*An Act supplementary to an act, entitled "An act to alter the terms of the district court in Alabama."*(a)

The 3d section of the act of Nov. 27, 1820, ch. 1, repealed; and part of another act revived.

Act of April 21, 1820, ch. 47.

Causes, actions, &c. commenced and made returnable at Cahawba and Mobile, &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the third section of the act, entitled "An act to alter the terms of the district court in Alabama," be, and the same is hereby, repealed; and so much of the second section of the act, entitled "An act to establish a district court in the state of Alabama," as was repealed by the said third section, is hereby revived, re-enacted, and declared to be of full force and effect.

SEC. 2. *And be it further enacted,* That all causes, actions, suits, indictments, libels, pleas, processes, and proceedings of whatsoever kind, nature, or description, sued out, commenced, or made returnable, at Cahawba, shall be there proceeded in and determined; and, in like manner, all such sued out, commenced, or made returnable, at Mobile, shall be there proceeded in and determined.

APPROVED, April 17, 1822.

STATUTE I.

April 17, 1822.

CHAP. XXIV.—*An Act to fix the limits of the port of entry and delivery for the district of Philadelphia.*

Philadelphia hereafter, the sole port of entry and delivery for the district.

Bounds of the port of entry.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That Philadelphia shall, from and after the passage of this act, be the sole port of entry and delivery for the district of Philadelphia; which said port of entry and delivery shall be bounded by the Navy Yard on the south, and Cohocksink creek on the north, any thing in any former law to the contrary notwithstanding.

APPROVED, April 17, 1822.

STATUTE I.

April 17, 1822.

CHAP. XXV.—*An Act to amend the act, entitled "An act to establish the district of Bristol, and to annex the towns of Kittery and Berwick to the district of Portsmouth," passed February twenty-fifth, eighteen hundred and one.*

Act of Feb. 25, 1801, ch. 7.

After the 30th Sept. 1822, the district of Bristol to be known as the district of Bristol and Warren, and Bristol and Warren to be one port of entry.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, from and after the thirtieth day of September next, the district of Bristol, as described in the act, entitled "An act to establish the district of Bristol, and to annex the towns of Kittery and Berwick to the district of Portsmouth," passed February twenty-fifth, eighteen hundred and one, shall be called and known by the name of the district of Bristol and Warren; and that Bristol and Warren shall thereafter be considered as one port of entry, and shall possess all the rights and privileges which now belong to the port of Bristol.

APPROVED, April 17, 1822.

STATUTE I.

April 17, 1822.

CHAP. XXVI.—*An Act to remit the duties on a sword imported, to be presented to Captain Thomas Macdonough, of the United States' Navy.*

Duty remitted on sword presented to Capt. Thomas Macdonough.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the duties which have accrued, or which may accrue, to the United States, upon the importation of a sword, to be presented to Captain Thomas Macdonough, of the United States' Navy, in behalf of the petty officers, seamen

(a) See notes to the act of April 21, 1820, ch. 47.

and marines, who served on board the frigate *Guerriere*, when she was lately under his command in the Mediterranean, which sword is represented to be, or lately to have been, in the custody of the collector of the district of New York, be, and the said duties are hereby, remitted.

APPROVED, April 17, 1822.

CHAP. XXVII.—*An Act to establish the district of Blakely.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, from and after the thirtieth day of June next, the Alabama, Middle, and Tensaw rivers, in the state of Alabama, and all the shores and waters on the east side of the bay of Mobile, and all the rivers of the said state emptying into the Gulf of Mexico, to the east of said bay, shall form a collection district, to be called the district of Blakely, of which the port of Blakely shall be the sole port of entry; and a collector for the district shall be appointed, to reside at such place as the President of the United States shall direct, near said port, who shall be entitled to receive, in addition to the fees and other emoluments established by law, the annual salary of two hundred and fifty dollars.

APPROVED, April 17, 1822.

STATUTE I.

April 17, 1822.

From and after June 30, 1822, a district, &c. called the district of Blakely, of which the port of Blakely to be the sole port of entry &c.

CHAP. XXVIII.—*An Act to authorize the Secretary of the Treasury to exchange a stock bearing an interest of five per cent. for certain stocks bearing an interest of six and seven per cent.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That a subscription, to the amount of twelve millions of dollars, of the seven per cent. stock, and of the six per cent. stock of the year eighteen hundred and twelve, and also for fourteen millions of the six per cent. stock of the years eighteen hundred and thirteen, fourteen, and fifteen, be, and the same is hereby, proposed: for which purpose books shall be opened at the Treasury of the United States, and at the several loan offices, on the first day of May, one thousand eight hundred and twenty-two, to continue open until the first day of July next thereafter, for such parts of the above-mentioned description of stocks as shall, on the day of subscription, stand on the books of the treasury, and on those of the several loan offices, respectively; which subscription shall be effected by a transfer to the United States, in the manner provided by law for such transfers, of the credit or credits standing on the said books, and by a surrender of the certificates of the stock so subscribed.

SEC. 2. *And be it further enacted, That*, for the whole, or any part, of any sum which shall be thus subscribed, of the six per cent. stocks of the years one thousand eight hundred and twelve, and one thousand eight hundred and thirteen, credits shall be entered to the respective subscribers, who shall be entitled to a certificate or certificates, purporting that the United States owe to the holder or holders thereof, his, her, or their, assigns, a sum to be expressed therein, equal to the amount of the principal stock thus subscribed, bearing an interest of five per centum per annum, payable quarterly, from the thirtieth day of June, one thousand eight hundred and twenty-two, transferable in the same manner as is provided by law for the transfer of the stock subscribed, and subject to redemption, at the pleasure of the United States, in the proportion, and at the periods, herein defined, viz: one-third at any time after the thirty-first day of December, one thousand eight hundred and thirty; one-third at any time after the thirty-first day of December, one thousand eight hundred and thirty-one; and the remainder at any time after the

STATUTE I.

April 20, 1822.

Subscription proposed, to amount of twelve million dollars, &c.

Books to be opened at the treasury and loan offices May 1, till July 1, 1822.

Subscription to be effected by a transfer of credits and surrender of certificates.

Credits to be entered and certificates bearing an interest of five per cent. to be issued, for amount of six per cent. stock subscribed, transferable, &c.

Periods of redemption of the new stock.

Credits and certificates in like manner, for the seven per cent. stock subscribed, redeemable after Dec. 31, 1833.

Proviso.

Secretary of the Treasury to re-transfer the excess of stock subscribed.

If the amount authorized should not be subscribed by July 1, 1822, the remainder may be subscribed between that day and the 1st of October following, on the books of the treasury.

Proviso; no reimbursement, except, &c.

Funds pledged for the payment of interest and redemption of the prin-

thirty-first day of December, one thousand eight hundred and thirty-two; and that for the whole, or any part, which shall be thus subscribed, of the seven per cent. stock, credits shall be entered to the respective subscribers, who shall be entitled to a certificate or certificates, purporting that the United States owe to the holder or holders thereof, his, her, or their, assigns, a sum, to be expressed therein, equal to the amount of the principal stock thus subscribed, bearing an interest of five per cent. per annum, payable quarterly, from the thirtieth day of June, eighteen hundred and twenty-two, transferable in the manner as is provided by law for the transfer of the stock subscribed, and subject to redemption, at the pleasure of the United States, at any time after the thirty-first day of December, one thousand eight hundred and thirty-three: *Provided*, That no reimbursement shall be made, except for the whole amount of such new certificate, nor until after at least six months' public notice of such intended reimbursement. And it shall be the duty of the Secretary of the Treasury to cause to be re-transferred to the respective subscribers, the several sums by them subscribed beyond the amount of the certificates of five per cent. stock issued to them respectively.

SEC. 3. *And be it further enacted*, That, if the amount of seven and six per cent. stocks, authorized to be subscribed by the first section of this act, shall not have been subscribed by the first day of July next, the remainder of that amount may be subscribed, on the books of the treasury, at any time between the said first day of July and the first day of October next thereafter; and for the whole or any part of any sum which shall be thus subscribed, of the six per cent. stocks of the years eighteen hundred and twelve, eighteen hundred and thirteen, eighteen hundred and fourteen, and eighteen hundred and fifteen, credits shall be entered to the respective subscribers, who shall be entitled to a certificate or certificates purporting that the United States owe to the holder or holders thereof, his, her, or their, assigns, a sum, to be expressed therein, equal to the amount of the principal stock thus subscribed, bearing an interest of five per centum per annum, payable quarterly, from the thirtieth day of September, one thousand eight hundred and twenty-two, transferable in the same manner as is provided by law for the transfer of the stock subscribed, and subject to redemption, at the pleasure of the United States, in the proportion, and at the periods, herein defined, viz: one-third at any time after the thirty-first day of December, one thousand eight hundred and thirty; one third at any time after the thirty-first day of December, one thousand eight hundred and thirty-one; and the remainder at any time after the thirty-first day of December, one thousand eight hundred and thirty-two; and that for the whole or any part which shall be thus subscribed of the seven per cent. stock, credits shall be entered to the respective subscribers, who shall be entitled to a certificate or certificates, purporting that the United States owe to the holder or holders thereof, his, her, or their, assigns, a sum, to be expressed therein, equal to the amount of the principal stock thus subscribed, bearing an interest of five per centum per annum, payable quarterly, from the thirtieth day of September, one thousand eight hundred and twenty-two, transferable in the manner as is provided by law for the transfer of the stock subscribed, and subject to redemption, at the pleasure of the United States, at any time after the thirty-first day of December, one thousand eight hundred and thirty-three: *Provided*, That no reimbursement shall be made, except for the whole amount of such new certificate, nor until after at least six months' public notice of such reimbursement.

SEC. 4. *And be it further enacted*, That the same funds which have heretofore been, and now are, pledged by law for the payment of the interest, and for the redemption or reimbursement of the stock which may be subscribed by virtue of the provisions of this act, shall remain pledged for the payment of the interest accruing on the stock created by reason

of such subscription, and for the redemption or reimbursement of the principal of the same. It shall be the duty of the commissioners of the sinking fund to cause to be applied and paid, out of the said fund, yearly and every year, such sum and sums as may be annually wanted to discharge the interest accruing on the stock which may be created by virtue of this act. The said commissioners are hereby authorized to apply, from time to time, such sum and sums, out of the said fund, as they may think proper, towards redeeming, by purchase or by reimbursement, in conformity with the provisions of this act, the principal of the said stock. And such part of the annual sum of ten millions of dollars, vested by law in the said commissioners, as may be necessary and wanting for the above purposes, shall be and continue appropriated [appropriated] to the payment of interest and redemption of the public debt, until the whole of the stock which may be created under the provisions of this act shall have been redeemed or reimbursed.

SEC. 5. *And be it further enacted*, That nothing in this act contained shall be construed in any wise to alter, abridge, or impair, the rights of those creditors of the United States who shall not subscribe to the loan to be opened by virtue of this act.

APPROVED, April 20, 1822.

principal of the new stock.

Commissioners of the sinking fund to cause to be applied the sums necessary to pay the interest and redeem the principal, &c.

The part of the \$10,000,000 vested, &c., continued appropriated to pay the interest, &c.

Rights of non-subscribers neither altered nor abridged.

CHAP. XXIX.—*An Act to revive and continue in force "An act declaring the assent of Congress to certain acts of the states of Maryland and Georgia."*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act passed the seventeenth day of March, in the year one thousand eight hundred, entitled "An act declaring the assent of Congress to certain acts of the states of Maryland and Georgia," and which, by subsequent acts, has been revived and continued in force until the third day of March, eighteen hundred and twenty-two, be, and the same hereby is, revived and continued in force until the third day of March, one thousand eight hundred and twenty-eight: *Provided*, That nothing herein contained shall authorize the demand of a duty on tonnage on vessels propelled by steam employed in the transportation of passengers.

APPROVED, April 20, 1822.

STATUTE I.

April 20, 1822.

[Expired.]

Act of March 17, 1800, ch. 15.

The act of March 17, 1800, declaring the assent of Congress to certain acts of the states of Maryland and Georgia, revived and continued.

Proviso.

CHAP. XXX.—*An Act supplementary to the act, entitled "An act for the relief of the purchasers of public lands, prior to the first day of July, eighteen hundred and twenty."*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all purchasers, and every legal holder of any certificate of the purchase, of the public lands of the United States, who were entitled to, but who have not availed themselves of, any of the provisions of the act of Congress of the second of March, one thousand eight hundred and twenty-one, entitled "An act for the relief of the purchasers of public lands prior to the first day of July, one thousand eight hundred and twenty," be allowed, at any time on or before the thirtieth day of September, one thousand eight hundred and twenty-two, to surrender their certificates of purchase, to accept, and, on filing such acceptances, shall be entitled and subject to such of the provisions of the aforesaid act as apply to cases where complete payment may be made of any tract of land prior to the thirtieth day of September next.

SEC. 2. *And be it further enacted*, That all purchasers, and every

VOL. III.—84

3 K 2

STATUTE I.

April 20, 1822.

[Expired.]

Act of March 2, 1821, ch. 12.

Those who did not avail themselves of the provisions of the act of March 2, 1821, allowed until Sept. 30, 1822, to surrender certificates, &c.

Act of April 3, 1823, ch. 28, and notes.

Purchasers, &c.

who did not accept the provisions of the act of March 2, 1821, and who did not avail themselves of the provisions of the 1st section, may file their acceptances, and be entitled to all the benefits, &c.

Purchasers, &c., who have filed their acceptances, &c., under the act of March 2, 1821, relative to payments by instalments, permitted to make complete payment, with discount, &c.

Registers and receivers of land offices are to perform the duties under this act, as under the act of March 2, 1821.

Lands that would have been forfeited, &c., exempted until Sept. 30, 1822.

legal holder of any certificate of purchase, of the public lands of the United States, who may not have accepted any of the provisions of the aforesaid act of March second, one thousand eight hundred and twenty-one, or who may not avail themselves of the provisions of the first section of this act, be permitted, at any time prior to the thirtieth of September next, to file their acceptances, and surrender their certificates of purchase, and shall be entitled to all the benefits, and subject to all the provisions, of the aforesaid act of March second, one thousand eight hundred and twenty-one, which relate in any manner to relinquishment and classification, and to the extension of the time of payment by instalments, and the proceeding in relation thereto, in the same manner as if such acceptances had been filed on or before the thirtieth of September last.

SEC. 3. *And be it further enacted*, That all purchasers, and every legal holder of any certificate of purchase, of the public lands of the United States, who may have filed their acceptances and surrendered their certificates of purchase, and accepted the provisions of the aforesaid act of March second, one thousand eight hundred and twenty-one, which relate to payments to be made by instalments, be permitted, notwithstanding their acceptances heretofore filed, to make complete payment on any tract of land on or before the thirtieth day of September next, and shall be entitled to the discount provided for by the fourth section of the aforesaid act.

SEC. 4. *And be it further enacted*, That it shall be the duty of the registers and receivers of the several land offices of the United States to perform the duties prescribed by, or necessary to carry into complete effect, the provisions of this act, according to the forms and instructions heretofore given by the Treasury Department; to keep full and faithful accounts and records of all proceedings under the same, in the manner prescribed by the eighth section of the aforesaid act; to make report of the same to the Treasury Department within the term of three months from the thirtieth of September next; and shall receive, as compensation for like services, the fees provided for by the seventh and eighth sections of said act.

SEC. 5. *And be it further enacted*, That every tract of land which would have been forfeited from a failure to file an acceptance and to surrender the certificate of purchase on or before the thirtieth of September, one thousand eight hundred and twenty-one, be, and the same is hereby, exempted from forfeiture and sale until the thirtieth day of September next, and no longer.

APPROVED, April 20, 1822.

STATUTE I.

April 26, 1822.

CHAP. XXXI.—*An Act to alter the times of holding courts in the western district of Virginia, and for other purposes.* (a)

Courts to be held annually hereafter at the times and places designated.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, instead of the times now prescribed by law for holding courts in the western district of Virginia, the said courts shall be held annually on the first Mondays of April and September, at Wythe Courthouse; and at Lewisburg, on the Fridays succeeding the first Mondays of April and September; and at Clarksburg, on the fourth Mondays of May and October; to which days, respectively, all process returnable to the first days of the next succeeding term shall be held returnable, and returned accordingly.

If the judge fails to attend on the first day

SEC. 2. *And be it further enacted*, That if the judge shall not attend on the first day of any court, such court shall stand adjourned from day

(a) See notes to the act of Feb. 4, 1819, ch. 12.

to day for three days, if the same cause continue; after which time, if the judge still fail to attend, the court shall stand adjourned until the first day of the next term.

APPROVED, April 26, 1822.

the court to stand adjourned, &c.

STATUTE I.

CHAP. XXXII.—*An Act altering the time and place of holding the district court in the district of Mississippi. (a)*

April 26, 1822.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the district court of the United States for the district of Mississippi, heretofore holden at the seat of government in the state of Mississippi, on the first Mondays in January and July, shall, after the next July term, which may be holden at the city of Natchez, hereafter hold its regular terms at the courthouse of Adams county, in the city of Natchez, on the first Mondays in April and October, and may continue to sit at each term until the business of the court is finished.

The district court heretofore holden, &c. to be held at Natchez at the courthouse of Adams county, on the first Mondays in April and October, &c.

SEC. 2. *And be it further enacted,* That every writ, process, subpoena, or recognisance, returnable according to law, or the tenor thereof, to either of the aforesaid terms holden on the first Mondays in January and July, shall, after the next July term, be returnable, and shall be returned to the next succeeding term of said court, to be holden on the first Mondays in April and October, after the passing of this act.

Writs, process, &c. returnable accordingly.

APPROVED, April 26, 1822.

STATUTE I.

CHAP. XXXIII.—*An Act supplementary to an act, entitled "An act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive."*

April 26, 1822.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, whenever any individual or individuals, named in the contract entered into between the Secretary of the Treasury and Charles Villar, agent of the French association, on the eighth day of January, in the year one thousand eight hundred and nineteen, by virtue of the act of Congress, entitled "An act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive," passed on the third day of March, one thousand eight hundred and seventeen, or the heirs or devisees of such individual or individuals, shall have complied with the conditions of settlement and cultivation, in the said contract prescribed, in proportion to his or their interest, under the said contract, and in the lands thereby set apart, and shall have paid the amount of purchase money, proportionate to his or their interest in said land, within the particular periods in the said contract limited, it shall and may be lawful for the Secretary of the Treasury, and he is hereby required, to cause letters patent to be issued to such individual or individuals, or his or their heirs or devisees, for the amount of his or their interest in the lands set apart and contracted for by virtue of the said act, any thing in the said act or contract contained to the contrary notwithstanding: saving, always, to the widow of any such deceased proprietor her right of dower in said lands, according to the laws of the state of Alabama.

Act of March 3, 1817, ch. 61.

When any individual of the association, his heirs, or devisees shall have complied with the conditions of settlement, and cultivation in proportion to his interest, and paid the amount of purchase money, &c. the Secretary of the Treasury to cause a patent to issue for the proportionate interest of the individual in the lands set apart.

Saving to the widow her right of dower, according to the laws of Alabama.

APPROVED, April 26, 1822.

(a) See notes to act of Jan. 11, 1821, ch. 6.

STATUTE I.

April 26, 1822.

[Obsolete.]

Locations of warrants made under the act of Feb. 15, 1815, if made in pursuance of that act in other respects, shall be perfected into grants, &c.

Act of Feb. 17, 1815, ch. 45.

The sales of fractions from such locations, valid, &c.

Hereafter holders, &c., of such warrants, are to conform, &c., and such warrants to be located within a year, or they will be null.

CHAP. XL.—*An Act to perfect certain locations and sales of public lands in Missouri.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the locations heretofore made of warrants issued under the act of the fifteenth of February, one thousand eight hundred and fifteen, entitled "An act for the relief of the inhabitants of the late county of New Madrid, in the Missouri territory, who suffered by earthquakes," if made in pursuance of the provisions of that act, in other respects, shall be perfected into grants, in like manner as if they had conformed to the sectional or quarter sectional lines of the public surveys; and the sales of fractions of the public lands, heretofore created by such locations, shall be as valid and binding on the United States as if such fractions had been made by rivers, or other natural obstructions.

SEC. 2. *And be it further enacted,* That hereafter the holders and locators of such warrants shall be bound, in locating them, to conform to the sectional or quarter sectional lines of the public surveys, as nearly as the respective quantities of the warrants will admit; and all such warrants shall be located within one year after the passage of this act; in default whereof the same shall be null and void.

APPROVED, April 26, 1822.

STATUTE I.

April 30, 1822.

[Obsolete.]

Sums appropriated for the year 1822.

Congress and their officers.

Contingent expenses of Congress.

Library and Librarian of Congress.

Books for library.

President. Vice President.

Secretary of State.

Clerks. 1818, ch. 87.

Messengers.

Contingent expenses.

Secretary of the Treasury.

CHAP. XLI.—*An Act making appropriations for the support of government for the year one thousand eight hundred and twenty-two, 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 following sums be, and the same are hereby, respectively, appropriated for the service of the year one thousand eight hundred and twenty-two; that is to say:

For compensation, granted by law, to the Senate and House of Representatives, their officers, and attendants, in addition to an unexpended balance of two hundred and fourteen thousand and sixty-seven dollars and fourteen cents, two hundred and one thousand five hundred and twenty-one dollars and eighty-six cents.

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

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

For books for the library, one thousand dollars.

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 compensation to the Secretary of State, six thousand dollars.

For compensation to the clerks in the Department of State, by the act of the twentieth of April, one thousand eight hundred and eighteen, fifteen thousand nine hundred dollars.

For compensation to the messengers in said department, including the messenger in the patent office, nine hundred and sixty dollars.

For the contingent and incidental expenses of the Department of State, including expenses of publishing the foreign correspondence of the confederation Congress, for extra copying of papers, and a deficiency in the appropriation for printing the secret journals of the old Congress, twenty-four thousand four hundred and ninety-two dollars and fifty-six cents.

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

For compensation to the clerks in the office of the Secretary of the Treasury, ten thousand dollars.	Clerks.
For compensation to the messengers in said office, one thousand and fifty dollars, in full of all allowances.	Messengers.
For compensation to the first comptroller of the treasury, three thousand five hundred dollars.	First comptroller.
For compensation to the clerks in the office of the first comptroller, per act of twentieth of April, one thousand eight hundred and eighteen, seventeen thousand eight hundred and fifty dollars.	Clerks. 1818, ch. 87.
For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.	Messenger.
For compensation to the second comptroller of the treasury, three thousand dollars.	2d comptroller.
For compensation to the clerks in the office of the second comptroller, per act of the twentieth of April, one thousand eight hundred and eighty-nine, nine thousand seven hundred and fifty dollars.	Clerks. 1818, ch. 87.
For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.	Messenger.
For compensation to the first auditor of the treasury, three thousand dollars.	1st auditor.
For compensation to the clerks in the office of the first auditor, per act of the twentieth of April, one thousand eight hundred and eighteen, fifteen thousand two hundred dollars.	Clerks. 1818, ch. 87.
For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.	Messenger.
For compensation to the second auditor of the treasury, three thousand dollars.	2d auditor.
For compensation to the clerks in the office of the second auditor, sixteen thousand two hundred dollars.	Clerks. 1818, ch. 87.
For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.	Messenger.
For compensation to the third auditor of the treasury, three thousand dollars.	3d auditor.
For compensation to the clerks in the office of the third auditor, per act of the twentieth of April, one thousand eight hundred and eighteen, twenty-eight thousand six hundred dollars.	Clerks. 1818, ch. 87.
For compensation to the messengers in said office, one thousand and fifty dollars, in full of all allowances.	Messengers.
For compensation to the fourth auditor of the treasury, three thousand dollars.	4th auditor.
For compensation to the clerks in the office of the fourth auditor, per act of the twentieth of April, one thousand eight hundred and eighteen, fifteen thousand and fifty dollars.	Clerks. 1818, ch. 87.
For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.	Messenger.
For compensation to the fifth auditor of the treasury, three thousand dollars.	5th auditor.
For compensation to the clerks in the office of the fifth auditor, per act of the twentieth of April, one thousand eight hundred and eighteen, ten thousand five hundred dollars.	Clerks. 1818, ch. 87.
For two clerks to complete the duties of the commissioner of the revenue, transferred to the office of the fifth auditor, two thousand five hundred and fifty dollars.	Clerks to commissioner of revenue.
For one clerk on the business of the agent of the treasury, transferred to the office of the fifth auditor, one thousand one hundred and fifty dollars.	Clerk on business of agent of the treasury.
For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.	Messenger.
For compensation to the treasurer of the United States, three thousand dollars.	Treasurer.

- Clerks.
1818, ch. 87. For compensation to the clerks in the office of the treasurer of the United States, per act of twentieth of April, one thousand eight hundred and eighteen, five thousand two hundred and fifty dollars.
- Additional clerk to treasurer, 1819, ch. 53. For compensation to an additional clerk, as allowed by act of appropriation of one thousand eight hundred and nineteen, and one thousand eight hundred and twenty; and, also, for an assistant to the chief clerk, one thousand two hundred dollars.
- 1820, ch. 38. Messenger. For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.
- Commissioner of general land office. For compensation to the commissioner of the general land office, three thousand dollars.
- Clerks.
1818, ch. 87. For compensation to the clerks in the office of said commissioner, per act of twentieth of April, one thousand eight hundred and eighteen, twenty-two thousand five hundred and fifty dollars.
- Messenger. For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.
- Register of treasury.
Clerks. For compensation to the register of the treasury, three thousand dollars.
- 1818, ch. 87. For compensation to the clerks in the office of the register, per act of twentieth of April, one thousand eight hundred and eighteen, twenty-two thousand five hundred and fifty dollars.
- Messenger. For compensation to the messenger in said office, including the allowance for stamping ships' registers, eight hundred dollars, in full of all allowances.
- Secretary to sinking fund. For compensation to the secretary of the commissioners of the sinking fund, two hundred and fifty dollars.
- Transmitting passports, translating, &c. in the treasury. For allowance to the person employed in transmitting passports and sea-letters, for expense of translating foreign languages in the office of the Secretary of the Treasury; for stationery, fuel, printing, and all other incidental and contingent expenses, in the Treasury Department, and the several offices therein, including the expenses of stating and printing the public accounts for the year one thousand eight hundred and twenty-two, thirty-six thousand dollars.
- Superintendent and watchmen. For allowance to the superintendent, and four watchmen, employed for the security of the state and treasury buildings, for the repairs of engines, hose and buckets, one thousand nine hundred dollars.
- Secretary of War.
Clerks. For compensation to the Secretary of War, six thousand dollars.
- 1818, ch. 87. For compensation to the clerks in the office of the Secretary of War, per act of twentieth of April, one thousand eight hundred and eighteen, twenty-three thousand four hundred dollars.
- Messengers. For compensation to the messengers in said office, one thousand and fifty dollars, in full of all allowances.
- Paymaster general. For compensation to the paymaster general, two thousand five hundred dollars.
- Clerks. For compensation to the clerks in the office of the paymaster general, four thousand two hundred and fifty dollars.
- Messenger. For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.
- Commissary general.
Clerks. For compensation to the commissary general of purchases, three thousand dollars.
- For compensation to the clerks in the office of the commissary general of purchases, two thousand eight hundred dollars.
- Messenger. For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.
- Adjutant general's clerks. For compensation to the clerks in the office of the adjutant general, two thousand one hundred and fifty dollars.
- Clerks of the Ordnance. For compensation to the clerks in the office of the ordnance, two thousand nine hundred and fifty dollars.
- Clerks of commissary general of subsistence. For compensation to the clerks in the office of the commissary general of subsistence, two thousand one hundred and fifty dollars.

For compensation to the clerks in the engineer office, two thousand one hundred and fifty dollars.

Clerks in the engineer office.

For compensation to the clerk in the office, of the surgeon general, one thousand one hundred and fifty dollars.

Surgeon general's clerk.

For the contingent expenses of the War Department, including fuel, stationery, and other contingent expenses, six thousand dollars.

Contingent expenses of War Department.

For compensation to the Secretary of the Navy, six thousand dollars.

Secretary of the Navy.
Clerks.
1818, ch. 87.

For compensation to the clerks in the office of the Secretary of the Navy, per act of twentieth of April, one thousand eight hundred and eighteen, eight thousand two hundred dollars.

Messengers.

For compensation to the messengers in said office, one thousand and fifty dollars, in full of all allowances.

Contingent expenses.
Commissioners of navy board.
Secretary of board.

For the contingent expenses of the said office, two thousand dollars.

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

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

Clerks.
1818, ch. 87.

For compensation to the clerks in the office of the commissioners of the navy board, per act of twentieth of April, one thousand eight hundred and eighteen, three thousand five hundred and fifty dollars.

For compensation of three clerks, and a draftsman, as allowed by acts of appropriation since the first of January, one thousand eight hundred and nineteen, four thousand dollars.

Other clerks, &c.
1819, ch. 54.
1820, ch. 38.
Messenger.

For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.

Contingent expenses.
Security of war and navy buildings.

For the contingent expenses of said office, two thousand dollars.

For allowance to the superintendent, and four watchmen, employed for the security of the war and navy buildings, and for the incidental and contingent expenses, including oil, fuel, and candles, two thousand and sixty-eight dollars.

Postmaster general.
Assistant P. M. general.
Clerks.
1818, ch. 87.

For compensation to the Postmaster General, four thousand dollars.

For compensation to two assistant postmasters general, five thousand dollars.

For compensation to the clerks in the general post-office, per act of twentieth of April, one thousand eight hundred and eighteen, twenty-two thousand seven hundred dollars.

For compensation to the messengers in said office, one thousand and fifty dollars, in full of all allowances.

Messengers.

For contingent expenses of said office, four thousand dollars.

Contingent expenses.
Surveyor general.
Clerks.

For compensation to the surveyor general, two thousand dollars.

For compensation to the clerks in the office of the surveyor general, two thousand one hundred dollars.

For compensation to the surveyor south of Tennessee, two thousand dollars.

Surveyor south of Tennessee.
Clerks.

For compensation to the clerks in the office of said surveyor, one thousand seven hundred dollars.

For compensation to the surveyor in Illinois, Missouri, and Arkansas, two thousand dollars.

Surveyor in Illinois and Missouri, &c.
Clerks.

For compensation to the clerks in the office of said surveyor, two thousand dollars.

Surveyor in Alabama.
Clerks.

For compensation to the surveyor in Alabama, two thousand dollars.

For compensation to the clerks in the office of the surveyor in Alabama, one thousand five hundred dollars.

Commissioner of public buildings.

For compensation to the late commissioner of the public buildings, at Washington city, four hundred and sixty-six dollars and sixty-seven cents.

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

Officers and clerks in the mint.

Persons employed in the mint.

For persons employed in the different operations of the mint, nine thousand and fifty dollars.

Contingent expenses, &c.

For incidental and contingent expenses, and repairs, cost of machinery, and for allowance of wastage in the gold and silver coinage of the mint, eight thousand one hundred dollars.

Governor, &c. of Arkansas.

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

Contingent expenses.

For the contingent expenses of said territory, three hundred and fifty dollars.

Governor, &c. of Michigan.

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

Contingent expenses.

For the contingent expenses of said territory, three hundred and fifty dollars.

Judges of the United States.

For compensation 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, seventy-eight thousand two hundred dollars.

Attorney general.

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

Clerk.

For compensation to the clerk in the office of the attorney general, eight hundred dollars.

Reporter of decisions of Supreme Court.

For compensation to the reporter of the decisions of the Supreme Court, one thousand dollars.

District attorneys and marshals.

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

Courts, jurors, and witnesses.

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, thirty thousand dollars.

Sundry pensions.

For the payment of sundry pensions, granted by the late and present government, two thousand nine hundred and forty-seven dollars and ninety-nine cents.

Disabled seamen.

For making good a deficiency in the fund for the relief of seamen, thirty thousand dollars.

Lighthouses.

For the support and maintenance of lighthouses, beacons, buoys, and stakeages, including the purchase and transportation of oil, keepers' salaries, repairs, and improvements, and contingent expenses, forty-one thousand one hundred and four dollars and sixty-eight cents, in addition to an unexpended balance of fifty-three thousand four hundred and twenty-six dollars and sixty-two cents.

Re-building lighthouse on Fayerweather.

For rebuilding the lighthouse on Fayerweather island, which was blown down in the gale of third September last, three thousand dollars.

Building lighthouse on the Bodkin, &c.

For building a lighthouse on the Bodkin, and two lighthouses on North Point, in Maryland, in addition to the sums heretofore appropriated for those objects, six thousand six hundred dollars.

Placing buoys near Cape Hatteras, &c.

For placing buoys in the channels through the shoals of Cape Hatteras and Cape Lookout, and in the channels through the Frying Pan shoals, and over the bars at Ocracock and Cape Fear, one thousand six hundred dollars.

Stationery, &c. for commissioners of loans.

For stationery, books, &c. for the offices of commissioners of loans six thousand nine hundred and sixty-nine dollars and sixteen cents.

Surveying public lands.

For surveying the public lands of the United States, actually performed in one thousand eight hundred and twenty-two, one hundred thousand dollars.

John Trumbull for paintings.

For payment to John Trumbull, for paintings commemorative of the most important events of the revolution, six thousand dollars.

For the prohibition of the slave trade, being the amount carried to the surplus fund on the thirty-first of December last, forty-seven thousand six hundred and forty-seven dollars and sixty-seven cents.

For the payment of balances due to officers of the old internal revenue and direct tax, fourteen thousand fifty-six dollars and ten cents.

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

For the salaries of the ministers of the United States to London, Paris, St. Petersburg, Lisbon, and Madrid, with the salaries of their several secretaries of legation, and the salaries of the chargé des affaires at the Hague, and at Stockholm, sixty-four thousand dollars.

For an outfit to a minister at Lisbon, nine thousand dollars.

For the contingent expenses of those missions, ten thousand dollars.

For expenses of carrying into effect the fifth, sixth, and seventh, articles of the treaty of Ghent, concluded on the twenty-fourth of December, one thousand eight hundred and fourteen, including the compensation of the commissioners, agents, and surveyors, and their contingent expenses, twelve thousand five hundred dollars.

For the salaries of the commissioners, secretary, clerk, and messenger, together with the contingent expenses of the two commissions under the treaty with Spain, of the twenty-second of February, one thousand eight hundred and nineteen, thirty thousand dollars.

For the expense of ascertaining the longitude of the Capitol, to wit: For the compensation to William Lambert, two thousand dollars; to William Elliott, five hundred dollars; to Oswald Dunn, one hundred dollars; and for contingent expenses, three hundred and sixty dollars and ninety-two cents.

SEC. 2. *And be it further enacted*, That the several sums hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated: *Provided, however*, That no money appropriated by this act, or by the act making appropriations for the military service of the United States, for the year eighteen hundred and twenty-two, and towards the service of the year eighteen hundred and twenty-three, shall be paid to any person for his compensation, who is in arrears to the United States, until such person shall have accounted for, and paid into the treasury, all sums for which he may be liable; *Provided further*, That nothing in this section contained shall extend to balances arising solely from the depreciation of treasury notes, received by such person to be expended in the public service; but in all cases where the pay or salary of any person is withheld in pursuance of this act, it shall be the duty of the accounting officer, if demanded by the party, his agent, or attorney, to report forthwith to the agent of the Treasury Department the balance due; and it shall be the duty of said agent, within sixty days thereafter, to order suit to be commenced against such delinquent and his sureties.

SEC. 3. *And be it further enacted*, That the expense for postage incurred by marshals in taking and returning the fourth census of the United States, not exceeding two thousand dollars, be paid out of an unexpended balance of an appropriation for defraying the expense of the fourth enumeration of the inhabitants of the United States.

APPROVED, April 30, 1822.

Prohibition of the slave trade.

Balances due to officers of the old internal revenue.

Miscellaneous claims.

Salaries of ministers of the United States in foreign places.

Outfit for minister at Lisbon.

Contingencies of foreign missions.

Carrying into effect the articles of the treaty of Ghent, &c.

Salaries of the commissioners, secretary, clerk, &c. under the treaty with Spain.

Ascertaining the longitude of the Capitol.

Out of any money in the Treasury. Proviso.

Proviso.

Where the pay or salary is withheld, the accounting officer to report balance, &c.

Agent to order suit within sixty days, &c.

Expense of postage incurred by marshals to be paid, &c.

STATUTE I.

May 1, 1822.

[Obsolete.]

CHAP. XLV.—*An Act making appropriations for the public buildings.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, for continuing the work on the centre building of the Capitol, and other improvements on the

Sums appropriated for—

Work on the centre building.

Culvert to the President's house, &c.

Grounds around the Capitol.

Out of moneys in the treasury. Proviso.

President's house, the following sums of money be, and hereby are appropriated.

For continuing the work on the centre building, the sum of one hundred and twenty thousand dollars.

For constructing a culvert to the President's house, painting, and necessary repairs of the same, the sum of three thousand three hundred dollars.

For improving the grounds around the Capitol, twelve hundred and fifty dollars.

SEC. 2. *And be it further enacted*, That the said several sums of money be paid out of any moneys in the treasury not otherwise appropriated: *Provided, however*, That no money appropriated by this act shall be paid to any person for his compensation or perquisites, who is in arrears to the United States, until such person shall have accounted for, and paid into the treasury, all sums for which he may be liable.

APPROVED, May 1, 1822.

STATUTE I.

May 3, 1822.

CHAP. XLVI.—*An Act to provide for paying to the state of Missouri, Mississippi, and Alabama, three per cent. of the net proceeds, arising from the sale of the public lands within the same.*

The Secretary of the Treasury from time to time, to pay 3 per cent. of the net proceeds of the sales of public lands in the state of Missouri since January 1, 1821, deducting expenses, &c.

Act of March 6, 1820, ch. 22.

The sums to be applied to the making of roads and canals in Missouri, under direction of the legislature, &c.

Account of the application of the money to be transmitted to the Secretary of the Treasury.

The Secretary of the Treasury to pay 3 per cent. of the net proceeds of the sales of public lands within the state of Mississippi, deducting expenses, to any person authorized to receive it.

The sums thus paid to be applied to the

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, from time to time, and whenever the quarterly accounts of public moneys of the several land offices in the said state of Missouri shall be settled, pay three per cent. of the net proceeds of the sales of the lands of the United States, lying within the state of Missouri, which since the first day of January, one thousand eight hundred and twenty-one, have been, or hereafter may be, sold by the United States, after deducting all expenses incidental to the same, to such person or persons as may or shall be authorized by the legislature of the said state of Missouri to receive the same; which sum or sums, thus paid, shall be applied to the making of public roads and canals within the said state of Missouri, under the direction of the legislature thereof, according to the provisions on this subject contained in the act of Congress of the sixth of March, one thousand eight hundred and twenty, entitled "An act to authorize the people of the Missouri 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, and to prohibit slavery in certain territories," and to no other purpose. And an annual account of the same shall be transmitted to the Secretary of the Treasury, by such officer or person of the state as the legislature thereof shall direct, and of its application, if any be made; and, in default of such return being made, the Secretary of the Treasury is hereby required to withhold the payment of any sum or sums that may then be due, or which thereafter may become due, until a return shall be made as herein required.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury shall, from time to time, and whenever the quarterly accounts of public moneys of the several land offices in the state of Mississippi shall be settled, pay three per cent. of the net proceeds of the sales of the lands of the United States lying within the state of Mississippi, which, since the first day of December, one thousand eight hundred and seventeen, have been, or hereafter may be, sold by the United States, after deducting all expenses incident to the same, to such person or persons as may or shall be authorized by the legislature of the said state of Mississippi to receive the same; which sum or sums, thus paid, shall be applied to making public roads and canals within the said state, according to the provisions on this subject contained 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," and to no other purpose; and an annual account of the same shall be transmitted to the Secretary of the Treasury, by such officer or person of the state as the legislature thereof shall direct, and of its application, if any be made, and in default of such return being made, the Secretary of the Treasury is hereby required to withhold the payment of any sum or sums that may then be due, or which thereafter may become due, until a return shall be made as herein required.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury shall, from time to time, and whenever the quarterly accounts of public moneys of the several land offices in the state of Alabama shall be settled, pay three per cent. of the net proceeds of the sales of the lands of the United States lying within the state of Alabama, which since the first day of September, in the year one thousand eight hundred and nineteen, have been, or hereafter may be, sold by the United States, after deducting all expenses incident to the same, to such person or persons as may or shall be authorized by the legislature of the said state of Alabama to receive the same; which sum or sums, thus paid, shall be applied to making public roads and canals, and improving the navigation of rivers, within the said state of Alabama, under the direction of the legislature thereof, according to the provisions on this subject contained in the act, entitled "An act to enable the people of the Alabama 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," and to no other purpose; and an annual account of the same shall be transmitted to the Secretary of the Treasury, by such officer or person of the state as the legislature thereof shall direct, and of its application, if any be made; and in default of such return being made, the Secretary of the Treasury is hereby required to withhold the payment of any sum or sums that may then be due, or which thereafter may become due, until a return shall be made as herein required: *Provided*, That the Secretary of the Treasury shall not allow to either of the said states of Mississippi and Alabama three per cent. on the net proceeds of the sales of public lands within the limits of the late Mississippi territory, after deducting incidental expenses, until the sum of one million two hundred and fifty thousand dollars, stipulated to be paid by the United States to the state of Georgia, for the cession of the late Mississippi territory, now composing the states of Mississippi and Alabama, shall have been first paid and deducted; nor until the stock created under the provisions of the act of Congress of the thirty-first of March, one thousand eight hundred and fourteen, entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi territory," (a) and the act supplementary thereto, shall have been redeemed, or if not entirely redeemed the residue to be deducted from the net proceeds.

APPROVED, May 3, 1822.

CHAP. XLVII.—*An Act relating to treasury notes. (b)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, from and after the passing of this act, no treasury note shall be received in payment on account of the United States, or paid, or funded, except at the treasury of the United States.

APPROVED, May 3, 1822.

(a) An act providing for the indemnification of certain claimants of public lands in the Mississippi territory, March 31, 1814, ch. 39.

(b) For the acts relating to treasury notes, see vol. ii. 766.

making of roads and canals in Mississippi, &c. 1817, ch. 23.

Annual account to be transmitted to the Secretary of the Treasury.

The Secretary of the Treasury to pay three per cent. of the net proceeds of the sales of public lands within the state of Alabama, since Sept. 1, 1819, deducting expenses, to any person authorized to receive it.

The sums thus paid to be applied to the making roads, canals, &c., in Alabama.

1819, ch. 47.

Annual account of the application of the money to be transmitted to the Secretary of the Treasury.

Proviso.

Act of Jan. 23, 1815, ch. 24.

STATUTE I.

May 3, 1822.

No treasury notes to be received in payment, or paid, or funded, except at the Treasury.

STATUTE I.

May 4, 1822.

CHAP. XLVIII.—*An Act for the relief of the officers, volunteers, and other persons, engaged in the late campaign against the Seminole Indians.*

See the act of May 26, 1824, ch. 187.

Persons engaged in the campaign of 1818, who lost horses in consequence of the government of the United States failing to supply forage, to be paid the value of them.

To be paid also, for loss of necessary horse equipage, or guns lost or left in possession of the United States.

Out of money in the treasury. Proviso.

Proviso.

Proviso.

The President to prescribe the rules and regulations of auditing and settling the claims.

STATUTE I.

May 4, 1822.

[Obsolete.]

Sums appropriated for the support of the navy for the year 1822.

Pay and subsistence of officers and pay of seamen, &c.

Provisions, in addition, &c.

Medicines, &c.

Repairs of vessels, in addition, &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That any officer, volunteer, ranger, cavalry, or other persons engaged in the campaign of one thousand eight hundred and eighteen, against the Seminole Indians, who has sustained damage by reason of the loss of any horse or horses, which in consequence of the government of the United States failing to supply sufficient forage, while engaged in said service, died, or were unavoidably abandoned and lost, shall be allowed and paid the value thereof.

SEC. 2. *And be it further enacted,* That the said officers, volunteers, and rangers, cavalry or other persons, for the loss of any necessary equipage of said horse or horses, or for any guns lost in said service or which were left in possession of the United States, or of any officer thereof, shall be allowed and paid the value thereof; said claims to be paid out of any moneys in the treasury not otherwise appropriated: *Provided,* That, if any payment shall have been made to any officer or soldier aforesaid, for the use and risk, after the death or abandonment of his horse, such amount shall be deducted from the value thereof, unless said officer or soldier shall show that he was remounted, in which case the deduction shall only extend to the time such officer or soldier served on foot: *And provided also,* That, if any payment shall have been made to any officer or soldier on account of clothing, such payment shall be deducted from the value of his horse or accoutrements: *And provided further,* That no claim shall be allowed under the provisions of this act, until proper evidence shall have been received by the accounting officers from the company to which the claimants shall have belonged, showing the number of horses lost in said company in manner aforesaid, the time when lost, and the name of the owner.

SEC. 3. *And be it further enacted,* That the accounting officer of the Treasury Department shall audit and settle those claims, under such rules and regulations as the President of the United States may prescribe.

APPROVED, May 4, 1822.

CHAP. XLIX.—*An Act making appropriations for the support of the navy of the United States for the year one thousand eight hundred and twenty-two, and for other purposes.*

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 twenty-two, the following sums be, and the same are hereby, respectively, appropriated:

For the pay and subsistence of the officers, and pay of the seamen, in addition to the sum of one hundred thousand dollars already appropriated, the sum of eight hundred and sixty-one thousand four hundred and sixty-six dollars.

For provisions, in addition to the sum of twenty thousand dollars already appropriated, and to an unexpended balance of thirty thousand dollars, the sum of two hundred and sixty-seven thousand two hundred and fifty-eight dollars.

For medicines, hospital stores, and all expenses on account of the sick, thirty-two thousand dollars.

For the repairs of vessels, in addition to the sum of twenty thousand dollars already appropriated, the sum of three hundred and eighty-eight thousand dollars.

For improvements of navy yards, docks, and wharves, fourteen thousand four hundred and fifty dollars.

Improvement of navy-yards, &c.

For pay of superintendents, naval constructors, store-keepers, inspectors of timber, clerks of the yards, and artificers, thirty-six thousand four hundred and fifty dollars.

Pay of superintendents, &c.

For labourers and teams employed in loading and unloading vessels, piling, docking and removing timbers, stores, et cetera, and fuel for the engine, twenty thousand dollars.

Labourers and teams, &c.

For ordnance and ordnance stores, twenty-five thousand dollars.

Ordnance, &c.

For contingent expenses, in addition to the sum of twenty thousand dollars already appropriated, two hundred and ten thousand dollars.

Contingent expenses.

For the pay and subsistence of the marine corps, in addition to an unexpended balance of twenty-two thousand dollars, one hundred and forty-seven thousand three hundred and ninety-three dollars.

Pay, &c. of marine corps.

For clothing the same, in addition to an unexpended balance of six thousand nine hundred and thirty-eight dollars and thirty-four cents, the sum of twenty-two thousand seven hundred and thirty-six dollars.

Clothing marine corps.

For fuel for nine hundred and thirty-eight non-commissioned officers, musicians, and privates, six thousand eight hundred and fifty dollars.

Fuel for marine corps.

For military stores for the same, the unexpended balance of the year one thousand eight hundred and twenty-one, being eleven thousand one hundred and eighty dollars and fifteen cents.

Military stores for marine corps.

For contingent expenses for the same; that is to say: fuel for commissioned officers, bed sacks, repairing barracks, transportation, and travelling expenses to officers, postage of letters, armorers, and armorers' tools, and stationery, with extra rations to officers commanding posts, fourteen thousand dollars.

Contingent expenses.

To make good a deficit in the contingent expenses of the marine corps, which accrued prior to the year eighteen hundred and twenty-one, the sum of nine thousand one hundred and nine dollars and twenty-two cents.

To make good a deficit in the contingent expenses.

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: *Provided, however*, That no money appropriated by this act shall be paid to any person for his compensation or perquisites, who is in arrears to the United States, until such person shall have accounted for and paid into the treasury all sums for which he may be liable: *Provided, further*, That nothing in this section contained shall extend to balances arising solely from the deprecia [depreciation] of treasury notes received by such person to be expended in the public service. But in all cases where the pay or salary of any person is withheld in pursuance of this act, it shall be the duty of the accounting officer, if demanded by the party, his agent or attorney, to report forthwith to the agent of the Treasury Department the balance due, and it shall be the duty of said agent, within sixty days thereafter, to order suit to be commenced against such defaulter.

Out of money in the treasury.

Proviso.

Proviso.

Where pay is withheld, the accounting officer, on demand, to report to the agent of the treasury, &c.

APPROVED, May 4, 1822.

STATUTE I.

May 4, 1822.

CHAP. L.—*An Act to repeal the act, entitled "An act to encourage vaccination."*

The Act of Feb. 27, 1813, ch. 37, to encourage vaccination, repealed.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act passed the twenty-seventh day of February, in the year of our Lord one thousand eight hundred and thirteen, entitled "An act to encourage vaccination," be, and the same is hereby, repealed.

APPROVED, May 4, 1822.

STATUTE I.

May 4, 1822.

CHAP. LI.—*An Act to alter the times of holding the district court in the district of New Jersey.* (a)

District court to be hereafter held at New Brunswick and at Burlington.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the district court for the district of New Jersey shall hereafter be held at New Brunswick on the second Tuesdays of March and September, and at Burlington on the third Tuesdays of May and November, in every year, any thing in any act heretofore passed to the contrary notwithstanding.

APPROVED, May 4, 1822.

STATUTE I.

May 4, 1822.

CHAP. LII.—*An Act making an appropriation to defray the expenses of missions to the independent nations on the American continent.*

Appropriation for missions to such independent nations on the American continent as the President may deem proper.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, for such missions to the independent nations on the American continent, as the President of the United States may deem proper, there be, and hereby is, appropriated, a sum not exceeding one hundred thousand dollars; to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 4, 1822.

STATUTE I.

May 4, 1822.

CHAP. LIII.—*An Act vesting in the state of Pennsylvania the right of the United States to all fines assessed for the non-performance of militia duty during the late war with Great Britain.*

All the right of the United States to fines assessed on citizens of Pennsylvania for non-performance of militia duty, &c., vested in that state.

Moneys in the hands of marshals, &c., to be paid to treasurer of the state.

Fines to be recovered as the state legislature may prescribe.

If Pennsylvania accepts of the provisions of this act, that state is to accept, &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all right which the United States have to the fines assessed upon the citizens of the state of Pennsylvania, for the non-performance of militia duty during the late war with Great Britain, shall be, and the same hereby is, vested in the said state.

SEC. 2. *And be it further enacted,* That all moneys in the hands of those who now are, or heretofore have been, marshals or deputy marshals, which may have been collected from the fines aforesaid, after deducting the expense of assessing and collecting, shall be paid by them, respectively, to the treasurer of the said state.

SEC. 3. *And be it further enacted,* That the said fines shall be recovered by the said state under such regulations, provisions, and restrictions, as shall be prescribed by the legislature thereof.

SEC. 4. *And be it further enacted,* That the said state, provided it shall accept of the provisions of this act, shall account to the United States for the sum of three thousand two hundred and thirty-eight dollars and forty-six cents, if that amount of the said fines shall be collected, it being the expenses of three courts martial, held in the said state, for the trial of said delinquents, of which Colonel Thomas C. Miller, Colonel James Wood, and Colonel Thomas Moore, were, respectively, presidents.

APPROVED, May 4, 1822.

(a) *Acts relating to the district courts in New Jersey:*

An act to establish the judicial system of the United States, Sept. 24, 1789, ch. 20, sec. 3.

An act for altering the times and places of holding certain courts therein mentioned, March 3, 1801, ch. 32, sec. 5.

An act to repeal certain acts respecting the organization of the courts of the United States, and for other purposes, March 2, 1802, ch. 8, sec. 2.

An act to alter the times of holding the district court in the district of New Jersey, May 4, 1822, ch. 51.

CHAP. LIV.—*An Act to abolish the United States' trading establishment with the Indian tribes.*

STATUTE I.
May 6, 1822.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States shall be, and hereby is, authorized and required to cause the business of the United States' trading-houses among the Indian tribes to be closed, and the accounts of the superintendent of Indian trade, and of the factors and sub-factors, to be settled; and for that purpose, the President is hereby authorized to select, from among the Indian agents, or others, a competent number of fit and suitable persons, to be and appear at the office of Indian trade in Georgetown, in the District of Columbia, and at each of the trading-houses established among Indian tribes, on or before the third day of June next, or as soon thereafter as can conveniently be done, to demand and receive of and from the superintendent of Indian trade, and of the respective factors and sub-factors, all the goods, wares, merchandise, furs, peltries, evidences of debt, and property and effects of every kind which may be in their power or possession, by virtue of their respective offices, and justly due and belonging to the United States; and the said agents, selected for the purpose aforesaid, shall be furnished with copies of the latest quarterly returns of the said superintendent, factors, and sub-factors, as rendered by them to the Treasury Department, and copies of any other papers in the said department which will show what is, or ought to be due and coming to the United States, from the said office of Indian trade in Georgetown, and from each of the trading-houses established among Indians. And the persons so selected shall enter into bond, with good and sufficient security, in such sums as may be required by the President of the United States, for the faithful discharge of the duties enjoined on them by the provisions of this act. And from and after the third day of June next, the act of the second of March, one thousand eight hundred and eleven, entitled "An act for establishing trading-houses with Indian tribes," shall be continued in force for the purposes only of enforcing all bonds, debts, contracts, demands, and rights which may have arisen, and all penalties and punishments which may have been, or may be, incurred under the provisions of the said act, and for the settlement of the accounts of the superintendent, factors, and sub-factors, at the Treasury Department.

SEC. 2. *And be it further enacted,* That the goods, wares, and merchandise, which shall be delivered over to the agents of the United States, under the provisions of this act, shall be placed at the disposition of the President of the United States, subject, under his orders, towards satisfying or extinguishing the treaty obligations on the part of the United States, to keep up trading-houses with the Indians; also, towards the payment of annuities due, or to become due, to Indian tribes; also, in making the customary presents to tribes or individuals in amity with the United States; and the surplus, if any, may be sold to the best advantage, under the orders of the President, and the proceeds paid over to the treasury of the United States.

SEC. 3. *And be it further enacted,* That the furs, peltries, effects and property, received under the first section of this act, shall be sold in the manner the President may direct; the debts due and owing shall be collected under his orders; and all the money received from these sources, and all that shall be received from the superintendent of Indian trade, and from the factors and sub-factors, shall be paid over, as fast as received, into the treasury of the United States: *Provided,* That such sums may be retained and applied, under the orders of the President of the United States, as may be necessary to defray the expenses of carrying this act into effect.

Act of March 2, 1811, ch. 30.

Act of May 6, 1822, ch. 58.

The President authorized and required to cause the Indian trading-houses to be closed, and the accounts to be settled, &c.

Agents to be appointed.

Agents to be furnished with documents from the Treasury Department, &c.

The agents to enter into bond with security for the faithful discharge of their duties.

After June 3, 1822, the act of March 2, 1811, to continue in force only, &c.

Act of March 2, 1811, ch. 30.

The goods, &c., delivered over to the agents, placed at the disposition of the President, &c.

The surplus, if any, to be sold.

Furs, &c., to be sold and money paid into the treasury as fast as received.

Proviso.

The President to communicate at the next session of Congress, the manner in which this act has been executed, &c.

SEC. 4. *And be it further enacted*, That, as soon as may be after the commencement of the next session of Congress, the President of the United States shall communicate to Congress the manner in which he shall have caused this act to be executed, showing the amount of moneys, furs, peltries, and other effects, and the amount and description of goods, wares, and merchandise, and the actual cash value thereof, received from the superintendent of Indian trade, and each of the factors and sub-factors, under the provisions of this act.

APPROVED, May 6, 1822.

STATUTE I.

May 6, 1822.

CHAP. LV.—*An Act providing for the disposal of the public lands in the state of Mississippi, and for the better organization of the land districts in the states of Alabama and Mississippi.*

The tract of country ceded by the Choctaws, on the 18th October, 1820, formed into a land district.

Land office.

A register and receiver to be appointed, who are to give bond with security, to receive similar compensation, and perform like duties, as other registers and receivers, &c.

Proviso.

Proviso.
District of Pearl river.

The President may cause so much of the land, &c., surveyed, to be sold as other public lands.

Except section No. 16, for the use of schools in each township, &c.

Patents to issue as in other cases.

The lands lying east of the Tombigbee, in Mississippi, to which the Indian title has been extinguished,

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all that tract of country which was ceded to the United States by a treaty with the Choctaw Indians, held on the eighteenth day of October, in the year of our Lord one thousand eight hundred and twenty, near Doake's Stand, in the state of Mississippi, be, and the same is hereby, formed into a land district; and for the disposal of the public lands in said district, a land office shall be established within the same, at such convenient place as the President of the United States may direct and appoint; and for said office a register and a receiver shall be appointed by the President, by and with the advice and consent of the Senate, who shall severally give bond with security, before entering on the duties of their respective offices, in like manner and for like sums, shall receive similar compensation, fees, and emoluments, and shall perform similar duties, and possess similar powers, with all other registers and receivers of public moneys of the United States, appointed by law for the disposal of the public land; and shall, in all respects, be governed by the laws of the United States providing for the disposal of the public land: *Provided, however*, That the first sale of the lands within the district aforesaid may be held at such convenient place within the district west of Pearl river, as the President of the United States may appoint. (a) *And provided also*, That the President may, if it should be necessary, in consequence of the establishment of a new basis meridian, attach a portion of the land otherwise belonging to the district established by this act to the district west of Pearl river.

SEC. 2. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized, when he shall think proper, to cause so much of the land within the district created by this act, or which may be attached to the district of Pearl river, and which may be surveyed, to be exposed to sale, on the same terms and conditions, and in the same manner as all other public lands of the United States, with the exception of section numbered sixteen, in each township, which shall be reserved for the use of schools within the same; and of such other reservations as now may, or hereafter may, exist, by virtue of any act of cession, treaty or law of the United States: and for the lands so sold, patents shall issue on the terms and conditions, and in the manner, provided by law in relation to all other public lands of the United States.

SEC. 3. *And be it further enacted*, That all the lands lying on the east side of the Tombigbee river, in the state of Mississippi, and to which the Indian title has been extinguished, be, after the thirtieth day of October next, attached to the district established by the first section of this act; and the public lands therein shall be sold, on the same terms and condi-

(a) An act to establish the district of Pearl river, March 2, 1821, ch. 16.

tions, and in the same manner, and patents shall issue for the lands so sold, agreeably to the provisions of the laws for the disposal of the public lands of the United States in the state of Mississippi, with the exception of the section numbered sixteen, in each township, which shall be reserved for the use of schools within the same, and of such other reservations as now are made, or hereafter may be made, by law. And it shall be the duty of the register of the district of Madison county, under the direction of the commissioner of the general land office, to transfer such books, maps, and records, or transcripts thereof, to the register appointed for the district established by the first section of this act, as may be necessary to carry into complete effect the provisions of this section of this act.

SEC. 4. *And be it further enacted*, That, from and after the thirtieth day of October next, such part of the district east of Pearl river, as lies within the state of Mississippi, be attached to, and constituted a part of, the district of Jackson county; and the President of the United States shall cause the land office to be removed to such place, within the district of Jackson county, as established by this act, as he may deem convenient; and that part of the district of Jackson county which lies within the state of Alabama shall be attached to, and constitute a part of, the district east of Pearl river, in Alabama; and it shall be the duty of the register of the district east of Pearl river, and of the register of the district of Jackson county, each, to transfer to the other, such books, records, surveys, or the transcripts thereof, as shall be necessary to carry into complete effect the provisions of this section of this act.

APPROVED, May 6, 1822.

attached after October 30, 1822, to the district established by this act, and to be sold, except section No. 16, &c.

The register of the district of Madison county to transfer books, &c.

Part of the district east of Pearl river, attached to the district of Jackson county.

The President to cause the land office to be removed, &c.

Part of the district of Jackson county attached to the district east of Pearl river.

STATUTE I.

May 6, 1822.

CHAP. LVI.—*An Act in addition to the act concerning navigation, and also to authorize the appointment of deputy collectors.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, on satisfactory evidence being given to the President of the United States that the ports in the islands or colonies in the West Indies, under the dominion of Great Britain, have been opened to the vessels of the United States, the President shall be, and hereby is, authorized to issue his proclamation, declaring that the ports of the United States shall thereafter be open to the vessels of Great Britain employed in the trade and intercourse between the United States and such islands or colonies, subject to such reciprocal rules and restrictions as the President of the United States may, by such proclamation, make and publish, any thing in the laws, entitled "An act concerning navigation," or an act, entitled "An act supplementary to an act concerning navigation," to the contrary notwithstanding.

SEC. 2. *And be it further enacted*, That, in the event of the signature of any treaty or convention concerning the navigation or commerce between the United States and France, the President of the United States be, and is hereby, authorized, should he deem the same expedient, by proclamation, to suspend, until the end of the next session of Congress, the operation of the act, entitled "An act to impose a new tonnage duty on French ships and vessels," and for other purposes; and also to suspend, as aforesaid, all other duties on French vessels, or the goods imported in the same, which may exceed the duties on American vessels, and on similar goods imported in the same.

SEC. 3. *And be it further enacted*, That the aforesaid first and second sections of this act shall continue in force to the end of the next session of Congress, and no longer.

SEC. 4. *And be it further enacted*, That the third, fourth, and seventh sections of the act passed the third day of March, one thousand eight

The President being satisfied that the ports of the British West India Islands or colonies have been opened, &c., he may declare the ports of the United States open, &c.

Act of April 18, 1818, ch. 70.

Act of May 15, 1820, ch. 122.

In the event of a signature of a treaty, &c., concerning the navigation or commerce between the United States and France, the President may, &c.

Act of May 15, 1820, ch. 125.

1st and 2d sections of this act in force, until, &c.

The 3d, 4th,

and 7th sections of the act of March 3, 1817, ch. 109, continuing in force an act, &c. revived and made perpetual.

hundred and seventeen, entitled "An act to continue in force 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," be, and the same are hereby, revived and made perpetual.

APPROVED, May 6, 1822.

STATUTE I.

May 6, 1822.

Act of March 3, 1803, ch. 31.

The provisions in the act for the relief of insolvent debtors within the District of Columbia, which requires a year's residence, repealed.

Proviso.

This act in force from its passing.

CHAP. LVII.—*An Act for the relief of certain insolvent debtors.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of the seventeenth section of the act, entitled "An act for the relief of insolvent debtors within the District of Columbia," approved on the third day of March, one thousand eight hundred and three, as declares that the provisions of the said act shall not be construed to extend to any debtor who has not resided in the District of Columbia one year next preceding his application for relief under the said act, shall be, and the same is hereby, repealed: *Provided,* That no discharge under this act, or the act to which it is amendatory, shall operate against any creditor residing without the limits of the District of Columbia, except the creditor at whose instance the debtor may be confined. This act shall commence and be in force from and after the passing thereof.

APPROVED, May 6, 1822.

STATUTE I.

May 6, 1822.

The seventh section of the act of March 30, 1802, ch. 13, repealed.

Superintendents and agents may grant licenses.

Licenses to be granted only to citizens who are to give bond with securities, &c.

Licenses for 7 years for trade with remote tribes, and 2 years with others.

Superintendents and agents to return abstract of licenses to be laid before Congress.

The President may direct Indian agents, &c. to cause the stores and packages of goods of traders to be searched for ardent spirits, &c.

CHAP. LVIII.—*An Act to amend an act, entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," approved thirtieth March, one thousand eight hundred and two.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the seventh section of the act, entitled "An act to regulate trade and intercourse with the Indian tribes and to preserve peace on the frontiers," shall be, and the same is hereby, repealed; and from and after the passing of this act, it shall be lawful for the superintendents of Indian affairs in the territories and Indian agents, under the direction of the President of the United States, to grant licenses to trade with Indian tribes; which licenses shall be granted to citizens of the United States, and to none others, taking from them bonds with securities in the penal sum not exceeding five thousand dollars, proportioned to the capital employed, and conditioned for the due observance of the laws regulating trade and intercourse with the Indian tribes; and said licenses may be granted for a term not exceeding seven years for the trade with the remote tribes of Indians beyond the Mississippi, and two years for the trade with all the other tribes. And the superintendents and agents shall return to the Secretary of War, within each year, an abstract of all licenses granted, showing by and to whom, when, and where, granted, with the amount of the bonds and capital employed, to be laid before Congress, at the next session thereof.

Sec. 2. *And be it further enacted,* That it shall and may be lawful for the President of the United States, in execution of the power vested in him by the twenty-first section of the act of the thirtieth of March, one thousand eight hundred and two, aforesaid, to which this is an amendment, to direct Indian agents, governors of territories acting as superintendents of Indian affairs, and military officers, to cause the stores and packages of goods of all traders to be searched, upon suspicion or information that ardent spirits are carried into the Indian countries by said traders in violation of the said twenty-first section of the act to which

this is an amendment; and if any ardent spirits shall be so found, all the goods of the said traders shall be forfeited, one half to the use of the informer, the other half to the use of the government, his license cancelled, and bond put in suit.

SEC. 3. *And be it further enacted*, That all purchases for and on account of Indians, for annuities, presents, and otherwise, shall be made by the Indian agents and governors of territories acting as superintendents, within their respective districts; and all persons whatsoever, charged or trusted with the disbursement or application of money, goods, or effects, of any kind, for the benefit of Indians, shall settle their accounts annually, at the War Department, on the first day of September; and copies of the same shall be laid before Congress at the commencement of the ensuing session, by the proper accounting officers, together with a list of the names of all persons to whom money, goods, or effects, had been delivered within the said year, for the benefit of the Indians, specifying the amount and object for which it was intended, and showing who are delinquent, if any, in forwarding their accounts according to the provisions of this act.

SEC. 4. *And be it further enacted*, That, in all trials about the right of property, in which Indians shall be party on one side and white persons on the other, the burthen of proof shall rest upon the white person, in every case in which the Indian shall make out a presumption of title in himself from the fact of previous possession and ownership.

SEC. 5. *And be it further enacted*, That it shall and may be lawful for the President of the United States, from time to time, to require additional security, and in larger amounts, from all persons charged or trusted, under the laws of the United States, with the disbursement or application of money, goods, or effects, of any kind, for the benefit of the Indians.

SEC. 6. *And be it further enacted*, That the President of the United States, by and with the advice and consent of the Senate, may appoint a superintendent of Indian affairs, to reside at St. Louis, whose powers shall extend to all Indians frequenting that place, whose salary shall be fifteen hundred dollars per annum; and one agent for tribes within the limits of East and West Florida, with a salary of fifteen hundred dollars.

APPROVED, May 6, 1822.

CHAP. LXI.—*An Act to continue in force "An act declaring the consent of Congress to acts of the state of South Carolina, authorizing the city council of Charleston to impose and collect a duty on the tonnage of vessels from foreign ports; and to acts of the state of Georgia, authorizing the imposition and collection of a duty on the tonnage of vessels in the ports of Savannah and St. Mary's."*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act, entitled "An act declaring the consent of Congress to acts of the state of South Carolina, authorizing the city council of Charleston to impose and collect a duty on the tonnage of vessels from foreign ports; and to acts of the state of Georgia, authorizing the imposition and collection of a duty on the tonnage of vessels in the ports of Savannah and St. Mary's," passed the twenty-ninth of April, one thousand eight hundred and sixteen, shall be, and the same is hereby, continued in force for three years, and to the end of the next session of Congress thereafter: *Provided, always, and it is hereby further enacted*, That it shall be the duty of the city council of Charleston, and of the collectors of the ports of Savannah and St. Mary's, to transmit to the Secretary of the Treasury an annual account of the sums collected, and of the application of the same, for the purposes aforesaid.

APPROVED, May 7, 1822.

If ardent spirits are found, the goods are forfeited.

All purchases of annuities, &c. for Indians, to be made by agents and governors of territories acting, &c.

Accounts annually settled at the War Department, &c.

Trials about the right of property, where Indians are parties, &c.

Additional security, &c. from persons intrusted with the disbursement of money, &c.

A superintendent of Indian affairs, to reside at St. Louis, &c. And an agent in East and West Florida.

STATUTE I.

May 7, 1822.

The act of April 29, 1816, ch. 163, declaring the assent of Congress to acts of South Carolina and Georgia, continued for three years, &c.

Proviso.

STATUTE I.
May 7, 1822.

CHAP. LXII.—*An Act to provide for the collection of duties on imports and tonnage in Florida, and for other purposes.*

Part of Florida annexed to the collection district of Saint Mary's, in Georgia.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all the ports, harbours, waters, and shores of all that part of the main land of Florida lying between the collection district of St. Mary's, in Georgia, and the river Nassau, with all the ports, harbours, waters, and shores, of all the islands opposite and nearest thereto, be, and hereby are, annexed to, and made and constituted a part of, the collection district of St. Mary's, in Georgia.

District of St. Augustine.

SEC. 2. *And be it further enacted,* That all the ports, harbours, shores, and waters, of the main land of Florida, and of the islands opposite and nearest thereto, extending from the said river Nassau to Cape Sable, be, and the same are hereby, established a collection district, by the name of the district of St. Augustine, whereof St. Augustine shall be the only port of entry.

District of Key West.

SEC. 3. *And be it further enacted,* That all the ports, harbours, shores, and waters, of the main land of Florida, and of the islands opposite and nearest thereto, extending from Cape Sable to Charlotte Bay, be, and the same are, established a collection district, by the name of the district of Key West, and a port of entry may be established in said district, at such place as the President of the United States may designate: *Provided,* That until the President of the United States shall deem it expedient to establish a port of entry in the district of Key West, and a collector shall be appointed for said district, the same district is annexed to, and shall be a part of, the district of Apalachicola.

Proviso; Key West annexed to the district of Apalachicola, &c.

District of Apalachicola.

SEC. 4. *And be it further enacted,* That all the ports, harbours, shores, and waters, of the main land of said Florida, and of the islands opposite and nearest thereto, extending from Charlotte Bay to Cape St. Blas, be, and hereby are, established a collection district, by the name of the district of Apalachicola; and a port of entry shall be established for said district, at such place as the President of the United States may designate.

District of Pensacola.

SEC. 5. *And be it further enacted,* That all the residue of the ports, harbours, waters, and shores, of said Florida, and of the islands thereof, be, and the same are, established a collection district, by the name of the district of Pensacola, whereof Pensacola shall be the only port of entry.

The President authorized to establish ports of delivery, &c.

SEC. 6. *And be it further enacted,* That the President of the United States be, and he is hereby, authorized to establish such ports of delivery in each of said districts, and also in that portion of said territory annexed to the district of St. Mary's, as he may deem expedient.

The President to appoint a collector for each district.

SEC. 7. *And be it further enacted,* That the President of the United States, with the advice and consent of the Senate, shall appoint a collector for each district, to reside at the port of entry, and a surveyor for the district of Pensacola, and a surveyor for, and to reside at, each port of delivery authorized by this act: But the President, in the recess of the Senate, may make temporary appointments of any such collector or surveyor, whose commission shall expire in forty days from the commencement of the next session of Congress thereafter.

The President may make appointments in the recess, &c.

Collectors and surveyors to give bond, &c.

SEC. 8. *And be it further enacted,* That each collector and surveyor authorized by this act, shall give bond for the true and faithful discharge of his duties, in such sum as the President of the United States may direct and prescribe; and the collector for the district of Pensacola shall, in addition to the fees and emoluments allowed by law, receive three per cent. commissions, and no more, on all moneys received and paid by him on account of the duties on goods, wares, and merchandise, and on the tonnage of vessels; and each other collector shall, in addition to the fees and emoluments allowed by law, receive an annual salary of five

Collector of Pensacola to receive only three per cent. commissions in addition to fees and emoluments.

hundred dollars, and three per cent. commissions, and no more, on all moneys received and paid by him on account of the duties on goods, wares, and merchandise, imported into his district, and on the tonnage of vessels; and each surveyor authorized by this act shall, in addition to the fees and emoluments allowed by law, receive an annual salary of three hundred dollars; and each such collector and surveyor shall exercise the same powers, be subject to the same duties, and be entitled to the same privileges and immunities, as other collectors and surveyors of the customs of the United States.

SEC. 9. *And be it further enacted*, That ships or vessels arriving from and after the thirtieth day of June next, from the Cape of Good Hope, or from any place beyond the same, shall be admitted to make entry at the port of entry at Pensacola, and at no other port or place in Florida.

SEC. 10. *And be it further enacted*, That all laws which impose any duties on the importation of any goods, wares, and merchandise, into said territory of Florida, or on the exportation of any goods, wares, and merchandise, from said territory, or on the tonnage of vessels, or which allow any drawback on the exportation of any goods, wares, or merchandise, other than such duties or drawbacks as are paid or allowed in other territories or places in the United States, are hereby repealed: *Provided*, That nothing in this act contained shall authorize the allowing of drawbacks on the exportation of any goods, wares, and merchandise, from any port or place of said territory, other than on those which shall have been imported directly into the same from a foreign port or place; and no drawback shall be allowed on any goods, wares, or merchandise, exported from any port of Florida, which shall have been imported before the tenth day of July, one thousand eight hundred and twenty-one.

SEC. 11. *And be it further enacted*, That the first section of an act passed on the second day of March, one thousand eight hundred and nineteen, entitled "An act supplementary to the acts concerning the coasting trade," be so far altered and amended that the sea coasts and navigable rivers of the United States be, and the same are hereby, divided into three great districts, the first and second to be and remain as therein described, and the third to include all the ports, harbours, sea coasts, and navigable rivers, between the southern limits of Georgia and the river Perdido; and the said third great district, so established, shall be subject to all the regulations and provisions of said act.

APPROVED, May 7, 1822.

Each other collector 500 dollars per annum and three per cent. commissions, &c.

Each surveyor 300 dollars per annum.

Powers of the collectors and surveyors.

Ships, &c., arriving from the Cape of Good Hope, &c. to enter at Pensacola only.

All laws imposing duties, &c., or allowing drawback, other than such as are paid or allowed in other territories, &c. repealed.

Proviso.

No drawback on goods, &c., imported prior to July 10, 1821.

The 1st section of an act of March 2, 1819, ch. 48, altered so far as to divide the sea coast, &c., into three great districts.

STATUTE I.

May 7, 1822.

CHAP. LXXXVI.—*An Act to relieve the people of Florida from the operation of certain ordinances.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That an ordinance numbered three, made and passed on the eighteenth of July, eighteen hundred and twenty-one, by Major General Andrew Jackson, governor of the provinces of the Floridas, entitled "An ordinance providing for the naturalization of the inhabitants of the ceded territory;" and an ordinance passed by the city council of St. Augustine, on the seventeenth of October, eighteen hundred and twenty-one, imposing and laying certain taxes on the inhabitants, and all other laws, ordinances, or resolves, so far as they enforce or confirm the same, be, and the same are hereby, repealed and declared null and void.

SEC. 2. *And be it further enacted*, That if any person shall attempt to enforce any of said laws, ordinances, or resolves, by demanding and receiving any tax, imposition, or assessment, authorized or prescribed thereby, such person shall, on conviction thereof, be punished by fine,

An ordinance of July 18, 1821, providing for the naturalization of the inhabitants of the ceded territory, and an ordinance of Oct. 17, 1821, imposing certain taxes, &c. repealed, &c.

Any person attempting to enforce any of the ordinances repealed, &c. to

be punished by fine and imprisonment.

The President to cause moneys paid under the repealed ordinances, &c. to be refunded.

This act in force from June 1, 1822.

not exceeding two hundred dollars, or by imprisonment, not exceeding six months, either or both of said punishments.

SEC. 3. *And be it further enacted*, That the President of the United States shall, in such manner and under such regulations as he may direct and prescribe, cause to be refunded to any person any sum of money which he may have paid under or by virtue of either of said laws, ordinances, or resolves.

SEC. 4. *And be it further enacted*, That this act shall be in force from and after the first day of June next.

APPROVED, May 7, 1822.

STATUTE I.

May 7, 1822.

[Obsolete.]
The register at Brookville authorized to select school lands, &c.

The register at Terre Haute authorized to select school lands.

The registers, in their selections, to be confined to section No. 20.

CHAP. LXXXVII.—*An Act authorizing the location of certain school lands in the state of Indiana.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the register of the land office at Brookville be, and he is hereby, authorized to select school lands within the said district, equivalent to the one thirty-sixth part of the reservation commonly called Clark's Grant, for the use of schools within the same; and the register of the land office at Terre Haute is hereby in like manner authorized to select within his district school lands, which, together with the eleven sections already selected, shall be equivalent to the one thirty-sixth part of the Vincennes donation tract, for the use of schools within said tract. It shall be the duty of the registers aforesaid, in making such selections, to be confined to section numbered twenty, in each township, and the selection so made shall be reserved from sale.

APPROVED, May 7, 1822.

STATUTE I.

May 7, 1822.

The 14th section of the act of March 2, 1821, ch. 13, repealed.

CHAP. LXXXVIII.—*An Act to repeal the fourteenth section of "An act to reduce and fix the military peace establishment," passed the second day of March, one thousand eight hundred and twenty-one.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the fourteenth section of the act, entitled "An act to reduce and fix the military peace establishment," passed the second day of March, one thousand eight hundred and twenty-one, be, and the same is hereby, repealed.

APPROVED, May 7, 1822.

STATUTE I.

May 7, 1822.

[Obsolete.]

Sums appropriated—

Fortifications.

Fort Delaware.

Fort Washington.

Fort Monroe.

Fort Calhoun.

Mobile Point.

Rigolets and Chef Mentour.

CHAP. LXXXIX.—*An Act making further appropriations for the military service of the United States for the year eighteen hundred and twenty-two, 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 following sums be, and the same are hereby, appropriated, to wit:

For fortifications, to each specifically, as follows, viz:

For Fort Delaware, twenty thousand dollars.

For Fort Washington, twenty-five thousand dollars.

For Fort Monroe, seventy-five thousand dollars.

For Fort Calhoun, fifty thousand dollars.

For collecting materials for a fortification at Mobile Point, in the state of Alabama, fifty thousand dollars.

For the Rigolets and Chef Mentour, one hundred thousand dollars.

For collecting materials for a fort on the right bank of the Mississippi, opposite Fort St. Philip, thirty thousand dollars.

For contingencies and repairs of fortifications, twenty thousand dollars.

For the national armories, three hundred and sixty thousand dollars.

For current expenses of the ordnance service, viz :

For the preservation of the arms and other public property in store, including the hire of workmen, and the purchase of paint, oil and other materials necessary for the purpose, eight thousand eight hundred and thirty-eight dollars.

To meet ordinary requisitions for army supplies, viz :

For paint and oil for the preservation of the guns and carriages in the fortifications, and for artificers' and intrenching tools, six thousand three hundred and forty dollars.

For the miscellaneous expenses at arsenals, forage for public horses, stationery, &c. two thousand eight hundred and sixty-two dollars.

For the reparation of defective arms, including the wages of armorers, the purchase of iron, steel, coals, tools, &c., eleven thousand nine hundred and sixty dollars.

For repairs of arsenals, one thousand dollars.

For the preservation of ammunition, five thousand dollars.

For the payment of outstanding claims which accrued in one thousand eight hundred and nineteen and one thousand eight hundred and twenty, at Pittsburg, and not presented until eighteen hundred and twenty-one, and unpaid for want of an appropriation applicable to the object, one thousand seven hundred dollars.

For arrearages in the War Department prior to the first of July, one thousand eight hundred and seventeen, ninety thousand dollars.

For pay allowed by law to Indian agents, twenty-two thousand three hundred dollars.

For sub-agents, eleven thousand three hundred and thirty-eight dollars.

For presents to Indians, allowed by the law of eighteen hundred and two, fifteen thousand dollars.

For contingent expenses of the Indian department, seventy-five thousand dollars.

For making good a deficit of the appropriation of the last year, in the same, seventy thousand dollars.

For payment of a deficit in the appropriation for the quartermaster general's department, for eighteen hundred and twenty-one, seventy thousand dollars.

For completing the barracks at Baton Rouge, twelve thousand dollars.

For constructing new roofs for the barracks at Carlisle, three thousand five hundred dollars.

For the payment of the expenses of the militia court martial in Pennsylvania, of which lieutenant colonel Thomas Moore and David Fore were successively presidents, eight hundred and forty dollars and eighty-four cents.

For the payment of the expenses of the militia court martial in Pennsylvania, of which Thomas C. Miller was president, one thousand five hundred and ninety-eight dollars and seventy-eight cents.

For the payment of the expenses of the militia court martial in Pennsylvania, of which colonel James Wood was president, seven hundred and ninety-eight dollars and eighty-four cents.

For the payment of the balance of the expenses of the militia court martial in the state of New York, of which brigadier general Gerard

Collecting materials, &c.

Repairs of fortifications, &c.

National armories.

Current expenses of ordnance service, army, &c.

Army supplies.

Miscellaneous expenses at arsenals.

Reparation of defective arms.

Repairs of arsenals.

Preservation of ammunition.

Payment of outstanding claims, &c.

Arrearages in War Department.

Pay to Indian agents, &c.

Presents to Indians.

Contingent expenses.

Deficit in the appropriation of 1821.

Quartermaster general's department.

Barracks at Baton Rouge.

Barracks at Carlisle.

Expenses of militia courts martial in Pennsylvania.

Court martial in Pennsylvania.

Court martial in Pennsylvania.

Balances of expenses of

militia court martial in New York.

Balance of appropriation made Feb. 19, 1818, &c.

For survey of certain ports, &c.

For medals for officers of the army, &c.

For relief of Col. William Lawrence, &c.

For carrying into effect the treaty concluded at Chicago, &c.

For carrying into effect the treaty with the Creeks, in relation to the compensation of citizens of Georgia.

For holding treaties with the Cherokees and Creeks.

Out of money in the treasury.

No money to be advanced or paid on any contract, or to any officer in arrears until he has accounted and paid, &c.

1822, ch. 11.

Steddiford was president, nineteen thousand two hundred and sixteen dollars and twenty-nine cents.

For the balance of an appropriation made nineteenth of February, eighteen hundred and eighteen, to defray the expenses of employing a brigade of militia, being the amount thereof carried to the surplus fund, twelve thousand three hundred and seventy-four dollars and fifty-seven cents.

For replacing the like amount of appropriations made for the survey of certain ports and harbours, which has been carried to the surplus fund, the sum of one thousand three hundred and thirty-four dollars and seventy-eight cents.

For replacing the like amount appropriated to procure medals for officers of the army, carried to the surplus fund, the sum of eight thousand two hundred dollars.

For replacing the like amount appropriated for the relief of Colonel William Lawrence and others, carried to the surplus fund, the sum of one thousand four hundred and forty dollars and twelve cents.

For carrying into effect the treaty concluded at Chicago, on the twenty-ninth day of August, eighteen hundred and twenty-one, the sum of eighteen thousand one hundred and seven dollars and ten cents.

For carrying into effect so much of the fourth article of the treaty of the eighth of January, one thousand eight hundred and twenty-one, between the United States and the Creek nation, in relation to the compensation due to the citizens of Georgia by the Creek nation, fifty thousand dollars.

For the purpose of holding treaties with the Cherokee and Creek tribes of Indians, for the extinguishment of the Indian title to all the lands within the state of Georgia, pursuant to the fourth section of the first article of the agreement and cession, concluded between the United States and the state of Georgia, on the twenty-fourth of April, one thousand eight hundred and two, the sum of thirty 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.

SEC. 3. *And be it further enacted*, That no money appropriated by this act, or by the act, entitled "An act making appropriations for the military service of the United States for the year one thousand eight hundred and twenty-two," shall be advanced or paid to any person on any contract, or to any officer who is in arrears to the United States, until he shall have accounted for, and paid into the treasury, all sums for which he may be liable.

APPROVED, May 7, 1822.

STATUTE I.

May 7, 1822.

CHAP. XC.—*An Act further to amend the several acts relative to the Treasury, War, and Navy, Departments. (a)*

The second section of act

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

(a) In general, the official duties of one of the executive departments, whether imposed by acts of Congress, or by resolutions, are not merely ministerial duties. The head of an executive department of the government, in the administration of the various and important concerns of his office, is continually required to exercise judgment and discretion. He must exercise his judgment in expounding the laws and resolutions of Congress, under which he is required, from time to time, to act. If he doubts, he has a right to call on the attorney general to assist him with his counsel; and it would be difficult to imagine why a legal adviser was provided by law for the heads of departments, as well as

act, entitled "An act making alterations in the Treasury and War Departments," passed the eighth day of May, seventeen hundred and ninety-two; the second section of the act, entitled, "An act to alter and amend the several acts for the establishment and regulation of the Treasury, War, and Navy, Departments," passed the sixteenth day of July, seventeen hundred and ninety-eight; and the seventh section of the act, entitled "An act to provide for the prompt settlement of public accounts," passed the third day of March, eighteen hundred and seventeen, be, and hereby are, repealed, from and after the thirtieth day of June, eighteen hundred and twenty-two.

SEC. 2. *And be it further enacted*, That on the day and year last aforesaid, all moneys which may remain in the hands of the treasurer of the United States, as agent of the War and Navy Departments, shall, under the direction of the secretaries of those departments, respectively, be repaid into the treasury, and carried to the credit of the proper department upon the books of the treasury.

SEC. 3. *And be it further enacted*, That all moneys appropriated for the use of the War and Navy Departments, shall, from and after the day and year last aforesaid, be drawn from the treasury, by warrants of the Secretary of the Treasury, upon the requisitions of the secretaries of those departments, respectively, countersigned by the second comptroller of the treasury, and registered by the proper auditor.

SEC. 4. *And be it further enacted*, That so much of the said act of the third day of March, eighteen hundred and seventeen, as is repugnant to the foregoing provisions, be, and is hereby, repealed, from and after the thirtieth day of June, eighteen hundred and twenty-two.

APPROVED, May 7, 1822.

of May 8, 1792, ch. 37.

Second section of act of July 16, 1798, ch. 85:

And seventh section of act of March 3, 1817, ch. 45, repealed after June 30, 1822.

All moneys remaining in the hands of the treasurer as agent of the War and Navy Departments, to be repaid into the treasury.

All moneys for the use of the War and Navy Departments, to be drawn by warrant of the Secretary of the Treasury, &c.

So much of the act of March 3, 1817, ch. 45, as is repugnant, &c., repealed.

STATUTE I.

May 7, 1822.

CHAP. XCI.—*An Act fixing the compensation of the commissioner of the public buildings. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That instead of the salary of two thousand dollars, heretofore allowed by law to the commissioner of the public buildings, there shall henceforth be allowed to the said commissioner a salary of one thousand five hundred dollars a year, to be paid quarterly, out of any moneys in the treasury not otherwise appropriated.

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

The salary of the commissioner of the public buildings, to be hereafter 1500 dollars per annum to be paid quarterly, &c.

The commis-

for the President, unless their duties were regarded as executive, in which judgment and discretion were to be exercised. Decatur v. Paulding, Secretary of the Navy, 14 Peters, 497.

If a suit should come before the Supreme Court of the United States, which involved the construction of any of the laws imposing duties on the heads of the executive departments, the court would not certainly be bound to adopt the construction given by the head of a department; and if they supposed the decision to be wrong, they would, of course, so pronounce their judgment. But the judgment of the court upon the construction of a law, must be given in a case in which they have jurisdiction, and in which it is their duty to interpret the act of Congress, in order to ascertain the rights of the parties in the cause before them. The court could not entertain an appeal from the decision of one of the secretaries, nor revise his judgment in any case where the law authorized him to exercise his discretion or judgment. Nor can it, by mandamus, act directly upon the officer, or guide and control his judgment or discretion in the matters committed to his care, in the ordinary discharge of his official duties. The interference of the court with the performance of the ordinary duties of the executive departments of the government, would be productive of nothing but mischief; and this power was never intended to be given to them. *Ibid.*

(a) By the act of May 2, 1828, "An act making appropriations for the public buildings, and for other purposes," passed May 2, 1828, ch. 45, sec. 3, the commissioner of public buildings is required to reside near the Capitol; and by the third section of the act making appropriations for public buildings, passed March 3, 1829, ch. 51, the commissioner is required to report annually to Congress the manner in which all appropriations for the public buildings and grounds have been expended.

By the act of 1843, ch. 75, an act to fix the compensation of the commissioner of public buildings, the compensation of the commissioner was fixed at two thousand dollars per annum, and no portion of the appropriation for public buildings and grounds to be applied to the payment of clerks, unless the same be expressly provided for in the act.

sioner to give bond with one or more sureties.

Proviso.

The 3d section of act of April 29, 1816, ch.150, fixing the salary of the commissioner at 2000 dollars, repealed.

give bond, with one or more sufficient sureties, in such sum and form as the President of the United States shall direct, for the faithful discharge of the duties of his office; *Provided*, That there shall not be placed in his hand, at any one time, a sum exceeding the penalty of the bond.

SEC. 3. *And be it further enacted*, That the third section of the act, entitled "An act making an appropriation for enclosing and improving the public square near the Capitol, and to abolish the office of commissioners of the public buildings, and of superintendent, and for the appointment of one commissioner for the public buildings," approved the twenty-ninth day of April, A. D. one thousand eight hundred and sixteen, which said section fixed the salary of the said commissioner at two thousand dollars, be, and the same is hereby, repealed.

APPROVED, May 7, 1822.

STATUTE I.

May 7, 1822.

CHAP. XCIII.—*An Act to provide for annuities to the Ottawas, Pattawatimas, Kickapoos, Choctaws, Kaskaskias, to Mushalatubbee, and to carry into effect the treaty of Saginaw.*

Sums appropriated for carrying into effect the treaty of Chicago, of Aug. 29, 1821.

To the Ottawas.

To the Pattawatimas.

To the Kickapoos.

To the Choctaws.

Annuity to Mushalatubbee, &c.

Annuity to the Kaskaskias.

The treaty of Saginaw, relative to employment of a blacksmith, &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, for carrying into effect a treaty concluded at Chicago, on the twenty-ninth day of August, one thousand eight hundred and twenty-one, 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 annuity stipulated in said treaty, to be paid to the following Indian tribes: that is to say: to the Ottawas, a permanent annuity of one thousand dollars, annually; to the said tribe of Indians, one thousand five hundred dollars annually, for ten years, in support of a blacksmith, teacher, and a person to instruct the Ottawas in agriculture, and for the purchase of cattle and farming utensils. To the Pattawatimas, five thousand dollars annually, for twenty years, and a further sum of one thousand dollars to the said tribe of Indians, stipulated in said treaty, to be applied by the President, annually, in support of a blacksmith and teacher for them. To the Kickapoo tribe of Indians, two thousand dollars annually, for fifteen years, stipulated to be paid to the said tribe by the treaty concluded at Edwardsville, in the state of Illinois, on the thirtieth of July, one thousand eight hundred and nineteen, and to continue so appropriated so long as the said treaties shall be in force.

For carrying into effect certain stipulations contained in the treaty of the sixteenth November, one thousand eight hundred and five, with the Choctaw nation, and for the annual gratuity to said nation, allowed under previous treaties, for which no appropriation has heretofore been made, annually, two thousand four hundred dollars.

For the annuity to Mushalatubbee, provided for in the treaty concluded with the Choctaw nation, October eighteenth, one thousand eight hundred and twenty, and to carry into effect the stipulation of said treaty, relative to light horse, annually, seven hundred and fifty dollars.

For annuity secured to the Kaskaskias tribe by the treaty of the thirteenth August, one thousand eight hundred and three, for which no appropriation has heretofore been made, annually, five hundred dollars.

For carrying into effect the stipulation contained in the treaty concluded at Saginaw, twenty-fourth September, one thousand eight hundred and nineteen, relative to the employment of a blacksmith, and persons to aid in agriculture, &c. &c. and for which no appropriation has heretofore been made, the annual sum of two thousand dollars.

APPROVED, May 7, 1822.

STATUTE I.

May 7, 1822.

CHAP. XCVI.—*An Act to authorize and empower the corporation of the city of Washington, in the District of Columbia, to drain the low grounds on and near the public reservations, and to improve and ornament certain parts of such reservation.*(a)

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall be lawful for the mayor, aldermen, and common council, of the city of Washington, under the direction of the President of the United States, and the said corporation is hereby authorized, when they shall deem it necessary, to contract with the Washington Canal Company, and obtain their consent, to change the present location of such parts of the canal, passing through the said city, as lies between Second and Seventh streets west, into such other course as shall most effectually, in their opinion, drain and dry the low grounds lying on the borders of Tyber creek.

SEC. 2. *And be it further enacted,* That, to effect the object aforesaid, and to fill up the low grounds on the borders of the said canal, in such manner as they may provide by law, the said corporation is hereby authorized and empowered, after having extended the public reservation, designated on the plan of the said city as number ten, so as the whole south side thereof shall bind on the line of Pennsylvania avenue; and after having caused to be divided the said public reservation numbered ten, except such part thereof as has already been sold, and also the public reservations numbered eleven and twelve, into building lots, to sell and dispose of the right of the United States of, in, and to, the said lots, or any number thereof, laid off as aforesaid, at public sale, on such conditions of improvement, and on such terms, as the said corporation shall prescribe: and the said corporation is further authorized and empowered, for the purposes specified in this act, to cause to be laid off, in such manner as the President of the United States may approve of, two squares, south of Pennsylvania avenue, between Third, and Sixth streets west, to front on the line of said avenue from the junction of said Sixth street west, and the said avenue, to the junction of Third street west with said avenue; and also to lay off, north of Maryland avenue, two uniform and correspondent squares, and the said four squares, when so laid off, to divide into building lots, and to sell and dispose of the right of the United States,

The corporation of Washington, under direction of the President, authorized to contract with the Washington Canal Company, and to change the location, &c.

The corporation empowered, after having extended the public reservation, and caused the public reservations, &c. to be divided into building lots, to sell the right of the United States to such lots, at public sale, &c.

The corporation further authorized to lay off four squares, divide them into building lots, and to dispose of the right of the United States to such lots, at public sale, &c.

(a) In 1822 Congress passed an act, authorizing the corporation of Washington to drain the ground in and near certain public reservations, and to improve and ornament certain parts of the public reservations. The corporation are empowered to make an agreement, by which parts of the location of the canal shall be changed, for the purpose of draining and drying the low grounds near the Pennsylvania avenue, &c. To effect these objects, the corporation is authorized to lay off, in building lots, certain parts of the public reservations, No. 10, 11, and 12, and of other squares, and also a part of B street, as laid out and designated in the original plan of the city, which lots they may sell at auction, and apply the proceeds to those objects, and afterwards to enclosing, planting, and improving other reservations, and building bridges, &c., the surplus, if any, to be paid into the treasury of the United States. The act authorizes the heirs, &c., of the former proprietors of the land, on which the city was laid out, who may consider themselves injured by the purposes of the act, to institute in the circuit court, a bill in equity, in the nature of a petition of right against the United States, setting forth the grounds of any claim they may consider themselves entitled to make, to be conducted according the rules of a court of equity; the court to hear and determine upon the claim of the plaintiffs, and what portion, if any, of the money arising from the sale of the lots they may be entitled to, with a right of appeal to the Supreme Court. The plaintiffs, Van Ness and wife, filed their bill against the United States and the corporation of Washington, claiming title to the lots which had been thus sold, under David Burns, the original proprietor of that part of the city, and father of one of the plaintiffs, on the ground, that, by the agreement between the United States and the original proprietors, upon laying out the city, those reservations and streets were forever to remain for public use, and without the consent of the proprietors could not be otherwise appropriated or sold for private use; that the act of Congress was a violation of the contract; that by such sale and appropriation for private use, the right of the United States thereto was determined, or that the original proprietors re-acquired a right to have the reservations, &c., laid out in building lots, for their joint and equal benefit with the United States, or that they were in equity, entitled to the whole or a moiety of the proceeds of the sales of the lots. Held, that no rights or claims exist in the former proprietors or their heirs; and that the proceedings of the corporation of Washington, under and in conformity with the provisions of the act, are valid and effectual for the purposes of the act. *Van Ness and wife v. The Mayor of Washington, and the United States*, 4 Peters, 232.

No change in the direction of the canal, without the written consent, &c.

The change to be made out of moneys paid by the corporation, &c.

No landing for wharfage between Third and Sixth streets.

The mayor empowered to execute a deed in fee, &c.

The deeds to be recorded, &c.

The corporation may apply balances to improving the public reservation between Capitol square and Sixth street west, &c.

No improvements, &c., unless out of the funds created by this act, &c.

Corporation to have the control, &c., of the public reservation, &c.

The residue of the fund to be paid into the treasury of the United States.

Legal representatives of former proprietors, &c. permitted within a year, &c., to institute a bill in equity, &c. against the United States.

A copy of the bill to be served on the attorney general, &c.

The suits to be conducted according to the rules of a court of equity, &c.

of, in, and to, such building lots, or any number thereof, at public sale, on such conditions of improvement, and on such terms, as the said corporation shall prescribe; but no change shall be made in the direction of said canal, unless the consent, in writing, of the president and directors of the Washington Canal Company be first had and obtained; and the change that shall be made, in pursuance of any contract that may be entered into under this act, shall be made by the said company out of the moneys to be paid to the said company by the said corporation; and the said company shall, during the time the proposed alteration is in progress, be entitled to receive the same rates of wharfage that are secured to them by any former act or acts; but no landing shall be permitted for the purposes of wharfage between the west side of Third and the east side of Sixth streets west.

SEC. 3. *And be it further enacted*, That, upon the payment of the purchase money, and upon the compliance with the conditions of improvement by the purchaser or purchasers, or his or their heirs or assigns, the mayor of the said city, for the time being, shall be, and he is hereby, empowered to execute a deed or deeds in fee to such purchaser or purchasers, his or their heirs or assigns, under his hand and the seal of the said corporation; which deed or deeds shall be recorded among the land records of the county of Washington, within the time prescribed for the recording of conveyances of real estates.

SEC. 4. *And be it further enacted*, That if, after the aforesaid objects shall be effected, a balance shall remain unexpended in the hands of the said corporation, from the proceeds of the sale of the said lots, the said corporation is authorized and empowered to appropriate and apply, from time to time, as the same may be collected, the whole or any part of such balance, to enclosing, planting, or otherwise improving the public reservation between the Capitol square and Sixth street west, and building one or more bridges over that part of the canal lying in or between Second and Sixth streets west; but the said corporation is hereby expressly prohibited from undertaking any of the improvements contemplated by this section, unless the said improvements shall be effected out of the funds created by this act, or out of the corporate funds of the said corporation; and the corporation of the said city shall have the control and management of the public reservation between the botanic garden and Sixth street west, with the view to the improvement and preservation of the same, until Congress shall otherwise direct.

SEC. 5. *And be it further enacted*, That the residue of the fund, created by the sales of lots, authorized by this act, after effecting the objects contemplated by the foregoing sections, shall, from time to time, as the same may be collected, be paid by the mayor of Washington into the treasury of the United States.

SEC. 6. *And be it further enacted*, That it shall be lawful for the legal representative of any former proprietor of the land directed to be disposed of by this act, or persons lawfully claiming title under them, and they are hereby, permitted and authorized, at any time within one year from the passing of this act, to institute a bill in equity in the nature of a petition of right against the United States, in the circuit court of the United States for the district of Columbia, in which they may set forth the grounds of their claim to the land in question.

SEC. 7. *And be it further enacted*, That a copy of said bill shall be served on the attorney general of the United States, and it shall be his duty to prepare and put in the proper pleas and answers, and make all proper defence thereto, in behalf of the United States.

SEC. 8. *And be it further enacted*, That the said suit shall be conducted according to the rules of a court of equity; and the said court shall have full power and authority to hear and determine upon the claim of the plaintiff or plaintiffs, and what proportion, if any, of the money

arising from the sale of the land hereby directed to be sold, the parties may be entitled to.

SEC. 9. *And be it further enacted*, That the plaintiff or plaintiffs, or the attorney general of the United States, shall be entitled to an appeal to the Supreme Court of the United States, whose decision shall be conclusive between the parties; and should no appeal be taken, the judgment or decree of the said circuit court shall in like manner be final and conclusive.

APPROVED, May 7, 1822.

The plaintiff or the attorney general entitled to an appeal to the Supreme Court, &c.

STATUTE I.

CHAP. CVII.—*An Act further to establish the compensation of officers of the customs and to alter certain collection districts, and for other purposes.* (a)

May 7, 1822.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the collection district of White Mountains shall be, and hereby is, annexed to the district of Portsmouth, in New Hampshire; the district of Memphrymagog, to the district of Vermont; the district of Hudson, to the district of New York; and each of the districts so annexed is hereby abolished, and made and constituted a part of the district to which it is annexed.

Certain collection districts annexed to others.

Districts annexed abolished, &c.

SEC. 2. *And be it further enacted*, That the collection district of Chester, with the district of Havre de Grace, be, and hereby is, annexed to the district of Baltimore; the district of Nottingham, to the district of Annapolis; the districts of Dumfries and Yeocomico, to the district of Tappahannock; the districts of Hampton, in Virginia, and South Quay, to the district of Norfolk and Portsmouth; and each of the districts so

Certain other districts annexed to those mentioned.

The districts annexed estab-

(a) The acts relating to the compensation of collectors and other officers of the customs are:

An act to provide more effectually for the collection of the duties imposed by law on goods, wares, and merchandise, imported into the United States, and on the tonnage of ships or vessels, August 4, 1790, (obsolete,) ch. 35, sec. 52, vol. i. 171.

An act making further provision relative to revenue cutters, (obsolete,) May 6, 1796, ch. 22, sec. 2.

An act in addition to an act, entitled "An act supplementary to the act entitled an 'Act to provide more effectually for the collection of the duties on goods, wares, and merchandise imported into the United States, and on the tonnage of ships or vessels,'" (obsolete,) May 27, 1796, ch. 35.

An act establishing an annual salary for the surveyor of the port of Gloucester, (obsolete,) July 14, 1798, ch. 73.

An act to increase the compensation now allowed by law to inspectors, measurers, weighers, and gaugers, employed in the collection of the customs, (obsolete,) April 26, 1816, ch. 95.

An act respecting the compensation of the collectors therein named, (obsolete,) March 3, 1817, ch. 49.

An act further to establish the compensation of officers of the customs and to alter certain collection districts, and for other purposes, (obsolete,) May 7, 1822, ch. 107.

An act to establish the compensation of the officers employed in the collection of the duties on imports and tonnage, and for other purposes, March, 1799, ch. 23.

An act supplementary to an act, entitled an "Act to establish the compensation of officers employed in the collection of the duties on imports and tonnage," May 10, 1800, ch. 54.

An act to amend an act to establish the compensation of the officers employed in the collection of the duties, imports, and tonnage, and for other purposes, April 30, 1802, ch. 37.

An act relative to the compensation of certain officers of the customs, and to provide for the appointing a surveyor in the district therein mentioned, March 27, 1804, ch. 58.

An act to annex a part of the state of New Jersey to the collection district of New York, and to remove the office of collector of Niagara to Lewistown, &c., March 2, 1811, ch. 33, sec. 9.

An act to allow a salary to the collectors of the districts of Nantucket and Pensacola, and to abolish the office of surveyor of the district of Pensacola, May 26, 1824, ch. 158.

An act to regulate the foreign and coasting trade on the northern, north-eastern and north-western frontiers of the United States, and for other purposes, March 2, 1831, ch. 98.

An act making appropriation for the civil and diplomatic expenses of government, for the year one thousand eight hundred and thirty-five, June 27, 1834, ch. 92, sec. 2.

An act making appropriations for the civil and diplomatic expenses of government, for the year one thousand eight hundred and thirty-five, March 3, 1835, ch. 28, sec. 3.

An act to amend an act entitled "An act to annex part of the state of New Jersey to the collection district of New York, and to remove the office of collector of Niagara to Lewistown, &c." June 30, 1834, ch. 128.

An act making appropriations for the civil and diplomatic expenses of government for the year one thousand eight hundred and thirty-seven, March 3, 1837, ch. 33, sec. 2.

An act to provide for the support of the military academy of the United States, for the year eighteen hundred and thirty-eight, and for other purposes, July 7, 1838, ch. 169, sec. 3.

lished as ports of delivery, &c.

The offices of surveyor, in the places specified, abolished.

Certain ports of delivery discontinued.

The President &c. to appoint a surveyor to each port of delivery established by this act, &c.

Each surveyor to have the same powers, &c. as others.

The salaries of the collectors mentioned, to cease.

Commissions to the collectors mentioned, in lieu, &c.

Salaries, in addition to emoluments, and in lieu of former salaries to the officers mentioned.

Collectors.

Surveyors.

annexed is hereby abolished, and made and constituted a part of the district to which it is annexed, and established a port of delivery, with the privileges appertaining to such ports.

SEC. 3. *And be it further enacted*, That the offices of surveyor in Augusta, Thomastown, Waldoboro', St. George, Bristol, Nobleboro' and Bangor, in Maine; Easton, Great Mills, St. Ingoes, in Maryland; Winton, Tombstone, Skewarky, Nixonton, Indiantown, New Biggin Creek, and Pasquotank, in North Carolina; Pittsburg, Marietta, Cincinnati, Massac, Charleston, in Virginia, and Limestone; be, and the same are hereby, abolished.

SEC. 4. *And be it further enacted*, That the ports of delivery of Augusta, in Maine, Winton, Tombstone, Skewarky, Nixonton, Indian town, New Biggin Creek, and Pasquotank, in North Carolina, be, and the same are hereby, discontinued as ports of delivery.

SEC. 5. *And be it further enacted*, That the President of the United States, be, and he is hereby authorized, with the advice and consent of the Senate, to appoint a surveyor to each of the ports of delivery established by this act; and also a surveyor for the port of Eastport, in the district of Passamaquoddy; and each surveyor so appointed, shall have the same powers, and be subject to the same duties, as other surveyors of the customs.

SEC. 6. *And be it further enacted*, That the salaries heretofore allowed by law to the several collectors of the customs for the districts of White Mountains, Memphrymagog, Barnstable, Nantucket, Marblehead, and New Bedford, shall cease and be discontinued.

SEC. 7. *And be it further enacted*, That in lieu of the commissions allowed by law to the several officers hereafter mentioned, there shall be allowed the following, to wit; To each of the collectors for the districts of Saco, Cape Vincent, Georgetown, in the District of Columbia, Newbern, and St. Mary's, in Georgia, three per cent.; to each collector for the districts of Kennebunk, Newport, and New London, two and a half per cent.; to each collector for the districts of Bath, Bristol, New Haven, and Alexandria, two per cent.; to the collector for the district of Portsmouth, one and three fourths per cent.; to each collector for the districts of Norfolk and Portsmouth, Petersburg, and Richmond, one and three-fourths per cent.; and to the collector for the district of Mississippi, one per cent.; to the collector for the district of Boston, one-fifth of one per cent.; and to the collector for the district of New-York, one-sixth of one per cent., on all moneys by them respectively received on account of the duties arising from goods, wares and merchandise, imported into the United States, and on the tonnage of vessels.

SEC. 8. *And be it further enacted*, That, in addition to the emoluments, of the several officers hereinafter mentioned, and in lieu of the salaries now established by law, there shall be allowed and paid the following salaries, to wit: To the collector of the district of Wilmington, in Delaware, five hundred dollars; to the collector of the district of Sagg Harbour, four hundred dollars; to each of the collectors for the districts of Saco, Edgartown, Fairfield, Cape Vincent, Sackett's Harbour, Champlain, Oswegatchie, Oswego, Vermont, Oxford, Tappahannock, Beaufort, in North Carolina, Edenton, Georgetown, in South Carolina, and Beaufort, in South Carolina, two hundred and fifty dollars; to each of the collectors for the districts of Wiscasset, Oswego, Plymouth, in North Carolina, two hundred dollars; to the surveyor at Eastport, for the district of Passamaquoddy, five hundred dollars; to the surveyors at North Kingston, for the district of Newport, and to each of the surveyors at New London, and at Hartford and Middletown, for the district of Middletown and Hampton, two hundred and fifty dollars; to each of the surveyors of the ports for the districts of St. Mary's in Maryland, East River, South Quay, Petersburg, Edenton, Pawtuxet, and Camden, two hundred dollars; and

to each of the surveyors of the ports of Chester, Havre de Grace, Nottingham, Dumfries, and Yeocomico, one hundred and fifty dollars; to the naval officers for the districts of Providence and Newport, two hundred and fifty dollars each.

Sec. 9. *And be it further enacted*, That whenever the emoluments of any collector of the customs of either of the ports of Boston, New York, Philadelphia, Baltimore, Charleston, Savannah, or New Orleans, shall exceed four thousand dollars, or the emoluments of any naval officer of either of said ports, shall exceed three thousand dollars, or the emoluments of any surveyor of either of said ports shall exceed two thousand five hundred dollars, in any one year, after deducting the necessary expenses incident to his office in the same year, the excess shall, in every such case, be paid into the treasury, for the use of the United States.

Sec. 10. *And be it further enacted*, That whenever the emoluments of any other collector of the customs shall exceed three thousand dollars, or the emoluments of any other naval officer shall exceed two thousand five hundred dollars, or the emoluments of any other surveyor shall exceed two thousand dollars, in any one year, after deducting therefrom the necessary expenses incident to his office in the same year, the excess shall, in every such case, be paid into the treasury, for the use of the United States. (a)

Sec. 11. *And be it further enacted*, That the preceding provisions shall not extend to fines, penalties, or forfeitures, or the distribution thereof.

Sec. 12. *And be it further enacted*, That every collector, naval officer, and surveyor, shall account to the treasury for all his emoluments, and also for all the expenses incident to his office; that such accounts, as well of expenses as of emoluments, shall be rendered on oath or affirmation, at such times and in such forms, and shall be supported by such proofs, as shall be prescribed by the Secretary of the Treasury, and all such accounts shall be settled at the treasury like other public accounts.

Sec. 13. *And be it further enacted*, That every collector, naval officer, and surveyor, shall, together with his accounts of the expenses incident to his office, render a list of the clerks employed by him, stating the rate of compensation allowed to each, and the duties which they severally perform; and also an account of the sums paid for stationery, official or contingent expenses, fuel, and office rent, stating the purposes for which the premises rented are applied.

Sec. 14. *And be it further enacted*, That, in the ports of Boston, New York, Philadelphia, Baltimore, Charleston, Savannah, and New Orleans, no person shall be an inspector who, at the same time, holds any other office in the collection of the customs in either of the said ports.

Sec. 15. *And be it further enacted*, That the Secretary of the Treasury may, from time to time, limit and fix the number and compensations of the clerks to be employed by any collector, naval officer, or surveyor, and may limit and fix the compensation of any deputy of any such collector, naval officer, or surveyor: *Provided*, That no such deputy, in any of the districts of Boston and Charlestown, New York, Philadelphia, Baltimore, Charleston, Savannah, or New Orleans, shall receive more than one

Naval officers.

Limitation of emoluments of collectors of Boston, New York, Philadelphia, Baltimore, Charleston, Savannah, and New Orleans. Naval officers. Surveyors.

Limitation of the emoluments of other collectors, naval officers, and surveyors.

The preceding provisions not to extend to fines, forfeitures, &c.

Collectors, naval officers, and surveyors, to render an account of emoluments, &c.

Officers and surveyors to render a list of clerks employed by them, their compensation, and an account of sums paid for stationery, &c.

In the ports of Boston, &c., no person to be an inspector who holds any other office in the collection of the customs.

Salary to deputy collector, &c.

(a) The act of Congress of May 7, 1822, ch. 107, sec. 10, provides that whenever the emoluments of certain collectors of the customs shall exceed three thousand dollars in any one year, &c. the excess shall in every such case be paid into the treasury of the United States. The defendant was collector of the port of Gloucester, and was removed from office July 29, 1829. From January first in the same year, to the day of his removal, he received for salary, fees and commissions, \$3457 83; the excess of this over \$3000, after deducting certain legal expenses, he paid into the treasury of the United States. Held, that all the fees and commissions received by the collector are to be deemed to be received for his own use, until they exceed the maximum amount of \$3000; that the defendant was therefore absolutely entitled, in his own right to the fees and emoluments of office, not exceeding \$3000, received during the seven months preceding his removal, although he did not continue in office a whole year from January first; and that the year of his successor in office commenced on the day of his appointment, and ended with the same day in the succeeding year.

The United States in error v. William Pearce, Jun., and another, 2 Sumner's C. C. R. 575.

thousand five hundred dollars, nor any other such deputy more than one thousand dollars, in any one year, for any services he may perform for the United States in any office or capacity.

No account for compensation to be allowed until he has certified, on oath or affirmation, that he has performed the services and received the full sum charged, &c.

SEC. 16. *And be it further enacted*, That no account for the compensation for services of any clerk, or other person employed in any duties in relation to the collection of the revenue, shall be allowed, until such clerk or other person shall have certified, on oath or affirmation, that the same services have been performed, that he has received the full sum therein charged, to his own use and benefit, and that he has not paid, deposited, or assigned, nor contracted to pay, deposit, or assign, any part of such compensation to the use of any other person, nor in any way, directly or indirectly, paid or given, nor contracted to pay or give, any reward or compensation for his office or employment, or the emoluments thereof.

If any person employed in the collection of the revenue accepts any fee, &c. not allowed by law, for any service performed, &c. he is to be removed from office, pay a fine, &c.

SEC. 17. *And be it further enacted*, That if any person employed in any duties in relation to the collection of the revenue, shall accept or receive any fee, reward, or compensation, other than that allowed by law, for any service he may perform for any person, in making any entry or clearance, or preparing any papers to be used or kept in the custom-house, such person shall be removed from office, and shall, moreover, on conviction thereof, pay a fine, not exceeding five hundred dollars.

No collector, &c. to receive more than 400 dollars annually, exclusive, &c.

SEC. 18. *And be it further enacted*, That no collector, surveyor, or naval officer, shall ever receive more than four hundred dollars annually, exclusive of his compensation as collector, surveyor, or naval officer, and the fines and forfeitures allowed by law, for any services he may perform for the United States in any other office or capacity.

Collector of Cape Vincent.

This act in force from 30th June, 1822.

SEC. 19. *And be it further enacted*, That the salary of the collector of the district of Cape Vincent shall commence from the time of his appointment.

SEC. 20. *And be it further enacted*, That this act shall be in force from and after the thirtieth day of June next.

APPROVED, May 7, 1822.

STATUTE I.

May 7, 1822.

CHAP. CVIII.—*An Act vesting in the commissioners of the counties of Wood and Sandusky, the right to certain lots in the towns of Perrysburg and Croghansville, in the state of Ohio, for county purposes.*

Unsold town lots, &c. in Perrysburg, &c.

Unsold town lots, &c. in Croghansville, &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the right to all the unsold town lots and out-lots in the town of Perrysburg be, and the same is hereby, vested in the commissioners of Wood county, in the state of Ohio; and the right to all the unsold town lots and out-lots in the town of Croghansville be, and the same is hereby, vested in the commissioners of Sandusky county, in said state; on condition that said commissioners shall permanently locate the seat of justice for their respective counties at said towns; and that the net proceeds of the sales of so many of said lots as are necessary to be retained for the purpose of erecting public buildings thereon, be applied to the erection and improvement of the public buildings and squares in said towns respectively.

APPROVED, May 7, 1822.

STATUTE I.

May 7, 1822.

CHAP. CXII.—*An Act authorizing the payment of certain certificates.*

So much of the act of

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of an act, entitled "An act making further provisions for the support of public

credit and for the redemption of the public debt," passed the third day of March, one thousand seven hundred and ninety-five, and so much of the act, entitled "An act respecting loan office and final settlement certificates, indents of interest, and the unfunded and registered debt, credited on the books of the treasury," passed the twelfth day of June, one thousand seven hundred and ninety-eight, as bars from settlement or allowance certificates, commonly called loan office and final settlement certificates, and indents of interest, be, and the same is hereby, suspended for the term of two years from and after the passing of this act, and from thence until the end of the next session of Congress; a notification of which temporary suspension of the act of limitation shall be published by the Secretary of the Treasury, for the information of the holders of the said certificates, in one or more of the public papers in each of the United States.

SEC. 2. *And be it further enacted,* That all certificates, commonly called loan office certificates, countersigned by the loan officers of the states, respectively, final settlement certificates, and indents of interest, which, at the time of passing this act, shall be outstanding, may be presented at the treasury; and, upon the same being liquidated and adjusted, shall be paid to the respective holders of the same, with interest at six per cent. per annum, from the date of the last payment of interest, as endorsed on said certificates.

SEC. 3. *And be it further enacted,* That, for carrying this act into effect, the sum of fifteen thousand dollars be appropriated out of any moneys in the treasury of the United States not otherwise appropriated.

APPROVED, May 7, 1822.

March 3, 1795, ch. 45, and of act of June 12, 1798, ch. 51, as bars loan office and final settlement certificates, &c. suspended for two years, &c.

Notification of suspension to be published.

Outstanding loan office certificates, &c. may be presented at the treasury; and, being liquidated, &c. to be paid to the holders, with interest, &c.

Appropriation.

STATUTE I.

May 7, 1822.

CHAP. CXVIII.—*An Act requiring surveyors general to give bond and security for the faithful disbursement of public money, and to limit their term of office.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, from and after the passing of this act, every surveyor general, commissioned by the authority of the United States, shall, before entering on the duties of his office, and every surveyor general now in commission, shall, on or before the thirtieth day of September next, execute and deliver, to the Secretary of the Treasury of the United States, a bond, with good and sufficient security, for the penal sum of thirty thousand dollars, conditioned for the faithful disbursement, according to law, of all public money placed in his hands for disbursement, and for the faithful performance of the duties of his office.

SEC. 2. *And be it further enacted,* That the commission of every surveyor general now in office, shall, unless sooner vacated, by death, resignation, or removal from office, cease and expire on the first day of February next: and the commission of every surveyor general, hereafter commissioned by the authority of the United States, shall cease and expire unless sooner vacated by death, resignation, or removal from office, in four years from the date of the commission.

SEC. 3. *And be it further enacted,* That the President of the United States shall, and he is hereby authorized, whenever he may deem it expedient, require any surveyor general of the United States to give new bond and additional security, under the direction of the Secretary of the Treasury, for the faithful disbursement, according to law, of all money placed in his hands for disbursement.

APPROVED, May 7, 1822.

VOL. III.—88

Every surveyor general to give bond with security in the penal sum of 30,000 dollars, for the faithful disbursement of public money, and performance of his official duties.

The commissions of surveyors general now in office, &c., on Feb. 1, 1823.

Commissions of surveyors general to expire in four years from the dates.

Surveyor general to give new bond and additional security, &c.

STATUTE I.

May 7, 1822.

CHAP. CXIX.—*An Act to authorize the building of lighthouses therein mentioned, and for other purposes.*

As soon as the jurisdiction has been ceded &c., the Secretary of the Treasury to provide for building lighthouses on the islands and places mentioned, and to agree for salaries or wages of superintendents.

The floating light at the port of Ocracoke to be removed to the Narrows in the Potomak.

Buoys at the places mentioned.

Appropriation for carrying this act into effect.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, as soon as the jurisdiction of such portions of land at Monhegan Island, on the coast of Maine; at Billingsgate Island, in Barnstable Bay; at Cutter Hunk Island, near New Bedford, in the state of Massachusetts; at Stonington Point, in the state of Connecticut; at Old Field Point, Long Island, in the state of New York; at Cape May, in the state of New Jersey; at or near the Port of Ocracoke, in the state of North Carolina; at Cape Florida, and on the Dry Tortugas, or on some place in the vicinity, as the President of the United States shall select for the sites of lighthouses; shall be ceded to, and the property thereof respectively vested in, the United States, it shall be the duty of the Secretary of the Treasury to provide, by contracts, which shall be approved by the President, for building lighthouses respectively on such sites, to be so lighted as to be distinguished from other lighthouses near the same; and also to agree for the salaries, wages, or hire, of the persons to be appointed by the President for the superintendence of the same.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury be, and he hereby is, authorized, if he shall deem it expedient, to cause to be removed the floating light placed at or near the said port of Ocracoke, and to have the same placed at the Narrows in the Potomak river.

SEC. 3. *And be it further enacted,* That the Secretary of the Treasury be, and he hereby is, authorized to provide, by contract, for procuring and placing buoys at the following places, to wit: one at Harbour Island Bar, one on Pine Point Shoal, one on the Point of Marsh Shoals, one on Swan Island Shoal, one on the east end of Brant Island Shoal, one on the Middle Ground Shoal, one on the Bluff Shoal, and one on the Long Shoal, all being situated on the coast of North Carolina; and also for three buoys for the bar of the port of Georgetown, South Carolina.

SEC. 4. *And be it further enacted,* That the following sums be appropriated for the purpose of carrying the provisions of this act into effect, to be paid out of any moneys in the treasury not otherwise appropriated; to wit: For building the lighthouse at Monhegan Island, three thousand dollars; at Billingsgate Island, on Barnstable Bay, two thousand dollars; at Cutter Hunk Island, near New Bedford, and for placing buoys near thereto, three thousand dollars; at Old Field Point, Long Island, two thousand five hundred dollars; for placing a lamp on the mess-house at Fort Niagara, one thousand dollars; for finishing the pier near the port of Kennebunk, in the state of Maine, the further sum of four thousand dollars; for completing the lighthouse on Throgsneck, the additional sum of five hundred dollars; for building a light vessel, and placing the same on or near the outer bar of the harbour of New York, fifteen thousand dollars; for placing three buoys on the bar near the port of Georgetown, South Carolina, three hundred dollars; for rebuilding and completing the lighthouse on Frank's Island, in the state of Louisiana, nine thousand seven hundred and fifty dollars; for building the lighthouse at Stonington Point, three thousand five hundred dollars; for building the lighthouse at Cape May, the sum of five thousand dollars; for building the lighthouse at or near Ocracoke, the sum of twenty thousand dollars; for building the lighthouse at Cape Florida, eight thousand dollars; and for building the lighthouse on the Dry Tortugas, or on some place in the vicinity, eight thousand dollars; and for procuring and placing the buoys on the coast of North Carolina, and for removing the floating light at or near the port of Ocracoke, the sum of one thousand three hundred dollars.

SEC. 5. *And be it further enacted*, That the Secretary of the Treasury be, and he hereby is, authorized to provide, by contract, to be approved by the President of the United States, for building a sea wall or pier at the Isles of Shoals, between Cedar Island and Smutty-Nose Island, on the coast of New Hampshire and Maine, conformably to the report of the commissioners appointed under the fourth section of the act passed the third day of March, one thousand eight hundred and twenty-one, entitled "An act to authorize the building of lighthouses therein mentioned, and for other purposes," and that a sum, not exceeding eleven thousand five hundred dollars, is hereby appropriated for the purpose aforesaid, to be paid out of any moneys in the treasury not otherwise appropriated.

SEC. 6. *And be it further enacted*, That the Secretary of the Treasury be authorized and required to cause to be erected in the Bay of Delaware, at or near a place called the Shears, near Cape Henlopen, by contract or contracts, to be approved by the President of the United States, two piers of sufficient dimensions to be a harbour or shelter for vessels from the ice, if, after a survey made under his direction, the measure shall be deemed expedient; and provided that the jurisdiction of the site where such piers may be erected, shall be first ceded to the United States, according to the conditions in such case by law provided; and that, for the purpose of carrying the same into effect, there be appropriated the sum of twenty-two thousand seven hundred dollars, to be paid out of any moneys in the treasury not otherwise appropriated.

SEC. 7. *And be it further enacted*, That the light authorized to be built on Cross Island, in the state of Maine be, and the same is hereby, directed to be built on the South point of Libby Island, and for building and completing the same, the sum of five hundred dollars, in addition to the former appropriation, is hereby appropriated, out of any money in the treasury not otherwise appropriated.

SEC. 8. *And be it further enacted*, That the following sums of money be, and the same are hereby, appropriated, out of any moneys in the treasury not otherwise appropriated, for the following purposes to wit: Four thousand dollars to enable the Secretary of the Treasury to purchase the patent right of David Melville and others, to a newly invented lamp for lighting lighthouses; and a sum not exceeding four thousand two hundred and forty dollars, for placing the same in lighthouses.

SEC. 9. *And be it further enacted*, That for making and completing a survey of the coast of Florida, under the direction of the President of the United States, a sum of money, not exceeding six thousand dollars, be, and the same is hereby, appropriated, out of any moneys in the treasury not otherwise appropriated, for carrying the same into effect.

APPROVED, May 7, 1822.

The Secretary of the Treasury to provide by contract, &c., for building a sea wall, &c., at the Isles of Shoals, &c.

1821, ch. 52.

Two piers to be erected by contract, at a place called the Shears, near Cape Henlopen, &c., if, &c.

The jurisdiction of the state to be first ceded.

The light on Cross Island to be built on the south point of Libby Island. Appropriation.

Appropriations for purchasing and placing the patent lamp of D. Melville and others.

Appropriation for completing the survey of the coast of Florida.

STATUTE I.

May 8, 1822.

CHAP. CXXII.—*An Act confirming claims to lots in the town of Mobile, and to land in the former province of West Florida, which claims have been reported favourably on by the commissioners appointed by the United States.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all the claims to lots in the town of Mobile, founded on complete grants derived from either the French, British, or Spanish, authorities, reported to the Secretary of the Treasury by the commissioner for the district east of Pearl river, appointed under the authority of "An act for ascertaining the titles and claims to land in that part of Louisiana which lies east of the island of New Orleans," or which were so reported by the register and receiver, acting as commissioners, under the act of the third of March, one thousand eight hundred and nineteen, entitled "An act for adjusting claims to land, and

Claims to lots in Mobile, founded on complete grants from the French, British, or Spanish authorities, reported, &c. recognised as valid.

Act of April 25, 1812, ch. 67.

Act of March 3, 1819, ch. 100.

Certain claims to lots in Mobile confirmed.

All claims to lots in Mobile, reported by the commissioner, &c. founded on private conveyances, &c. confirmed, &c.

Proviso.

For all other claims to lots in Mobile, contained in the report of the register and receiver, built upon, &c. on or before April 15, 1813, grants to issue as donations.

Proviso.

Registers and receivers of the land offices at St. Helena and Jackson Courthouses, to have the same powers, &c. as are given by the act supplementary, &c.

Act of May 8, 1822, ch. 123.

STATUTE I.

May 8, 1822.

So much of the public lands within the bounds described, in Illinois, to form a land district, &c.

A land office as the President may designate.

establishing land offices, in the districts east of the island of New Orleans," which are contained in the reports of the commissioner, or of the register and receiver acting as commissioners, and which are, in their opinion, valid, agreeably to the laws, usages, and customs, of the said governments, be, and the same are hereby, recognised as valid.

SEC. 2. *And be it further enacted*, That all the claims to lots in the town aforesaid, reported as aforesaid, and contained in the reports of the commissioner, or of the register and receiver acting as commissioners, founded on orders of survey, requettes, permissions to settle, or other written evidences of claims, derived from either the French, British, or Spanish authorities, and bearing date prior to the twentieth of December, one thousand eight hundred and three, and which ought, in the opinion of the commissioner, to be confirmed, shall be confirmed in the same manner as if the title had been completed.

SEC. 3. *And be it further enacted*, That all the claims to lots in the town aforesaid, reported as aforesaid, and contained in the reports of the commissioner, or of the register and receiver acting as commissioners, founded on private conveyances which have passed through the office of the commandant, or other evidence, but founded, as the claimants allege, on grants lost by time and accident, and which ought, in the opinion of the commissioner, to be confirmed, shall be confirmed in the same manner as if the titles were in existence: *Provided*, That, in all such claims where the quantity claimed is not ascertained, no one claim shall be confirmed for a quantity exceeding seven thousand two hundred square feet.

SEC. 4. *And be it further enacted*, That for all the other claims to lots in the town aforesaid, reported as aforesaid, which are contained in the report of the register and receiver, and which, by the said report, appear to have been built upon or improved and occupied, on or before the fifteenth day of April, one thousand eight hundred and thirteen, the claimants shall be entitled to grants therefor as donations: *Provided*, That in all such claims, where the quantity claimed is not ascertained, no one claim shall be confirmed for a quantity exceeding seven thousand two hundred square feet; *And provided also*, That all the confirmations and grants provided to be made by this act, shall amount only to a relinquishment for ever, on the part of the United States, of all right and title whatever to the lots of land so confirmed or granted.

SEC. 5. *And be it further enacted*, That the registers and receivers of the land offices at St. Helena Courthouse and at Jackson Courthouse, respectively, shall have the same powers to direct the manner in which all lands confirmed by this act shall be located and surveyed, and also to decide between the parties in all conflicting and interfering claims, as are given by the act, entitled "An act supplementary to the several acts for adjusting the claims to land, and establishing land offices, in the districts east of the island of New Orleans."

APPROVED, May 8, 1822.

CHAP. CXXIV.—*An Act to establish an additional land office in the state of Illinois.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of the public lands of the United States as lies east of the Mississippi river, north of the line separating the thirteenth and fourteenth tiers of townships north of the base line, and west of the third principal meridian, in the state of Illinois, shall form a land district, for the disposal of the said lands, and for which purpose a land office shall be established at such place therein as the President of the United States shall designate, until the same shall be permanently fixed by law.

SEC. 2. *And be it further enacted,* That there shall be a register and receiver appointed to the said land office, to superintend the sales of the public lands in the said district, who shall reside at the place where the said office shall be established as aforesaid, give security in the same manner, in the same sums, and whose compensation, emoluments, and duties, and authority, shall, in every respect, be the same in relation to the lands which shall be disposed of at their offices, as are or may be by law, provided in relation to the registers and receivers of public moneys in the several offices established for the sale of the public lands: *Provided,* That the said appointments shall not be made until a sufficient quantity of public lands shall have been surveyed within the said district to authorize, in the opinion of the President, a public sale of lands within the same.

SEC. 3. *And be it further enacted,* That the provisions of the second, third, and fifth, sections of the act, entitled "An act to designate the boundaries of districts, and establish land offices, for the disposal of the public lands not heretofore offered for sale in the states of Ohio and Indiana," approved March third, eighteen hundred and nineteen, and the act, entitled "An act making further provision for the sale of the public lands," approved April twenty-fourth, eighteen hundred and twenty, be, and the same are hereby, made applicable to the said district and office, so far as they are not changed by subsequent laws of the United States.

APPROVED, May 8, 1822.

A register and receiver for the land office, &c. to reside at the place established, give security, &c.

Proviso.

The provisions of the 2d, 3d and 5th sections of the act of March 3, 1819, and of April 24, 1820, made applicable, &c.

Act of March 3, 1819, ch. 92.

Act of April 24, 1820. ch. 51.

STATUTE I.

May 8, 1822.

CHAP. CXXVI.—*An Act to designate the boundaries of a land district, and for the establishment of a land office, in the state of Indiana.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, for the sale of the unappropriated public lands in the state of Indiana, to which the Indian title is extinguished, the following district shall be formed, and a land office established: All the public lands as aforesaid, to which the Indian title was extinguished by the treaties concluded at St. Mary's in the month of October, eighteen hundred and eighteen, lying east of the range line separating the first and second ranges east of the second principal meridian, extended north to the present Indian boundary and north of a line to be run separating the tiers of townships numbered twenty and twenty-one, commencing on the old Indian boundary, in range thirteen east of the said principal meridian, in Randolph county, and the said district to be bounded on the east by the line dividing the states of Ohio and Indiana, shall form a district, for which a land office shall be established at Fort Wayne.

A district and land office for the sale of unappropriated public lands in Indiana, &c.

Boundaries of the district.

A land office at Fort Wayne.

SEC. 2. *And be it further enacted,* That the President is hereby authorized to appoint, by and with the advice and consent of the Senate, for the aforesaid district, a register of the land office and a receiver of public moneys; which appointments shall not be made for the aforesaid land district until a sufficient quantity of public lands shall have been surveyed within the said district as to authorize, in the opinion of the President, a public sale of land within the same; which register of the land office and receiver of public moneys, when appointed, shall each, respectively, give security in the same sums, and in the same manner, and whose compensation, emoluments, and duties, and authority, shall, in every respect, be the same, in respect to the lands which shall be disposed of at their offices, as are or may be provided by law in relation to the registers and receivers of public moneys in the several land offices established for the disposal of the public lands of the United States in the states of Ohio and Indiana.

The President to appoint to register and receiver when a sufficient quantity of public land shall have been surveyed, &c.

Register and receiver to give security, &c.

All the public lands in the

district, not granted or reserved, &c. except section No. 16, &c., to be offered for sale to the highest bidder.

The lands to be sold in tracts &c. as provided by act of April 24, 1820, ch. 51.

The President may remove the land office to a suitable place whenever he judges it expedient.

Five dollars a day to the register and receiver.

and which have not been granted to, or secured for, the use of any individual or individuals, or appropriated and reserved for any other purpose by any existing treaties or laws, and with the exception of section numbered sixteen in each township, which shall be reserved for the support of schools therein, shall be offered for sale to the highest bidder, at the land office for the said district, under the direction of the register of the land office and receiver of public moneys, on such day or days as shall, by proclamation of the President of the United States, be designated for that purpose: the lands shall be sold in tracts of the same size, on the same terms and conditions, and in every respect, as provided by the act, entitled "An act making further provision for the sale of the public lands," approved April twenty-fourth, eighteen hundred and twenty.

Sec. 4. *And be it further enacted*, That the President of the United States shall have power, and he is hereby authorized, to remove, whenever he shall judge it expedient so to do, the land office aforesaid, to such suitable place, within the said district, as he shall judge most proper.

Sec. 5. *And be it further enacted*, That the register of the land office and receiver of public moneys shall, each, receive five dollars for each day's attendance in superintending the public sales in the said district.

APPROVED, May 8, 1822.

STATUTE I.

May 8, 1822.

CHAP. CXXVII.—*An Act to establish certain post-roads, and to discontinue others, and for other purposes.*

Mail-routes discontinued.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following mail-routes be discontinued; that is to say:

Vermont.

In Vermont.—From Lynden to Wheelock, in the county of Caledonia.

New York.

In New York.—From Utica, by Clinton, Chandler's store, Augusta, and Madison, to Hamilton Village.

From Chittingo, alias Sullivan, to Madison; and that part of the route from Leicester to Olean, which is situated between Oil Creek and Olean.

New Jersey.

In New Jersey.—From Liberty Corner to Somerville.

Maryland.

In Maryland.—From Annapolis to Kent Island, and from thence, through Queenstown, to Centreville.

Pennsylvania.

In Pennsylvania.—From Uniontown, by Middletown, to Perryopolis.

From Londontown to Messenburg.

Virginia.

In Virginia.—From Brown's store to Dickinson's store, in Franklin county.

North Carolina.

In North Carolina.—From Haysville to Williamsborough.

From Winton, by Gale's Courthouse, to Sunbury.

From Waynesville, in North Carolina, to Houstonville, in South Carolina.

Kentucky.

In Kentucky.—From Ross's post-office, Whitby county, to Monticello, in Wayne county.

From Manchester to the Hazelpatch, and from thence to Columbia.

Ohio.

In Ohio.—From the mouth of Little Scioto to Piketon.

Arkansas.

In Arkansas.—From Clark Courthouse to Hempstead Courthouse, and to the post of Washita.

Post-roads established.

Sec. 2. *And be it further enacted*, That the following post-roads be established; to wit:

In Maine.—From Hallowell, by Silas Piper's, in Harlem, Jonathan Greely's, at the Four Corners in Palermo, to Montville.

Post-roads
established.
Maine.
Vermont.

In Vermont.—From Poultney, through Middletown, Tinmouth, and Willingford, to Mount Holly, in the county of Rutland.

From Montpelier, through Barre, Orange, and Topsham, to Newbury.

From Lynden, through Sutton, to Barton, in the county of Orleans.

In Massachusetts.—From Plymouth to Carver and Rochester.

From Holmes's Hole, in Tisbury, to Chilmark, in the island called Martha's Vineyard.

Massachu-
setts.

From Mendon, through Milford, Holiston, Sherburne, Natick, Needham, Newton, and Brighton, over the Mildam, to Boston.

From Milbury, in Worcester county, to the town of Providence, in Rhode Island, to pass through the towns of Sutton and Douglass, in Massachusetts, and the town of Burrellville and village of Chepackett, in Rhode Island.

From Belchertown, by Enfield, to Greenwich.

From Worcester to Providence, in Rhode Island, passing through Grafton, Upton, Mendon, Bellingham, Cumberland, and Pawtucket.

From Amesbury to Southampton, in New Hampshire, and thence to Kingston.

In Connecticut.—That the post-road from Hartford to New London, shall be by the Presbyterian meeting house, in the first society in the town of Hebron.

Connecticut.

From New London, along the new turnpike road, to the town of Providence, in Rhode Island.

In New Hampshire.—The post-road from Walpole to Newport shall be through the town of Langdon.

New Hamp-
shire.

In New York.—From Deposit to Stockport, in Pennsylvania.

New York.

From Jay to Danville, thence, down the Ausable river, by Bullen's mills, to Keesville, in the town of Chesterfield.

From Schenectady, by Charlton, Galway, Providence, and Northampton, to Edinburgh, and from Edinburgh, back by Northampton, West Galway Church, and Glenville, to Schenectady.

From the Post-office in Luzerne, on the west side of the Hudson river, to the Post-office in Chester.

From Green, in the county of Chenango, to Ithaca, in Tompkins county.

From Cherry Valley, in the county of Otsego, to the village of Canajoharie, in the county of Montgomery.

From Champion, in the county of Jefferson, to Alexandria, by Felt's mills, Le Raysville, Evans's mills, Theresa, and Plessis.

From the village of Canandaigua to the village of Penn Yan, in the county of Ontario.

From Batavia, by the village of Lockport, to intersect the ridge road at William Molyneaux's, in the town of Cambia.

From Howard, in the county of Steuben, by Rathbun's settlement and Loon Lake settlement, to Conhocton.

From Bath to Catherine's, by Mount Washington and Bartle's mills, and, returning, by Mead's creek, to the mouth of Mud creek.

From South Danville to Goff's mills.

From Champlain to the town of Moores, thence, by Lawrence's mill's, and Beekmantown, to Plattsburg.

From Ithaca to Burdett, near the head of Seneca lake.

From Poughkeepsie, by Pleasant Valley, Salt Point, James Thorn's in Clinton Friends' meeting house in Stanford, the Federal store, and from thence to the Pine Plains' Post-office, in the town of North East.

Post-roads
established.

From Moscow, in Livingston county, to the village of Fredonia, in Chataque county.

From Cincinnatus, through Willet and Freetown, to Harrison.

From Canastota, at Perkins's Basin, on the Great Erie canal, through Lenox, Clarkville, Perryville, Petersborough, and Morrisville, to Eaton.

The mail-route from Bath, by Angelica, Hamilton, Cerestown, Pennsylvania, Coudersport, and Jersey Shore, to Williamsport, shall pass by Smithport, in M'Kean county, Pennsylvania, either in going or returning.

From Esperance to Middleburg, by the way of Schoharie, in Schoharie county.

New Jersey.

In New Jersey.—From Liberty Corner, by Pluckemin, to Somerville.

From Somerville, by New Germantown, through Paipack Valley, to Mandham and Morristown.

From Hackensack, in the county of Bergen, by Patterson's landing and Belleville, to Newark, in Essex county.

From Beasley's, at the mouth of Great Egg Harbour river, by Etna Furnace, on Tuckahoe river, Cumberland Furnace, Malligo, Glasborough, and Woodbury, to Philadelphia.

From Princeton, by Harlingen, to Flagtown.

Maryland.

In Maryland.—From Hagerstown, by Mercersburg, to M'Connellsburg, in Pennsylvania.

From Annapolis, by Baltimore, to Queenstown, and from thence to Centreville and Kent island.

Pennsylvania.

In Pennsylvania.—From Philadelphia, by the Falls of Schuylkill, to Norristown.

From Swamp churches, in Montgomery county, by Boyerstown, to Reading.

From Doylestown, by Sorrel Horse, Bustleton and Byberry, to Andalusia, and to return by the Buck Tavern and Hartville, to Doylestown.

From Easton, Northampton county, to Hellerstown, Quakertown, and Bursonsville, Bucks county.

From Emaus, by Millerstown, to Trexlerstown, in Lehigh county.

From Chambersburg to Waynesburg, by Samuel Fisher's store, in Franklin county.

From M'Call's Ferry, in Lancaster, to the borough of Westchester, in Chester county.

From Meadville to Salem, at the mouth of Big Conneatt, Ohio.

From the village of Blearsville, by Youngstown, to Mount Pleasant.

From Newville, in Cumberland county, to Roxbury and Strasburg, in Franklin county.

From Landisburg, in Perry county, to Waterford, in Mifflin county.

From Selinsgrove to New Berlin.

From Ebensburg to Indiana.

From Uniontown, by Connelville, to Perryopolis.

From the city of Lancaster, through Millerstown, Washington, and Charlestown, to the borough of Columbia.

Virginia.

In Virginia.—From Winchester to the Berkley springs, in Morgan county.

From Lewisburg, by Huttonsville, Beverly, Leadesville, Meigsville, Swamp, and Kingwood, to Morgantown.

From Salem to Botetourt, through the Bent Mountain, by Simpson's and Thomas Goodson's, to Boon's, on the west fork of Little river, in Montgomery county.

From the city of Richmond, by Piping Tree, in King William county, to King and Queen Courthouse, Gloucester, Middlesex, and Matthews.

From Halifax Courthouse to Person Courthouse, North Carolina.

From Franklin Courthouse to Henry Courthouse, to go by Dickerson's store in Franklin county.

From Lynchburg, by Pittsylvania Courthouse, to Danville, and from Danville to Halifax Courthouse.

Post-roads
established.

From Parkersburg to Kanawha Courthouse.

From Richmond to Chesterfield Courthouse, to go by Mechanick's Inn, instead of the route now established.

That the route from Stanton, by Greenbrier Courthouse, and Charleston, to Catletsburg, in Kentucky, be changed, so as to go by the Sulphur Springs, on Muddy creek, in Greenbrier.

From Bath Courthouse to Alleghany Courthouse.

In North Carolina.—From Haysville, in Franklin county, by Glasgow's store and Health Seat, to Oxford, in Granville.

North Carolina.

From Ashe Courthouse to Jordan Councils, in same county.

From Stokesville, by Gates' Courthouse, to Sunbury.

That the route from Fayetteville to Salisbury be changed, so as to go by Carthage, M'Neil's, Hill's, and Skean's Ferry, and to return by Forrest's, Blakely, Lawrenceville, Allentown, and M'Auley's store.

From Fayetteville, by Graham's bridge, Rockingham, to Wadesborough.

From Tyson's store to Waddle's Ferry, Brower's mill, Hugh Moffitt's mill, then to Richard Kennon's and to Haywood.

From Waynesville, Haywood Courthouse, by Lovesville, on Scott's creek, to Franklin, in the Cherokee Purchase, and from thence to Rabun Courthouse, in Georgia.

In South Carolina.—From Rocky Mount to Pine Hill Post-office, to pass by Ebenezer Academy.

South Carolina.

From Fayetteville, in North Carolina, leaving the road to Camden at or near Laurel Hill, by Cheraw, to Camden.

From Cheraw, by Society Hill and Darlington Courthouse, to intersect the great southern route at Godfrey's ferry, on the Pedee river.

From Cheraw, by Chesterfield Courthouse, to Lancaster Courthouse.

In Georgia.—From Lawrenceville, in Guinett county, to the Standing Peach Tree, (Fayette Courthouse.)

Georgia.

From Jefferson, by Coleraine, by Crawford in Florida, and to St. Augustine, and the route at present used discontinued.

From Elberton to Ruckersville, in Elbert county.

In Alabama.—From Huntsville, by Triana, Mooresville, Athens, Eastport, and Bainbridge, to the Big Spring.

Alabama.

From Cahawba by Portland, Prairie Bluff, the Standing Peach Tree, through the populous settlement on Bassett's creek and by Clark Courthouse, to St. Stephen's, so as to reinstate the old route from Cahawba to St. Stephen's, and the present route from Cahawba to St. Stephen's to be discontinued.

From Ashville to Huntsville, by the way of Robertsville and Bennett's store.

From Augusta, on the Tallapoosa, by Coosanda, passing through the settlement in the upper end of Autago county, and the settlement of Mulberry creek, in Bibb county, by the falls of Cahawba, to the town of Tuscaloosa.

In Mississippi.—From Winchester, by Perry Courthouse and Columbia, to Holmesville.

Mississippi.

From Picken's Courthouse, in Alabama, by Monroe Courthouse, the Cotton Gin Port, and the Chickasaw Agency, in the state of Mississippi, to the Chickasaw Bluffs, in the state of Tennessee.

From the Choctaw Agency, by Jackson, to Monticello.

In Tennessee.—From Campbell's station, by Blair's Ferry, to Pumpkintown.

Tennessee.

From Sparta, in White county, to Pikeville, in Bledsoe county.

The post-road from Morgantown to Mount Pleasant, alias Pumpkintown, to go by Monroe Courthouse.

Post-roads
established.
Kentucky.

From Greenville to the Warm Springs, in North Carolina.
In Kentucky.—From Manchester, by Perry Courthouse, to Patrick Saltworks.

From Morganfield, crossing the Ohio at Francisburg, to Harmony, in Indiana.

From Monticello, by Beatty's Saltworks, and Ross' Post-office, to Jacksborough, in Tennessee.

From Williamsburg, in Whitby county, by Ross's post-office, to Somerset, in Pulaski county.

From Richmond to the Hazel Patch, hereafter to go by Manchester, to Barbourville.

Ohio.

In Ohio.—From Belle Fontaine, in Logan county, by Forts M'Arthur and Findlay, to the Foot of the Rapids of the Miami of the Lake.

From Columbus, by Maysville, the seat of justice of Union county, thence, through Zanesfield, to Belle Fontaine, in the county of Logan.

From Norton, in the county of Delaware, by Claredon Buayners, to the city of Sandusky.

From the mouth of Little Scioto to Portsmouth.

From Cleveland, through Newburg, Hudson, Ravenna, Palmyra, Ellsworth, Canfield, Boardman, Poland, Petersburg, and Greensburg, to Beavertown in Pennsylvania.

From Columbus to Sunbury, through Harrison and Ravenna townships.

From Columbus, by Springfield, Dayton, and Eaton; then to Indianapolis, in the state of Indiana; thence by Vandalia, in Illinois; thence to St. Louis, in Missouri.

From West Union to Cincinnati, to pass through Georgetown, the seat of justice of Brown county, instead of the present route.

From Augusta, Kentucky, by Lewis, Felicity, Chilo, Neville, Pointopolis, New Richmond, and Newtown, to Cincinnati, in Ohio.

Indiana.

In Indiana.—From Terre Haute, by Clinton, the seat of justice for Parke county, and Crawfordsville, to Indianapolis.

From Washington, by Burlington, and Blooming, to Indianapolis.

From Lawrenceburg, by Napoleon, to Indianapolis.

Illinois.

In Illinois.—From Vincennes, in Indiana, by Ellison's Prairie, Palestine, York, Aurora, Grand Prairie, in Clark county, to Clinton.

From Shawneetown, by Bellgrade, to America.

From Peoria, on Illinois river, to Sangama county.

From Edwardsville to Sangama Courthouse.

Missouri.

In Missouri.—From St. Genevieve, by Herculaneum, to St. Louis.

From Herculaneum to Potosi.

From Jackson to Fredericktown.

From Potosi to New Bowling Green.

From St. Charles to Cote Sans Dessein, shall hereafter go by the seat of justice for Calloway county.

From Fishing river to Fort Osage, shall hereafter pass by the seat of justice in Clay county.

Arkansas.

In Arkansas.—From the post of Arkansas, by Little Rock, Crystall Hill, Cadron and Ellis's, to Crawford Courthouse.

From Little Rock, by Clark Courthouse, to Natchitoches.

From Clark Courthouse, by Hempstead Courthouse, to Miller Courthouse.

Louisiana.

In Louisiana.—From Natchez to Baton Rouge, by Woodville and Jackson.

From Pinkneyville, Mississippi, by Avoyelles, to Alexandria in Louisiana.

From Baton Rouge, by Bayou Plaquemine and Duplesses's Landing in the Attacapas, to Opelousa Courthouse.

From New Orleans to Pensacola.

In Florida.—From Pensacola to St. Marks, thence to Vollusia at Dexter's, on St. John's river, thence down the river to Picolatta, and thence to St. Augustine.

From Pensacola to Fort Hawkins, in Alabama.

SEC. 3. *And be it further enacted,* That the Postmaster General may allow to the postmaster at Salem, Massachusetts, at the rate of two hundred dollars a year, in addition to his ordinary commissions.

APPROVED, May 8, 1822.

Florida.

Allowance to the postmaster at Salem, Mass.

STATUTE I.

May 8, 1822.

CHAP. CXXVIII.—*An Act supplementary to the several acts for adjusting the claims to land, and establishing land offices, in the districts east of the Island of New Orleans. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all the claims to land said to be derived from the British or Spanish authorities, reported to the commissioner of the general land office by the registers and receivers of the land office at St. Helena Courthouse and at Jackson Courthouse, in the districts east and west of Pearl river, appointed under the authority of an act, entitled "An act for adjusting the claims to land, and establishing land offices, in the districts east of the Island of New Orleans," which are contained in the several reports of the registers and receivers, and which are, in the opinion of the registers and receivers, valid, agreeably to the laws, usages, and customs, of the said governments, be, and the same are hereby, recognised as valid and complete titles, against any claim on the part of the United States, or right derived from the United States.

SEC. 2. *And be it further enacted,* That all the claims reported as aforesaid, and contained in the several reports of the said registers and receivers, founded on orders of survey, requettes, permission to settle, or other written evidences of claims, derived from the Spanish authorities, which ought, in the opinion of the registers and receivers, to be confirmed, shall be confirmed in the same manner as if the title had been completed: *Provided,* That the confirmation of all the said claims provided for by this act, shall amount only to a relinquishment for ever, on the part of the United States, of any claim whatever to the tract of land so confirmed or granted.

SEC. 3. *And be it further enacted,* That every person, or his or her legal representative, whose claim is comprised in the lists or registers of claims reported by the registers and receivers, and the persons embraced in the lists of actual settlers, or their legal representatives, not having any written evidence of claim reported as aforesaid, shall, when it appears by the said reports, or by the said lists, that the land claimed or settled on had been actually inhabited or cultivated by such person or persons in whose right he claims, on or before the fifteenth day of April, one thousand eight hundred and thirteen, be entitled to a grant for the land so claimed or settled on as a donation: *Provided,* That not more than one tract shall be thus granted to any one person, and the same shall not contain more than six hundred and forty acres; and that no lands shall be thus granted which are claimed or recognised by the preceding sections of this act, or by virtue of a confirmation under an act, entitled "An act for adjusting the claims to land, and establishing land offices, in the districts east of the Island of New Orleans," approved on the third day of March, eighteen hundred and nineteen: *And provided, also,* That no claim shall be confirmed where the quantity was not ascertained, and re-

Claims to land derived from British or Spanish authorities, reported to the commissioner of the general land office, &c. which, in their opinion, are valid, &c., recognised as complete titles, &c.

Act of March 3, 1819, ch. 100.

All claims reported, &c. founded on orders of survey, requettes, &c. derived from the Spanish authorities, &c. confirmed.

Proviso.

Every person, &c. whose claim is comprised in the lists, &c., if actually inhabiting, &c. on or before April 15, 1813, entitled to a grant, &c.

Proviso.

Act of March 3, 1819, ch. 100.

Proviso.

(a) See notes of the acts relating to the adjustment of land claims in Louisiana, act of March 3, 1819, ch. 100. See also, *The United States v. King et al.*, 3 Howard, 773.

port made thereon by the registers and receivers, prior to the twenty-fifth day of July, one thousand eight hundred and twenty.

Registers and receivers, except in relation to perfect titles, as recognised, &c. empowered to direct the manner in which the lands shall be located.

Act of March 3, 1819, ch. 100.

Act of March 3, 1803, ch. 27.

The registers and receivers may decide on conflicting claims, &c.

Proviso.

Patents for lands to be granted as for lands confirmed under former acts.

Persons entitled to tracts to be furnished with certificates.

Fees.

The President authorized to remove the land office from St. Helena Courthouse, &c.

SEC. 4. *And be it further enacted*, That the registers and receivers of the public moneys of the said respective districts, except in relation to perfect titles, as recognised in the first section of this act, and the first section of the act of the third day of March, one thousand eight hundred and nineteen, shall have power to direct the manner in which all lands claimed in virtue of the preceding sections shall be located and surveyed; and also to direct the location and manner of surveying all the claims to land recognised by the second, third, and fourth, sections of an act, entitled "An act for adjusting the claims to land, and establishing land offices, in the districts east of the Island of New Orleans," approved on the third day of March, one thousand eight hundred and nineteen, having regard to the laws, usages, and customs, of the Spanish government on that subject; and having regard also to the mode adopted by the government of the United States in surveying the claims to land confirmed by virtue of the second and third sections of an act of Congress, entitled "An act regulating the grants of lands, and providing for the disposal of the lands, of the United States, south of the state of Tennessee, approved on the third March, one thousand eight hundred and three. And that, in relation to all such claims which may conflict, or in any manner interfere, the said registers and receivers of public moneys of the respective districts shall have power to decide between the parties, and shall, in their decision, be governed by such conditional lines or boundaries as may have been agreed on between the parties, either verbally or in writing, at any time prior to the passage of this act. But, upon the decision of those claims alluded to, which may conflict or interfere, and in relation to which the parties interested have agreed on no conditional lines or boundaries as to the manner of locating the same; the said registers and receivers of the respective districts shall make an equal division of the land claimed, so as to allow each party his or their improvements: *Provided, however*, That, should it be made appear, to the satisfaction of the register and receiver of public moneys of the respective districts, in any such case, that the subsequent settler had obtruded on the claim of the former, and had made his establishment after having been forbid so to do, the said registers and receivers of public moneys shall have power to decide between the parties, according to the circumstances of the case and the principles of justice.

SEC. 5. *And be it further enacted*, That patents shall be granted for all lands confirmed by virtue of the provisions of this act, in the same manner as patents are granted for lands confirmed under former acts, to which this is a supplement.

SEC. 6. *And be it further enacted*, That to every person who shall appear to be entitled to a tract of land, under the second and third sections of this act, a certificate shall be granted, by the register and receiver of the district in which the land lies, setting forth the nature of the claim and the quantity allowed; for which certificate the party in whose favour it issues shall pay one dollar, to be divided between the said receiver and register.

SEC. 7. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized to remove the land office from St. Helena Courthouse to such other place, within the said districts, as he may deem suitable and convenient.

APPROVED, May 8, 1822.

CHAP. CXXIX.—*An Act for ascertaining claims and titles to land within the territory of Florida. (a)*

STATUTE I.
May 8, 1822.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, for the purpose of The President, &c. to appoint three com-

(a) The decisions of the courts of the United States upon claims and titles to land in the territory of Florida, have been :

After the acquisition of Florida by the United States, in virtue of the treaty with Spain, of 22d of February, 1819, various acts of Congress were passed for the adjustment of private land claims, within the ceded territory. The tribunals authorized to decide on them, were not authorized to settle any which exceeded a league square ; on those exceeding that quantity, they were directed to report, especially, their opinion, for the future action of Congress. The lands embraced in the larger claims were defined by surveys, and plats retained ; these were reserved from sale, and remained unsettled until some resolution should be adopted for a final adjudication of them, which was done by the passage of the law of the 22d of May, 1828. By the sixth section it was provided, " that all claims to land within the territory of Florida, embraced by the treaty, which shall not be finally decided and settled under the provisions of the same law, containing a greater quantity of land than the commissioners were authorized to decide, and above the amount confirmed by the act, and which have not been reported as antedated, or forged, shall be received and adjudicated by the judges of the superior court of the district in which the land lies, upon the petition of the claimant, according to the forms, rules and regulations, conditions, restrictions and regulations prescribed to the district judge, and to the claimants, by the act of 26th May, 1824. By a proviso, all claims annulled by the treaty, and all claims not presented to the commissioners, &c., according to the acts of Congress were excluded. *United States v. Arredondo et al.* 6 Peters, 706.

The grant of the king of Spain to F. M. Arredondo and Son, for land at Alachua, in Florida, gave a valid title to these claimants under the grant, according to the stipulations under the treaty between the United States and Spain, of 1819. By the laws of nations, of the United States, and of Spain, a concession or condition becomes absolute, where the condition is performed. *Ibid.* 691.

The original concession by governor Coppinger, on the petition of George J. F. Clarke, was made on the 17th of December, 1817, of twenty-six thousand acres of land, in the places he solicited in his petition, and a complete title was made of twenty-two thousand acres, part of the same, in December, 1817. Twenty thousand acres, part of the whole concession, were sold by the appellee. The other four thousand were surveyed in conformity with the decree of 17th December, 1817, and a complete title to the same was made by governor Coppinger, on the 4th of May, 1818. By the court—The claimant cannot avail himself of the grant of the 4th of May, 1818, made after the 24th of January, 1818, the time limited by the Florida treaty. He must rest his claim on the concession made on the 17th of December, 1817, *United States v. Clarke*, 8 Peters, 436.

The validity of concessions of land, by the authorities of Spain, in East Florida, is expressly recognised in the Florida treaty, and in the several acts of Congress. *Ibid.*

The eighth article allows the owners of land the same time for fulfilling the conditions of their grants from the date of the treaty, as is allowed in the grant from the date of the instrument. And the act of the 8th of May, 1822, requires every person claiming title to lands under any patent, grant, concession, or order of survey dated previous to the 24th of January, 1818, to file his claim before the commissioners, appointed in pursuance of that act. All the subsequent acts on the subject, observe the same language ; and the titles under these concessions have been uniformly confirmed, when the tract did not exceed a league square. *Ibid.*

A claim to lands in East Florida, the title to which was derived from grants by the Creek and Seminole Indians, ratified by the local authorities of Spain, before the cession of Florida by Spain to the United States, confirmed. *Mitchel et al. v. The United States*, 9 Peters, 711.

It was objected to the title claimed in this case, which had been presented to the superior court of Middle Florida, under the provisions of the acts of Congress for the settlement of land claims in Florida, that the grantees did not acquire, under the Indian grants, a legal title to the land. Held : that the acts of Congress submit these claims to the adjudication of this court as a court of equity ; and those acts, as often and uniformly construed in its repeated decisions, confer the same jurisdiction over imperfect, inchoate and inceptive titles, as legal and perfect ones ; and require the court to decide by the same rules on all claims submitted to it, whether legal or equitable. *Ibid.*

In the case of the *United States v. Arredondo*, 6 Peters, 691, the lands granted had been in the possession and occupation of the Alachua Indians, and the centre of the tract was an Indian town of that name. But the land had been abandoned, and before any grant was made by the intendant, a report was made by the attorney and surveyor general on a reference to them, finding the fact of abandonment ; on which it was decreed that the lands had reverted to, and become annexed to the royal domain. *Ibid.*

By the common law, the king has no right of entry on lands which is not common to his subjects ; the king is put to his inquest of office, or information of intrusion, in all cases where a subject is put to his action ; their right is the same, though the king has more convenient remedies in enforcing his. If the king has no original right of possession to lands, he cannot acquire it without office found, so as to annex it to his domain. *Ibid.*

The United States have acted on the same principle in the various laws which Congress have passed in relation to private claims to lands in the Floridas ; they have not undertaken to decide for themselves, on the validity of such claims, without the previous action of some tribunal, special or judicial. They have not authorized an entry to be made on the possession of any person in possession, by colour of a Spanish grant or title ; nor the sale of any lands as part of the national domain ; with any intention to impair private rights. The laws which give jurisdiction to the district courts of the territories to decide in the first instance, and to this court on appeal, prescribe the mode by which lands which have been possessed or claimed to have been granted pursuant to the laws of Spain, shall become a part of the national domain ; which, as declared in the seventh section of the act of 1824, is a " final decision against any claimant pursuant to any of the provisions of the law." *Ibid.*

missioners for ascertaining claims and titles to lands in Florida.

ascertaining the claims and titles to lands within the territory of Florida, as acquired by the treaty of the twenty-second of February, one thousand eight hundred and nineteen, there shall be appointed, by the President of the United States, by and with the advice and consent of the Senate,

One uniform rule seems to have prevailed in the British provinces in America, by which Indian lands were held and sold, from their first settlement, as appears by their laws; that friendly Indians were protected in the possession of the lands they occupied, and were considered as owning them by a perpetual right of possession in the tribe or nation inhabiting them as their common property, from generation to generation, not as the right of the individuals located on particular spots. Subject to this right of possession, the ultimate fee was in the crown and its grantees; which could be granted by the crown or colonial legislatures while the lands remained in possession of the Indians; though possession could not be taken without their consent. *Ibid.*

Individuals could not purchase Indian lands without permission or license from the crown, colonial governors, or according to the rules prescribed by colonial laws; but such purchases were valid with such license, or in conformity with the local laws; and by this union of the perpetual right of occupancy with the ultimate fee, which passed from the crown by the license, the title of the purchaser became complete. *Ibid.*

Indian possession or occupation was considered with reference to their habits and modes of life; their hunting grounds were as much in their actual possession as the cleared fields of the whites; and their rights to its exclusive enjoyment in their own way, and for their own purposes, were as much respected until they abandoned them, made a cession to the government, or an authorized sale to individuals. In either case their rights became extinct, the lands could be granted disencumbered of the right of occupancy, or enjoyed in full dominion by the purchasers from the Indians. Such was the tenure of Indian lands by the laws of Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina, South Carolina, and Georgia. *Ibid.*

Grants made by the Indians at public councils, since the treaty at Fort Stanwick's, have been made directly to the purchasers, or to the state in which the land lies, in trust for them, or with directions to convey to them; of which there are many instances of large tracts so sold and held; especially in New York. *Ibid.*

It was the universal rule that purchases made at Indian treaties, in the presence, and with the approbation of the officer under whose direction they were held by the authority of the crown, gave a valid title to the lands; it prevailed under the laws of the states after the revolution; and yet continues in those where the right to the ultimate fee is owned by the states, or their grantees. It has been adopted by the United States: and purchases made at treaties held by their authority, have been always held good by the ratification of the treaty, without any patent to the purchasers from the United States. This rule in the colonies was founded on a settled rule of the law of England, that by his prerogative the king was the universal occupant of all vacant lands in his dominions, and had the right to grant them at his pleasure, or by his authorized officers. *Ibid.*

When the United States acquired and took possession of the Floridas, the treaties which had been made with the Indian tribes before the acquisition of the territory by Spain and Great Britain, remained in force over all the ceded territory as the laws which regulated the relations with all the Indians who were parties to them; and were binding on the United States, by the obligation they had assumed by the Louisiana treaty, as a supreme law of the land, which was inviolable by the power of Congress. They were also binding as the fundamental law of Indian rights, acknowledged by royal orders, and municipal regulations of the provinces, as the laws and ordinances of Spain in the ceded provinces, which were declared to continue in force by the proclamation of the governor in taking possession of the province; and by the acts of Congress which assured all the inhabitants of protection in their property. It would be an unwarranted construction of these treaties, laws, ordinances and municipal regulations, to decide that the Indians were not to be maintained in the enjoyment of all the rights which they could have enjoyed under either, had the province remained under the dominion of Spain. It would be rather a perversion of their spirit, meaning and terms, contrary to the injunction of the law under which the court acts, which makes the stipulations of any treaty, the laws and ordinances of Spain; and these acts of Congress, so far as either apply to this case, the standard rules for its decision. *Ibid.*

The treaties with Spain and England before the acquisition of Florida by the United States, which guaranteed to the Seminole Indians their lands according to the right of property with which they possessed them, were adopted by the United States; who thus became the protectors of all the rights they had previously enjoyed, or could of right enjoy under Great Britain or Spain, as individuals or nations, by any treaty, to which the United States thus became parties in 1803. *Ibid.*

The Indian right to the lands as property was not merely of possession, that of alienation was concomitant; both were equally secured, protected, and guaranteed by Great Britain and Spain, subject only to ratification and confirmation by the license, charter or deed from the governor representing the king. Such purchases enabled the Indians to pay their debts, compensate for their depredations on the traders resident among them, to provide for their wants; while they were available to the purchasers as payment of the considerations which at their expense had been received by the Indians. It would have been a violation of the faith of the government to both, to encourage traders to settle in the province, to put themselves and property in the power of the Indians, to suffer the latter to contract debts, and when willing to pay them by the only means in their power, a cession of their lands, withhold an assent to the purchase, which by their laws or municipal regulations was necessary to vest a title. Such a course was never adopted by Great Britain in any of her colonies; nor by Spain in Louisiana or Florida. *Ibid.*

The laws made it necessary, when the Indians sold their lands, to have the deeds presented to the governor for confirmation. The sales by the Indians transferred the kind of right which they possessed; the ratification of the sale by the governor must be regarded as a relinquishment of the title of the crown to the purchaser; and no instance is known where permission to sell has been "refused, or of the rejection of an Indian sale." *Ibid.*

In the present case the Indian sale has been confirmed with more than usual solemnity and publicity; it has been done at a public council and convention of the Indians conformably to treaties, to which the

three commissioners, who shall receive, as compensation for the duties enjoined by the provisions of this act, two thousand dollars each, to be paid quarterly, from the treasury; who shall open an office for the adjudication of claims, at Pensacola, in the territory of West Florida, and St.

Their pay.
To open an
office at Pensa-
cola.

king was a party, and which the United States adopted; and the grant was known to both parties to the treaty of cession. The United States were not deceived by the purchase, which they knew was subject to the claim of the petitioner, or those from whom he purchased; and they made no stipulation which should put it to a severer test than any other; and it was made to a house which, in consideration of its grant and continued services to the king and his predecessor, had deservedly given them high claims as well on his justice as his faith. But if there could be a doubt that the evidence in the record did not establish the fact of a royal license or assent to this purchase, as a matter of specific and judicial belief, it would be presumed as a matter of law arising from the facts and circumstances of the case, which are admitted or unquestioned. *Ibid.*

As decided by the Supreme Court, the law presumes the existence in the provinces of an officer authorized to make valid grants; a fortiori, to give license to purchase and to confirm; and the treaty designates the governor of West Florida as the proper officer to make grants of Indian lands by confirmation; as plainly as it does the governor of East Florida to make original grants, or the intendant of West Florida to grant royal lands. A direct grant from the crown, of lands in a royal haven may be presumed on an uninterrupted possession of sixty years; on a prescriptive possession of crown lands for forty years. *Ibid.*

The length of time which brings a given case within the legal presumption of a grant, charter or license, to validate a right long enjoyed, is not definite, depending on its peculiar circumstances. *Ibid.*

Juan Percheman claimed two thousand acres of land lying in the territory of Florida, by virtue of a grant from the Spanish governor, made in 1815. His title consisted of a petition presented by himself to the governor of East Florida, praying for a grant of two thousand acres, at a designated place, in pursuance of the royal order of the 29th of March, 1815, granting lands to the military who were in St. Augustine during the invasion of 1812 and 1813; a decree by the governor, made 12th December, 1815, in conformity to the petition, in absolute property, under the authority of the royal order, a certified copy of which decree and of the petition was directed to be issued to him from the secretary's office, in order that it may be to him in all events an equivalent of a title in form; a petition to the governor, dated 31st December, 1815, for an order of survey, and a certificate of a survey having been made on the 20th of August, 1819, in obedience to the same. This claim was presented, according to law, to the register and receiver of East Florida, while acting as a board of commissioners to ascertain claims and titles to lands in East Florida. The claim was rejected by the board, and the following entry made of the same. "In the memorial of the claimant to this board, he speaks of a survey made by authority in 1829. If this had been produced, it would have furnished some support for the certificate of Aguilar. As it is, we reject the claim." Held, that this was not a final action on the claim, in the sense those words are used in the act of the 26th of May, 1830, entitled "An act supplementary to," &c. United States v. Percheman, 7 Peters, 51.

A grant of land in Florida within the Indian boundary, by the governor, acting under the crown of Spain before the cession of Florida to the United States, was confirmed to the grantee, by the decree of the judge of the eastern district of Florida. The decree was affirmed on appeal. The United States v. Fernandez, 10 Peters, 303.

The subject of grants of land within the Indian boundary, which had not by any official act been declared a part of the royal domain, was fully and ably considered in the case of Johnson v. M'Intosh, 8 Wheat. 543; 5 Cond. Rep. 515. Every European government claimed and exercised the right of granting lands, while in the occupation of the Indians. *Ibid.*

The grants of lands in the possession of the Indians by the governor of Florida, under the crown of Spain, were good to pass the right of the crown. The grants severed them from the royal domain, so that they became private property; which was not ceded to the United States by the treaty with Spain. *Ibid.*

The Supreme Court cannot attach any condition to a grant of absolute property in the whole of the land. This grant was made by the governor of East Florida in absolute property, with a promise of a title in form. He was the exclusive judge of the conditions to be imposed on his grant, and of their performance. The United States v. Segui, 10 Peters, 306.

A grant of land by the governor of East Florida, in consideration of services to the Spanish government, made before the cession of the territory of Florida to the United States, confirmed. The United States v. Chaires, 10 Peters, 308.

Under a grant of the governor of Florida, prior to the cession of the same to the United States, of sixteen thousand acres of land, for the purpose of erecting a water-mill, a survey of five hundred and twenty acres was made; and at another place, a survey of fifteen thousand six hundred and thirty acres was also made. The Supreme Court held, that the first survey of five hundred and twenty acres was valid, and that the survey of fifteen thousand four hundred and eighty acres was invalid; but that the grantee has a title to fifteen thousand four hundred and eighty acres of vacant land; which he has a right to have surveyed, adjoining the survey of five hundred and twenty acres. The United States v. Seton, 10 Peters, 309.

Under a Spanish grant of five miles square, ten thousand acres were surveyed at one place, and six thousand acres were surveyed at another place, as the whole quantity of ungranted land could not be found together. The grant was confirmed. The United States v. Sibbald, 10 Peters, 313.

A grant of land was made by governor Coppinger, in June, 1823. The grant was made to the appellee, on his stating his intention to build a saw-mill. The decree grants to the petitioner "license to construct a water-saw mill, on the creek known by the name of Pottsburg, bounded by the lands of Strawberry Hill, and this tract not being sufficient, I grant him the equivalent quantity in Cedar Swamp about a mile east of M'Queen's mill, but with the precise condition that, as long as he does not erect said machinery, this grant will be considered null, and without value nor effect until that event takes

Augustine, in East Florida, under the rules, regulations, and conditions, hereinafter prescribed.

SEC. 2. *And be it further enacted*, That it shall be the duty of said commissioners to appoint a suitable and well qualified secretary, who

To appoint
a secretary.

place; and then in order that he may not receive any prejudice from the expensive expenditures which he is preparing, he will have the facility of using the pines and other trees comprehended in the square of five miles, or the equivalent thereof, which five miles are granted to him in the mentioned place, the avails of which he will enjoy without any defalcation whatever." By the Court—The judge of the superior court construed this concession to be a grant of land, and we concur with him. *United States v. Richard*, 8 Peters, 470.

A grant of land in East Florida was made by the governor, before the cession of Florida by Spain to the United States, on conditions which were not performed by the grantee within the time limited in the grant; or any exertions made by him to perform them. No sufficient cause for the non-performance of the conditions having been shown, the decree of the Supreme Court of East Florida, which confirmed the grant, was reversed. *United States v. Mills' Heirs*, 12 Peters, 215.

A grant for land in Florida by governor Coppinger, on condition that the grantee build a mill, within a period fixed in the grant, was declared to be void; the grantee not having performed the condition, or shown sufficient cause for its non-performance. *United States v. Kingsley*, 12 Peters, 476.

Under the Florida treaty, grants of land made before the 24th January, 1818, by his Catholic majesty, or by his lawful authorities, stand ratified and confirmed to the same extent that the same grants would be valid if Florida had remained under the dominion of Spain; and the owners of conditional grants who have been prevented from fulfilling all the conditions of their grants, have time by the treaty extended to them to complete such conditions. That time as was declared by the Supreme Court in Arredondo's case, 6 Peters, 691, began to run in regard to individual rights, from the ratification of the treaty; and the treaty declares, if the conditions are not complied with, within the terms limited in the grant, that the grants shall be null and void. *Ibid.*

A grant by governor Coppinger of fourteen thousand five hundred acres of land, in East Florida, part of thirty thousand acres granted in consideration of services to the crown of Spain, and the officers of Spain, which had been surveyed by the appointed officer, confirmed. *United States v. Levy*, 12 Peters, 218.

The court refused to allow a survey of land to be made to make up for a deficiency in the survey of fourteen thousand five hundred acres, in consequence of part of the land included therein being covered with water, and being marshes. Even if a survey had not been made under the concession, it would not be competent for the superior court of East Florida, or for the Supreme Court, to designate a new location varying from the original concession, as any such variation would be equivalent to a new grant. *Ibid.*

A concession was made by the governor of Florida, before the cession of Florida to the United States, on condition that the grantee should erect a water saw-mill, "and with the precise condition, that until he executes the said machinery, the grant to be considered void, and without effect, until that event takes place." The mill was never erected, and no sufficient reason shown for its non-erection. The court held that the concession gave no title to the land. *United States v. Drummond*, 13 Peters, 84.

A grant of land in East Florida, by the Spanish governor, on the condition that a water saw-mill should be erected on the land, declared void; the condition of the grant not having been performed according to the terms of the grant. *United States v. Burgevin*, 13 Peters, 85.

A grant by governor Coppinger of fourteen thousand five hundred acres of land, in East Florida, part of the thirty thousand acres, granted in consideration of services to the crown of Spain and the officers of Spain, which had been surveyed by the appointed officer, confirmed. *The United States v. Moses E. Levy*, 13 Peters, 81.

The court refused to allow a survey of land to be made, to make up for a deficiency in the survey of fourteen thousand five hundred acres, in consequence of part of the land included therein being covered with water, and being marshes. Even if a survey had not been made under the concession, it would not be competent for the superior court of East Florida, or for the Supreme Court, to designate a new location varying from the original concession, as any such variation would be equivalent to a new grant. *Ibid.*

A grant of land by Estrada, the governor of East Florida, was made on the 1st of August, 1815, to Elizabeth Wiggins, on a petition, stating, that "owing to the diminution of trade, she will have to devote herself to the pursuits of the country." The grant was made for the quantity of land apportioned by the regulations of East Florida to the number of the family of the grantee. It was regularly surveyed by the surveyor general, according to the petition and grant. No settlement or improvement was ever made by the grantee, or by any one acting for her, on the property. In 1831, Elizabeth Wiggins presented a petition to the superior court of East Florida, praying for a confirmation of the grant; and in July, 1838, the court gave a decree in favour of the claimant. On an appeal to the Supreme Court of the United States, the decree of the superior court of East Florida was reversed. The court held, that by the regulations established on the 25th November, 1818, by governor Coppinger, the grant had become void, because of the non-improvement, and the neglect to settle the land granted. *The United States v. Elizabeth Wiggins*, 14 Peters, 334.

The existence of a foreign law, especially unwritten, is a fact to be proved like any other fact, by appropriate evidence. *Ibid.*

A copy of the decree by the governor of East Florida, granting land to a petitioner while Spain had possession of the territory, certified by the secretary of the government to have been faithfully made from the original in the secretary's office, is evidence in the courts of the United States. By the laws of Spain, prevailing in the province at that time, the secretary was the proper officer to give copies; and the law trusted him for this particular purpose, so far as he acted under its authority. The original was confined to the public office. *Ibid.*

shall record, in a well-bound book, all and every their acts and proceedings, the claims admitted, with those rejected, and the reason of their admission or rejection. He shall receive as a compensation for his services, one thousand two hundred and fifty dollars, to be paid quarterly, from

Duties of the secretary.
His compensation.

The eighth article of the Florida treaty stipulates, that "grants of land made by Spain, in Florida, after the 24th of January, 1818, shall be ratified and confirmed to the persons in possession of the land, to the same extent that the same grants would be valid, if the government of the territory had remained under the dominion of Spain." The government of the United States may take advantage of the non-performance of the conditions prescribed by the law relative to grants of land, if the treaty does not provide for the omission. *Ibid.*

In the cases of Arredondo, 6 Peters, 691, and Percheman, 7 Peters, 54, it was held, that the words in the Florida treaty, "shall be ratified and confirmed;" in reference to perfect titles, should be construed, "are ratified and confirmed." The object of the court in these cases was to exempt them from the operation of the eighth article, for that they were perfect titles by the laws of Spain, when the treaty was made; and that when the soil and sovereignty of Florida were ceded by the second article, private rights of property were, by implication, protected. By the law of nations, the rights to property are secured when territories are ceded; and to reconcile the eighth article of the treaty with the law of nations, the Spanish side of the article was referred to in aid of the American side. The court held, that perfect titles "stood confirmed" by the treaty; and must be so recognised by the United States, in our courts. *Ibid.*

Perfect titles to lands, made by Spain in the territory of Florida before the 24th January, 1818, were intrinsically valid, and exempt from the provision of the eighth article of the treaty; and they need no sanction from the legislative or judicial departments of the United States. *Ibid.*

The eighth article of the Florida treaty was intended to apply to claims to land whose validity depended on the performance of conditions, in consideration of which the concessions had been made; and which must have been performed before Spain was bound to perfect the titles. The United States were bound after the cession of the country, to the same extent that Spain had been bound before the ratification of the treaty, to perfect them by legislation and adjudication. *Ibid.*

A grant of land by the government of Florida, made before the cession of Florida to the United States by Spain, confirmed: every point involved in the case having been conclusively settled by the court in their former adjudications in similar cases. The United States v. Waterman, 14 Peters, 478.

The Supreme Court, in the case of the United States v. Clark, 8 Peters, 48, say "that if the validity of the grant depends upon its being in conformity with the royal order of Spain of 1790, it cannot be supported;" but immediately proceeds to show, "though the royal order is recited in the grant, that it was, in fact, founded on the meritorious consideration of the petitioner having constructed a machine of great value for sawing timber; the recital of the royal order of 1790, in this grant, is entirely immaterial, and does not affect the instrument." Held, the recital of the royal order, in this case, is quite immaterial. *Ibid.*

The case of the United States v. Wiggins, 14 Peters, 325, which decided that certain proof of the certificate of Aguilar, secretary of East Florida, was sufficient, cited; and the decision on that point affirmed. *Ibid.*

The Spanish governors of Florida had, by the laws of the Indies, power to make large grants to the subjects of the crown of Spain. The royal order of Spain of 1790, applied to grants to foreigners. These grants, before the cession of Florida to the United States, had been sanctioned for many years by the king of Spain, and the authorities representing him in Cuba, the Floridas, and Louisiana. This authority has been frequently affirmed by the Supreme Court. *Ibid.*

An application was made to the governor of Florida, in 1814, stating services performed by the petitioner for the government of Spain, and the intention of the petitioner to invest his means in the erection of a water saw-mill, and marking the place where the lands were situated which were asked for. The governor granted the land, referring to the merits and services of the applicant, and in consideration of the advantages which would result to the home and foreign trade by the use proposed to be made of the land. Held, that this was not a conditional grant; and that no evidence of the erection of a water saw-mill was required to be given to maintain its validity, or induce its confirmation. *Ibid.*

John Forbes by memorial to governor Kindelan, the governor of East Florida, set forth, that in 1799, there had been granted to Panton Leslie and company, for the purpose of pasturage, fifteen thousand acres of land, which they were obliged to abandon, as being of inferior quality. Forbes, as the successor to these grantees, asked to be permitted to abandon these fifteen thousand acres, and in lieu, to have granted to him ten thousand acres, as an equivalent, on Nassau river. The petition avers that the object was to establish a rice plantation. The petition was referred to the "Comptroller," who gave it as his opinion that the culture of rice should be promoted. Governor Kindelan permitted the abandonment of the fifteen thousand acres granted before, and in lieu thereof, granted to John Forbes, for the purpose of cultivating rice, ten thousand acres in the district, on banks of the river Nassau. Surveys of seven thousand acres of land, at the head of the river "Little St. Mary" or "St. Mary," and three thousand acres in "Cabbage Swamp," were made under this grant. No description of the locality of the land other than that in the certificate of the survey was given; nor do the surveys prove that the land surveyed lay in the district of the river Nassau. No evidence was given of the situation of "Cabbage Swamp." Held, that these surveys were not made of the land granted by governor Kindelan; and according to the decisions of this court on all occasions, the surveys, to give them validity, must be in conformity with the grants on which they are founded; and to make them the origin of title, they must be of the land described in the grant of the Spanish government. The United States v. Forbes, 15 Peters, 173.

The courts of justice can only adjudge what had been granted; and declare that the lands granted by the lawful authorities of Spain, are separated from the public domain: but where the land is expressly granted at one place, they have no power, by a decree, to grant an equivalent at another place,

Secretary must be acquainted with the Spanish language; and take an oath. *He shall be acquainted with the Spanish language; and before entering on a discharge of the duties of his office, shall take and subscribe an oath, before some authority competent to administer it, that he will "well and truly and faithfully discharge the duties assigned him,*

and thereby sanction an abandonment of the grant made by the Spanish authorities. The courts of the United States have no authority to divest the title of the United States in the public lands, and vest it in claimants; however just the claim may be to an equal value for land, the previous grant of which has failed. *Ibid.*

The decree of the superior court of East Florida, by which a grant for fifty thousand acres of land, made by governor White, the Spanish governor of East Florida, dated July 29, 1802, was rejected, affirmed. *Buyck v. The United States, 15 Peters, 215.*

The land had been granted by governor White, on a petition from the grantee stating his intention to occupy and improve the same with Bengal negroes, and native citizens of the United States; and stating that other grants of the same lands had been made, on condition of settlement, which conditions had not been performed, and such grants were therefore void. The petitioner promised to make the settlement within an early period after the grant. The governor granted the land, referring to the petition, also, with the condition that the grantee should not cede any part of the land, without the consent of the government. No endorsement or settlement was at any time made on the land by the grantee. Held, that the government of the United States were not bound under the Florida treaty, to confirm the grant. *Ibid.*

The description of the portion of the land asked for from the Spanish governor, "lands at Musquito to fifty thousand acres, south and north of said place," is not sufficiently definite: and from such a description no exception could be made from the public lands acquired by the United States under the Florida treaty. The regulations for granting lands in Florida by the Spanish authorities, required that grants should be made in a certain place: and there were no floating rights of survey out of the place designated in the grant; unless when the land granted could not be got there in its exact quantity, and an equivalent was provided for. *Ibid.*

The laws and ordinances of the government of Spain in relation to grants of land by the Spanish government, must be of universal application in the construction of grants. It is essential to the validity of such grants, that the land granted shall be described so as to be capable of being distinguished from other things of the same kind, or capable of being ascertained by extraneous testimony. *Ibid.*

The certificate of Don Tomas de Aguilar, secretary of the government and province, of the copy of the grant of the governor, stating the same "to be faithfully drawn from the original in the secretary's office under his charge," was legal evidence of the grant; and was properly admitted as such in support of the same. *The United States v. Delespine, 15 Peters, 226.*

A grant of ten thousand two hundred and forty acres of land by the Spanish governor of Florida, which recited among other things, that it was made under a royal order of the king of Spain, of 29th March, 1815, and which was not in conformity with the grant, but which was made in the exercise of other powers to grant lands which had been vested in the governor, was not made invalid by the recital of the royal order as the authority for the grant. The grant recited also, that it was made in consideration of military services, and was also in consideration of the surrender of another grant previously made, which surrender had been accepted by the governor. These were sufficient inducements to the grant. *Ibid.*

A claim for land in East Florida, granted by governor White to Daniel O'Hara, rejected by the superior court of East Florida, and the decree of that court affirmed. *O'Hara v. The United States, 15 Peters, 275.*

Governor White, on the petition of Daniel O'Hara, soliciting a grant of fifteen thousand acres, made a decree granting "the lands solicited," "at the place indicated," "in conformity with the number of workers which he may have to cultivate them, the corresponding number of acres may be surveyed to him," "and that he will take possession of the said lands in six months from the date of said grant." Held, that this is a decree not granting fifteen thousand acres as asked for; but so much of the place where it is asked for as shall be surveyed in conformity with the number of workers the grantee may have to cultivate the land; the quantity could be determined by the regulation of the governor, made the month after the grant, and determining the quantity of land to be surveyed according to the number of persons in the family of the grantee, slaves included. That the grant was made before the date of the regulation, makes no difference. *Ibid.*

No settlement was made on the lands claimed under the grant. The building of a house on the land is but evidence of an intention to make a settlement, but was not a settlement; which required the removal of persons or workers to the land, and cultivating it. *Ibid.*

No claim for the land can be sustained under a grant, or confirmation of a prior grant, made by a decree of governor Coppinger in 1819, as the same was substantially a violation of the treaty with Spain, which confirms only grants made before the 24th January, 1818. The prior grant to O'Hara having become void by the non-performance of the conditions annexed to it, the decree of governor Coppinger, in 1819, was an attempt to make a new grant. *Ibid.*

If the grant were not void from the non-performance of the conditions of settlement annexed to it, the omission to have the land surveyed, and returned to the proper office, would make it void, unless the grantee had made a settlement; in which event, a survey would be presumed. The grant was made in the "district of Nassau," &c. This was an indefinite description of the land, as was held in *Buyck v. The United States, decided at this term. Ibid.*

A concession of lands, by the council at St. Augustine, was not authorized by the laws of Spain, relative to the granting and confirming land titles. *The United States v. Delespine, 15 Peters, 319.*

When a grant of land is indefinite as to its location, or so uncertain as to the place where the lands granted are intended to be surveyed, as to make it impossible to make a survey under the terms of the grant with certainty, the grant will not be confirmed. *Ibid.*

The act of Congress of 26th May, 1830, requires that all claims to lands which have been presented to

and translate all papers that may be required of him by the commissioners."

SEC. 3. And be it further enacted, That said commissioners, previously to entering on a discharge of the duties assigned them, shall,

the commissioners, or to the register and receiver of East Florida, and had not been "finally acted upon," should be adjudicated and settled, as prescribed by the act of 1828. There was no direct limitation as to the time in which a claim should be presented. *Ibid.*

When a petition for the confirmation of a claim to lands in Florida was presented, and was defective, and the court allowed an amended petition to be filed, it would be too strict to say the original petition was not the commencement of the proceeding, but that the amendment allowed by the superior court should be taken as the date when the claim was first preferred. *Ibid.*

When certain testimonials of title under a Spanish grant had been admitted, without exception, before the commissioners of the United States for the adjustment of claims to lands in Florida, and before the superior court in Middle Florida, without objection as to the mode and form of their proof; the Supreme Court, on an appeal, will not interfere with the question as to the sufficiency of the proof, or the authenticity of the act, relating to the title which had been admitted by the authorities in Florida, which was the tribunal to judge of the evidence. *Ibid.*

Breward petitioned the governor of East Florida, intending to establish a saw-mill to saw timber in St. John's river, for a grant of five miles square of land, or its equivalent; ten thousand acres to be in the neighbourhood of the place designated, and the remaining six thousand acres in Cedar Swamp, on the west side of St. John's river, and in Cabbage Hammock on the east side of the river. The governor granted the land asked for, on the condition that the mill should be built; and the condition was complied with. On the 27th of May, 1817, the surveyor general surveyed seven thousand acres under the grant, including Little Cedar Creek, and bounded on three sides by Big Cedar Creek, including the mill. This grant and survey were confirmed. *The United States v. Breward*, 16 Peters, 143.

Three thousand acres were laid off on the northern part of the river St. John's, and east of the royal road, leading from the river to St. Mary's, four or five miles from the first survey. This survey having been made at a place not within the grant, was void: but the court held that the grantee is to be allowed to survey under the grant, three thousand acres adjoining the survey of seven thousand acres, if so much vacant land can be found; and patents for the same shall issue for the land, if laid out in conformity with the decree of the court in this case. *Ibid.*

In 1819, two thousand acres were surveyed in Cedar Swamp, west of the river St. John's, at a place known by the name of Sugartown. This survey was confirmed. *Ibid.*

Four thousand acres, by survey, dated April, 1819, in Cabbage Hammock, were laid out by the surveyor general. This survey was confirmed. *Ibid.*

By the eighth article of the Florida treaty, all grants of lands made before the 24th of January, 1824, by his Catholic majesty, were confirmed; but all grants made since the time when the first proposal by his majesty for the cession of the country was made, are declared and agreed by the treaty to be void. The survey of five thousand acres having been made at a different place from the land granted, would if confirmed be a new appropriation of so much land, and void if it had been ordered by the governor of Florida; and of course it is void, having nothing to uphold it but the act of the surveyor general. *Ibid.*

In the superior court of East Florida, the counsel for the claimant offered to introduce testimony in regard to the survey of three thousand acres; and the counsel of the United States withdrew his objection to the testimony. The admission of the evidence did not prove the survey to have been made. Proof of the signature of the surveyor general to the return of survey made the survey *prima facie* evidence. *Ibid.*

The proof of the signature of Aguilar to the certificate of a copy of the grant by the governor of East Florida, authorizes its admission in evidence; but this does not establish the validity of the concession. To test the validity of the survey, it was necessary to give it in evidence; but the survey did not give a good title to the land. *Ibid.*

The United States have a right to disprove a survey made by the surveyor general, if the survey on the ground does not correspond to the land granted. *Ibid.*

On a petition from Pedro Miranda, stating services performed by him for Spain, governor White, the governor of East Florida, on the 26th November, 1810, made a grant to him of eight leagues square, or three hundred and sixty-eight thousand six hundred and forty acres of land on the waters of Hillsborough and Tampa Bay, in the eastern district of Florida. No survey was made under this grant while Florida remained a province of Spain, nor was any attempt made to occupy or survey the land, until after the cession of Florida to the United States. In 1821, it was alleged that a survey was made by a surveyor of East Florida. Held, that the grant was void; no land having been severed from the public domain previous to the 24th January, 1818, and because the calls of the grant are too indefinite for locality to be given to them. *The United States v. Miranda*, 16 Peters, 153.

The settled doctrine of the Supreme Court, in respect to Florida grants, is, that grants embracing a wide extent of country, or with a large area of natural or artificial boundaries, and which granted lands were not surveyed before the 24th of January, 1818, and which are without such designation as will give a place of beginning for a survey, are not lands withdrawn from the maps of vacant lands, ceded to the United States in Florida, and are void; as well on that account as for being so uncertain that locality cannot be given to them. *Ibid.*

On the 6th of April, 1816, a grant was made by the governor of Florida, of five miles square, or sixteen thousand acres of land, on condition that a mill should be built. The grant of six thousand acres was for land on Doctor's branch, where the mill was intended to be erected. The ten thousand acres were granted on the north-east side on the lagoon and of India river. The six thousand acres were surveyed in 1819, on Doctor's branch, and the mill was built. The survey under this grant was confirmed. *The United States v. Low* et al. 162.

According to the strict ideas of conforming a survey to a location, in the United States, the survey of ten thousand acres should be located adjoining the natural object called for, there being no other to

Commissioners to take an oath, &c.

before the judge of the territorial court at Pensacola, or some other authority in his absence, competent to administer it, take an oath faithfully to discharge the duties of their offices, and shall commence and hold their sessions on or before the first Monday of July next, at Pensacola, and on the first

aid and control the general call; and therefore, the head of the lagoon would necessarily have formed one boundary. But it is obvious, more latitude was allowed in the province of Florida, under the government of Spain. The surveyor general having returned that the survey was made according to the grant, and in the absence of other contradictory proof, the claim was confirmed. *Ibid.*

A grant of five miles square, or sixteen thousand acres of land, was made by the Spanish governor of East Florida, at the mouth of the river Santa Lucia. The petition for the grant stated various merits and losses of the petitioner, and asked the grant of five miles square, for the construction of a water saw-mill. The grant was given for the purpose mentioned, "and also paying attention to the services and other matters set forth in the petition." No survey under the grant was made by the surveyor general of Florida; but a survey was made by a private surveyor. The survey did not follow the calls of the grant, and no proof was given that it was made at the place mentioned in the grant. The survey and plat were not made according to the established rules relative to surveys to be made by the surveyor general under such grants. Nor was the plat made with the proportion of land on the river required by the regulations. The superior court of Florida held that the grant having been made in consideration of services rendered by the grantee, as well as for a water saw-mill, it was valid without the erection of the mill; but the survey was altogether void, and of no effect. The decree of the superior court of Florida, by which the grant and survey were confirmed, was remanded to the superior court of Florida; that court to order the sixteen thousand acres granted, to be surveyed according to the principles stated in the opinion of the Supreme Court. It has often been held that the authorities of Spain had the power to grant the public domain in accordance with their own ideas of the merits and considerations presented by the grantee; and that the powers of the Supreme Court of the United States extend only to the inquiry, whether, in fact, the grant had been made, and its legal effect when made, in cases where the law by implication introduced a condition, or it was peculiar in its provisions. No special ordinance of Spain introduces conditions into mill grants. *The United States v. Hanson, 16 Peters, 196.*

The certificate of a private surveyor, that he had permission from the governor of the territory to make a survey of the land granted, is no evidence of the fact. There is a marked and wide difference in the effect of the certificate of the surveyor general and of a private individual, who assumes to certify without authority. *Ibid.*

A grant by a Spanish governor of Florida meant not, as in the states of the United States, a perfect title; but an incipient right, which, when surveyed, required confirmation by the governor. The duty of confirmation by the acts of Congress is deputed to the courts of justice of the United States, in execution of the treaty with Spain. *Ibid.*

The same credence that was accorded to the return of the surveyor general by the Spanish government, is due to it by the courts of the United States. Plats and certificates, because of the official character of the surveyor general, have accorded to them the force and character of a deposition. *Ibid.*

A grant of fifteen thousand acres by the Spanish governor of East Florida, in consideration of important services performed in behalf of the government of Spain, to George Atkinson, confirmed by the Supreme Court. By the eighth article of the Florida treaty, no grants of land made after the 24th of January, 1818, were valid; nor could a survey be valid on lands other than those authorized by the grant. Still the power to survey in conformity to the concessions existed up to the change of flags. *The United States v. Clarke, 16 Peters, 228.*

Spain had the power to make grants founded on any consideration and subject to any restrictions within her dominions. If a grant was binding on that government, it is so on the United States, the successor of Spain. All the grants of land made by the lawful authorities of the king of Spain, before the 24th of January, 1818, were by the treaty ratified and confirmed to the owners of the lands. *Ibid.*

The grant to Atkinson was for the land he mentioned in his petition, or for any other lands that were vacant. Three surveys were made of the lands within the quantity granted, not at the place specially mentioned in the grant, but at other places. Held, that these surveys were valid, notwithstanding that they were made at different places. *Ibid.*

A claim for eight thousand acres of land in East Florida, founded on a petition of Domingo Acosta to governor Coppinger, made on the 20th of May, 1816. The petition stated that services had been performed by the claimant for the defence, support and advancement of the town of Fernandina, which had never been rewarded. Governor Coppinger gave a decree in favour of the petitioner, "it being the will of the sovereign that the merits of his subjects should be rewarded." The originals of the petition and decree were not produced, they having been lost; but a certificate signed by Don Thomas Aguilar, the secretary of the government, was exhibited, which stated that the copies of the petition and decree, which were given in evidence, had been faithfully drawn from the originals in his office. Four plats and certificates of survey, made by Clarke, surveyor of the province; two of which surveys were made before the 24th January, 1818, and one on the 14th February, 1818; another on the 20th January, 1820; were given in evidence without objection, in the court below, to show the location of the land claimed. The decree of the superior court of Florida, in favour of the claimant, was affirmed. *The United States v. Acosta, 17 Peters, 16.*

The official certificates of the secretary of the government of Florida, during the dominion of Spain over the territory, after evidence that no originals could be found in the proper office, was sufficient evidence of the copies of the petition and decree of the governor; no proof having been given to contradict or impair the force of the same. *Ibid.*

The governor of the territory of Florida, as the deputy of the king of Spain, was the sole judge of the merits on which the claim stated in the petition was founded; and he had undoubted power to reward the merits of the grantee. This has been so decided in many cases. *Ibid.*

Although in the governor's decree, there may be no description of any place where the land granted

Monday of January thereafter, at St. Augustine, for the ascertaining and determining of all claims to land within said territories; notice of which shall be given, by said commissioners, in some newspaper printed at each place, or if there be no newspaper, at the most public places in said cities, respectively, of the time at which their sessions will commence, requiring all persons to bring forward their claims, with evidence necessary to support them. The session at St. Augustine shall terminate on the thirtieth of June, one thousand eight hundred and twenty-three, when said commissioners shall forward to the Secretary of the Treasury, to be submitted to Congress, a detail of all they have done, and deliver over to the surveyor all the archives, documents, and papers, that may be in their possession.

SEC. 4. *And be it further enacted*, That every person, or the heirs or representatives of such persons, claiming title to lands under any patent, grant, concession, or order of survey, dated previous to the twenty-fourth day of January, one thousand eight hundred and eighteen, which were valid under the Spanish government, or by the law of nations, and which are not rejected by the treaty ceding the territory of East and West Florida to the United States, shall file, before the commissioners, his, her, or their, claim, setting forth, particularly, its situation and boundaries, if to be ascertained, with the derangement of title, where they are not the grantees, or original claimants; which shall be recorded by the secretary, and who, for his services, shall be entitled to demand from the claimants ten cents for each hundred words contained in said papers so recorded; he shall be also entitled to twenty-five cents for each subpoena issued: *Provided*, That if the amount so received shall exceed one thousand two hundred and fifty dollars, which is hereby declared the compensation for his services, the excess shall be reported to the commissioners, and be subject to their disposition; and said commissioners shall proceed to examine and determine on the validity of said patents, grants, concessions, and orders of survey, agreeably to the laws and ordinances heretofore existing of the governments making the grants, respectively, having due regard, in all Spanish claims, to the conditions and stipulations contained in the eighth article of a treaty concluded at Washington, between his Catholic majesty, and the United States, on the twenty-second of February, one thousand eight hundred and nineteen; but any claim not filed previous to the thirty-first day of May, one thousand eight hundred and twenty-three, shall be deemed and held to be void and of none effect: *Provided, nevertheless, and be it further enacted*, That in all claims submitted to the decision of the commissioners, where the same land, or any part thereof, is claimed by titles emanating both from the British and Spanish governments, the commissioners shall not decide the same, but shall report all such cases, with an abstract of the evidence, to the Secretary of the Treasury.

SEC. 5. *And be it further enacted*, That the commissioners shall have power to inquire into the justice and validity of the claims filed with them; and shall be, and are hereby, authorized to administer oaths, to compel the attendance of witnesses by subpoenas issued by the Secretary, and the adduction of such testimony as may be wanted; they shall have access to all papers and records of a public nature relative to any land titles within said provinces, and to make transcripts thereof. They shall examine into claims arising under patents, grants, concessions, and orders

Time of the sessions of commissioners, &c.
Notice to be given of the time of the sessions, &c.

Session at St. Augustine to terminate on June 30, 1823.
Commissioners to forward a detail of their proceedings, &c.

Persons, &c. claiming title to lands under any patent, &c. dated previously to Jan. 24, 1818, valid, &c. and not rejected by the treaty ceding the Floridas, to file their claims, &c.

Claims to be recorded.
Fees.

Proviso.

Claims not filed prior to May 31, 1823, void.

Proviso.

Powers of the commissioners.

should be located, still it is binding as far as it went. The surveyor general having been ordered to survey the land solicited, on places vacant, and without injury to third persons, the acts of this officer came in aid of the decree. *Ibid.*

The surveyor general having executed the governor's decree before the flags of the United States and Spain were exchanged, all the surveys became valid. That there were several surveys, is no objection to their validity. *Ibid.*

The plats of the surveys having been read in the court below, without objection, the proofs authorized the decree. *Ibid.*

of survey, where the survey has been actually made previous to the twenty-fourth January, one thousand eight hundred and eighteen, whether they are founded upon conditions, and how far those conditions have been complied with: and if derived from the British government, how far they have been considered valid under the Spanish government; and if satisfied that said claims be correct and valid, shall give confirmation to them: *Provided*, That such confirmation shall only operate as a release of any interest which the United States may have, and shall not be considered as affecting the rights of third persons: *And provided*, That they shall not have power to confirm any claim or part thereof where the amount claimed is undefined in quantity, or shall exceed one thousand acres; but in all such cases shall report the testimony, with their opinions, to the Secretary of the Treasury, to be laid before Congress for their determination.— Every witness attending under any process from the commissioners, shall be allowed one dollar a day, and one dollar for every twenty miles travel; to be paid by the party summoning him: *Provided, nevertheless*, That the commissioners shall not act on, or take into consideration, any British grant, patent, warrant, or order of survey, but those which are bona fide claimed and owned by citizens of the United States, and which have never been compensated for by the British government.

Sec. 6. *And be it further enacted*, That there shall be appointed by the President of the United States, by and with the advice and consent of the Senate, a surveyor, who shall possess the power and authority, and receive the same salary, as by law appertains to the surveyor south of the State of Tennessee; but his duties shall not commence until the commissioners shall have examined and decided upon the claims in West Florida, who shall thereupon furnish the surveyor with a list of those admitted, and he shall thereupon proceed to survey the country, taking care to have surveyed, and marked, and laid down, upon a general plan, to be kept in his office, the metes and bounds of the claims so admitted; causing the same to be surveyed at the expense of the claimants, the price whereof shall be the same as is paid for surveying the public lands; but no surveyor shall charge for any line except such as may be actually run, nor for any line not necessary to be run. He shall appoint a suitable number of deputies, and shall fix and determine their fees: *Provided*, That the whole cost of surveying shall not exceed four dollars a mile: *And provided also*, That none other than township lines shall be run where the land is deemed unfit for cultivation: Said surveyor shall reside at such place as the President of the United States may direct, and shall keep his office there, and may charge the following fees, to wit: for recording the plat and surveys of private claims made by any of his deputies, twenty-five cents for each mile contained in the boundary of such survey, and twenty-five cents for any copy certified from the books of his office.

APPROVED, May 8, 1822.

RESOLUTIONS.

Jan. 11, 1822.

- I. RESOLUTION *providing for the distribution of the secret journal and foreign correspondence of the old Congress, and of the journal of the convention which formed the constitution of the United States.*

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 requested to cause to be furnished to each member of the present Congress, and the delegates from territories, who may not be entitled to the same under the resolution of Congress, of the twenty-seventh of March, one thousand eight hundred and eighteen, the President and Vice President of the United States, the executive of each state

Proviso.

Proviso; as to claims to be confirmed.

Fees to witnesses, &c.

Commissioners not to act on, &c. any British grant, &c., but those claimed and owned by citizens of the United States, &c.

The President and Senate to appoint a surveyor, &c. Surveyor's duties.

Surveys at the expense of the claimants, &c.

Surveyor to appoint deputies.

None other than township lines to be run; and surveyor to reside, &c. as the President may direct.

Surveyor's fees for recording, &c.

The President requested to cause each member and delegate of the present Congress, not entitled under resolution of March

and territory, the attorney general, and judges of the courts of the United States, and the colleges and universities in the United States, each one copy; for the use of each of the departments, viz: State, Treasury, War, and Navy, two copies each; for the use of the Senate, five copies; for the use of the House of Representatives, ten copies; and for the library of Congress, ten copies, of the secret journals, and of the foreign correspondence, ordered to be printed by the several resolutions of Congress, passed on the twenty-seventh of March, one thousand eight hundred and eighteen, and of April twenty-first, one thousand eight hundred and twenty: Also to each member of the present Congress, who has not received the same, one copy of the journal of the convention which formed the Constitution of the United States. And that the remaining copies be preserved in the library, subject to the future disposition of Congress.

APPROVED, January 11, 1822.

27, 1818, the Vice President, executive of each state and territory, &c., to be furnished with copies of the secret journals, &c.

A copy of the journal of the convention, &c. to each member of the present Congress, &c.

II. RESOLUTION *providing for the distribution of the marshals' returns of the fourth census.*

Feb. 4, 1822.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of State be instructed to furnish to each member of the present Congress, and the delegates from territories, the President and Vice President of the United States, the executive of each state and territory, the attorney general, and judges of the courts of the United States, and the colleges and universities in the United States, each one copy; for the use of the departments, viz: State, Treasury, War, and Navy, five copies each; for the use of the Senate, five copies; and for the use of the House of Representatives, ten copies, of the marshals' returns of the fourth census; and that the residue of the copies of the said returns be deposited in the library of Congress.

APPROVED, February 4, 1822.

The Secretary of State to furnish each member and delegate of the present Congress, &c., with copies of the marshals' returns of the fourth census, &c.

III. RESOLUTION *directing the classification and printing of the accounts of the several manufacturing establishments and their manufactures, collected in obedience to the tenth section of the act to provide for taking the fourth census.*

March 30, 1822.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of State be directed to cause to be classified and reduced to such form as he may deem most conducive to the diffusion of information, the accounts of the several manufacturing establishments, and their manufactures, taken in pursuance of the tenth section of the act, entitled "An act to provide for taking the fourth census or enumeration of the inhabitants of the United States, and for other purposes," approved the fourteenth of March, one thousand eight hundred and twenty, and that he cause fifteen hundred copies of the digest, so to be made, to be printed, subject to the disposition of Congress.

APPROVED, March 30, 1822.

The Secretary of State to cause to be classified and reduced to form, &c., the accounts of manufacturing establishments and their manufactures, &c.

Act of March 14, 1820, ch. 24.

IV. RESOLUTION *providing for the security in the transmission of letters, &c., in the public mails.*

April 26, 1822.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall be the duty of the Postmaster General to introduce, as soon as conveniently may be, on one or more of the most exposed routes, Richard Imlay's plan of copper cases, secured in iron chests, with inside locks and sliding bars in such a way as to test its efficacy in preventing robberies of the mail: *Provided,* The extra expense for each mail carriage shall not exceed one hundred and fifty dollars.

APPROVED, April 26, 1822.

The Postmaster General to introduce, &c. R. Imlay's plan of copper cases, &c., to test, &c.

Proviso.

ACTS OF THE SEVENTEENTH CONGRESS

OF THE

UNITED STATES,

Passed at the second session, which was begun and held at the City of Washington, in the District of Columbia, on Monday the second day of December, 1822, and ended on the third day of March, 1823.

JAMES MONROE, President; DANIEL D. TOMPKINS, Vice President of the United States, and President of the Senate; JOHN GAILLARD, President of the Senate pro tempore; PHILIP P. BARBOUR, Speaker of the House of Representatives.

STATUTE II.

Dec. 20, 1822.

CHAP. I.—*An Act authorizing an additional naval force for the suppression of piracy.*

President authorized to purchase or construct vessels, to fit, equip, and man them for immediate service, for repressing piracy, &c.
Act of March 3, 1825, ch. 101, sec. 2.

Appropriation for such expenditure.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he hereby is, authorized to purchase or construct a sufficient number of vessels, in addition to those now employed, of such burthen and construction as he may deem necessary, and to fit, equip, and man the same for immediate service, for the purpose of repressing piracy, and of affording effectual protection to the citizens and commerce of the United States in the Gulf of Mexico, and the seas and territories adjacent.

SEC. 2. *And be it further enacted,* That the sum of one hundred and sixty thousand dollars be appropriated to meet the expenditure to be incurred as aforesaid, and paid out of any money in the treasury, not otherwise appropriated.

APPROVED, December 20, 1822.

STATUTE II.

Jan. 14, 1823.

[Obsolete.]

From the 3d day of March next, the state of Alabama to have three members in the House of Representatives, agreeably to the act of March 7, 1822, ch. 10.

CHAP. II.—*An Act concerning the apportionment of representatives in the state of Alabama. (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, one thousand eight hundred and twenty-three, the state of Alabama shall have three members in the House of Representatives, in the Congress of the United States, it appearing, from the returns of the marshal of Alabama, deposited in the office of the Secretary of state of the United States, that the said state of Alabama at the passage of the act, entitled "An act for the apportionment of representatives among the several states, according to the fourth census," approved March seven, one thousand eight hundred and twenty-two, was entitled to the number of three representatives, according to the population of the said state, and the ratio established by the said act.

APPROVED, January 14, 1823.

(a) By the act of March 2, 1819, ch. 47, Alabama was authorized to form a state government for admission into the Union. By resolution of December 11, 1819, Alabama was admitted into the Union.

CHAP. III.—*An Act making a partial appropriation for the support of government for the year one thousand eight hundred and twenty-three.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of two hundred and sixty-five thousand one hundred and forty dollars be, and the same hereby is, appropriated, for the compensation granted by law to the Senate and House of Representatives: and that the same be paid out of any money in the treasury not otherwise appropriated.

APPROVED, January 14, 1823.

STATUTE II.

Jan. 14, 1823.

[Obsolete.]

Appropriation for the compensation of the Senate and House of Representatives.

CHAP. V.—*An Act to continue the present mode of supplying the army 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 seventh, eighth, ninth and tenth sections of the act, entitled "An act regulating the staff of the army," passed April fourteenth, eighteen hundred and eighteen, be, and the same are hereby, continued in force for the term of five years, and until the end of the next session of Congress thereafter.

APPROVED, January 23, 1823.

STATUTE II.

Jan. 23, 1823.

The 7th, 8th, 9th and 10th sections of act of April 14, 1818, ch. 61, continued in force for five years, and to the end of the next session of Congress.

CHAP. VI.—*An Act to enable the proprietors of lands held by titles derived from the United States to obtain copies of papers from the proper department, and to declare the effect of such copies.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any person claiming to be interested in, or entitled to land, under any grant or patent from the United States, shall apply to the Treasury Department for copies of papers filed and remaining therein, in any wise affecting the title to such land, it shall be the duty of the Secretary of the Treasury to cause such copies to be made out and authenticated, under his hand and seal, for the person so applying, and such copies, so authenticated, shall be evidence equally as the original papers.

APPROVED, January 23, 1823.

STATUTE II.

Jan. 23, 1823.

The Secretary of the Treasury to cause authentic copies of papers filed, &c., to be made &c., and these copies to be equal evidence as the original papers.

CHAP. VII.—*An Act in addition to "An act to continue in force 'An act to protect the commerce of the United States, and punish the crime of piracy,' and, also, to make further provision for punishing the crime of piracy." (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the first, second, third, and fourth sections of an act, entitled "An act to protect the commerce of the United States, and punish the crime of piracy," passed on the third day of March, in the year of our Lord one thousand eight hundred and nineteen, be, and the same are hereby, continued in force, in all respects, as fully as if the said sections had been enacted without limitation, in the said act, or in the act to which this is an addition, and which was passed on the fifteenth day of May, in the year of our Lord one thousand eight hundred and twenty.

APPROVED, January 30, 1823.

STATUTE II.

Jan. 30, 1823.

Act of May 15, 1820, ch. 113.

The 1st, 2d, 3d, and 4th sections of act of March 3, 1819, ch. 77, made perpetual.

(a) See notes to the act of March 3, 1819, ch. 77.

STATUTE II.

Jan. 30, 1823.

CHAP. VIII.—*An Act to provide for the appointment of an additional judge for the Michigan territory, and for other purposes.*

[Obsolete.]

An additional judge to be appointed for the territory of Michigan, within the counties of Michilimackinac, Brown and Crawford, having the power of the supreme court of the territory, and of the county courts.

Appeals allowed from the county courts to this court.

Proviso.

Proviso.

The supreme court of the territory authorized, upon the reversal of a judgment of this court, &c.

A writ of error shall be no stay of proceedings in the court to which it issues, unless the plaintiff in error, his agent, or attorney, give security that the plaintiff in error shall prosecute his writ to effect.

No cause, except suits in equity, to be removed from this court, but by writ of error. Suits in equity may be removed by appeal.

This court to hold one term in each of the counties yearly.

The clerks of the county court to be clerks of the court in their

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there shall be appointed an additional judge for the Michigan territory, who shall possess and exercise, within the counties of Michilimackinac, Brown, and Crawford, in the territory aforesaid, as said counties are now defined and established, or may be hereafter defined and established, the jurisdiction and power heretofore possessed and exercised by the supreme court of the said territory, and by the county courts of said counties respectively, within the said counties, and to the exclusion of the original jurisdiction of the said supreme court: and the jurisdiction of the said court, hereby established, shall be concurrent with the said county courts; but in all suits, either at law or in equity, appeals shall be allowed from the decisions of the said county courts to the court established by this act, in the same manner as is provided for appeals from said courts to the supreme court of said territory; *Provided, always,* That the said supreme court shall have full power and authority to issue writs of error to the court established by this act, in all civil causes, and to hear and determine the same when sitting as a supreme court of the territory, according to the Constitution and laws of the United States, and to the statutes adopted and published by the governor and judges of said territory: *And provided, also,* That nothing in this act contained shall be construed to give cognizance to the court hereby established, of cases of admiralty and maritime jurisdiction, nor of cases wherein the United States shall be plaintiffs, except as hereinafter mentioned.

SEC. 2. *And it be further enacted,* That the said supreme court are hereby authorized, upon the reversal of a judgment of the court established by this act, to render such judgment as the said court ought to have rendered or passed, except where the reversal is in favour of the plaintiff in the original suit, and the debt or damages to be assessed are uncertain: in which case the cause shall be remanded to the county from whence it came, in order to a final determination.

SEC. 3. *And be it further enacted,* That, when any person, not being an executor or administrator, applies for a writ of error, such writ shall be no stay of proceedings in the court to which it issues, unless the plaintiff in error, his agent or attorney, shall give security, to be approved of by a judge of the said supreme court, which shall be certified on the back of such writ, that the plaintiff in error shall prosecute his writ to effect, and pay the condemnation money, and all costs, or otherwise abide the judgment of the court, if he fail to make his plea good; and no cause, except suits in equity, shall be removed to said supreme court from the court hereby established, but by writ of error, as herein before provided; and suits in equity may be removed by appeal, in the same manner as is provided for appeals from the county courts to the supreme court.

SEC. 4. *And be it further enacted,* That the court established by this act shall hold one term in each of the counties aforesaid, yearly, at the following times and places, to wit: at Prairie du Chien, on the second Monday in May; at Green Bay, on the second Monday in June; and at Mackinac, on the third Monday in July, in each and every year; and shall then and there proceed to hear and determine the pleas, process, and proceedings, depending therein, in the same manner as the said supreme or county courts might, or could have done, in case this act had not been passed; and the clerks of the said county courts shall be clerks of the court hereby established in their respective counties, and shall be entitled to such fees for their services as may be allowed them by law; and the officers appointed to execute the process of the said county courts within

the said counties, are hereby authorized and required to execute the process of the court hereby established.

SEC. 5. *And be it further enacted*, That the said court, hereby established, shall have and possess concurrent jurisdiction with the said supreme court, in and over all actions arising under the acts and laws in force, or which may be enacted, for the regulating trade and intercourse with the Indians, and over all crimes and offences which shall be committed within that part of the Indian country lying north and west of Lake Michigan, within the territory of Michigan.

SEC. 6. *And be it further enacted*, That the judge to be appointed by virtue of this act, shall reside in one of the counties aforesaid, and shall receive the same salary, and payable in the same manner, as is provided and established by law for the judges of the said supreme court of the Michigan territory.

SEC. 7. *And be it further enacted*, That this act shall take effect and be in force, from and after the twentieth day of March next.

APPROVED, January 30, 1823.

respective counties.

This court shall have concurrent jurisdiction with the supreme court, in all actions under laws regulating trade, &c. with the Indians.

The judge to be appointed in virtue of this act, to reside in one of the counties.

STATUTE II.

Jan. 31, 1823.

CHAP. IX.—*An Act concerning the disbursement of public money.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, from and after the passing of this act, no advance of public money shall be made in any case whatever; but in all cases of contracts for the performance of any service, or the delivery of articles of any description, for the use of the United States, payment shall not exceed [exceed] the value of the service rendered, or of the articles delivered previously to such payment: *Provided*, That it shall be lawful, under the especial direction of the President of the United States, to make such advances to the disbursing officers of the government as may be necessary to the faithful and prompt discharge of their respective duties, and to the fulfilment of the public engagements: *And provided also*, That the President of the United States may direct such advances as he may deem necessary and proper, to such persons in the military and naval service as may be employed on distant stations, where the discharge of the pay and emoluments to which they may be entitled, cannot be regularly effected.

SEC. 2. *And be it further enacted*, That every officer or agent of the United States, who shall receive public money which he is not authorized to retain, as salary, pay, or emolument, shall render his accounts quarterly to the proper accounting officers of the treasury, with the vouchers necessary to the correct and prompt settlement thereof, within three months, at least, after the expiration of each successive quarter, if resident within the United States; and within six months if resident in a foreign country: *Provided*, That nothing herein contained shall be construed to restrain the secretaries of any of the departments from requiring such returns from any officer or agent, subject to the control of such secretaries, as the public interest may require.

SEC. 3. *And be it further enacted*, That every officer or agent of the United States, who shall offend against the provisions of the preceding sections, shall, by the officer charged with the direction of the department to which such offending officer is responsible, be promptly reported to the President of the United States, and dismissed from the public service: *Provided*, That in all cases, where any officer, in default as aforesaid, shall account to the satisfaction of the President for such default, he may be continued in office, any thing in the foregoing provision to the contrary notwithstanding.

SEC. 4. *And be it further enacted*, That no security given to, or ob-

Act of March 3, 1797, ch. 20. No advance of public money to be made.

Proviso.

Proviso.

Officers or agents of the United States to account quarterly.

Proviso.

Officers or agents offending against the preceding sections, to be promptly reported to the President, and dismissed from the public service.

Proviso. No security

given to, or obligation entered into with, the government, to be impaired.

ligation entered into, with the government, shall be in any wise impaired, by the dismissing any officer, or from failure of the President to dismiss any officer coming under the provisions of this act.

APPROVED, January 31, 1823.

STATUTE II.

Feb. 21, 1823.

[Expired.]

Act of May 11, 1820, ch. 85, revived, and continued in force till 1st Nov. next.

Report of the commissioners to be laid before Congress.

Second section of the act of April 23, 1812, ch. 62, to embrace certain claims.

Patents to be issued to persons whose claims have been filed under the act of May 11, 1820, ch. 85.

CHAP. X.—*An Act to revive and continue in force certain acts for the adjustment of land claims in the territory of Michigan. (a)*

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 to revive the powers of the commissioners for ascertaining and deciding on claims to land in the district of Detroit, and for settling the claims to land at Green Bay and Prairie du Chien, in the territory of Michigan," approved May the eleventh, one thousand eight hundred and twenty, shall be, and the same is hereby, revived, and shall continue in force until the first day of November next; and it shall be the duty of the said commissioners, as soon thereafter as may be, to forward their report, as is required by the second section of said act, to the Secretary of the Treasury, to be by him laid before Congress at its next session.

SEC. 2. *And be it further enacted, That the second section of the 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," approved April twenty-third, one thousand eight hundred and twelve, shall be so construed as to embrace all persons who have claims confirmed below Milk river point, at the lower end of Lake St. Clair.*

SEC. 3. *And be it further enacted, That patents shall, and they are hereby directed to, be issued, in the mode pointed out by law in other cases, to persons whose claims to lands, town or village lots, have been regularly filed with the commissioners appointed by an act, entitled "An act to revive the powers of the commissioners for ascertaining and deciding on claims to land in the district of Detroit, and for settling the*

(a) *Acts relating to public lands in Michigan :*

An act making provision for the disposal of the public lands in the Indiana territory, and for other purposes, March 26, 1804, ch. 35.

An act supplementary to the act, entitled "An act making provision for the disposal of the public lands in the Indiana territory, and for other purposes," March 3, 1805, ch. 43.

An act to provide for the adjustment of titles to land in the town of Detroit and territory of Michigan, and for other purposes," April 21, 1806, ch. 43.

An act relating to grants of land in the territory of Michigan, March 3, 1807, ch. 34.

An act supplemental to "An act regulating the grants of land in the territory of Michigan," April 23, 1808, ch. 67.

An act to authorize the granting of patents for land according to surveys that have been made, and to grant donation rights to certain claimants of land in the district of Detroit, and for other purposes, April 23, 1812, ch. 62.

An act allowing further time for entering donation rights to lands in the district of Detroit, March 3, 1817, ch. 99.

An act to revive the powers of the commissioners for ascertaining and deciding claims to land in the district of Detroit, and for settling the claims to land at Green Bay and Prairie du Chien, in the territory of Michigan, May 11, 1820, ch. 85.

An act to annex certain lands within the territory of Michigan to the district of Detroit, May 11, 1820, ch. 94.

An act to revive and continue in force certain acts for the adjustment of land claims in the territory of Michigan, February 21, 1823, ch. 10.

An act to alter the lines between the land districts in the territory of Michigan, May 16, 1826, ch. 56.

An act to confirm claims to land in the territory of Michigan, April 17, 1828, ch. 28.

An act to establish a land office in the territory of Michigan, and for other purposes, February 19, 1831, ch. 27.

An act to change the boundary between the south-eastern and western land district in the territory of Michigan, June 25, 1834, ch. 72.

An act to divide Green Bay land district in Michigan, and for other purposes, June 15, 1836, ch. 93.

An act to establish a land office in the territory of Michigan, January 30, 1833, ch. 12.

An act supplementary to "An act to provide for the adjustment of the titles to land in the town of Detroit, and territory of Michigan, and for other purposes," passed April 21, 1806. August 29, 1842, ch. 260.

claims to land at Green Bay and Prairie du Chien, in the territory of Michigan," passed on the eleventh day of May, one thousand eight hundred and twenty, and whose claims are contained in the report transmitted to the Secretary of the Treasury, and which have been reported favourably on by said commissioners: and such persons are hereby confirmed in their claims, agreeably to any surveys heretofore made, or the lines and boundaries established by the claimants respectively: *Provided*, That such confirmations shall only amount to a relinquishment forever, on the part of the United States, and that not more than six hundred and forty acres shall be confirmed by virtue of any one claim; nor shall more be confirmed, in any case, than the quantity claimed; nor shall any claim extend in width more than forty, nor in depth more than eighty, arpents; nor to land heretofore, and now, reserved by the United States for public uses.

SEC. 4. *And be it further enacted*, That wherever it shall appear to the said commissioners that any claimant to land, or a town or village lot, at Green Bay or Prairie du Chien, cannot establish his, her, or their, claim to the same, in consequence of his, her, or their, removal therefrom by any officer of the United States' army, it shall be the duty of the said commissioners to issue a certificate to such person or persons, for any tract of land, or village lot, which may have been occupied by him, her, or them, after such removal, not exceeding, in quantity, that originally claimed; on which certificates patents shall issue, as in other cases; which claims shall be, in all other respects, subject to the restrictions and provisions of the third section of this act.

SEC. 5. *And be it further enacted*, That every person who, on the first day of July, one thousand eight hundred and twelve, was a resident of Green Bay, Prairie du Chien, or within the county of Michilimackinaw, and who, on the said day, occupied and cultivated, or occupied a tract of land which had previously been cultivated by said occupant, lying within either of said settlements, and who has continued to submit to the authority of the United States, or to the legal representatives of every such person, shall be confirmed in the tract so occupied and cultivated; and the said commissioners, in the adjudicating on claims to land embraced by this act, are authorized to take into their consideration the evidence and facts collected and reported to them by the agents of the United States, pursuant to the provisions of the act of the eleventh of May, one thousand eight hundred and twenty, as well as such other and further evidence and testimony as may or shall be exhibited before them by the claimants, to support their claims: And the register of the land office at Detroit is authorized and required to receive and record all notices and claims to lands provided for by this act, and which shall be exhibited to him on or before the first day of October next: *Provided, however*, That no person shall be confirmed in a greater quantity than six hundred and forty acres; nor shall any tract, so confirmed, exceed eighty arpents from front to rear. And it shall be the duty of the surveyor general of the United States, under the direction of the Secretary of the Treasury, to cause the land confirmed by this act to be surveyed, at the expense of the claimants, respectively; plats of which shall be returned, as in other cases, and patents therefor shall be granted to the several claimants in the manner prescribed by law.

SEC. 6. *And be it further enacted*, That the Secretary of the Treasury shall be, and he is hereby, authorized to allow to the former agent, and to each of the persons whose duty it is made to carry this law into effect, such sum, in addition to the sum allowed by the first recited act, as he may deem just and reasonable.

APPROVED, February 21, 1823.

Proviso.

Claimants have been removed by any officer of the United States' army, to have certificates for any tract of land, &c. which they have occupied after such removal.

Occupants of land in Green bay, Prairie du Chien, or Michilimackinaw, on July 1, 1812, who have continued to submit to the authority of the United States, or their legal representatives, to be confirmed in said land.

Act of May 11, 1820, ch. 35.

Proviso.

An additional sum to be allowed to persons carrying this law into effect.

STATUTE II.

Feb. 21, 1825.

State of South Carolina divided into two districts, the eastern and western.

Eastern district court to be held in Charleston, as usual.

Western district court to have one annual session at Laurens Courthouse.

CHAP. XI.—*An Act to divide the state of South Carolina into two judicial districts. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the state of South Carolina, be, and the same is hereby divided into two districts, in manner following, that is to say: the districts of Lancaster, Chester, York, Union, Spartanburg, Greenville, Pendleton, Abbeville, Edgefield, Newberry, Laurens, and Fairfield, shall compose one district, to be called the western district; and the residue of the state shall form one other district, to be called the eastern district. And the terms of the said district court, for the eastern district, shall be held in Charleston, at such times as they are now by law directed to be holden. And for the trial of all such criminal and civil causes, as are by law cognisable in the district courts of the United States which may hereafter arise or be prosecuted, or sued, within the said western district, there shall be one annual session of the said district court holden at Laurens Courthouse, to begin on the second Monday in May in each year; to be holden by the district judge of the United States of the state of South Carolina; and he is hereby authorized and directed to hold such other special sessions as may be necessary for the despatch of the causes in the said court, at such time or times as he may deem expedient, and may adjourn such special sessions to any other time previous to a stated session.

APPROVED, February 21, 1823.

STATUTE II.

Feb. 21, 1823.

[Expired.]

Charter of Mechanics' Bank of Alexandria extended to March 3, 1836.

March 2, 1821, ch. 18.

Stockholders disagreeing from renewal, may compel the bank to refund their stock.

CHAP. XIV.—*An Act to extend the charter of the Mechanics' Bank of Alexandria, in the District of Columbia.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act incorporating the Mechanics' Bank of Alexandria, in the District of Columbia, be, and the same is hereby, extended and limited to the third day of March, one thousand eight hundred and thirty-six, under and subject to all limitations, modifications, and conditions, as are enacted and applied to the other incorporated banks of the District of Columbia, by an act, entitled "An act to extend the charters of certain banks in the District of Columbia," which passed the second day of March, one thousand eight hundred and twenty-one.

SEC. 2. *And be it further enacted,* That, if any stockholder or stockholders, in said bank, who have not assented to the renewal of the said charter, shall, within two months from the passing of this act, file his or their declaration, in writing, in the said bank, declaring himself or themselves dissatisfied with said renewal, and his or their determination to withdraw his or their interest from the same; and if the said bank cannot agree with such stockholder or stockholders, on the amount of such interest, and shall not forthwith pay the same, then it shall be lawful for the circuit court of the District of Columbia, at Alexandria, on the petition in writing of such stockholder or stockholders, to appoint three commissioners, whose duty it shall be to ascertain the value of the interest of such stockholder or stockholders, in said bank, for which purpose such commissioners shall, under the direction of said court, have access to the books, papers, and accounts, of said bank, and on the report of said commissioners, and such other evidence as may be laid before the said court, the said court shall proceed to ascertain the value of the interest of such stockholder or stockholders in said bank and shall adjudge and decree the value so ascertained, to be paid to him or them by the said bank,

(a) An act for altering the times of holding the circuit and district court in the state of South Carolina, May 25, 1824, ch. 145.

and shall have power to enforce such judgment or decree, by execution, attachment, or other legal process.

SEC. 3. *And be it further enacted*, That this act be, and the same is hereby declared to be, a public act, and that so much and such parts of the act incorporating the said Mechanics' Bank of Alexandria, as may be repugnant to this act, be, and the same is hereby, repealed and annulled.

This act declared to be a public act.
Mechanics' Bank of Alexandria.

APPROVED, February 21, 1823.

STATUTE II.

CHAP. XV.—*An Act supplementary to the several acts for the adjustment of land claims in the state of Louisiana.*(a)

Feb. 28, 1823.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the claims for lands within the eastern district of the state of Louisiana, described by the register of the land office of the said district, in his report to the Secretary of the Treasury, bearing date the sixth of January, one thousand eight hundred and twenty-one, be, and the same are hereby, confirmed, against any claim on the part of the United States.

Claims for certain lands in Louisiana confirmed.

Act of March 2, 1805, ch. 26.

Act of March 3, 1807, ch. 36.

Act of May 11, 1820, ch. 87.

Claims of lands north of Red river, confirmed.

SEC. 2. *And be it further enacted*, That the claims for lands within the district north of Red river, in the state of Louisiana, described by the register of the land office of the said district, in his report to the Secretary of the Treasury, bearing date the first January, one thousand eight hundred and twenty-one, and included in the first, second, and third, classes of claims, be, and the same are hereby, confirmed against any claim on the part of the United States, with the exception of the claims numbered forty and fifty-one in the first class, and of the claims numbered forty-four, forty-five, forty-six, forty-seven, and forty-eight, in the said first class, (which are included in the claim of Baron Bastrop.)

APPROVED, February 28, 1823.

STATUTE II.

CHAP. XVI.—*An Act for laying out and making a road, from the lower rapids of the Miami of Lake Erie to the western boundary of the Connecticut western reserve, in the state of Ohio, agreeable to the provisions of the treaty of Brownstown.*

Feb. 28, 1823.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the state of Ohio is hereby authorized to lay out, open, and construct, a road, from the lower rapids of the Miami of Lake Erie, to the western boundary of the Connecticut western reserve, in such manner as the legislature of said state may by law provide, with the approbation of the President of the United States; which road, when constructed, shall forever remain a public highway.

Road from the lower rapids of the Miami of Lake Erie, to Connecticut western reserve.

SEC. 2. *And be it further enacted*, That, in order to enable the state of Ohio to open and construct said road, a tract of land, one hundred and twenty feet wide, whereon to locate the same, together with a quantity of land equal to one mile on each side thereof, and adjoining thereto, to be bounded by sectional lines as run by the United States, to defray the expenses of making the said road, is hereby granted to said state; to commence at the Miami rapids, and terminate at the western boundary of the Connecticut western reserve, with full power and authority to sell and convey the same, and apply the proceeds to the making of said road; and in case the said tract of land shall sell for a greater sum than shall be sufficient to complete such road, then the residue thereof shall remain

Land granted for the road, and expenses.

(a) See notes to act of May 11, 1820, ch. 87.

Proviso.
Proviso.

with the state of Ohio, as a fund for the purpose of keeping said road in repair: *Provided*, That said road shall be made within the term of four years from the passage of this act: *And provided*, None of the land hereby appropriated for making said road shall be sold for a less price than one dollar and twenty-five cents per acre.

Lands sold to be paid for at a minimum price.

SEC. 3. *And be it further enacted*, That, in case any of the lands, through which it may be thought expedient to open said road, may have been previously sold by the United States, the Secretary of the Treasury is hereby directed to pay such officer as the state of Ohio may appoint for that purpose, the net proceeds of the sales of the quantity thus sold at a minimum price.

When the governor of Ohio shall produce a survey, and an act of the state shall accept the trust, the President shall stop the sale of land.

SEC. 4. *And be it further enacted*, That, whenever the governor of the state of Ohio shall have laid before the President of the United States a survey of the location of said road, accompanied by an act of said state accepting said trust, and providing for making said road within the time above limited, and the President shall have approved the same, then the right of the state to said tract of land shall be considered as complete for the purposes aforesaid; and the President shall direct, that, until the first day of June, one thousand eight hundred and twenty-three, none of the public lands shall be sold within three miles on each side of a line, to be drawn direct from the foot of the rapids of the Miami of Lake Erie to the lower rapids of Sandusky, thence to the western boundary of the Connecticut western reserve; *Provided*, That nothing in this act contained, shall ever hereafter be construed to imply any obligation upon the United States to grant additional lands, or further aids of any sort, towards the opening, making, or keeping in repair, of the road aforesaid.

Proviso.

APPROVED, February 28, 1823.

STATUTE II.

Feb. 28, 1823.

CHAP. XVII.—*An Act appropriating moneys for the purpose of repairing the public road from Cumberland to Wheeling. (a)*

Appropriation for Cumberland road.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of twenty-five thousand dollars, of moneys in the treasury not otherwise appropriated, be, and the same is hereby, appropriated for the purpose of repairing and improving the public road from Cumberland to Wheeling, under the direction of the President of the United States.

Superintendent to be appointed by the President.

SEC. 2. *And be it further enacted*, That, for the faithful and speedy accomplishment of this object, the President, with the advice of the Senate, shall appoint some fit person as superintendent of the said road, whose duty it shall be, with all practicable despatch, to contract for, and personally superintend, the execution of the repairs and improvements which shall be deemed necessary on the said road, as well as to receive, disburse, and faithfully account with the treasury, for the sums of money which may be received by him in virtue of this act.

Superintendent to give bond.

SEC. 3. *And be it further enacted*, That the superintendent, so to be appointed, shall, before he enters upon the discharge of the duties enjoined by this act, execute [a] bond to the United States, with security, to be approved of by the Secretary of the Treasury, conditioned for the faithful discharge of his duties, enjoined by this act; he shall hold his office during the pleasure of the President, and shall receive, as a compensation for his services, the sum of three dollars per day, during the time he may be employed in the discharge of the duties enjoined by this act.

APPROVED, February 28, 1823.

(a) See notes to the acts which have passed relating to the Cumberland road, vol. ii. 357.

CHAP. XVIII.—*An Act to revive, and continue in force, the seventh section of an act, entitled "An act supplementary to the several acts for the adjustment of land claims in the state of Louisiana," approved the eleventh May, eighteen hundred and twenty, and for other purposes. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the seventh section of an act, entitled "An act supplementary to the several acts for the adjustment of land claims in the state of Louisiana," approved the eleventh of May, one thousand eight hundred and twenty, in relation to back concessions, be, and the same is hereby, revived, and continued in full force and effect, for the term of eighteen months from and after the passing of this act.

SEC. 2. *And be it further enacted,* That so much of the lot of land on which is situated the navy store-house, in New Orleans, as may be necessary to continue the street now commenced, leading from Condi street to Market-hall, is hereby granted to, and vested in, the corporation of the city of New Orleans, for the purpose of continuing the said street.

APPROVED, February 28, 1823.

STATUTE II.

Feb. 28, 1823.

[Expired.]

Seventh section of Louisiana land claim law continued in force for eighteen months.

Act of May 11, 1820, ch. 87.

Part of navy store-house lot in New Orleans, granted to the corporation of that city.

STATUTE II.

Feb. 28, 1823.

CHAP. XIX.—*An Act to repeal so much of an act, passed the eighteenth April, one thousand eight hundred and six, as limits the price of certain lands in the state of Tennessee.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of an act passed the eighteenth day of April, one thousand eight hundred and six, entitled "An act to authorize the state of Tennessee to issue grants and perfect titles to certain lands therein described, and to settle the claims to the vacant and unappropriated lands within the same," which provides "that the lowest price of all lands granted or sold within the ceded territory shall be the same as shall be established by Congress for the lands of the United States," be, and the same is hereby, repealed; and the legislature of the state of Tennessee are authorized and empowered to affix such price to the lands in said ceded territory, as, in their discretion, may be deemed right and proper; any thing in said act of the eighteenth of April, one thousand eight hundred and six, to the contrary notwithstanding.

APPROVED, February 28, 1823.

Part of a land law of Tennessee of April 18, 1806, ch. 31, repealed.

STATUTE II.

March 1, 1823.

CHAP. XXI.—*An Act supplementary to, and to amend an act, entitled "An act to regulate the collection of duties on imports and tonnage," passed second March, one thousand seven hundred and ninety-nine, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, from and after the third day of March next, no goods, wares, or merchandise, subject to ad valorem duty, and imported into the United States, shall be admitted to an entry unless the true invoice of the same be presented to the collector at the time of entry, or unless the same be admitted in the mode authorized and prescribed in the next ensuing section of this act: *Provided,* That this prohibition shall not extend to such goods, wares, or merchandise, as shall have been taken from a wreck.

SEC. 2. *And be it further enacted,* That when no invoice has been received of any goods, wares, or merchandise, imported and subject to ad valorem duty as aforesaid, the owner, importer, consignee, or agent,

Act of March 2, 1799, ch. 22.

From March 2, the true invoice of goods subject to ad valorem duty to be produced.

Proviso.

Owner, importer, &c., to make oath of not having re-

(a) See notes to the act of May 11, 1820, ch. 87.

ceived invoice, when the goods will be admitted to an entry upon appraisement.

Proviso.

When goods have not been entered, they shall be deposited in the public warehouses until the invoice be produced.

Proviso.

Proviso.

Proviso.

Act of March 2, 1799, ch. 22, sec. 56.

Proviso.

Oath of consignee, importer, or agent, at time of entry.

shall make oath of the same, and the collector of the port shall be, and he is hereby, authorized, if in his judgment the circumstances under which such goods, wares, or merchandise, shall have been imported, or any other circumstances connected therewith, render it expedient, to admit the same to an entry, on an appraisement [appraisement] thereof, duly made, in the manner hereinafter prescribed: *Provided*, The owner, importer, consignee, or agent, of such goods, wares, or merchandise, shall, previous to such entry, give bond, with sufficient sureties, to the United States, to produce to such collector the invoice of the same within eight months from the time of entry, if the same were imported from any port or place on this side, and within eighteen months, if from any port or place beyond, the Cape of Good Hope or Cape Horn, or from the Cape of Good Hope, and to pay any amount of duty to which it may appear, by such invoice, the said goods, wares, or merchandise, were subject, over and above the amount of duties estimated on the said appraisement.

SEC. 3. *And be it further enacted*, That when goods, wares, or merchandise, imported into the United States, shall not have been entered in pursuance of the provisions of this or any other act regulating imports and tonnage, the same shall be deposited, according to existing laws, in the public warehouse, and shall there remain, at the expense and risk of the owner, until such invoice be produced: *Provided, however*, That, when the said goods, wares, or merchandise, shall have remained in the public warehouse nine months, if imported from any port or place on this side, and eighteen months, if from any port or place beyond, the Cape of Good Hope, or Cape Horn, or from the Cape of Good Hope, and no invoice shall be produced, then the said goods, wares, and merchandise, shall be appraised, and the duties estimated thereon in the manner hereinafter directed: *Provided also*, That nothing herein contained shall be understood to prohibit the sale of such quantities of goods, stored as aforesaid, as may be necessary to discharge the duties thereon, and all intervening charges, at the time or times when such duties shall become due and payable: *And provided further*, That the collector be, and he is hereby, authorized to direct an earlier sale of articles of a perishable nature, and of such as may be liable to waste; first giving such notice of the sale as circumstances may admit, by public advertisement, in one or more papers, at or nearest to the port where such sale may be had: which said articles the collector shall previously cause to be appraised, and the duties estimated thereon, in the manner hereinafter directed; and the proceeds of such sale shall be disposed of at the expiration of the said periods of nine and eighteen months, respectively, as the case may be, in the manner prescribed by the fifty-sixth section of the act regulating the collection of duties on imports and tonnage, passed the second day of March, one thousand seven hundred and ninety-nine: *Provided also*, That nothing in this section shall be construed to affect the cases contemplated by the fifty-sixth section of the act regulating the collection of duties on imports and tonnage, passed the second of March, one thousand seven hundred and ninety-nine.

SEC. 4. *And be it further enacted*, That, in all cases where goods, wares, or merchandise, shall have been imported into the United States, and shall be entered by invoice, one of the following oaths, according to the nature of the case, shall be administered by the collector of the port at the time of entry, to the owner, importer, consignee, or agent, in lieu of the oath now prescribed by law in such case:

Consignee, Importer, or Agent's Oath.

I, _____, do solemnly and truly (swear or affirm) that the invoice and bill of lading now presented by me to the collector of _____, are the true and only invoice and bill of lading by me received, of all the

goods, wares, and merchandise, imported in the _____, whereof _____ is master, from _____, for account of any person whosoever, for whom I am authorized to enter the same; that the said invoice and bill of lading are in the state in which they were actually received by me, and that I do not know nor believe in the existence of any other invoice, or bill of lading of the said goods, wares, and merchandise; that the entry now delivered to the collector, contains a just and true account of the said goods, wares, and merchandise, according to the said invoice and bill of lading; that nothing has been, on my part, nor, to my knowledge, on the part of any other person, concealed or suppressed, whereby the United States may be defrauded of any part of the duty lawfully due on the said goods, wares, and merchandise, and that, if, at any time hereafter, I discover any error in the said invoice, or in the account now rendered of the said goods, wares, and merchandise, or receive any other invoice of the same, I will immediately make the same known to the collector of this district. And I do further solemnly and truly (swear or affirm) that, to the best of my knowledge and belief, (insert the name and residence of the owner or owners, is or are) of the goods, wares, and merchandise, mentioned in the annexed entry; that the invoice now produced by me exhibits the actual cost, (if purchased,) or fair market value, (if otherwise obtained,) at the time or times, and place or places, when or where procured, (as the case may be,) of the said goods, wares, and merchandise, all the charges thereon, and no other or different discount, bounty, or drawback, but such as has been actually allowed on the same.

Owner's oath, in cases where goods, wares, or merchandise, have been actually purchased.

I _____, do solemnly and truly (swear or affirm) that the entry now delivered by me to the collector of _____, contains a just and true account of all the goods, wares, and merchandise, imported by, or consigned to, me, in the _____, whereof _____ is master, from _____; that the invoice which I now produce, contains a just and faithful account of the actual cost of the said goods, wares, and merchandise, of all charges thereon, including charges of purchasing, carriages, bleaching, dyeing, dressing, finishing, putting up, and packing, and no other discount, drawback, or bounty, but such as has been actually allowed on the same; that I do not know nor believe in the existence of any invoice or bill of lading other than those now produced by me, and that they are in the state in which I actually received them. And I do further solemnly and truly (swear or affirm) that I have not, in the said entry or invoice, concealed or suppressed any thing whereby the United States may be defrauded of any part of the duty lawfully due on the said goods, wares, and merchandise; and that if, at any time hereafter, I discover any error in the said invoice, or in the account now produced, of the said goods, wares, and merchandise, or receive any other invoice of the same, I will immediately make the same known to the collector of this district. (a)

Owner's oath, where goods, &c. have been purchased.

(a) The defendant was indicted for perjury in falsely taking and swearing the "owner's oath in cases where goods have been actually purchased;" as prescribed by the fourth section of the supplementary collection law, of the first of March, 1823. The perjury was charged to have been committed in April, 1837, at the custom-house in New York, on the importation of certain woollen goods in the ship Sheridan. The indictment charged the defendant with having intentionally suppressed the true cost of the goods, with the intent to defraud the United States. 2. Charging the perjury in swearing to the truth of the invoice produced by him at the time of the entry of the goods, the invoice being false, &c. &c. It appeared by the evidence, that the goods mentioned in the entry had been bought by the defendant from John Wood, his father, of Saddleworth, England. No witness was produced by the United States to prove that the value or cost of the goods was greater than that for which they were entered at the custom-house in New York. The evidence of this, offered by the prosecution was, the invoice book of John Wood, and thirty-five original letters from the defendant to John Wood, between 1834 and 1837, showing a combination between John Wood and the defendant to defraud the United States, by invoicing and entering goods at less than their actual cost; that this combination comprehended the goods imported in the Sheridan; and that the goods received by that ship had been entered by the defendant,

Manufacturer's or owner's oath, where goods, &c. have not been purchased.

Manufacturer's or owner's oath, in cases where goods, wares, or merchandise, have not been actually purchased.

I , do solemnly and truly (swear or affirm) that the entry now delivered by me to the collector of , contains a just and true account of all the goods, wares, and merchandise, imported by, or consigned to, me, in the , whereof is master, from ; that the said goods, wares, and merchandise, were not actually bought by me, or by my agent, in the ordinary mode of bargain and sale, but that, nevertheless, the invoice which I now produce, contains a just and faithful valuation of the same, at their fair market value, including charges of purchasing, carriages, bleaching, dyeing, dressing, finishing, putting up, and packing, at the time or times, and place or places, when and where procured for my account, (or for account of myself and partners;) that the said invoice contains also a just and faithful account of all charges actually paid, and no other discount, drawback, or bounty, but such as has been actually allowed on the said goods, wares, and merchandise; that I do not know, nor believe in the existence, of any invoice or bill of lading, other than those now produced by me, and that they are in the state in which I actually received them. And I do further solemnly and truly (swear or affirm) that I have not, in the said entry or invoice, concealed or suppressed any thing whereby the United States may be defrauded of any part of the duty lawfully due on the said goods, wares, and merchandise, and that if, at any time hereafter, I discover any error in the said invoice, or in the account now produced, of the said goods, wares, and merchandise, or receive any other invoice of the same, I will immediately make the same known to the collector of this district.

Mode of estimating ad valorem duty.

SEC. 5. *And be it further enacted,* That the ad valorem rates of duty upon goods, wares, and merchandise, shall be estimated in the manner following: to the actual cost, if the same shall have been actually purchased, or the actual value, if the same shall have been procured otherwise than by purchase, at the time and place, when and where purchased or otherwise procured, or to the appraised value, if appraised, except in cases where goods are subjected to the penalty provided for in the thirteenth section of this act, shall be added all charges, except insurance; and, also, twenty per centum on the said cost or value, and charges, if imported from the Capé of Good Hope, or any place beyond that, or from beyond Cape Horn, or ten per centum if from any other

he knowing that they had cost more than the prices at which he had entered them. This evidence was objected to on the part of the defendant, as not competent proof to convict the defendant of the crime of perjury; and that if an inference of guilt could be derived from such proof, it was an inference from circumstances, not sufficient, as the best legal testimony, to warrant a conviction. *Held,* That in order to a conviction, it was not necessary, on the part of the prosecution, to produce a living witness; if the jury should believe, from the within testimony, that the defendant made a false and corrupt oath when he entered the goods. *The United States v. Wood, 14 Peters, 430.*

The cases in which a living witness to a corpus delicti of the defendant, in a prosecution for perjury, may be dispensed with, are: all such where a person charged with a perjury by falsely swearing to a fact directly disproved by documentary or written testimony, springing from himself, with circumstances showing the corrupt intent: In cases where the perjury charged is contradicted by a public record, proved to have been well known to the defendant when he took the oath, the oath only proved to have been taken; in cases where the party is charged with taking an oath contrary to what he must necessarily have known to be the truth, and the false swearing can be proved by his own letters relating to the fact sworn to, or by other written testimony existing and being found in the possession of the defendant, and which has been treated by him as containing the evidence of the fact recited in it. *Ibid.*

The letters of the defendant, showing his knowledge of the actual cost of the goods which had been falsely entered by him, are the best evidence which can be given. This evidence is good under the general principle that a man's own acts, conduct, and declarations, when voluntary, are always admissible in evidence against him. If the letters of the defendant showed that the invoice book of the vendor of the goods, containing an invoice of the goods enumerated in the invoice to which the defendant had sworn the owner's oath, in which book the goods were priced higher in the sale of them to the defendant, recognised the book as containing the true invoice, his admission supersedes the necessity of other proof to establish the real price given by him for the goods; and the letters and invoice book in connection preponderate against the oath taken by the defendant, making a living witness to the corpus delicti charged in the indictment, unnecessary. *Ibid.* See also *Taylor et al. v. The United States, 3 Howard, 197.*

place or country; and the said rates of duty shall be estimated on such aggregate amount: *Provided*, That in all cases where any goods, wares, and merchandise, subject to ad valorem duty, shall have been imported from a country other than that in which the same were manufactured or produced, the appraisers shall value the same at the current value at the time of exportation, in the country where the same may have been originally manufactured or produced.

Proviso.

SEC. 6. *And be it further enacted*, That no goods, wares, or merchandise, imported into the United States, subject to ad valorem duty, and belonging to a person or persons residing in the United States, but who shall, at the time, be absent from the place where the same are intended to be entered, shall be admitted to an entry, unless the importer, consignee or agent, shall previously give bond, the form of which shall be prescribed by the Secretary of the Treasury, with sufficient sureties, to produce, within four months, to the collector of the port where the said goods, wares, or merchandise, may be, the invoice of the same, duly verified, according to the circumstances of the case, by the oath of the said owner, or one of the owners, as prescribed in the fourth section of this act; which oath shall be administered by a collector of the United States, if there be any in the place where the said owner or owners may be; or if there be none, by some public officer duly authorized to administer oaths.

Goods, &c., subject to ad valorem duty, belonging to citizens absent at the time, to be admitted to entry, upon bond of the importer, &c., to produce the invoice.

SEC. 7. *And be it further enacted*, That no goods, wares, or merchandise, subject to ad valorem duty, imported as aforesaid, and belonging to a person or persons not residing at the time in the United States, and who shall have actually purchased the same, shall be admitted to entry, unless the invoice be verified by the oath of the owner, or one of the owners, certifying that the said goods, wares, or merchandise, were actually purchased for his account, or for account of himself and partners in the said purchase: that the invoice annexed thereto contains a true and faithful account of the actual cost thereof, and of all charges thereon, and that no discounts, bounties, or drawbacks, are contained in the said invoice, but such as have been actually allowed on the same; which said oath shall be administered by a consul or commercial agent of the United States: or by some public officer duly authorized to administer oaths in the country where the said goods, wares, or merchandise, shall have been purchased, and the same duly certified by the said consul, commercial agent, or public officer; in which latter case, such official certificate shall be authenticated by a consul or commercial agent of the United States; *Provided*, That if there be no consul or commercial agent of the United States in the country from which the said goods, wares, or merchandise, shall have been imported, the authentication hereby required, shall be executed by a consul of a nation at the time in amity with the United States, if there be any such residing there; and if there be no such consul in the country, the said authentication shall be made by two respectable merchants, if any such there be, residing in the port from which the said goods, wares or merchandise, shall have been imported.

Goods, &c. not to be admitted to entry unless the invoice be verified by owner's oath.

Oath to be administered by a consul or commercial agent.

Proviso.

SEC. 8. *And be it further enacted*, That no goods, wares, or merchandise, subject to ad valorem duty, imported as aforesaid, and belonging to a person or persons not residing at the time in the United States, who may not have acquired the same in the ordinary mode of bargain and sale, or belonging to a person or persons who may be the manufacturer or manufacturers, in whole or in part, of the same, shall be admitted to entry, unless the invoice thereof be verified by the oath of the owner, or of one of the owners, certifying that the invoice contains a true and faithful account of the said goods, wares, or merchandise, at their fair market value at the time and place when and where the same were procured or manufactured, as the case may be, and of all charges thereon;

No goods, &c., subject to ad valorem duty to be admitted to entry, unless the invoice be verified by the owner's oath.

and that the said invoice contains no discounts, bounties, or drawbacks, but such as have been actually allowed; which said oath shall have been duly administered and authenticated in the mode prescribed in the seventh section of this act.

Oath to be administered to executors, &c.

SEC. 9. *And be it further enacted*, That in all cases where goods, wares, or merchandise subject to ad valorem duty, imported as aforesaid, shall belong to the estates of deceased persons or of persons insolvent, who shall have assigned the same for the benefit of their creditors, the oaths required by the fourth, seventh, and eighth, sections of this act, may be administered to the executor, administrator, or assignees, of such persons in the manner prescribed by this act, according to the nature of the case.

Secretary of the Treasury may admit to entry goods, &c., of persons not residing in the United States.

SEC. 10. *And be it further enacted*, That in all cases where goods, wares, or merchandise, subject to ad valorem duty, imported as aforesaid, and belonging to a person or persons not residing in the United States, shall not be accompanied with an invoice verified [verified] by oath, and authenticated as required by the seventh, eighth, and ninth, sections of this act, as the case may be; or where it shall not be practicable to make such oath, or there shall be an immaterial informality in the oath or authentication so required, or where the collector of the port at which the said goods, wares, or merchandise, shall be, shall have certified his opinion to the Secretary of the Treasury that no fraud was intended in the invoice of said goods, wares, or merchandise, the Secretary of the Treasury shall be, and he is hereby, authorized, if he shall deem it expedient, to admit the same to an entry: *Provided*, That the consignee, importer, or agent shall, previous to such entry, give bond, the form whereof shall be prescribed by the Secretary of the Treasury, with sufficient sureties, to produce the invoice, if the same be practicable, sworn to and authenticated as may be required by this act, according to the nature of the case, and in the time and mode prescribed in the second section of this act, in cases where no invoice has been received: *And provided always*, That the Secretary of the Treasury shall in no case admit any goods, wares, or merchandise, to an entry, where there is just ground to suspect that a fraud on the revenue is intended.

Proviso.

Proviso.

Goods, &c., belonging partly to persons in the United States may be admitted to entry by their oath.

Proviso.

SEC. 11. *And be it further enacted*, That in all cases where goods, wares, or merchandise, subject to ad valorem duty, imported as aforesaid, shall belong in part to a person or persons residing in the United States and in part to a person or persons residing out of the United States, the oath of one of the owners residing in the United States, shall be sufficient to admit the same to an entry, according to the provisions of this act: *But it is expressly provided*, That, in all cases where the said goods, wares, or merchandise, shall have been manufactured in whole, or in part, by any one of the owners, residing out of the United States, the same shall not be so admitted to an entry, unless the invoice shall have been verified [verified] and authenticated by such manufacturer in the manner prescribed in the eighth section of this act.

Invoices not verified, and an entry refused, the goods, &c., to be deemed suspected.

SEC. 12. *And be it further enacted*, That, whenever the invoice of goods, wares, or merchandise, subject to ad valorem duty, imported as aforesaid, and belonging to a person or persons not residing in the United States, shall not have been duly verified and authenticated, and, upon application to the Secretary of the Treasury, according to the tenth section of this act, the said goods, wares, or merchandise, shall have been refused an entry, the same shall be deemed suspected, and shall be liable to the same additions and penalties as are provided in the case of fraudulent invoices in the following section.

Goods, &c., suspected, to be appraised, and fifty per cent. on the apprais-

SEC. 13. *And be it further enacted*, That, whenever, in the opinion of the collector, there shall be just grounds to suspect that goods, wares, or merchandise, subject to ad valorem duty, and imported into his district have been invoiced below their true value, in the place or country from

whence they were imported, or originally procured, as the case may be, as prescribed in the fifth section of this act, such collector shall direct the same to be appraised in the manner prescribed by this act; and if the value at which the same shall be so appraised, shall exceed, by twenty-five per centum, the invoice prices thereof, then, in addition to the ten or twenty per centum, as the case may be, laid upon correct and regular invoices, according to law, there shall be added fifty per centum on the appraised value; on which aggregate [aggregate] amount the duties on such goods, wares, or merchandise, shall be estimated. *Provided*, That nothing herein contained shall be construed to impose the said penalty of fifty per centum for a variance between the bona fide invoice of goods, produced in the manner specified in the proviso in the fifth section of this act, and the current value of the said merchandise, in the country where the same may have been originally manufactured or produced.

ed value to be added, over and above the ad valorem duty.

Proviso.

SEC. 14. *And be it further enacted*, That, in all cases where the appraised value of any goods, wares, or merchandise, appraised under this or any other act concerning imports and tonnage, shall exceed, by less than twenty-five per centum, the invoice value thereof, such appraised value shall be considered the true value of such goods, wares, or merchandise, upon which the duty shall be charged, with the addition of such per centum as may be by law, required: *Provided*, That, in no case, shall the duty be estimated on an amount less than the invoice value, with the addition by law required.

Appraised value of goods, &c., within 25 per cent. higher than the invoice value, to be considered as the true value.
Proviso.

SEC. 15. *And be it further enacted*, That the collectors of the revenue shall cause at least one package out of every invoice, and one package, at least, out of every twenty packages of each invoice of goods, wares, or merchandise, imported into their respective districts, which package or packages he shall have first designated on the invoice, to be opened and examined, and if the same be found not to correspond with the invoice thereof, or to be falsely charged in such invoice, a full inspection of all such goods, wares, or merchandise, as may be included in the same entry, shall be made; and in case such goods, wares, or merchandise, be subject to ad valorem duty, the same shall be appraised, and subjected to the penalties provided in the thirteenth section, in the case of suspected or fraudulent invoices; and in every case, whether such goods, wares, or merchandise be subject to ad valorem or specific duty, if any package be found to contain any article not described in the invoice, the whole package shall be forfeited: *Provided*, That the Secretary of the Treasury be, and he is hereby, authorized to remit the said forfeiture, if, in his opinion, the said article was put in by mistake, or without any intention to defraud the revenue.

Packages not corresponding with the invoice to be appraised; any package containing an article not in the invoice to be forfeited.

Proviso.

SEC. 16. *And be it further enacted*, That, for the appraisalment of goods, wares, or merchandise, required by this or any other act concerning imports and tonnage, the President of the United States, shall, by and with the advice and consent of the Senate, appoint, in each of the ports of Boston, New York, Philadelphia, Baltimore, Charleston, Savannah, and New Orleans, two persons, well qualified to perform that duty, who, before they enter thereon, shall severally make oath, diligently and faithfully to examine and inspect such goods, wares, or merchandise, as the collector may direct, and truly to report, to the best of their knowledge and belief, the true value thereof, according to the provisions of the fifth section of this act; and when any appraisalment is to be made in any port other than those above named, the collector shall appoint two respectable resident merchants, who, after having taken the oath required by this section, shall be the appraisers; and the Secretary of the Treasury shall have authority to direct the appraisers for any collection district, to attend in any other collection district for the purpose of appraising any goods, wares, or merchandise, imported therein; and the President of the United States is hereby authorized, in the recess of the Senate, to

President to appoint appraisers in Boston, New York, Philadelphia, Baltimore, Charleston, Savannah, and New Orleans.
Appraiser's oath.

In other ports collector to appoint appraisers.

appoint the appraisers for the ports provided for in this section, which appointments shall continue in force until the end of the session of Congress thereafter.

Appraisers' salaries.

SEC. 17. *And be it further enacted*, That each of the appraisers, who may be appointed under the sixteenth section of this act, for the ports of New Orleans, Savannah, Charleston, Baltimore, Philadelphia, and Boston, shall each receive, as a compensation for his services, fifteen hundred dollars per annum; and the appraisers for the port of New York shall each receive two thousand dollars per annum; and the merchants who may be appointed to act as appraisers under this act, shall receive for their services, while actually employed on that duty, each, a compensation of five dollars per diem; and whenever the appraisers, appointed under the sixteenth section of this act, attend in any district, other than that in which they reside, for the purpose of appraising any goods, wares, or merchandise, they shall respectively receive at the rate of five dollars for every twenty-five miles in going to, or returning from, such district, in addition to the salary or pay provided for in this section.

Owner, &c., dissatisfied with the appraisement, may employ two merchants to examine the goods with the appraisers.

SEC. 18. *And be it further enacted*, That, in all cases where the owner, consignee, importer, or agent, shall be dissatisfied with the appraisement of any goods, wares, or merchandise, made by the appraisers appointed under the sixteenth section of this act, it shall be lawful for him to employ, at his own expense, two respectable resident merchants, who, after being duly qualified, according to the sixteenth section of this act, shall, together with the two appraisers appointed on the part of the United States, under this act, examine and inspect the goods, wares, or merchandise, in question; and, after such examination and inspection, they shall report the value thereof, if they agree therein, and, if not, the circumstances of their disagreement, to the collector; and in case such owner, consignee, importer, or agent, shall be dissatisfied with such report and second appraisement, it shall be lawful for him to refer the case to the Secretary of the Treasury, who shall be, and is hereby, authorized and empowered to decide thereon, or to require further testimony in the case, in such manner as he may deem proper, and to order the said goods, wares, or merchandise, to be entered accordingly.

Owners, &c. dissatisfied with second appraisement may refer the case to the Secretary of the Treasury.

Merchants chosen and declining to assist subject to a penalty.

SEC. 19. *And be it further enacted*, That any merchant, who shall be chosen by the collector, or by the party in interest, to make any appraisement required under this or any other act respecting imports and tonnage, and who shall, after due notice of such choice has been given to him in writing, decline or neglect to assist at such appraisement, shall be subject to a penalty not exceeding fifty dollars, and to the costs of prosecution therefor.

One half the excess of duty from 50 per cent. to be divided among the custom-house officers. 1799, ch. 22.

SEC. 20. *And be it further enacted*, That one half of the excess of duty accruing in consequence of the fifty per cent. added to the value of any goods, wares, or merchandise, under the thirteenth section of this act, shall be divided among the custom-house officers of the port in which such goods, wares, or merchandise, may be, in the manner prescribed by the act, entitled "An act to regulate the duties on imports and tonnage," passed on the second day of March, seventeen hundred and ninety-nine: *Provided*, That, in no case, shall the appraisers of the said goods, wares, or merchandise, be entitled to or receive any part of the said duty.

Proviso.

Goods, &c. taken from a wreck to be appraised.

SEC. 21. *And be it further enacted*, That, before any goods, wares, or merchandise, which may be taken from any wreck, shall be admitted to an entry, the same shall be appraised, in the manner prescribed in the sixteenth section of this act; and the same proceedings shall be ordered and executed in all cases where a reduction of duties shall be claimed on account of damage which any goods, wares or merchandise, shall have sustained in the course of the voyage; and in all cases where the owner, importer, consignee, or agent, shall be dissatisfied with such appraisement, he shall be entitled to the privileges provided in the eighteenth section of this act.

SEC. 22. *And be it further enacted*, That, for every verification and certificate, made under this act, before a consul or commercial agent of the United States, such consul or commercial agent shall be entitled to demand and receive, from the person making the same, a fee of two dollars: *Provided*, Each shipper shall have the right to include all articles shipped by him in the same invoice.

Consular fee.

Proviso.

SEC. 23. *And be it further enacted*, That, when any goods, wares, or merchandise, shall be admitted to an entry upon invoice, the collector of the port in which the same are entered, shall certify the same under his official seal; and no other evidence of the value of such goods, wares, or merchandise, shall be admitted on the part of the owner or owners thereof, in any court of the United States, except in corroboration of such entry.

Certificate of entry.

No other evidence admissible.

To counterfeit certificate, felony.

Punishment.

SEC. 24. *And be it further enacted*, That any person or persons, who shall counterfeit any certificate or attestation made in pursuance of this act, or use such certificate or attestation, knowing the same to be counterfeit, shall, upon conviction thereof before any court of the United States having cognisance of the same, be adjudged guilty of felony, and be fined in a sum not exceeding ten thousand dollars, and imprisoned for a term not exceeding three years.

Bond for duties binding on all the partners of a company.

Clerk cannot become surety for his employer.

Principal to be a resident, and sureties citizens of the United States.

Duty of 50 dollars or upwards paid in cash, entitled to a discount at the rate of four per cent. per ann.

SEC. 25. *And be it further enacted*, That any bond to the United States, entered into for the payment of duties by a merchant belonging to a firm, in the name of such firm, shall equally bind the partner or partners in trade, of the person or persons by whom such bond shall have been executed; but no clerk or hired person, in the constant employment of another, shall become principal or surety to any bond to which his employer is a party.

SEC. 26. *And be it further enacted*, That no bond for duties on goods, wares, or merchandise, imported into the United States, shall be accepted by any collector of the revenue, unless the principal be a resident of the United States, and the surety or sureties citizens thereof.

SEC. 27. *And be it further enacted*, That, in every case where the owner, importer, consignee, or agent, of any goods, wares, or merchandise, imported as aforesaid, and the duty upon which shall amount to fifty dollars, or upwards, may, at the time of entry, desire to pay the duties thereon in cash, the collector of the port where the said goods, wares or merchandise, may be entered, shall be, and he is hereby, authorized and directed to receive the same, and to allow a discount on the amount of the duties, at the rate of four per centum per annum, for the legal term of credit which would have been allowed by law on such duties.

Goods on which duties have been paid may be transported into two other districts with benefit of drawback.

Proviso.

SEC. 28. *And be it further enacted*, That all goods, wares, or merchandise, imported into the United States, the duties on which shall have been paid, or secured to be paid, may be transported coastwise, from the district into which they were imported to two other districts, and exported from either of them with the benefit of drawback: *Provided*, That all regulations and formalities now in force, relating to the transportation of goods, wares, and merchandise, coastwise, from the district into which they were imported to another district, for benefit of drawback, and such other regulations as are prescribed under and by virtue of this act, for the further transportation of such goods, wares, or merchandise, to other districts, shall be complied with: *And provided, also*, That all the regulations and formalities now in force, respecting the exportation of goods, wares, and merchandise, for the benefit of drawback, shall be complied with, so far as may be consistent with other provisions of this act: and the Secretary of the Treasury shall be, and he is hereby, authorized to prescribe the form of the certificate to be used, and of the oaths to be taken, on the transportation of such goods, wares, or merchandise, from the second district, into which they may be so brought, to the third district.

Regulations.

Goods so transported to be accompanied by a copy from the invoice certified.

Inspection.

Act of March 2, 1799, ch. 22.

Twenty days allowed for taking the oaths, &c.

Proviso.

Goods re-shipped coastwise, allowed to enter for debenture.

Proviso.

Goods entitled to debenture may be permitted to be transferred into other packages.

Proviso.

The numbers upon packages, not necessary to be inserted in an entry.

SEC. 29. *And be it further enacted*, That all goods, wares, or merchandise, subject to ad valorem duty, and intended for exportation, with benefit of drawback, which shall be transported from one district to another, shall be accompanied by a copy from the invoice, of the cost thereof, certified by the collector of the district from which they may have been last re-shipped, which certified copy shall be produced to the collector of the district from which such goods, wares, or merchandise, are intended to be exported; and such goods, wares, or merchandise, as well as all such goods, wares, or merchandise, subject to ad valorem duty, as shall be exported from the district into which they may have been originally imported, shall be inspected by the appraisers at the time of exportation, in the manner provided by this act, on the importation of such goods, wares, or merchandise; and if the same are found not to correspond with the original invoice, the said goods, wares, or merchandise, shall be subjected to forfeiture, according to the provisions of the eighty-fourth section of an act, entitled "An act to regulate the collection of duties on imports and tonnage," passed the second of March, one thousand seven hundred and ninety-nine.

SEC. 30. *And be it further enacted*, That in all cases of entry of goods, wares, or merchandise, for the benefit of drawback, the time of twenty days shall be allowed, from the date of the clearance of the ship or vessel, in which the same shall have been laden, for taking the oaths, completing the entry, and giving the exportation bonds for the same: *Provided*, That the exporter shall have, in every other particular, complied with the regulations and formalities heretofore, and by this act, established for entries of exportation of goods, wares, or merchandise, for the benefit of drawback.

SEC. 31. *And be it further enacted*, That in all cases where goods, wares, or merchandise, entitled to debenture, shall be re-shipped for transportation coastwise, before the necessary certificates are issued by the collector of the port where imported, the same shall be allowed to be entered for debenture, at the district to which they shall be so transported, without forfeiting the benefit of drawback: *Provided*, That the person or persons, so entering said goods, wares, or merchandise, shall produce, from the collector of the port from whence the same shall have been last shipped, a certificate that the coastwise certificates were not issued at the time of the sailing of the vessel on board which the said goods, wares, or merchandise, shall have been so shipped, and shall deliver the coastwise certificates, required in such cases, to the collector of the port where the same shall have been so entered, within two months from the date of entry, and before the said goods, wares, or merchandise, shall be entered for exportation.

SEC. 32. *And be it further enacted*, That in all cases where the owner, importer, consignee, or agent, of any goods, wares, or merchandise, entitled to debenture, may wish to transfer the same into packages, other than those in which the said goods, wares, or merchandise, were originally imported, the collector of the port where the same may be, shall permit the said transfer to be made, if necessary for the safety or preservation thereof: *Provided*, That due notice of the same, in writing, setting forth sufficient cause for the said transfer, be given to the said collector, who shall appoint an inspector of the revenue, to ascertain if the said allegation be true, and, if found correct, to superintend said transfer, and to cause the marks and numbers upon the original packages to be inscribed upon the packages into which the said goods, wares, or merchandise, shall be transferred.

SEC. 33. *And be it further enacted*, That it shall not be necessary to insert the numbers upon packages, in any entry of goods, wares, or merchandise, subject to specific duty on importation or exportation; or to insert any such numbers in any coastwise or other certificate: *But it is ex-*

pressly provided, That in all cases where a separate [separate] certificate may be required for each package, the numbers shall be inserted therein.

SEC. 34. *And be it further enacted*, That in all cases where, under existing laws, spirituous liquors, entitled to debenture, shall have been shipped coastwise, for the purpose of being laden immediately on board some vessel in another district, for exportation, the same may be so laden on board of such vessel, without having been first deposited in the public warehouse: *Provided*, That all other regulations required by law shall have been complied with, and that such transportation of said spirituous liquors from the one vessel to the other, be made by the collector's order, and under the superintendance [superintendence] of an inspector of the revenue, and that a careful examination be made by him of the identity of the same, and of the quantity, quality, and packages, thereof.

SEC. 35. *And be it further enacted*, That all penalties and forfeitures, incurred by force of this act, shall be sued for, recovered, distributed, and accounted for, in the manner prescribed by the act, entitled "An act to regulate the collection of duties on imports and tonnage," passed on the second day of March, one thousand seven hundred and ninety-nine, and may 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," passed on the third day of March, one thousand seven hundred and ninety-seven.

SEC. 36. *And be it further enacted*, That all fines, penalties, and forfeitures, incurred in virtue of the act, entitled "An act supplementary to an act, entitled 'An act to regulate the collection of duties on imports and tonnage,' passed the twentieth April, one thousand eight hundred and eighteen," (a) may be sued for, prosecuted, and recovered, in the same manner as if the said act did not expire on the third day of March next.

SEC. 37. *And be it further enacted*, That, when goods, wares, or merchandise, imported, and subject to duty as aforesaid, shall be re-shipped, and transported coastwise, from one district to another, in the packages in which the same were imported, an invoice, or a copy of such invoice, or an extract therefrom, including all the articles, with the charges thereon, which are re-shipped and transported coastwise as aforesaid, verified by the additional oath required by the fourth section of this act, and certified under the official seal of the collector, with whom the entry, on the importation of such goods, wares, and merchandise, was made, shall be produced at the port to which the same shall be transported; and the same inspection of such goods, wares, or merchandise, shall be made, as if they had been brought direct from a foreign port or place; *Provided*, That no appraisement of the said goods, wares, or merchandise, shall be made at the said port, so as to change the amount of duties which may have been charged thereon, at the port of their original importation, if the same should have been there entered, according to the provisions of this act; except when transported from a port where there are no appraisers appointed by the government; and if the invoice, verified [verified] as aforesaid, shall not be so produced, such goods, wares, or merchandise, shall be deposited, and remain in the public warehouse, at the expense and risk of the owner thereof, until the invoice, verified and certified in the manner above required, shall be produced: and goods, wares, or merchandise, imported, and subject to duty as aforesaid, may be transported coastwise, to one or more districts within the United States.

APPROVED, March 1, 1823.

Proviso.

Spirits entitled to debenture, may be laden without being warehoused when shipped coastwise.

Proviso.

Penalties and forfeitures.

Act of March 2, 1799, ch. 22.

Act of March 3, 1797, ch. 13.

Fines, &c., in virtue of the act of April 20, 1818, to be recovered as before.

Act of April 20, 1818, ch. 79.

Goods transported coastwise in the same packages as imported, to have a certified invoice, and shall be inspected at the port to which they are transported.

Proviso.

(a) Act of April 20, 1818, ch. 79.

STATUTE II.

March 1, 1823.

CHAP. XXII.—*An Act to regulate the commercial intercourse between the United States and certain British colonial ports.* (a)

First, second, and third sections of the act concerning navigation, act of April 18, 1818, ch. 65, and the act of May 15, 1820, ch. 122, suspended as to certain British colonial ports.

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 first, second, and third, sections of the "Act concerning navigation," approved on the eighteenth of April, one thousand eight hundred and eighteen, and the "Act supplementary to an act concerning navigation," approved on the fifteenth of May, one thousand eight hundred and twenty, shall be, and the same are hereby, suspended, for and during the continuance of this act, so far as any of the restrictions or prohibitions therein contained, limit or interdict the intercourse of navigation or commerce between the ports of the United States and the British colonial ports hereinafter mentioned, to wit:

Kingston, in Jamaica. Savannah Le Mar, do. Montego Bay, do. Santa Lucia, do. Antonia, do. Saint Ann, do. Falmouth, do. Maria, do. Morant Bay and Annotto Bay, do. Saint George, in Grenada. Roseau, in Dominica. Saint John's, in Antigua. San Josef, in Trinidad. Scarborough, in Tobago. Road Harbour, in Tortola. Nassau, in New Providence. Pitt's town, in Crooked Island. Kingston, in Saint Vincent. Port Saint George and Port Hamilton, in Bermuda. Any port where there is a custom-house, in Bahamas. Bridgetown, in Barbadoes. Saint John's and Saint Andrew's, in New Brunswick. Halifax, in Nova Scotia. Quebec, in Canada. Saint John's, in Newfoundland. Georgetown, in Demarara. New Amsterdam, in Berbice. Castries, in Saint Lucia. Basseterre, in Saint Kitts. Charlestown, in Nevis. Plymouth, in Montserrat.

The ports of the United States to be open to British vessels directly from such ports.

SEC. 2. *And be it further enacted,* That, from and after the said third day of March next, the ports of the United States shall be open to any British vessel coming directly from any of the British colonial ports above enumerated: and it shall be lawful to import in the said vessels, being navigated by a master and three-fourths, at least, of the mariners, British subjects, any articles of the growth, produce, or manufacture, of any of the said British colonies, the importation of the like articles to which, from elsewhere, is not, nor shall not be, prohibited by law, and which may be exported from any of the said enumerated British ports to the United States, on equal terms, in vessels belonging to the said states.

The President may, by proclamation, declare no higher duty to be levied upon British vessels and goods from these ports than upon United States vessels, on certain conditions.

SEC. 3. *And be it further enacted,* That, on proof being given to the President of the United States, satisfactory to him, that, upon the vessels of the United States admitted into the above enumerated British colonial ports, and upon any goods, wares, or merchandise, imported therein, in the said vessels, no other or higher duties of tonnage or impost, and no other charges of any kind, are levied or exacted than upon British vessels, or upon the like goods, wares, and merchandise, imported into the said colonial ports from elsewhere, it shall and may be lawful for the President of the United States to issue his proclamation, declaring that no other or higher duty of impost or tonnage and no other or higher duty or charge of any kind, upon any goods, wares or merchandise, imported from the above enumerated British colonial ports, in British vessels, shall be levied or exacted in any of the ports of the United States, (excepting the ports in the territory of Florida,) than upon the vessels of the United States, and upon the like goods, wares, or merchandise, imported

(a) An open boat is not a ship or vessel within the purview of the statutes of 1820, ch. 122, and 1823, ch. 22, which prohibit commercial intercourse with the British colonies. *United States v. An open boat and lading*, 5 Mason's C. C. R. 120.

It seems that notwithstanding those statutes, open British boats may visit the United States, if not destined for trade. *Ibid.*

British ships or vessels, excluded from the ports of the United States by those statutes, are such as are owned by British subjects having a British domicile, and sailing under the British flag, and not British ships or vessels owned by British subjects domiciled in the United States. *Ibid.*

into the ports of the United States in the same: *Provided always*, That until such proof shall be given, British vessels coming from the said British colonial ports, and the goods, wares, and merchandise, imported in the same into the United States, shall continue to pay the foreign tonnage duty, and the additional duties upon goods, wares, and merchandise, imported in foreign vessels prescribed by the "Act to regulate the duties on imports and tonnage," approved the twenty-seventh of April, one thousand eight hundred and sixteen.

Proviso.

April 27, 1816,
ch. 107.

SEC. 4. *And be it further enacted*, That no articles whatsoever, specie and bullion excepted, other than articles of the growth, produce, or manufacture, of the British colonies to which the said enumerated ports belong, shall be imported into the United States, in British vessels, coming from any of the said enumerated ports; and that no articles whatsoever, being of the growth, produce or manufacture, of the British colonies, to which the said enumerated ports belong, shall be imported into the United States, in any British vessel, other than a vessel coming directly from one of the said enumerated ports, on pain of forfeiting all such articles, together with the ship or vessel in which the same shall have been imported, and her guns, tackle, apparel, and furniture.

Articles of the growth, produce, or manufacture of the British colonies only to be so imported in British vessels.

And said vessels to come directly from said ports.

SEC. 5. *And be it further enacted*, That it shall be lawful to export from the United States, directly to any of the above enumerated British colonial ports, in any vessel of the United States, or in any British vessel, navigated as by the second section of this act is prescribed, and having come directly from any of the above enumerated British colonial ports, any article of the growth, produce, or manufacture, of the United States, or any other article legally imported therein, the exportation of which, elsewhere, shall not be prohibited by law; *Provided*, That when exported in any such British vessel, before the shipment of any such articles, security, by bond, shall be given to the United States, in a penalty equal to half the value of the said articles: such bond to be taken of the owner, consignee, or agent, by the collector of the port at which the said British vessel shall have entered, for the due landing of the said articles, at the port or ports, being of the British colonial ports herein above enumerated, for which the said vessel shall clear out, and for producing a certificate thereof, within twelve months from the date of said bond, under the hand and seal of the consul, or commercial agent of the United States, resident at the port where the said articles shall have been landed; or if there shall be no consul or commercial agent of the United States residing there, such certificate to be under the hand and seal of the chief officer of the customs at such port, or under the hand and seal of two known and reputable merchants residing at such port; but such bond may be discharged, by proof, on oath, by credible persons, that the said articles were taken by enemies, or perished in the seas. And it shall not be lawful to export, from the United States, any article whatsoever, to any of the above enumerated British colonial ports, in any British vessel, other than such as shall have come directly from one of the said ports to the United States; nor shall it be lawful to export from the United States any article whatsoever, in any British vessel, having come from any of the said enumerated ports, to any other port or place, whatsoever, than directly to one of the said ports. And in case any such articles shall be shipped or waterborne, for the purpose of being exported contrary to this act, the same shall be forfeited, and shall and may be seized and prosecuted, in like manner as for any other violation of the revenue laws of the United States.

Goods of the United States may be exported to any of said ports in British vessels.

Proviso.

SEC. 6. *And be it further enacted*, That this act, unless repealed, altered, or amended, by Congress, shall be and continue in force so long as the above enumerated British colonial ports shall be open to the admission of vessels of the United States, conformably to the provisions of the British

This act to continue in force so long as the said ports are open to ves-

sels of the United States.

act of Parliament of the 24th of June last, being the forty-fourth chapter of the acts of the third year of George the Fourth. But if at any time the trade and intercourse between the United States and all or any of the above enumerated British colonial ports, authorized by the said act of Parliament, should be prohibited by a British order in council, or by act of Parliament, then, from the day of the date of such order in council, or act of Parliament, or from the time that the same shall commence to be in force, proclamation to that effect having been made by the President of the United States, each and every provision of this act, so far as the same shall apply to the intercourse between the United States and the above enumerated British colonial ports, in British vessels, shall cease to operate in their favour; and each and every provision of the "Act concerning navigation," approved on the eighteenth of April, one thousand eight hundred and eighteen; and of the act supplementary thereto, approved on the fifteenth of May, one thousand eight hundred and twenty; shall revive and be in full force.

Act of April 18, 1818, ch. 70.

Act of May 15, 1820, ch. 122.

Any other British colonial port being open to vessels of the United States, shall have the benefit of this act.

Bond to be prescribed by the Secretary of the Treasury.

Mitigation and remission of forfeitures, &c.

SEC. 7. *And be it further enacted*, That if any British colonial port in the American hemisphere, other than those hereinabove enumerated, should, by virtue of a British order in Council, be opened to vessels of the United States, conformably to the provisions of the said act of Parliament of the twenty-fourth of June last, each and every provision of this act shall extend to the same, from the time when it shall be so opened to the vessels of the United States.

SEC. 8. *And be it further enacted*, That the form of the bond aforesaid shall be prescribed by the Secretary of the Treasury; and all penalties and forfeitures, incurred under this act, shall be sued for, recovered, distributed, and accounted for, and the same may be mitigated or remitted, in the manner and according to the provisions of the revenue laws of the United States.

APPROVED, March 1, 1823.

STATUTE II.

March 1, 1823.

CHAP. XXIII.—*An Act to alter the time of holding the district court of the United States for the district of Kentucky.* (a)

Terms of the district court of Kentucky altered.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, from and after the next term of the district court of the United States for the district of Kentucky, the said court shall hold its terms on the second Monday in April and October in each year.

APPROVED, March 1, 1823.

(a) The acts establishing the sessions of the district courts of Kentucky are:

An act to establish the judicial courts of the United States, September 24, 1789, ch. 20, sec. 2.

An act making certain alterations in the act for establishing the judicial courts, and altering the time and place of holding certain courts, June 9, 1794, ch. 64, sec. 8.

An act concerning the circuit courts of the United States, March 3, 1797, ch. 27, sec. 6.

An act for altering the times for holding the circuit court in the district of North Carolina, and for abolishing the July term of the Kentucky district court, Feb. 28, 1806, ch. 13, sec. 2.

An act establishing the circuit courts, and abridging the jurisdiction of the district courts of Kentucky, Tennessee, and Ohio, Feb. 24, 1807, ch. 16, sec. 4.

An act supplementary to the act entitled "An act to amend the act entitled 'An act establishing circuit courts and abridging the jurisdiction of the district courts of the districts of Kentucky, Tennessee, and Ohio,'" Feb. 4, 1809, ch. 14.

An act to alter the time of holding the district court of the United States for the district of Kentucky, March 1, 1823, ch. 22.

An act to change the terms of the district courts of the United States for the Kentucky district, March 24, 1824, ch. 30.

STATUTE II.

CHAP. XXIV.—*An Act to extend the jurisdiction of justices of the peace, in the recovery of debts, in the District of Columbia.*

March 1, 1823.

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 June next, in all cases where the real debt and damages do not exceed the sum of fifty dollars, exclusive of costs, it shall and may be lawful for any one justice of the peace, of each respective county within the District of Columbia wherein the debtor doth reside, to try, hear, and determine, the matter in controversy, between the creditor and debtor, their executors and administrators, and upon full hearing of the allegations and evidences, of both parties, to give judgment, according to the laws existing in the said District of Columbia, and the equity and right of the matter, in the same manner, and under the same rules and regulations, to all intents and purposes, as such justices of the peace are now authorized and empowered to do when the debt and damages do not exceed the sum of twenty dollars, exclusive of costs: Provided, nevertheless, That all justices of the peace of said county shall be compelled, upon entering judgments upon cases within their jurisdiction, to enter the same in such manner as shall carry an interest thereon, from the date thereof, until the same shall be paid, or satisfied: And provided further, That no female, in any case whatever, and no male above the age of seventy years, shall be liable to be arrested or imprisoned for any debt authorized to be sued for and recovered by this act.

From and after June 1st, 1823, justices of the peace may try and determine causes when the debt and damages do not exceed 50 dollars, exclusive of costs.

Proviso.

Proviso.

Defendant may supersede within sixty days.

Proviso.

Justices of the peace to keep a docket.

SEC. 2. *And be it further enacted, That, in all cases where judgments shall be rendered by a justice of the peace, it shall be lawful for the defendant to supersede the said judgment, at any time within sixty days from the rendition of the same, which superedeas shall stay execution for six months thereafter, and shall be taken by the justice who rendered the judgment, and no other; Provided, Such justice is living in the county in which said judgment was rendered, and acting in his judicial capacity; but if such justice shall not be so acting, then, and in that case, before any other justice of the peace for the aforesaid county who may be legally acting in that capacity.*

SEC. 3. *And be it further enacted, That the justices of the peace within the District of Columbia, be, and they are hereby, directed, and it is hereby made their duty, to keep a docket, and therein to record, and make regular entries of, their proceedings, in all cases in which they shall act in virtue of their office, and they are hereby directed to furnish the plaintiffs and defendants, respectively, with a copy of any judgment by them rendered, when required on which copy, any other justice of the peace of the county is hereby authorized to issue execution or fieri facias, in the same manner as executions are now issued by the clerk of the circuit court of the District of Columbia, which shall be returned within twenty days after being issued, to the justice who gave the judgment; and no judgment rendered before a justice shall have the effect to create any lien upon real estate.*

Justices of the peace omitting to keep a docket, liable for the proceeds of any debt, &c., lost in consequence.

SEC. 4. *And be it further enacted, That if any justice of the peace shall omit to keep a docket, as aforesaid, or be guilty of any other negligence or omission, by which the plaintiff (having obtained a judgment before such justice,) shall lose his or her debt, that then, and in that case, the said justice shall pay and satisfy to the said plaintiff the debt, interest, and costs, lost as aforesaid, to be recovered by plaint, before any other justice of the peace, who shall, on proof of the fact, render judgment against such defaulting justice, together with any interest that may have accrued on the debt.*

Justices of the peace, upon

SEC. 5. *And be it further enacted, That each and every justice of the peace shall, and it is hereby made his duty, upon his resignation or re-*

resignation or removal, or their executors, &c., upon demise, to deliver their dockets to the clerk of the circuit court under penalty of 500 dollars.

removal from office, and it is also made the duty of his executors or administrators, upon the death of any such justice of the peace, forthwith to deliver to the clerk of the circuit court of the District of Columbia, within the county in which said justice of the peace officiated, such docket or dockets, as said justice of the peace, so resigning, removing, or dying, shall or may have had; and it shall be the duty of the clerk in whose possession said docket or dockets may be placed, to furnish copies of all such entries made in said docket or dockets, to persons applying therefor, and who may be entitled thereto, in the same manner, and to have the same effect, as if said copies had been furnished by the said justice, so resigning, removing, or dying, as the case may be: And in case of the death, resignation, removal from office, or other incapacity, of any person who may have acted as a justice of the peace as aforesaid, and neglect (on the part of himself, or executors, or administrators, as the case may be) to transfer such docket or dockets, he or they shall forfeit to the United States the sum of five hundred dollars, to be recovered as other penalties due to the United States.

Judges of circuit court not to hold plea of any debt which shall not exceed 50 dollars.

Proviso.

SEC. 6. *And be it further enacted*, That the judges of the circuit court of the District of Columbia shall not hold original plea in the said court of any debt or damage in cases within the jurisdiction given to justices of the peace by this act, which shall not exceed fifty dollars, exclusive of costs, any law to the contrary notwithstanding: *Provided, nevertheless*, That nothing in this act contained shall extend, or be construed to extend, to divest the circuit court of the District of Columbia from the power of holding plea of any debt or damages, where the same doth not exceed the sum of fifty dollars, or may be above the sum of twenty dollars, where the writ or original process, issued for the recovery of the same, shall have been impetrated at any time before the first day of June next.

In all cases over five dollars parties aggrieved may appeal to the circuit court.

SEC. 7. *And be it further enacted*, That in all cases where the debt or demand doth exceed the sum of five dollars, and either plaintiff or defendant shall think him or herself aggrieved [aggrieved] by the judgment of any justice of the peace, he or she shall be at liberty to appeal to the next circuit court to be held in the county in which the said judgment shall have been rendered, before the judges thereof; who are hereby, upon the petition of the appellant, in a summary way, empowered and directed to hear the allegations and proofs of both parties, and determine upon the same according to law and the equity and right of the matter, at the same term in which the said petition shall be exhibited, without further continuance or delay, unless it shall appear to the said court that further time ought to be given to the party applying for the same: and either of the said parties may demand a trial by jury, or leave the cause to be determined by the court, at their election; and in any case of appeal from the decision of a justice of the peace, the circuit court, where two summonses against the appellee shall be returned *non est*, or one attachment returned *non est*, and the said appellee shall not appear, the court may proceed to hear and determine such case, in the same manner as if the appellee had regularly appeared: *Provided*, That no appeal from the judgment of any justice of the peace to the circuit court of the District of Columbia shall be dismissed because the same had not been prayed to the circuit court next after the rendition of such judgment, unless the court shall be satisfied that the defendant had notice of such judgment at least ten days before the sitting of said circuit court.

Proviso.

Judgment or supersedeas not to be returned to the clerk of the circuit court.

SEC. 8. *And be it further enacted*, That from and after the first day of June next, no justice of the peace within the District of Columbia, before whom any judgment hath been rendered, or any supersedeas on any judgment rendered by a justice of the peace, hath been taken, shall make return of any such judgment or supersedeas to the office of the clerk of the circuit court of the District of Columbia, for the purpose

that the same should be recorded or filed therein, by the clerks of the said circuit court; any law to the contrary notwithstanding.

SEC. 9. *And be it further enacted*, That any justice of the peace before whom supersedeas may be taken, or any other justice of the peace of said county, may, and shall, at the request of the plaintiff, or any other person authorized by, or on behalf of, the said plaintiff, issue execution, by way of *capias ad satisfaciendum* or *fieri facias*, against the principal debtor and his sureties, or against either of them, after the expiration of the time so mentioned in the said supersedeas.

Justices to issue execution.

SEC. 10. *And be it further enacted*, That the constables of the said district, who have been, or may hereafter be, duly appointed and qualified, according to law, are hereby authorized and empowered to serve and levy executions issued by a justice of the peace, on judgments obtained for small debts, out of court, in the same manner, and by the same process, as the marshal of the District of Columbia, or his deputies, are authorized to do; and that a commission of five per cent. be allowed the constable for every sum thereon by him levied: *Provided*, That the said constables shall, before they proceed to the discharge of the duties required by this act, give bond to the United States, with good and sufficient security, in the penalty of two thousand dollars, to be approved of by any one of the judges of the circuit court of said district, for the due performance of the duties of a constable, and, also, for the duties and trusts reposed in them by virtue of this act; and it shall be the duty of such judge, forthwith, to have the same filed or entered on record by the clerk of the county in which said constable may reside, at the cost and expense of said constable. And the said constables shall, after this act goes into effect, make all returns now made to the clerk of the circuit or county court, to the justices of the peace, at such times, in such manner, and under such penalties as are at present established by law, in rendering the same to the said clerk: *Provided*, That no return, judgment, or execution, shall be received or recorded as satisfied, by the said justices of the peace, without the receipt of the plaintiff annexed to the same: *Provided also*, That nothing in this act contained shall be construed to prohibit or prevent the marshal, or his deputies, in the respective counties in the District of Columbia, from executing or levying executions, issued by a justice of the peace, for small debts, out of court, when the same are put into their hands for that purpose, in the same manner as by law they have been, or now are, authorized to do; but for executing or levying such executions, the said marshal, or his deputies, shall be entitled to the same commission, and nothing more, as is herein allowed to constables in such cases; and where the marshal or constable shall have received money, on any judgment or execution, not exceeding twenty dollars, and shall fail or omit to pay the same to the plaintiff, or his agent, when thereto demanded, or shall omit or fail to return any execution within the time limited for such return, it shall and may be lawful for any court of record, within the District of Columbia, on motion made, five days' previous notice being given to said marshal or constable, to enter up judgment, *instanter*, against them, for the amount so received, with interest and costs.

Constables may serve and levy executions, &c.

Proviso.

Proviso.

Proviso.

SEC. 11. *And be it further enacted*, That where any judgment, before any justice of the peace, shall have continued for more than one year, and the said judgment had not been paid or satisfied, it shall and may be lawful for the justice before whom the said judgment had been obtained, or any other justice of the peace for said county, to revive the same by *scire facias*, which shall be made returnable on a certain day, not exceeding forty days from the time of issuing the same, to the said justice, or any other justice of the peace, of said county; and any constable, qualified as above mentioned, of the said county, is hereby authorized and required to serve such writ of *scire facias*, and make due

Justices may revive judgments by *scire facias*.

Constables to serve *scire facias*.

return thereof on the return day mentioned in the said writ, in the same manner, and entitled to the same fee, and liable to the same penalty, as in the case of a warrant issued by a justice of the peace, as directed by law, in such case made and provided.

Constables authorized to deliver persons committed, at the jail to the marshal or jailer, &c.

SEC. 12. *And be it further enacted*, That it may be lawful for any constable, qualified as aforesaid, to deliver, at the county jail, to the marshal of the said county, any person committed by a justice of the peace, on a *capias ad satisfaciendum*, when the case may or doth so require; and that the said marshal, or his jailer, is hereby required and directed to take charge of such person, and the same in his custody safe keep, until such person or persons shall be duly discharged therefrom according to law.

Justices authorized to issue *capias ad satisfaciendum*.
Proviso.

SEC. 13. *And be it further enacted*, That the justices of the peace be, and they are hereby, authorized and empowered to issue *capias ad satisfaciendum*, or *feri facias*, in all cases where the said justices are empowered to render judgment by virtue of this act, or the laws already in existence in the District of Columbia: *Provided, however, and it is hereby enacted*, That the necessary beds, bedding, not exceeding one bed and the bedding thereof, for every two persons belonging to the family of every such debtor, and wearing apparel, and one cow of each and every debtor and his family, against whose goods, chattels, and effects, a writ of *feri facias* shall be issued, as aforesaid, shall not be liable to seizure and sale under such writ, but shall, in all cases, be exempt, together with the tools and implements of his trade, from the operation of the same; nor shall it be lawful for any person to distrain them for rent.

Justices' fees.

SEC. 14. *And be it further enacted*, That, it shall and may be lawful for the several justices of the peace within the District of Columbia to ask and receive, for the performance of their duties under this act, such fees as are allowed to said justices, for similar services, by the laws at present in force in the said district.

Parties may demand a trial by jury.

SEC. 15. *And be it further enacted*, That, in every action to be brought by virtue of this act, where the sum demanded shall exceed twenty dollars, it shall be lawful for either of the parties to the suit, after issue joined, and before the justice shall proceed to inquire into the merits of the cause, to demand of the said justice that such action be tried by a jury; and upon said demand, the said justice is hereby required to issue a *venire*, under his hand and seal, directed to any constable of the county where said cause is to be tried, commanding him to summon twelve jurors, to be and appear before the justice issuing such *venire*, at such time and place as shall be therein expressed; and the jurors thus summoned shall possess the qualifications, and be subject to the exceptions, now existing by law in the District of Columbia.

Jurors to be sworn, and to deliver their verdict publicly to the justice, who shall give judgment thereon and issue execution.

SEC. 16. *And be it further enacted*, That if any of the persons so summoned and returned as jurors, shall not appear, or be challenged and set aside, the justice before whom the said cause is to be tried, shall direct the constable to summon, and return forthwith, a tales, each of whom shall be subject to the same exceptions as the jurors aforesaid, so as to make up the number of twelve, after all causes of challenge are disposed of by the justice; and the said twelve persons shall be the jury who shall try the cause, each of whom shall be sworn by the justice, well and truly to try the matter in difference between the parties, and a true verdict to give, according to evidence; and, the said jury being sworn, shall sit together, and hear the proofs and allegations of the parties, in public, and when the same is gone through with, the justice shall administer to the constable the following oath, viz: "You do swear, that you will keep this jury together in some private room, without meat or drink, except water; that you will not suffer any person to speak to them, nor will you speak to them yourself unless by order of the justice, until they have agreed on

their verdict." And when the jurors have agreed on their verdict, they shall deliver the same publicly to the justice, who is hereby required to give judgment, forthwith, thereon; and the said justice is hereby authorized to issue execution on said judgment, in the manner, and under the limitations, herein before directed.

SEC. 17. *And be it further enacted*, That, in addition to the fees herein before provided for in trials before justices, there shall be allowed to the justice, for issuing a venire facias, twenty-five cents, and for swearing the jury, twelve and an half cents; to the jurors sworn to try, twelve and a half cents each; and to the constable, for summoning the jury, thirty-seven and an half [half] cents.

APPROVED, March 1, 1823.

Additional fees of justices and jurors.

STATUTE II.

March 3, 1823.

CHAP. XXV.—*An Act for carrying into effect the Convention of navigation and commerce between the United States and France, concluded at Washington, on the twenty-fourth day of June, eighteen hundred and twenty-two.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act to impose a new tonnage duty on French ships and vessels, approved on the fifteenth day of May, one thousand eight hundred and twenty, be, and the same is hereby, repealed.

Act of May 15, 1820, ch. 126, respecting tonnage duty on French vessels, repealed.

SEC. 2. *And be it further enacted*, That, for the term of two years, from and after the thirtieth day of September last, articles of the growth, produce, or manufacture, of France, imported into the United States, in French vessels, shall pay an additional duty of three dollars and seventy-five cents per ton of merchandise, according to the tenor of the convention of navigation and commerce between the United States and France, concluded on the twenty-fourth day of June, one thousand eight hundred and twenty-two, over and above the duties collected upon the like articles, also of the growth, produce, or manufacture, of France, when imported in vessels of the United States: *Provided always*, That no discriminating duty shall be levied upon the productions of the soil or industry of France, imported in French bottoms, into the ports of the United States, for transit or re-exportation.

From and after Sep. 30, 1822, French goods imported in French vessels to pay an additional duty of \$3,75 per ton.

Proviso.

SEC. 3. *And be it further enacted*, That, from and after the expiration of two years from the said thirtieth day of September last, in case of the continuance in force of the said Convention, and so long as the same shall continue in force, the extra duties, specified in the second section of this act, shall, from and after the said thirtieth day of September, one thousand eight hundred and twenty-four, be diminished by one-fourth of their whole amount; and, afterwards, by one-fourth of said amount, from year to year, so long as neither of the parties to the said convention shall have declared the intention of renouncing the same, in the manner therein provided, and until the whole of such discriminating and extra duty shall have been done away.

At the expiration of two years, extra duties to be diminished one-fourth of the whole amount, and so from year to year.

SEC. 4. *And be it further enacted*, That, during the continuance in force of the said convention, the duties of tonnage, light money, pilotage, port charges, brokerage, [brokerage,] and all other duties, upon foreign shipping, over and above those paid by vessels of the United States, other than those specified in the second section of this act, shall not exceed, for French vessels, in the ports of the United States, ninety-four cents per ton of the vessel's French passport.

Tonnage duty, light-money, &c., for French vessels not to exceed 94 cents per ton of the vessel's French passport.

SEC. 5. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized to cause to be refunded, from any moneys in the treasury not otherwise appropriated, any extra duties, levied before

Extra duties levied before June 24 last to be refunded.

the twenty-fourth day of June last, by virtue of the act of Congress of the fifteenth of May, one thousand eight hundred and twenty, imposing a new tonnage duty on French ships or vessels.

Upon ratification of second separate article of the convention, the extra duties to be levied only on the excess of value of imports over that of exports.

SEC. 6. *And be it further enacted*, That, if the second separate article of the said convention, concluded on the twenty-fourth of June last, should be ratified by both the contracting parties thereto, and the ratifications thereof should be exchanged, on or before the twenty-third day of June next, then, from and after the expiration of two months, subsequent to the said exchange of ratifications, and during the continuance in force of the said separate article, the extra duties specified in the second section of this act shall be levied only upon the excess of value of the merchandise imported into the United States in any French vessel, over the value of the merchandise exported from the United States in the same vessel, upon the same voyage; so that, if the value of the articles exported shall equal or exceed that of the articles imported in the same vessel, (not including articles imported for transit or re-exportation,) no such extra duties shall be levied: and if the articles exported are less in value than those imported, the extra duties shall be levied only upon the amount of difference of their value.

Acts incompatible with the convention repealed.

SEC. 7. *And be it further enacted*, That all acts, or parts of acts, of Congress, incompatible with the execution of each and every article of the said convention, concluded on the twenty-fourth of June last, and of its ratified separate article, be, and the same are hereby, repealed.

APPROVED, March 3, 1823.

STATUTE II.

March 3, 1823.

[Obsolete.]

Specific appropriations for the military service for 1823.

CHAP. XXVI.—*An Act making appropriations for the military service of the United States, for the year one thousand eight hundred and twenty-three.*

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 for the military service of the United States, for the year one thousand eight hundred and twenty-three, to wit:

For the pay of the army, and subsistence of the officers, nine hundred and eighty-eight thousand nine hundred and seven dollars and seventy-five cents.

For subsistence, two hundred and seventy-six thousand one hundred dollars.

For forage for officers, thirty-five thousand five hundred and twenty dollars.

For the medical and hospital department, fifteen thousand six hundred and thirty-eight dollars.

For the purchasing department, one hundred and thirty-six thousand three hundred and fifty-one dollars.

For the quartermaster general's department, two hundred and ninety-seven thousand one hundred and forty-eight dollars.

For the contingencies of the army, ten thousand dollars.

For quartermaster's supplies, transportation, mathematical instruments, books, and stationery, for the military academy, twelve thousand dollars.

For the pensions to the invalids, to the commutation pensioners, and to the widows and orphans, three hundred and thirty-five thousand dollars.

For pensions to the revolutionary pensioners of the United States, one million five hundred and thirty-eight thousand eight hundred and fifteen dollars.

For the national armories, three hundred and sixty thousand dollars.

For the current expenses of the ordnance, forty-eight thousand dollars.

For arsenals, thirty-three thousand four hundred dollars.

For arrearages in the War Department, prior to the first of July, one thousand eight hundred and seventeen, thirty-five thousand dollars.

For the payment of the balance of the expenses of the militia court martial in the state of New York, of which brigadier general Gerard Stedford was president, including the sum of one thousand eight hundred and eighty-eight dollars eighty-nine cents, to make up the deficiency in the sum appropriated last year for the payment of brigadier general Beckman, M. Van Buren [Buren,] a member of said court, one thousand six hundred and twenty-six dollars and eighty-nine cents.

For the annuity to the Creek Indians, under the treaty of the eighth of January, one thousand eight hundred and twenty-one, with that tribe, five thousand dollars.

For the employment of teams, and for extra pay and rations to soldiers to be employed for the completion of the military road from Plattsburg to Sackett's Harbour, three thousand five hundred dollars.

For compensation to Captain Terry Runnels, due him for the transportation of baggage in the late Seminole war, forty-eight dollars.

SEC. 2. *And be it further enacted*, That the several sums hereby appropriated shall be paid out of any money in the treasury not otherwise appropriated: *Provided, however*, That no money appropriated by this act shall be paid to any person, for his compensation, who is in arrears to the United States, until such person shall have accounted for, and paid into the treasury, all sums for which he may be liable: *Provided, further*, That nothing in this section contained shall extend to balances arising solely from the depreciation of treasury notes, received by such person, to be expended in the public service; but in all cases where the pay or salary of any person is withheld, in pursuance of this act, it shall be the duty of the accounting officer, if demanded by the party, his agent, or attorney, to report forthwith to the agent of the Treasury Department the balance due; and it shall be the duty of the said agent, within sixty days thereafter, to order suit to be commenced against such delinquent and his sureties.

APPROVED, March 3, 1823.

To be paid from the Treasury.

Proviso.

Proviso.

STATUTE II.

CHAP. XXVII.—*An Act making further appropriations for the military service of the United States, for the year one thousand eight hundred and twenty-three, and for other purposes.*

March 3, 1823.

[Obsolete.]

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, appropriated, to wit:

Further appropriations for the military service.

For pay allowed by law to the superintendent of Indian affairs at St. Louis, and the several Indian agents, twenty-six thousand five hundred dollars.

For pay allowed by law to sub-agents, eleven thousand dollars.

For presents to Indians, as authorized by the law of one thousand eight hundred and two, fifteen thousand dollars.

For contingent expenses of the Indian Department, ninety thousand dollars.

To enable the President of the United States to take such measures as may be necessary to purchase the right, title, and interest, which cer-

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

tain Indians have in three several tracts of land of four hundred acres each, lying in the county of Tuscaroras, in the state of Ohio, which were granted by Congress, in seventeen hundred and ninety-six, to the society of United Brethren, on trust, for the sole benefit of said Indians, the purchase to be made with the consent of said Society, one thousand dollars.

To purchase certain tracts of land, in the state of Georgia, reserved to the Indians, in fee, by the treaties with the Creek Indians, of the ninth day of August, one thousand eight hundred and fourteen, and of the eighth day of January, one thousand eight hundred and twenty-one; and by the treaties with the Cherokee Indians, of the eighth day of July, one thousand eight hundred and seventeen, and of the twenty-seventh day of February, one thousand eight hundred and nineteen, fifty thousand dollars.

To be paid out of the treasury.

Proviso.

Proviso.

SEC. 2. *And be it further enacted*, That the several sums hereby [hereby] appropriated, shall be paid out of any money in the treasury not otherwise appropriated: *Provided, however*, That no money appropriated by this act shall be paid to any person who is in arrears to the United States, until such person shall have accounted for, and paid into the treasury, all sums for which he may be liable: *Provided, further*, That nothing in this section contained shall extend to balances arising solely from the depreciation of treasury notes, received by such person to be expended in the public service; but, in all cases where the pay or salary of any such person is withheld, in pursuance of this act, it shall be the duty of the accounting officers, if demanded by the party, his agent, or attorney, to report forthwith to the agent of the Treasury Department the balance due; and it shall be the duty of said agent, within sixty days thereafter, to order suit to be commenced against such delinquent and his sureties.

Unexpended appropriation for the Choctaw treaty to be employed for a modification of said treaty.

SEC. 3. *And be it further enacted*, That, so much of the appropriation of sixty-five thousand dollars, made by the act of the third of March, eighteen hundred and twenty-one, for carrying into effect the treaty of the eighteenth October, eighteen hundred and twenty, with the Choctaw [Choctaw] Indians, as remains unexpended, may, under the direction of the President of the United States, be employed in obtaining such a modification of said treaty, as to have established as the eastern boundary of the cession made by that treaty to the Choctaws, and as the western boundary of the territory of Arkansas, a line due south from the southwest corner of the state of Missouri to Red river; and for running the line thus modified, and removing all obstructions to a due execution of the stipulations of the treaty of eighteen hundred and twenty.

APPROVED, March 3, 1823.

STATUTE II.

March 3, 1823.

CHAP. XXVIII.—*An act to amend "An act for the establishment of a territorial government in Florida," and for other purposes.* (a)

East and West Florida to constitute a territory under the name of the territory of Florida.

Governor and his duties.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all that territory, ceded by Spain to the United States, known by the name of East and West Florida, shall constitute a territory of the United States, under the name of the territory of Florida, the government whereof shall be organized and administered as follows:

SEC. 2. *And be it further enacted*, That the executive power shall be vested in a governor, who shall reside in the said territory, and hold his office during the term of three years, unless sooner removed by the President of the United States. He shall be commander-in-chief of the

(a) See notes to the act of March 30, 1822, ch. 13.

militia of the said territory, and be, ex-officio, superintendent of Indian affairs; and shall have power to grant pardons for offenses [offences] against the said territory, and reprieves for those against the United States, until the decision of the President of the United States thereon shall be made known; and to appoint and commission, by and with the consent of the legislative council, all officers, civil and of the militia, whose appointments are not herein otherwise provided for, and which shall be established by law. He shall take care that the laws be faithfully executed.

SEC. 3. *And be it further enacted*, That a secretary of the territory shall be appointed, who shall hold his office during the term of four years, unless sooner removed by the President of the United States; whose duty it shall be, under the direction of the governor, to record and preserve all the papers and proceedings of the executive, and all the acts of the governor and legislative council; and transmit authentic copies of the proceedings of the governor, in his executive department, every six months, to the President of the United States.

Secretary and his duties.

SEC. 4. *And be it further enacted*, That, in case of the death, removal, resignation, or necessary absence, of the governor of the said territory, the secretary thereof shall be, and he is hereby, authorized and required, to execute all the powers, and perform all the duties, of the governor, during the vacancy occasioned by the removal, resignation, or necessary absence, of the said governor; who shall, in no case, leave the said territory without permission first had of the President of the United States.

In case of death, &c., of the governor, the secretary to act in his place.

SEC. 5. *And be it further enacted*, That the legislative powers shall be vested in the governor, and in thirteen fit and discreet persons of the territory, nine of whom shall constitute a quorum to do business, to be called the legislative council; who shall be appointed, annually, by the President of the United States, by and with the advice and consent of the Senate, from among the citizens of the United States, or from among the inhabitants of the territory, resident there at the cession; but no person shall be eligible as a member of the said legislative council, who shall not have resided in the said territory at least six months previous to his appointment. The governor and legislative council shall have legislative powers over all rightful subjects of legislation; but no law shall be valid which is inconsistent with the Constitution and laws of the United States; or which shall lay any person under restraint, burthen, or disability, on account of his religious opinions, professions, or worship. The governor shall publish, throughout the said territory, all the laws which shall be made; and shall, on or before the first of December, in each year, report the same to the President of the United States, to be laid before Congress; which, if disapproved of by Congress, shall thenceforth be of no force. The governor and legislative council shall have no power over the primary disposal of the soil, nor to tax the lands of the United States, nor to interfere with the claims to lands within the said territory. The legislative council shall hold a session once in each year, commencing on the first Monday in May, in each and every year, but shall not continue longer in session than four weeks after the first session, which shall not continue longer than eight weeks; to be held in the city of St. Augustine, or at such other place or places, as the governor and council may, from time to time, direct. It shall be the duty of the governor to obtain all the information in his power in relation to the customs, habits, and dispositions, of the inhabitants of the said territory, and communicate the same, from time to time, to the President of the United States.

Legislative powers vested in the governor and legislative council, which latter shall be appointed annually by the President.

Powers of the legislature.

SEC. 6. *And be it further enacted*, That every bill which shall have passed the legislative council, shall, before it become a law, be presented to the governor. If he approve of it, he shall sign it; and, if not, he shall return it, with his objections, in writing, to the legislative council, who shall enter the objections at large on their journal, and proceed to

Bills which have passed the legislative council, to be presented to the governor.

reconsider it. If, after such reconsideration, two thirds of the members of the legislative council agree to pass the bill, it shall become a law; and the names of the persons voting for or against the bill shall be entered on the journal: *Provided, nevertheless,* That all bills to tax the inhabitants of the said territory, or their property, shall, before they become laws, receive the sanction of Congress; except when the said bills shall authorize county, city, and town, officers to collect taxes for the use and benefit of their respective counties, cities, and towns; and for no other purposes.

Proviso.

Judiciary.

SEC. 7. *And be it further enacted,* That the judicial power shall be vested in two superior courts, and in such inferior courts, and justices of the peace, as the legislative council of the territory may, from time to time, establish. There shall be a superior court for that part of the territory known as East Florida, to consist of one judge; he shall hold his court on the first Mondays in May and November, in each year, at St. Augustine, and at such other times and places as the legislative council shall direct. There shall be a superior court for that part of the territory known as West Florida, to consist of one judge; he shall hold a court at Pensacola, on the first Mondays in May and November, in each year, and at such other times and places as the legislative council shall direct.

Jurisdiction of the courts.

Within its limits herein described, each court shall have jurisdiction in all criminal cases; and exclusive jurisdiction in all capital offences; and original jurisdiction in all civil cases, of the value of one hundred dollars, arising under, and cognisable by, the laws of the territory now in force therein, or which may, at any time, be enacted by the legislative council thereof. Each judge shall appoint a clerk for his respective court, who shall reside, respectively, at St. Augustine and Pensacola, and they shall keep the records there. Each clerk shall receive for his services, in all cases arising under the territorial laws, such fees as shall be established by the legislative council. And the said judges may adjourn their respective courts to any other time or place, whenever St. Augustine or Pensacola shall be infected with a malignant fever; and writs of error and appeal from the final decisions of the said superior [superior] courts, authorized by this section of this act, shall be made to the Supreme Court of the United States, in the same manner and under the same regulations, as from the circuit courts of the United States, where the amount in controversy [controversy,] to be ascertained by the oath or affirmation of either party, shall exceed one thousand dollars.

Clerks of court.

Writs of error and appeal.

Courts to exercise the same jurisdiction as those in Kentucky under the acts of Sept. 24, 1789, ch. 20, and March 2, 1793, ch. 22.

SEC. 8. *And be it further enacted,* That each of the said superior [superior] courts shall, moreover, have and exercise the same jurisdiction within its limits, in all cases arising under the laws and constitution of the United States, which by an act to establish the judicial courts of the United States, approved the twenty-fourth of September, one thousand seven hundred and eighty-nine, and "An act in addition to the act, entitled 'An act to establish the judicial courts of the United States,'" approved the second of March, one thousand seven hundred and ninety-three, was vested in the court of Kentucky district. And writs of error and appeal from the decisions in the said superior [superior] courts, authorized by this section of this act, shall be made to the Supreme Court of the United States, in the same cases, and under the same regulations, as from the circuit courts of the United States. The clerks, respectively, shall keep the records at the places where the courts are held, and shall receive, in all cases arising under the laws and constitution of the United States, the same fees which the clerk of the Kentucky district received for similar services, whilst that court exercised the powers of the circuit and district courts.

Clerks to keep records.

Attorneys to be appointed for East and

SEC. 9. *And be it further enacted,* That there shall be appointed two persons, learned in the law, to act as attorneys of the United States, as well as for the territory, one for that part of the territory

known as East Florida, the other for that part of the territory known as West Florida: to each of whom, in addition to their stated fees, in civil cases, shall be paid, as a full compensation for all extra services, annually, the sum of two hundred dollars. There shall also be appointed two marshalls, [marshals] one for each of the said superiour [superior] courts, who shall, each, perform the same duties, be subject to the same regulations and penalties, and be entitled to the same fees, to which marshalls [marshals] in other districts are entitled, for similar services; and shall, in addition, be paid the sum of two hundred dollars, annually, as a compensation for extra services, and shall also be subject to such regulations and penalties as the legislative council shall impose, while acting under, and in virtue of, the territorial laws.

SEC. 10. *And be it further enacted*, That the governor, secretary, judges of the superiour [superior] courts, district attorneys, marshalls, [marshals] and all general officers of the militia, shall be appointed by the President of the United States, by and with the advice and consent of the Senate. All judicial officers shall hold their offices for the term of four years and no longer. The governor, secretary, judges, members of the legislative council, justices of the peace, and all other officers, civil and of the militia, before they enter upon the duties of their respective offices, shall take an oath or affirmation to support the Constitution of the United States, and for the faithful discharge of the duties of their office, before a judge of the Supreme or district court of the United States, or before a judge or justice of the peace of the territory. The governor shall receive an annual salary of two thousand five hundred dollars: the secretary, of one thousand five hundred, and the judges, of fifteen hundred each; to be paid quarterly, out of the treasury of the United States. The members of the legislative council shall receive three dollars, each, per day, during their attendance in council, and three dollars for every twenty miles in going to, and returning from, any meeting of the legislative council, once in each session, and no more. The members of the legislative council shall be privileged from arrest, except in cases of treason, felony, or breach of the peace, during their going to, attendance at, and returning from, each session of said council.

SEC. 11. *And be it further enacted*, That the laws of the United States relating to the revenue and its collection, subject to the modification stipulated by the fifteenth article of the treaty of the twenty-second of February, one thousand eight hundred and nineteen, in favour of Spanish vessels and their cargoes, and all other public acts of the United States, not inconsistent or repugnant to the provisions of this act, now in force, or which may hereafter be in force, shall extend to, and have full force and effect in, the territory aforesaid.

SEC. 12. *And be it further enacted*, That, to the end that the inhabitants may be protected in their liberty, property, and religion, no law shall ever be valid which shall impair, or in any wise restrain, the freedom of religious opinions, professions, and worship. They shall be entitled to the benefit of the writ of habeas corpus. They shall be bailable in all cases, except for capital offences, where the proof is evident, or the presumption great; all fines shall be moderate, and proportionate to the offence, and excessive bail shall not be required, nor cruel or unusual [unusual] punishments inflicted; no ex post facto law, or law impairing the obligation of contracts, shall ever be passed; nor shall private property be taken for public uses without just compensation.

SEC. 13. *And be it further enacted*, That all free male white persons, of full age, who are house-keepers, and who have resided one year in the said territory, shall be qualified to act as grand and petit jurors in the courts of the said territory, and they shall, until the legislature thereof shall otherwise direct, be selected in such manner as the

West Florida, and to receive each 200 dollars.

A marshal for each of the courts with a salary of 200 dollars for extra services.

Governor, secretary, judges, &c. to be appointed by the President.

Judicial officers to hold their offices for four years.

Salaries.

Privileges of the legislative council.

Revenue laws of the United States to have effect in the territory.

Privileges of the inhabitants.

Jurors.

judges of the said courts shall respectively prescribe, so as to be most conducive to an impartial trial, and be least burthensome to the inhabitants of the said territory.

No slave to be imported from places out of the United States, under a penalty of 300 dollars, and the freedom of the slave.

SEC. 14. *And be it further enacted*, That it shall not be lawful for any person or persons to import, or bring into the said territory, from any port or place without the limits of the United States, or cause or procure to be so imported or brought, or knowingly to aid or assist in so importing or bringing, any slave or slaves; and any person so offending, and being thereof convicted, before any court within the said territory, having competent jurisdiction, shall forfeit and pay, for each and every slave, so imported or brought, the sum of three hundred dollars; one moiety for the use of the United States, and the other moiety for the use of the person or persons who shall sue for the same; and every slave, so imported or brought, shall, thereupon, become entitled to, and receive, his or her freedom.

Territory entitled to one delegate to Congress.
Proviso.

SEC. 15. *And be it further enacted*, That the citizens of the said territory shall be entitled to one delegate to Congress, for the said territory, who shall possess the same powers heretofore granted to the delegates from the other territories of the United States: *Provided*, That no person shall be eligible for that office who shall not have resided at least twelve months in the said territory. The delegate shall be elected by such description of persons, at such times, and under such regulations, as the governor and legislative council may, from time to time, ordain and direct, soldiers of the United States excepted, who shall, under no circumstances, be qualified to vote.

Former act for the government of the territory repealed, when inconsistent with the provisions of this act.

Act of March 30, 1822, ch. 13.

SEC. 16. *And be it further enacted*, That an act, entitled "An act for the establishment of a territorial government in Florida," be, and the same is hereby, repealed, so far as the same is inconsistent with the provisions of this act; and that the proceedings of the last session of the legislative council of Florida be, and the same are hereby, confirmed, to remain in full force and effect until the end of the next session of the said council, unless sooner altered, modified, or repealed, with the exception of all revenue laws imposing taxes on the inhabitants or their property, and the law authorizing the governor to borrow five thousand dollars on the credit of the said territory, and the law establishing county courts, which are hereby declared null and void; *Provided*, That no loan of money already made or obtained, under said law, shall be effected [affected] by this act, and that the act approved the second of September, one thousand eight hundred and twenty-two, by the governor, repealing all the laws and ordinances in force in the said territory, shall be, and is hereby, declared to have effect on the day of its passage by the legislative council, and not of its approval by the governor.

Proviso.

APPROVED, March 3, 1823.

STATUTE II.

March 3, 1823.

CHAP. XXIX. — *An Act amending, and supplementary to, the "Act for ascertaining claims and titles to land in the territory of Florida," and to provide for the survey and disposal of the public lands in Florida. (a)*

Powers of the present commissioners of claims to be confined to West Florida.

Three commissioners to be appointed for East Florida.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the powers of the board of commissioners heretofore appointed, for ascertaining claims and titles to lands in the territory of Florida, shall be confined, exclusively, to the examination of titles and claims in that portion of said territory, heretofore known as West Florida; and that, for ascertaining titles and claims in East Florida, the President is hereby authorized, in the recess of the Senate, to appoint three commissioners, which appointments shall be of

(a) See notes to the act of May 8, 1822, ch. 129, ante, page 709, for the decisions of the courts of the United States on titles to land in Florida, &c.

force until the end of the next session of Congress thereafter, who may appoint their secretary, and who, with their secretary, shall, within the district of East Florida, possess all the powers given by, perform all duties [duties] required, and shall, in all respects, be subject to, the provisions and restrictions of the act of the eighth of May, one thousand eight hundred and twenty-two, entitled "An act for ascertaining claims and titles to lands in the territory of Florida," except [except] so far as the same is altered or changed by the provisions of this act; which board of commissioners, heretofore appointed, with that hereafter appointed, shall hold their sessions, severally, at the place within their respective districts, heretofore designated by law; but may adjourn to some other convenient place within their district, and may continue their sessions until the second Monday in February next, when they shall make a return of their proceedings to the Secretary of the Treasury, to be laid before Congress.

Act of May 8,
1822, ch. 129.

Commission-
ers to make re-
turn to the Se-
cretary of the
Treasury.

SEC. 2. *And be it further enacted*, That, in the examination of titles to land before either of said boards of commissioners, the claimant or claimants shall not be required to produce in evidence the deraignment of title from the original grantee or patentee, but the commissioners shall confirm every claim in favour of actual settlers at the time of session [cession] of the said territory to the United States, where the quantity claimed does not exceed three thousand five hundred acres, where such deraignment cannot be obtained, the validity of which has been recognised by the Spanish government, and where the claimant or claimants shall produce satisfactory evidence of his, her, or their, right to the land claimed: And said commissioners shall have the power, any law to the contrary notwithstanding, of deciding on the validity of all claims derived from the Spanish government in favour of actual settlers, where the quantity claimed does not exceed three thousand five hundred acres.

Claims in fa-
vour of actual
settlers at the
time of cession
to be confirmed.

SEC. 3. *And be it further enacted*, That each of the commissioners heretofore appointed, who has performed, and shall hereafter perform, the duties assigned him, shall receive compensation in proportion to that heretofore allowed him. And each of the commissioners hereafter appointed for East Florida, who shall actually perform the duties assigned him, shall receive the sum of two thousand dollars, as a full compensation, payable quarterly, from the Treasury of the United States.

Compensation
of commission-
ers.

SEC. 4. *And be it further enacted*, That it shall be the duty of the district attorneys for said districts, respectively, whenever required to do so by the commissioners within his district, to attend them for the purpose of arguing and explaining any points of law that may be deemed necessary to be examined; and said attorney shall be entitled to the same compensation therefor as when attending on the district court of said territory.

District attor-
neys to attend
the commission-
ers when re-
quired.

SEC. 5. *And be it further enacted*, That all claims not filed with the commissioners of the district, where the land claimed is situated, in the manner prescribed by the act to which this is an amendment, on or before the first day of December next, shall be held to be void and of none effect.

Claims not
filed on or be-
fore 1st Dec.
next, to be void.

SEC. 6. *And be it further enacted*, That it shall be the duty of the marshal [marshal] to execute and make return of all process which may be issued by the said commissioners, or the commissioners may, where they deem it necessary, authorize and empower any other person to execute and return said process.

Marshal to
execute and
make return of
process.

SEC. 7. *And be it further enacted*, That, so soon as the commissioners shall have decided and reported on the private claims in said territory of Florida, a surveyor shall be appointed for the territory of Florida, who shall keep his office at such place, within the said territory, as the President of the United States shall designate; and shall receive the sum of

Surveyor to
be appointed.

His salary.

two thousand dollars, payable quarterly, at the treasury of the United States.

Land offices to be established.

SEC. 8. *And be it further enacted*, That, for the disposal of the lands of the United States lying in the district of East Florida, a land office shall be established and kept at such place, within said district, as the President of the United States shall direct; and that, for the disposal of the lands of the United States lying in the district of West Florida, a land office shall be established at such place, in said district, as the President of the United States shall direct.

When land offices are to be opened.

SEC. 9. *And be it further enacted*, That, so soon as, in the opinion of the President of the United States, there shall be a sufficient quantity of the public lands surveyed, within either of the districts of East or West Florida, to authorize the opening of one or both of the land offices aforesaid, he shall cause the same to be opened, and shall proceed, from time to time, to appoint, with the advice and consent of the Senate, for each of the said offices, a register and receiver of the public moneys, who shall give security, in the same sums, and in the same manner, and whose compensation, emoluments, duties, and authority, shall, in every respect, be the same, in relation to the lands to be disposed of at their offices as are or may be provided by law in relation to the registers and receivers of public moneys, in the several land offices established for the disposal of the public lands of the United States.

The President to offer the lands for sale, and when.

SEC. 10. *And be it further enacted*, That, whenever a land office shall have been established in either of the districts aforesaid, and a register and receiver of public moneys appointed for the same, the President of the United States shall be, and he is hereby, authorized to direct so much of the public lands, lying in such district, as shall have been surveyed according to law, to be offered for sale, in the same manner, and with the same reservations and exceptions, and on the same terms and conditions, in every respect, as have been or may hereafter be, provided for the sale of the public lands of the United States.

An entire township in each of the districts to be reserved for a seminary of learning.

SEC. 11. *And be it further enacted*, That an entire township, in each of the districts of East and West Florida, shall be reserved from sale, for the use of a seminary of learning, to be located by the Secretary of the Treasury.

Rivers and waters of the territory to be public highways.

SEC. 12. *And be it further enacted*, That all the navigable rivers and waters in the districts of East and West Florida shall be, and forever remain, public highways.

Part of the former act of May 8, 1822, ch. 129, repealed.

SEC. 13. *And be it further enacted*, That so much of the act, approved the eighth day of May, one thousand eight hundred and twenty-two, entitled "An act for ascertaining claims and titles to land in the territory of Florida," as is inconsistent with the provisions of this act, be, and the same is hereby, repealed; and so much thereof as provides for the appointment of a surveyor general, and allows him to charge fees, is hereby repealed.

APPROVED, March 3, 1823.

STATUTE II.

March 3, 1823.

CHAP. XXX.—*An Act providing for the examination of the titles to land in that part of the state of Louisiana, situated between the Rio Hondo and the Sabine river.*

See act of May 26, 1824, ch. 182.

Land between the Rio Hondo and Sabine river, in the state of Louisiana, at

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all that tract of country situated between the Rio Hondo and Sabine river, within the state of Louisiana, and, previously to the treaty of the twenty-second of February, one thousand eight hundred and nineteen, between the United States and Spain, called the neutral territory, be, and the same is hereby,

attached to the district south of Red river; and the register and receiver of the land office, in said district, are required to receive and record all written evidences of claim to land in said tract of country, derived from, and issued by, the Spanish government of Texas, prior to the twentieth day of December, one thousand eight hundred and three, according to the regulations, as to the granting of lands, the laws and ordinances of said government, and to receive and record all evidences of claim, founded on occupation, habitation and cultivation, designating particularly the time and manner in which each tract was occupied, inhabited, or cultivated, prior to, and on, the twenty-second February, eighteen hundred and nineteen, and the continuance thereof subsequent to that time, with the extent of the improvement on each tract, and to receive and record such evidence as may be produced, touching the performance of the conditions required to be performed by any holder of any grant, concession, warrant, or order of survey, or other written evidence of claim, and on which the validity of such claim may have depended under the government from which it emanated, and to receive and record all evidence of fraud in obtaining or issuing the written evidence of such claims, and of their abandonment or forfeiture.

SEC. 2. *And be it further enacted*, That the register and receiver, as aforesaid, shall transmit to the Secretary of the Treasury, a complete record of all the claims presented to them under this act, and the evidence appertaining to each claim, and shall also make out and transmit, to the Secretary of the Treasury, an abstract containing the whole number of claims, in four distinct classes, the first of which shall contain a specification of the nature and extent of complete titles, the time when, and by whom, issued, and to whom, with the date of any transfer, the name of the person transferring, and to whom transferred, and where the conditions of such grant or patent have been complied with; the second shall contain all claims founded on written evidence and not embraced in the first class, and where the conditions on which the perfection thereof into complete titles may have depended, according to the laws and ordinances of the Spanish government, are shown to have been complied with: the third class shall consist of claims founded on habitation, occupation, or cultivation, previously to twenty-second of February, one thousand eight hundred and nineteen, and in the manner which would have entitled the claimants to a title under the government exercising the sovereign power over that tract of country, and which, in their opinion, ought to be confirmed; the fourth class shall consist of those claims, which, in the opinion of the register and receiver, ought not to be confirmed: *Provided*, That nothing contained in this act shall be considered as a pledge on the part of Congress to confirm any claim thus reported.

SEC. 3. *And be it further enacted*, That it shall be the duty of the register and receiver aforesaid, after suitable notice to claimants, of the time and place of their meeting, and the object thereof, be given by them, to hold their session at Natchitoches, so long as may be necessary for the performance of the duties herein prescribed, and shall be allowed the sum of five hundred dollars each, as a full compensation for the services required to be performed by this act.

APPROVED, March 3, 1823.

tached to the district south of Red river.

Register and receiver to receive and record evidences of claims.

Register and receiver to transmit to the Secretary of the Treasury a record of all claims, and the evidence.
Classes of claims.

Proviso.

Register and receiver to hold their session at Natchitoches.

STATUTE II.

CHAP. XXXI.—*An Act making appropriations for the support of government for the year one thousand eight hundred and twenty-three.*

March 3, 1823.

[Obsolete.]

Sums appropriated for the year 1823.

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 for the service of the year one thousand eight hundred and twenty-three; that is to say:

Officers and attendants of Congress.	For compensation to the officers, and attendants, of the Senate and House of Representatives, twenty-nine thousand two hundred dollars.
Contingent expenses of Congress.	For the expenses of fuel, stationery, printing, and all other contingent expenses of the two Houses of Congress, forty thousand dollars.
Library, and librarian of Congress.	For the expenses of the library of Congress, including the salary of the librarian, one thousand nine hundred and fifty dollars.
President.	For the gradual increase of the library, two thousand dollars.
Vice President.	For compensation to the President of the United States, twenty-five thousand dollars.
Secretary of State.	For compensation to the Vice President of the United States, five thousand dollars.
Clerks. 1818, ch. 87.	For compensation to the Secretary of State, six thousand dollars.
Messengers.	For compensation to the clerks in the Department of State, per act of the twentieth of April, one thousand eight hundred and eighteen, fifteen thousand nine hundred dollars.
Contingent expenses.	For compensation to the messengers in said department, including the messenger in the patent office, one thousand four hundred dollars, in full of all allowances.
Additional commercial digest. Jan. 21, 1823.	For the incidental and contingent expenses of the Department of State, including the expenses of printing the laws, and for extra copying of papers, eighteen thousand eight hundred dollars.
Secretary of the Treasury.	For preparing and reporting an additional commercial digest, pursuant to a resolution of the House of Representatives, [Representatives,] of the twenty-first January, one thousand eight hundred and twenty-three, one thousand dollars.
Clerks. 1818, ch. 87.	For compensation to the Secretary of the Treasury, six thousand dollars.
Additional clerk.	For compensation to the clerks in the office of the Secretary of the Treasury, per act of the twentieth of April, one thousand eight hundred and eighteen, ten thousand four hundred dollars.
Messengers.	For an additional clerk in said office, from first of July, one thousand eight hundred and twenty-two, to thirty-first of December, one thousand eight hundred and twenty-three, one thousand seven hundred and twenty-five dollars.
First comptroller.	For compensation to the messengers in said office, one thousand and fifty dollars, in full of all allowances.
Clerks. 1818, ch. 87.	For compensation to the first comptroller of the treasury, three thousand five hundred dollars.
Messengers.	For compensation to the clerks in the office of the first comptroller, per act of twentieth of April, one thousand eight hundred and eighteen, seventeen thousand eight hundred and fifty dollars.
2d comptroller.	For compensation to the messengers in said office, one thousand and fifty dollars, in full of all allowances.
Clerks. 1818, ch. 87.	For compensation to the second comptroller of the treasury, three thousand dollars.
Messenger.	For compensation to the clerks in the office of the second comptroller, per act of the twentieth of April, one thousand eight hundred and eighteen, nine thousand seven hundred and fifty dollars.
1st auditor.	For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.
Clerks. 1818, ch. 87.	For compensation to the first auditor of the treasury, three thousand dollars.
Messenger.	For compensation to the clerks in the office of the first auditor of the treasury, per act of the twentieth of April, one thousand eight hundred and eighteen, fifteen thousand two hundred dollars.
2d auditor.	For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.
	For compensation to the second auditor of the treasury, three thousand dollars.

For compensation to the clerks in the office of the second auditor, sixteen thousand two hundred dollars.

For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.

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

For compensation to the clerks in the office of the third auditor, twenty-three thousand three hundred and fifty dollars.

For compensation to the messenger and assistant in said office, one thousand and fifty dollars, in full of all allowances.

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

For compensation to the clerks in the office of the fourth auditor, per act of the twentieth of April, one thousand eight hundred and eighteen, fifteen thousand and fifty dollars.

For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.

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

For compensation to the clerks in the office of the fifth auditor, per act of the twentieth of April, one thousand eight hundred and eighteen, ten thousand five hundred dollars.

For two clerks to complete the duties of the commissioner of the revenue, transferred to the office of the fifth auditor, two thousand five hundred and fifty dollars.

For one clerk on the business of the agent of the treasury, transferred to the office of the fifth auditor, one thousand one hundred and fifty dollars.

For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.

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

For compensation to the clerks in the office of the treasurer, per act of twentieth of April, one thousand eight hundred and eighteen, five thousand two hundred and fifty dollars.

For compensation to an additional clerk, and also for an assistant to the chief clerk, as allowed since the first of January, one thousand eight hundred and nineteen, twelve hundred dollars.

For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.

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

For compensation to the clerks in the office of said commissioner, per act of twentieth of April, one thousand eight hundred and eighteen, twenty-two thousand five hundred and fifty dollars.

For compensation to the messenger in said office, and pay of a labourer, nine hundred and forty dollars, in full of all allowances.

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

For compensation to the clerks in the office of the register, per act of twentieth of April, one thousand eight hundred and eighteen, twenty-two thousand three hundred and fifty dollars.

For compensation to the messenger, including the allowance for stamping ships' registers, eight hundred dollars, in full of all allowances.

For an assistant messenger in said office, three hundred and fifty dollars, in full of all allowances.

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

For allowance to the person employed in transmitting passports and sea-letters, for expense of translating foreign languages in the office of

Clerks.
1818, ch. 87.

Messenger.

3d auditor.

Clerks.

Messengers.

4th auditor.

Clerks.
1818, ch. 87.

Messenger.

5th auditor.

Clerks.
1818, ch. 87.

Clerks to commissioner of revenue.

Clerk on business of agent of the treasury.

Messenger.

Treasurer.

Clerks.
1818, ch. 87.

Additional clerk.

1820, ch. 33.

Messenger.

Commissioner of general land office.

Clerks.
1818, ch. 87.

Messenger.

Register of treasury.

Clerks.
1818, ch. 87.

Messenger, &c.

Assistant messenger.

Secretary to sinking fund.

Translator and contingent expenses.

the Secretary of the Treasury; for stationery, fuel, printing, and all other incidental and contingent expenses, in the Treasury Department, and the several offices therein, including the expenses of stating and printing the public accounts for the year one thousand eight hundred and twenty-three, thirty thousand three hundred dollars.

- Superintendent and watchmen. For allowance to the superintendent and four watchmen, employed for the security of the state and treasury buildings, for the repairs of engines, hose and buckets, one thousand nine hundred dollars.
- Secretary of War. Clerks. For compensation to the Secretary of War, six thousand dollars.
- Messengers. For compensation to the clerks in the office of the Secretary of War, twenty-two thousand six hundred dollars.
- Paymaster general. Clerks. For compensation to the messengers in said office, one thousand and fifty dollars, in full of all allowances.
- Messenger. For compensation to the paymaster general, two thousand five hundred dollars.
- Commissary general. Clerks. For compensation to the clerks in the office of the paymaster general, three thousand one hundred dollars.
- Messenger. For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.
- Commissary general. Clerks. For compensation to the commissary general of purchases, three thousand dollars.
- Messenger. For compensation to the clerks in the office of the commissary general of purchases, two thousand eight hundred dollars.
- Adjutant general's clerks. For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.
- Clerks of the Ordnance. For compensation to the clerks in the office of the adjutant general, two thousand one hundred and fifty dollars.
- Clerks of commissary general of subsistence. For compensation to the clerks in the ordnance office, two thousand nine hundred and fifty dollars.
- Clerks of chief engineer. For compensation to the clerks in the office of the commissary general of subsistence, two thousand one hundred and fifty dollars.
- Surgeon general's clerk. For compensation to the clerks in the office of the chief engineer, two thousand one hundred and fifty dollars.
- Contingent expenses of War Department. For compensation to the clerk in the surgeon general's office, one thousand one hundred and fifty dollars.
- Secretary of the Navy. Clerks. For the contingent expenses of the War Department, including fuel, stationery, &c., six thousand dollars.
- 1818, ch. 87. For compensation to the Secretary of the Navy, six thousand dollars.
- Messengers. For compensation to the clerks in the office of the Secretary of the Navy, per act of the twentieth of April, one thousand eight hundred and eighteen, eight thousand two hundred dollars.
- Contingent expenses. For compensation to the messengers in said office, one thousand and fifty dollars in full of all allowances.
- Commissioners of navy board. For the contingent expenses of said office, two thousand dollars.
- Secretary of commissioners. For compensation to the commissioners of the navy board, ten thousand five hundred dollars.
- Clerks. For compensation to the secretary of the commissioners of the navy board, two thousand dollars.
- 1818, ch. 87. For compensation to the clerks in the office of the commissioners of the navy board, per act of twentieth April, one thousand eight hundred and eighteen, three thousand five hundred and fifty dollars.
- Other clerks, &c. For compensation of three clerks, and a draftsman, as allowed by the acts of appropriation since the first of January, one thousand eight hundred and nineteen, four thousand dollars.
- Messenger. For compensation to the messenger, in said office, seven hundred dollars, in full of all allowances.
- Contingent expenses. For contingent expenses of said office, seventeen hundred dollars.
- For allowance to the superintendent, and four watchmen, employed for

the security of the war and navy buildings, and for the incidental and contingent expenses, including oil, fuel, and candles, two thousand and sixty-eight dollars.	Security of war and navy buildings.
For compensation to the Postmaster General, four thousand dollars.	Postmaster general.
For compensation to two assistant postmasters general, five thousand dollars.	Assistant P. M. general. Clerks.
For compensation to the clerks in the general post-office, per act of twentieth of April, one thousand eight hundred and eighteen, twenty-two thousand seven hundred dollars.	1818, ch. 87.
For additional clerk hire, and other expenses in the general post-office, for the year one thousand eight hundred and twenty-two, three thousand four hundred and eighty-one dollars and ninety-eight cents.	
For the salaries of two additional clerks in the general post-office, one thousand six hundred dollars.	
For compensation to the messengers in said office, one thousand and fifty dollars, in full of all allowances.	Messengers.
For contingent expenses of said office, four thousand dollars.	Contingent expenses.
For compensation to the surveyor general, two thousand dollars.	Surveyor general.
For compensation to the clerks in the office of the surveyor general, two thousand one hundred dollars.	Clerks.
For compensation to the surveyor south of Tennessee, two thousand dollars.	Surveyor south of Tennessee.
For compensation to the clerks in the office of said surveyor, one thousand seven hundred dollars.	Clerks.
For compensation to the surveyor in Illinois, Missouri, and Arkansas, two thousand dollars.	Surveyor in Illinois and Missouri, &c.
For compensation to the clerks in the office of the said surveyor, two thousand dollars.	Clerks.
For compensation to the surveyor in Alabama, two thousand dollars.	Surveyor in Alabama.
For compensation to the clerks in the office of the said surveyor, one thousand five hundred dollars.	Clerks.
For compensation to the commissioner of the public buildings, at Washington city, one thousand five hundred dollars.	Commissioner of public buildings.
For compensation to the late commissioner of loans in Georgia, from the second of September, one thousand eight hundred and eight, to the thirteenth of June, one thousand eight hundred and ten; and for printing and stationery, as settled at the treasury, one thousand three hundred and sixty-five dollars seventy-two cents.	Late commissioner of loans in Georgia, &c.
For compensation to the officers and clerk of the mint, nine thousand six hundred dollars.	Officers and clerk of the mint.
For persons employed in the different operations of the mint, ten thousand dollars.	Persons employed in the mint.
For incidental and contingent expenses, and repairs, cost of machinery, and for allowance of wastage in the gold and silver coinage, of the mint, ten thousand one hundred and fifty dollars.	Contingent expenses, &c.
For compensation to the governor, judges, and secretary, of the Arkansas territory, six thousand six hundred dollars.	Governor, &c. of Arkansas.
For the contingent expenses of the Arkansas territory, three hundred and fifty dollars.	Contingent expenses.
For compensation to the governor, judges, and secretary, of the Michigan territory, six thousand six hundred dollars.	Governor, &c. of Michigan.
For the contingent expenses of the Michigan territory, three hundred and fifty dollars.	Contingent expenses.
For compensation to the governor, judges, and secretary, of the Florida territory, including arrearages [arrearages] for the year one thousand eight hundred and twenty-two, eleven thousand six hundred and forty-nine dollars and seventy cents.	Governor, judges, &c. of Florida.
For compensation and travelling expenses of the members of the legislative council; and for the contingent expenses of the territory;	Legislative council.

including arrearages [arreages] for the year one thousand eight hundred and twenty-two, thirteen thousand three hundred and eighty-six dollars and fifty-four cents.

Commissioners of land claims in Florida, &c.

For compensation to three commissioners to settle land claims in said territory, including arrearages [arreages] for the year one thousand eight hundred and twenty-two, nine thousand eight hundred and ninety dollars and eleven cents.

Chief justice, &c. of the United States.

For compensation 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, seventy-eight thousand four hundred dollars.

Attorney general.

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

Clerk.

For compensation to the clerk in the office of the attorney general, eight hundred dollars.

Reporter of Supreme Court.

For compensation to the reporter of the decisions of the Supreme Court, one thousand dollars.

District attorneys and marshals.

For compensation to sundry district attorneys and marshals [marshals.] as granted by law, including those in the several territories, nine thousand nine hundred seventy-three dollars and sixty-three cents.

Courts, jurors, and witnesses.

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, sixty-five thousand dollars.

Sundry pensions.

For the payment of sundry pensions, granted by the late and present governments, two thousand two hundred and fifty dollars.

Lighthouses.

For the support and maintenance of lighthouses, beacons, buoys, and stakeages, including the purchase of oil, keepers' salaries, repairs, and improvements, and contingent expenses, one hundred and two thousand four hundred and forty-one dollars and sixty-five cents.

Buoys.

For procuring and placing three buoys on the bar near the port of Georgetown, South Carolina, in addition to the sum heretofore appropriated for that object, six hundred dollars.

Surveying.

For surveying the public lands of the United States, one hundred and ninety-seven thousand dollars.

Capitol.

For carrying on the centre building of the Capitol, one hundred thousand dollars.

John Trumbull for paintings.

For payment to John Trumbull, for paintings commemorative of the most important events of the revolution, six thousand dollars.

Stationery, &c. for commissioners of loans.

For stationery and books, for the offices of commissioners of loans, six thousand and thirty-five dollars and ninety-three cents.

Miscellaneous claims.

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

Ministers, &c. of the United States.

For the salaries of the ministers of the United State [States] to London, Paris, St. Petersburg, Lisbon and Madrid, with the salaries of their several secretaries of legation and the salaries of the charge d'affaires at the Hague and at Stockholm, sixty-four thousand dollars.

Contingent expenses.

For the contingent expenses of those missions, ten thousand dollars.

Agents of claims.

For the salaries of the agents of claims at London and Paris, eight thousand dollars.

Commissioners, &c. under 11th article of Spanish treaty.

For the salaries of the commissioners, secretary, clerk, and messenger, together with the contingent expenses of the commission under the eleventh article of the treaty with Spain, of the twenty-second of February, one thousand eight hundred and nineteen, eighteen thousand dollars.

Treaty of Ghent.

For expenses of carrying into effect the fifth, sixth, and seventh, articles of the treaty of Ghent, concluded on the twenty-fourth of December, one

thousand eight hundred and fourteen, including the compensation of the commissioners, agents, and surveyors, and their contingent expenses, sixteen thousand dollars.

For the corporation of the city of Washington, to re-imburse the said corporation a just portion of the expense of making streets, and other improvements, adjoining the public property, five thousand dollars.

For carrying into execution the convention recently ratified, relating to the slaves carried away in contravention to the first article of the treaty of Ghent, twenty thousand dollars.

For surveying and marking the boundary line between the state of Missouri and territory of Arkansas, the sum of three thousand dollars, to be expended under the direction of the Secretary of the Treasury.

SEC. 2. *And be it further enacted*, That the several sums hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated: *Provided, however*, That no money appropriated by this act, shall be paid to any person, for his compensation, who is in arrears to the United States, until such person shall have accounted for, and paid into the treasury, all sums for which he may be liable: *Provided further*, That nothing in this section contained shall extend to balances, arising solely from the depreciation of treasury notes, received by such person, to be expended in the public service, or to the appropriation for compensation to the Vice President of the United States; but in all cases where the pay or salary of any person is withheld in pursuance of this act, it shall be the duty of the accounting officer, if demanded by the party, his agent or attorney, to report, forthwith, to the agent of the Treasury Department, the balance due; and it shall be the duty of the said agent, within sixty days thereafter, to order suit to be commenced against such delinquent and his sureties.

APPROVED, March 3, 1823.

Corporation
of the city of
Washington.

Convention
of St. Peters-
burg.

Boundary
line of Mis-
souri.

Proviso.

Proviso.

STATUTE II.

March 3, 1823.

[Obsolete.]
Special ap-
propriations for
the navy.

CHAP. XXXII.—*An Act making appropriations for the support of the navy of the United States, for the year one thousand eight hundred and twenty-three.*

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 twenty-three, the following sums be, and the same are hereby, respectively appropriated:

For the pay and subsistence of the officers, and pay of the seamen, nine hundred and twenty-nine thousand five hundred and three dollars and twelve cents, including the sum of twenty-six thousand eight hundred and eighty-six dollars for six months' pay for the petty officers, able seamen, ordinary seamen, and boys, required for a frigate of forty-four guns.

For provisions, two hundred and twenty thousand dollars.

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

For the repairs of vessels, three hundred and fifty thousand dollars.

For the improvement of navy yards, docks and wharves, eighty-two thousand dollars.

For ordnance and ordnance stores, including small arms, manufacture of powder, &c. twenty thousand dollars.

For pay of superintendents, naval constructors, store-keepers, inspectors of timber, clerks of the yards, and artificers, forty-four thousand six hundred and fifty dollars, including the sum of four thousand one

hundred dollars, to cover a deficiency in the appropriation of the year eighteen hundred and twenty-two.

For labourers and teams employed in loading and unloading vessels, piling, docking, and removing timbers, stores, &c. and fuel for the engine, thirty thousand dollars, including the sum of ten thousand dollars to cover a deficiency in the appropriation of the year eighteen hundred and twenty-two.

For contingent expenses, two hundred and twenty thousand dollars.

For erecting and completing houses over ships in ordinary, for their preservation from the weather, eighty thousand dollars.

For the construction of a dock and wharves, in connection with the inclined plane erected at the navy yard in Washington, fifty thousand dollars.

For pay and subsistence of the marine corps, one hundred and seventy-six thousand four hundred and seventy-four dollars.

For clothing for the same, twenty-nine thousand dollars.

For fuel for the non-commissioned officers, musicians, and privates, six thousand eight hundred and fifty-seven dollars and fifty cents.

For contingent expenses for the same, that is to say, fuel for the commissioned officers, bed sacks, repairing barracks, transportation, and travelling expenses to officers, postage of letters, armorers, and armorers' tools, and stationery with extra rations to officers, fourteen thousand dollars.

1819, ch. 101. To enable the President of the United States to carry into effect the act entitled "An act in addition to the acts prohibiting the slave trade," fifty thousand dollars.

For shot, shells, and military stores, being the amount of the unexpended [unexpended] balance of appropriations for previous years, four thousand and thirty-five dollars and ninety-five cents.

For military stores of the marine corps, being the amount of the unexpended balance of appropriations for previous years, ten thousand five hundred dollars and thirty-five cents.

To be paid
out of the
treasury.
Proviso.

SEC. 2. *And be it further enacted*, That the several sums hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated: *Provided, however*, That no money appropriated by this act, shall be paid to any person, for his compensation, who is in arrears to the United States, until such person shall have accounted for, and paid into the treasury, all sums for which he may be liable: *Provided, further*, That nothing in this section contained, shall extend to balances arising solely from the depreciation of treasury notes, received by such person to be expended in the public service; but in all cases where the pay or salary of any person is withheld, in pursuance of this act, it shall be the duty of the accounting officer, if demanded by the party, his agent or attorney, to report forthwith to the agent of the Treasury Department, the balance due: and it shall be the duty of the said agent, within sixty days thereafter, to order suit to be commenced against such delinquent and his sureties.

Proviso.

APPROVED, March 3, 1823.

STATUTE II.

March 3, 1823.

CHAP. XXXIII.—*An Act to discontinue certain post-roads and to establish others.*

Post-roads
discontinued.

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

Massachusetts.

In Massachusetts.—From Monson to Palmer.
From Brimfield to Sturbridge.

- In Rhode Island.*—From Providence to Chepachet, in Glocester.
- In Pennsylvania.*—From Greensburg, in Beaver county, through Mount Jackson, New Castle, and Mercer, to Franklin.
- In North Carolina.*—So much of the route from Warrenton, North Carolina, to Edonton, [Edenton,] as lies between Halifax and Murfreesborough.
- The route from Tarborough to Scotland Neck, and from Stantonsburg to Fayetteville.
- In Kentucky.*—From Bowling Green to Corydon, in Indiana.
- In Tennessee.*—From Lebanon to Mount Richardson.
- In Ohio.*—From Chillicothe, through Wilmington, in Clinton county, and Lebanon, in Warren county, to Cincinnati.
- In the Floridas.*—From Pensacola to St. Marks, thence to Volutia Dexter's, on St. John's river, and thence to St. Augustine.
- SEC. 2. *And be it further enacted,* That the following mail-routes shall be, and the same are hereby, established, to wit:
- In Maine.*—From Scowhegan Bridge, in Canaan, Somerset county, passing through Madison and Solon, to Solon post-office.
- From the town of Harmony, in the county of Somerset, through Ripley, Parkman, Sangerville, Guilford, Foxcraft, and Dover, to Sebee, in the county of Penobscott.
- From Belfast to Frankfort, through Swanville and Monroe, in lieu of the present route, which is hereby repealed.
- In Massachusetts.*—From Springfield through Wilbraham, Monson, Brimfield, Sturbridge, and Southbridge, to Thompson, in Connecticut, and thence through Chepachet, to Providence, in Rhode Island.
- In Connecticut.*—From Spencer's corner, in Northeast, Dutchess county, New York, by the meeting house, in Salisbury, to the post-office in North Canaan.
- In New Hampshire.*—From Hancock, through Stoddart, to Marlow.
- From Crawford's, in Nash and Sawyer's location, to Littleton post-office.
- In Vermont.*—From Poultney to Whitehall, in New York.
- In New York.*—From Almond, by Alfred, to Independence in Allegheny county.
- From Wayne, Steuben county, to Trumansburgh, in Tompkins county.
- From Buffalo, in Erie, to Olean, in the county of Cataragus, passing through the towns of Hamburg, Boston, Concord, and Ellicottsville.
- From Elliott's, by Royalton, to Hartland post-office.
- From the village of Greene, in Chenango county, to Cincinnatus, in Courtland county, passing through the Big Flats, in the town of Smithfield, and Livermore's tavern, in Germantown.
- From Morgansville, at the mouth of the Tonnewonta creek, in Niagara county, to Lockport.
- From Potsdam, on the turnpike, by Canton, to Ogdensburgh on the mail-route from Plattsburgh, by Malone, to Ogdensburgh.
- From Albany to Ranslaerville, [Rensselaerville,] through the towns of Bethlehem and Burn, to intersect the post-road from Albany to Susquehanna, by the way of the Delaware turnpike, to Milfordville.
- In Pennsylvania.*—From the city of Lancaster, along the White Horse [House] road, to where it intersects the state road leading from West Chester to M'Call's Ferry.
- From Kimberton to the Yellow Springs.
- From Greensburgh, in Beaver county, through Mount Jackson and New Castle, to Harlemburg.
- From Warren, in the county of Warren, to Olean, in New York; to pass by the mouth of Great Valley and Kinkum Creeks.

Post-roads
established.
Rhode Island.
Pennsylvania.
North Carolina.

Kentucky.
Tennessee.
Ohio.

Florida.

Mail-routes
established.

Maine.

Massachusetts.

Connecticut.

New Hampshire.

Vermont.
New York.

Pennsylvania.

Post-roads
established.

From Mercer, in the county of Mercer, to Franklin, in the county of Venango.

From the South Branch of Towanda creek, in Bradford county, by way of the Susquehanna and Tioga turnpike, to Elmira, in the state of New York.

From Allentown, Lehigh county, through Heidelburgh township, to Mauch Chunk, in Northampton county.

New Jersey.

In New Jersey.—From Flagtown to Somerville.

From Trenton, by Allentown and Crosswick, to Bordentown.

Virginia.

In Virginia.—From Fredericksburg, by Danielsburg, Orange Springs, and River Bank, to Orange Courthouse.

That the route from Lombardy Grove, in Mecklenburg county, do pass by Hakinton and Langley's old store, to St. Tammany, in said county.

That the route from Richmond to King and Queen Courthouse, do pass through Walkerton and Stevensville.

From Giles' Courthouse, by Charles Dingess's, Samuel Park's and Shoemate's, the Falls of Guyandotte, to Barbersville in Cabell county.

From Boon's, in Montgomery, to Grayson Courthouse.

From Hull's store, in Pendleton, to the Courthouse of Pocahontas.

From New London, to Calland's store, in Pittsylvania, to pass through Leesville, in Campbell county.

From Richmond, along the road called Le Pradt's, by Powhatan Courthouse, to Farmsville, instead of the route now established.

From Richmond, by Chesterfield Courthouse, Mechanics' Inn, Colesville, Wilkinsonville, Genits Bridge, Tunstilville, Cassell's store, Amelia Courthouse, Paineville, and James Town, to Farmville, instead of the route now established.

North Carolina.

In North Carolina.—From Baltimore, Maryland, by water, to Norfolk, in Virginia, from thence, passing through Murfreesborough, Halifax, and direct to Tarborough; and from thence, through Stantonsburgh, and Waynesborough, to Fayetteville, in North Carolina.

That the route from Fayetteville to Wadesborough, be so altered as to pass from Rockingham, by Snudsborough, to Wadesborough, and return by Beard's store, Allenton, Steel's mills, and Morris's Store to Fayetteville.

From Salisbury to Lincolnton and Wilksborough, now established, do return to Salisbury by Sherrell's Ford, Lincoln county, and Mrs. Stewart's, in Iredell county.

South Carolina.

In South Carolina.—From Cheraw to Coburn's store, in North Carolina.

From Spartansburg Courthouse to York, by Hancockville, Gandy's store, Hopewell, and Thompson's tan-yard.

Georgia.

In Georgia.—From Monticello to Covington, Newton county, then to Henry Courthouse, then to Monroe Courthouse, and thence to Monticello.

Tennessee.

In Tennessee.—From Columbia, by Waynesborough, in Wayne county, Hardinsville, in Hardin county, Perry Courthouse, in Perry county, Lexington, in Henderson county, Carroll Courthouse, in Carroll county, and the town of Jackson, in Madison county, to Memphis, in Shelby county.

From Athens, formerly Mount Pleasant, in the county of McMin, by the way of Columbus, to the Spring place, on the Georgia road, in the Cherokee nation.

Kentucky.

In Kentucky.—From Flemingsburg to Owingsville, to go alternately by its present route and by Poplar plains, Alexander's mills, on Licking, and thence to Owingsville, instead of the route by Anderson's mills, on said river.

From Burksville to Knoxville, in Tennessee

From Prestonsburg, in Floyd county, to the Courthouse in Pike county.

Post-roads
established.

From Perry Courthouse to Mount Pleasant, in Harlan county.

From Bowling Green to Louisville, by Woodsonville, Monfordsville, Elizabeth, and the mouth of Salt river; and that the present route from Louisville to Woodsonville be discontinued, as soon as the route now established is carried into operation.

From Hopkinsville to Eddyville, to go and return by Cadiz instead of by the Rocky Ridge [Rocky Ridge.]

In Ohio.—That the route heretofore established from Dayton direct to Troy, shall be so changed as to go by Union, in Montgomery county, and Milton, in Miami county, and then to Troy.

Ohio.

That the route from Williamsburg, the seat of justice of Clermont county, to Lebanon, in Warren county, shall be so altered as to pass through the towns of Goshen, Hopkinsville, and Deerfield.

From Lancaster, through Circleville, in Pickaway county, Washington, in Fayette county, Wilmington, in Clinton county, and Lebanon, in Warren county, to Cincinnati.

From Lebanon, in Warren county, to Hamilton, in Butler county, be continued from Indianapolis, in Indiana, to Anderson's town, by way of William Conner's, once in two weeks.

In Illinois.—From Green Courthouse, by George Cadwell's, in Morgan county, to Springfield, in Sangamo county; and from Palestine to the seat of justice in Clark county, to the seat of justice in Edgar county; and from the seat of justice in Sangamo, to Stephen Stilman's, in Fancy Grove.

Illinois.

From Shawneetown to Hamilton Courthouse.

From Harrisonville, by Converse's mill, Columbia, and Cahokia, to St. Louis, in lieu of the present route from Harrisonville to St. Louis, which is hereby discontinued.

From Carrolton, by the mouth of Apple creek, Ross' settlement in Pike county, in Illinois, to Louisianaville, in Missouri, and from Coles' Grove, in Pike county, to Carrolton; and the route from Alton to Louisianaville is hereby discontinued.

In Alabama.—From Claiborne, by the Tensaw, to Blakely.

Alabama.

From Tuscaloosa to Columbus, by Pickins' Courthouse, in lieu of the present route, which is hereby discontinued.

From Greensborough, by Erie, through what is called the Forks of the Tombigbee and Black Warrior rivers, by the Garden spot, to the Courthouse of Pickens' county.

From Cahaba to Greensborough.

From St. Steven's, by the way of Fort Stoddart, to Mobile.

From Fort Dale, by Emmett's store, in Butler county, to Cahaba.

From Hartford, in the state of Georgia, by Early Courthouse, Attawa's store, in Henry county, Alabama, Pike and Covington Courthouses, to Sparta, and that the route heretofore established, from Fort Hawkins, by Fort Ganes [Gaines] to Conicu Courthouse, to be discontinued.

In Missouri.—From St. Louis, to Boonville, by Winchester, Ninian Hamilton's, in the western parts of St. Louis county; Newport, the seat of justice from [for] Franklin county; Gasgonade, the seat of justice of Gasgonade county, the city of Jefferson, the seat of government of the state; and Marion, the seat of justice from [for] Cole county.

Missouri.

In Michigan Territory.—From Detroit, by Pontiac, to the Military post at Saganaw.

Michigan.

In the Floridas.—From Pensacola, Preolata, on the river St. John's, to St. Augustine, the most convenient and practicable route in the discretion of the Postmaster General.

Florida.

SEC. 3. *And be it further enacted,* That all waters on which steam-boats regularly pass from port to port, shall be considered and established

Steamboat
routes consid-

ered as post-roads.

as post-roads, subject to the provisions contained in the several acts regulating the Post-office establishment.

APPROVED, March 3, 1823.

STATUTE II.

March 3, 1823.

[Expired.]

Compensation to reporter of Supreme Court decisions.

Proviso.

Distribution of reports.

Copies, in case of decease, to be delivered to successors in office.

Act to continue three years.

STATUTE II.

March 3, 1823.

Judges of the superior courts of Florida to adjust the claims under the ninth article of the Florida treaty.

Decision with evidence to be reported to the Secretary of the Treasury.

CHAP. XXXIV.—*An Act to continue in force the act, entitled "An act to provide for reports of decisions of the Supreme Court," passed the third day of March, one thousand eight hundred and seventeen.* (a)

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 nine 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; which copies shall be distributed as follows, to wit: to the President of the United States, the judges of the Supreme Court, the judges of the district courts, the Attorney General of the United States, the Secretaries of State, Treasury, War, and Navy, the comptrollers of the treasury, and the judges of the several territories of the United States, one copy each; five copies for the use of each House of Congress; and the residue of the copies shall be deposited in 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 over to, their successors in 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, 1823.

CHAP. XXXV.—*An Act to carry into effect the ninth article of the treaty concluded between the United States and Spain, the twenty-second day of February, one thousand eight hundred and nineteen.* (b)

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the judges of the superior courts established at St. Augustine and Pensacola, in the territory of Florida, respectively, shall be, and they are hereby, authorized and directed to receive and adjust all claims, arising within their respective jurisdictions, of the inhabitants of said territory, or their representatives, agreeably to the provisions of the ninth article of the treaty with Spain, by which the said territory was ceded to the United States.

SEC. 2. *And be it further enacted,* That, in all cases in which said judges shall decide in favour of the claimants, the decisions, with the evidence on which they are founded, shall be, by the said judges, reported to the Secretary of the Treasury, who, on being satisfied that the same is just and equitable, within the provisions of the said treaty, shall pay the amount thereof to the person or persons in whose favour the same is adjudged, out of any money in the treasury, not otherwise appropriated.

APPROVED, March 3, 1823.

(a) For the acts relating to the reports of the decisions of the Supreme Court of the United States, see ante, p. 376.

(b) See notes to the act of May 8, 1822, ch. 129, for the decisions of the courts of the United States on Florida land titles.

CHAP. XXXVI.—*An Act to amend the ordinance and acts of Congress for the government of the territory of Michigan, and for other purposes.* (a)

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all citizens of the United States, having the qualifications prescribed by the act, entitled "An act authorizing the election of a delegate from the Michigan territory to the Congress of the United States, and extending the right of suffrage to the citizens of said territory," approved February the sixteenth, eighteen hundred and nineteen, shall be entitled to vote at any public election in the said territory, and shall be eligible to any office therein.

SEC. 2. *And be it further enacted,* That the same powers which were granted to the governor, legislative council, and House of Representatives, of the North-western territory, by the ordinance of Congress, passed on the thirteenth day of July, seventeen hundred and eighty-seven, and which powers are transferred to the territory of Michigan by the act, entitled "An act to divide the Indiana territory into two separate governments," approved January the eleventh, eighteen hundred and five, are hereby conferred upon, and shall be exercised by the governor and a legislative council: which council shall consist of nine persons, any five of whom shall be a quorum, and who shall serve for the term of two years, and be appointed as follows, to wit: At the next election of the delegate to Congress from the said territory, after the passing of this act, the qualified electors shall choose, by ballot, eighteen persons, having the qualifications of electors; and such election shall be conducted, certified, and the result declared, agreeably to the territorial law prescribing the mode of electing such delegate. But the time and manner of electing the members of the legislative council shall, after the first election, be prescribed by the legislature of the said territory; and the names of the eighteen persons, having the greatest number of votes, shall be transmitted by the governor of the said territory, to the President of the United States, who shall nominate, and, by and with the advice and consent of the Senate, appoint therefrom, the said legislative council; and vacancies occurring in the said council shall be filled in the same manner, from the list transmitted as aforesaid: And the President shall have power, in the recess of the Senate, to make the appointments authorized by this act; but all appointments, so made, shall be submitted to the Senate at their next session, for confirmation. The first legislative council shall be assembled at such time and place as the governor shall, by proclamation, designate. No session, in any one year, shall exceed the term of sixty days, nor shall any act passed by the governor and the legislative council be valid, after the same shall have been disapproved by Congress. The members of the legislative council shall receive two dollars each, per day, during their attendance at the sessions thereof, and two dollars for every twenty miles in going to, and returning therefrom, in full compensation for their services, and which shall be paid by the United States: *Provided,* That nothing herein contained shall be construed to affect the right of the citizens of said territory to elect a delegate to Congress; and the duties required of the governor [governor] and judges by the act referred to in the first section of this act, shall be performed by the governor [governor] and legislative council.

SEC. 3. *And be it further enacted,* That the powers and duties of the judges of the said territory shall be regulated by such laws as are, or may be, in force therein; and the said judges shall possess a chancery, as well as common law, jurisdiction. The tenure of office of the said judges shall be limited to four years: and on the first day of February,

STATUTE II.

March 3, 1823.

[Obsolete.]

Citizens qualified by the act of February 16, 1819, ch. 22, entitled to vote, and eligible to any office, in the territory of Michigan.

Powers of the governor and legislative council of Michigan.

Vol. i. 51.
Act of Jan. 11, 1805, ch. 5.

Council to consist of nine persons.
Mode of election.

Session of the legislative council not to exceed sixty days.
Compensation.

Proviso.

Powers of the judges.

Judges to hold office for four years.

(a) See notes to the act of February 16, 1819, ch. 22, for the acts relative to the territory of Michigan.

Proviso.

one thousand eight hundred and twenty-four, and every four years thereafter, the office of each of the said judges shall become vacant: *Provided*, That nothing in this act contained shall be so construed as to deprive the judges of the territory of the jurisdiction conferred upon them by the laws of the United States.

Legislature empowered to submit the question for a general assembly.
Organization, &c. of a general assembly.

SEC. 4. *And be it further enacted*, That the legislature shall have power to submit, at any time, to the people of the said territory, the question, whether a general assembly shall be organized agreeably to the provisions of the ordinance aforesaid; and, if a majority of the qualified electors shall be in favour of such organization, then the powers vested by this act in the legislative council shall cease and determine, and a general assembly shall be organized, in conformity with the said ordinance, subject to the following provision: The governor [governor] of the said territory shall divide the same into five districts, and the qualified voters in each district shall elect one member of the legislative council, which shall possess the same powers heretofore granted to the legislative council of the North-western territory; and the members of the council shall hold their offices four years; and until there shall be five thousand free white male inhabitants, of twenty-one years and upwards, in said territory, the whole number of Representatives to the general assembly shall not be less than seven, nor more than nine, to be apportioned by the governor [governor] to the several counties in the said territory, agreeably to the number of free white males above the age of twenty-one years, which they may contain: but after the organization of the general assembly, the apportionment of the representation shall be made by such assembly:

Proviso.

Provided, That there shall not be more than twelve, nor less than seven, of the whole number of representatives, until there shall be six thousand free white male inhabitants, above the age of twenty-one years; after which, the number of representatives shall be regulated agreeably to the ordinance aforesaid.

Powers of the governor.

SEC. 5. *And be it further enacted*, That the governor [governor] of the said territory shall have power to grant pardons for offences against the laws of the said territory, and reprieves for those against the United States, until the decision of the President thereon [thereon] shall be made known.

Laws of the United States inconsistent with this act repealed as to Michigan.

SEC. 6. *And be it further enacted*, That, so much of the ordinance aforesaid, and laws of the United States, as are inconsistent with the provisions of this act, be, and the same are hereby, as respects the territory of Michigan, repealed.

There shall be only one clerk of the Supreme Court.

SEC. 7. *And be it further enacted*, That from and after the first day of June next, there shall be but one clerk of the supreme court of the territory of Michigan, who shall perform all the duties of clerk of said court, whether sitting as a circuit and district court, or as judges of the territorial court.

Officers of the treasury to settle the accounts of John J. Deming.

SEC. 8. *And be it further enacted*, That the accounting officers of the treasury shall settle and adjust the accounts of John J. Deming, making him a reasonable allowance for his services as clerk of said district and circuit court, up to the first day of June next, and that the same be paid out of any money in the treasury, not otherwise appropriated.

APPROVED, March 3, 1823.

STATUTE II.

March 1, 1823.

CHAP. XXXVII.—*An Act in addition to the act, entitled "An act for the prompt settlement of public accounts," and for the punishment of the crime of perjury.* (a)

Accounting officers of the

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, in the settlement of accounts of persons remaining charged, on the books of the third auditor

(a) An act to provide for the prompt settlement of public accounts, March 3, 1817, ch. 45.
An act providing for the better organization of the Treasury Department, May 15, 1820, ch. 107. See notes to act of May 15, 1820, ch. 107.

of the treasury, with public moneys, advanced prior to the first day of July, one thousand eight hundred and fifteen, the proper accounting officers be, and they are hereby, authorized to admit, to the credit of such persons, respectively, the amount of any expenditures made by them, which were, at the time, authorized by law, or regulations, notwithstanding regular vouchers for the same may not be produced, if the impracticability of producing such vouchers shall be proved to the satisfaction of the said accounting officers; and if the evidence exhibited, in lieu thereof, shall be the best the nature of the several cases will admit of, and such as will be received in courts of justice: *Provided, nevertheless,* That the credits to be allowed shall, in no case, exceed, in amount, the sums with which such persons, respectively, shall be charged on the books of the said third auditor.

treasury to admit expenditures in certain cases, and under certain restrictions.

Proviso.

SEC. 2. *And be it further enacted,* That whenever, in the settlement of the accounts before mentioned, a difference of opinion shall arise between the accounting officers, as to the extent of the credits to be allowed, under, or by virtue of, this act, such case shall be referred to the Secretary of War, whose decision shall be conclusive. And it is hereby made the duty of the said secretary, to cause to be communicated to Congress, at the commencement of each session, a statement comprising the names of the persons whose accounts shall have been settled the preceding year, agreeably to the provisions of this act, together with the amount which shall have been passed to the credit of each, under the several heads of expenditure, and upon evidence other than such as had been prescribed by the laws and regulations existing before the passage of this act.

In a difference of opinion, the case shall be referred to the Secretary of War.

SEC. 3. *And be it further enacted,* That if any person shall swear or affirm falsely, touching the expenditure of public money, or in support of any claim against the United States, he or she shall, upon conviction thereof, suffer as for wilful and corrupt perjury. (a)

Any person swearing falsely, shall suffer as for wilful and corrupt perjury.

APPROVED, March 1, 1823.

STATUTE II.

CHAP. XXXVIII.—*An Act for the punishment of frauds committed on the government of the United States.*

March 3, 1823.

[Obsolete.]

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

Persons guilty of certain frauds

(a) Indictment for false swearing under the third section of the act of Congress of March 1, 1823, which declares, that "any person who shall swear or affirm falsely, touching the expenditure of public money, or in support of any claim against the United States, shall suffer as for wilful and corrupt perjury." The indictment charged the false swearing to be an affidavit made before a justice of the peace of Kentucky in support of a claim against the United States, under the act of July 5, 1832, ch. 173, to provide for liquidating and paying certain claims of the state of Virginia. By the Supreme Court—There is no statute of the United States which expressly authorizes any justice of the peace of the state, or any officer of the national government to administer an oath in support of any claim against the United States under the act of 1823. *The United States v. Bailey*, 9 Peters, 238.

The Secretary of the Treasury, in order to carry into effect the authority given to him, to liquidate and pay the claims referred to in the act of 1832, had established a regulation authorizing affidavits made before any justice of the peace of a state, to be received and considered in proof of claims under the act. By implication, he possessed the power to make such a regulation, and to allow such affidavits in proof of claims under the act of 1832. It was incidental to his duty and authority in settling claims under the act. When the oath is taken before a state or national magistrate, authorized to administer oaths in pursuance of any regulations prescribed by the Treasury Department, or in conformity with the practice of the Treasury Department, so that the affidavit would be admissible evidence at the Department in support of any claim against the United States, and the party swears falsely, the case is within the purview of the act of 1823. *Ibid.*

If a state magistrate shall administer an oath, under an act of Congress expressly giving him the power to do so, it would be a lawful oath, before one having competent authority, and as much so as if he had been specially appointed a commissioner under a law of the United States for that purpose, and such an oath, administered under such circumstances, would be within the purview of the act of 1823. *Ibid.*

The act of 1823 does not create or punish the crime of perjury, technically considered. But it creates a new and substantial offence of false swearing, and punishes it in the same manner as perjury. The oath, therefore, need not be administered in a judicial proceeding, or in a case in which the state magistrate, under the state laws, had jurisdiction, so as to make the false swearing perjury. It would be sufficient, that it might be lawfully administered by the magistrate, and was not in violation of his official duty. *Ibid.*

on the govern-
ment of the
United States
to be consider-
ed guilty of
felony.

To be punish-
ed by imprison-
ment.

Persons know-
ingly having
fraudulent pa-
pers, &c. to be
fined and im-
prisoned.

The courts
of the several
states not to be
deprived of
jurisdiction
over the offences
punishable by
this law.

sons shall falsely make, alter, forge, or counterfeit; or cause or procure to be falsely made, altered, forged, or counterfeited; or willingly aid or assist in the false making, altering, forging, or counterfeiting, any deed, power of attorney, order, certificate, receipt, or other writing, for the purpose of obtaining or receiving, or of enabling any other person or persons, either directly or indirectly, to obtain or receive, from the United States, or any of their officers or agents, any sum or sums of money; or shall utter, or publish as true, or cause to be uttered or published as true, any such false, forged, altered, or counterfeited deed, power of attorney, order, certificate, receipt, or other writing, as aforesaid, with intent to defraud the United States, knowing the same to be false, altered, forged, or counterfeited; or shall transmit to, or present at, or cause or procure to be transmitted to, or presented at, any office or officer of the government of the United States, any deed, power of attorney, order, certificate, receipt, or other writing, in support of, or in relation to, any account or claim, with intent to defraud the United States, knowing the same to be false, altered, forged, or counterfeited, every such person shall be deemed and adjudged guilty of felony; and being thereof duly convicted, shall be sentenced to be imprisoned, and kept at hard labour, for a period not less than one year, nor more than ten years; or shall be imprisoned, not exceeding five years, and fined not exceeding one thousand dollars.

SEC. 2. *And be it further enacted*, That if any person or persons shall knowingly have in his, her, or their, possession, any false, altered, forged, or counterfeited deed, power of attorney, order, certificate, receipt, or other writing, for the purpose of enabling any person or persons, either directly or indirectly, to obtain or receive from the United States, or any of its officers or agents, any sum or sums of money, knowing the same to be false, altered, forged, or counterfeited, as aforesaid, with intent to defraud the United States, every such person, upon being thereof duly convicted, shall be fined and imprisoned at the discretion of the court, according to the nature and aggravation of the offence: *Provided, nevertheless*, That nothing herein contained shall be construed to deprive the courts of the several states of jurisdiction, under the laws thereof, over offences declared punishable by this law.

APPROVED, March 3, 1823.

STATUTE II.

March 1, 1823.

Act of April
11, 1818, ch. 47.

Two years
allowed to officers
and soldiers of
the Virginia line
for obtaining war-
rants.

Provisions of
the act of
March 3, 1807,
ch. 31, revived.

CHAP. XXXIX.—*An Act extending the time for locating Virginia military land warrants, and returning surveys thereon to the general land office.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the officers and soldiers of the Virginia line, on the continental establishment, their heirs or assigns, entitled to bounty lands within the country reserved by the state of Virginia, between the little Miami and Scioto rivers, shall be allowed a further time of two years, from the fourth day of January, one thousand eight hundred and twenty-three, to obtain warrants, and to complete their locations; and the further time of four years, from the fourth day of January, one thousand eight hundred and twenty-three, to return their surveys and warrants, or certified copies of warrants, to the general land office, to obtain patents.

SEC. 2. *And be it further enacted*, That the provisions of the act, entitled "An act authorizing patents to issue for lands located and surveyed by virtue of certain Virginia resolution-warrants," passed the third day of March, one thousand eight hundred and seven, shall be revived, and in force, with all its restrictions, except that the respective times allowed for making locations, and returning surveys thereon, shall be limited to the terms prescribed by the first section of this act, for the location and

return of surveys on other warrants; and that the surveys shall be returned to the general land office: *Provided*, That no locations, as aforesaid, in virtue of this or the preceding section of this act, shall be made on tracts of lands for which patents had previously been issued, or which had been previously surveyed; and any patent, which may nevertheless be obtained for land located contrary to the provisions of this act, shall be considered null and void.

Proviso.

SEC. 3. *And be it further enacted*, That no holder of any warrant which has been, or may be, located, shall be permitted to withdraw or remove the same, and locate it on any other land, except in cases of eviction, in consequence of a legal judgment first obtained, or unless it be found to interfere with a prior location and survey; nor shall any lands heretofore sold by the United States, within the boundaries of said reservation, be subject to location by the holder of any such unlocated warrant.

Holders of warrants not permitted to remove location.

APPROVED, March 1, 1823.

STATUTE II.

CHAP. XL.—*An Act granting to the state of Alabama the right of pre-emption to certain quarter sections of land.*

March 3, 1823.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there be granted to the state of Alabama, at the minimum price for which public lands of the United States are sold, the right of pre-emption to one quarter section of land, in, or near, the centre of each of the counties of Marengo, Perry, and Decatur, of the state aforesaid, in trust for said counties, respectively, for the establishment of seats of justice therein: *Provided*, That the proceeds of the sale of each of said quarter sections shall be appropriated for the purpose of erecting public buildings in the county for which it is located, after deducting therefrom the amount originally paid for the same: *And provided further*, That the seat of justice for said counties, respectively, shall be fixed and continued on the lands so located and selected.

Alabama allowed the right of pre-emption of lands for seats of justice.

Proviso.

Proviso.

APPROVED, March 3, 1823.

STATUTE II.

CHAP. XLI.—*An Act altering the time of holding the circuit court in the districts of Maine (a) and New Hampshire. (b)*

March 3, 1823.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the terms of the circuit court, which are now directed by law to be holden annually in the district of Maine, at Portland, on the eighth day of May; and at Wiscasset, on the eighth day of October: and in the district of New Hampshire, at Ports-

Days of holding the terms of the circuit court of Maine and New Hampshire changed.

(a) *Circuit courts in Maine:*

An act for altering the times and places of holding the circuit courts therein mentioned, and for other purposes, Act of March 3, 1801, ch. 32, sec. 1.

An act to repeal certain acts respecting the organization of the courts of the United States, and for other purposes, March 8, 1802, ch. 8.

An act establishing a circuit court within and for the district of Maine, March 30, 1820, ch. 25.

(b) *Circuit courts in New Hampshire:*

An act providing compensation for the officers of the judicial courts of the United States, and for jurors and witnesses, and for other purposes, March 3, 1791, ch. 22, sec. 2.

An act altering the time of holding the circuit courts in certain districts of the United States, and for other purposes, April 3, 1792, ch. 21, sec. 2.

An act to alter the times and places of holding the circuit courts in the eastern district and in North Carolina, and for other purposes, March 2, 1793, ch. 23.

An act concerning the circuit courts of the United States, March 3, 1797, ch. 27.

An act for altering the times and places of holding the circuit courts therein mentioned, and for other purposes, Act of March 3, 1801, ch. 32, sec. 1.

An act to repeal certain acts respecting the organization of the courts of the United States, and for other purposes, March 8, 1802, ch. 8.

An act to alter the times of holding the circuit court in the first district, March 26, 1812, ch. 45.

mouth, on the first day of May; and at Exeter, on the first day of October, shall hereafter be holden at Portland, on the first day of May; at Wiscasset, on the first day of October; at Portsmouth, on the eighth day of May; and at Exeter, on the eighth day of October, in said districts, in each year; and when either of said days shall be Sunday, the session of said court shall commence on the day next following: and all causes, suits, actions, process, pleadings, and proceedings, of every description, existing or depending in the circuit court, in the districts aforesaid, shall be returnable to, and proceeded with, in due form of law, at the times conformable to the alterations herein provided for.

APPROVED, March 3, 1823.

STATUTE II.

March 3, 1823.

CHAP. XLII.—*An Act supplementary to "An act for the better organization of the courts of the United States within the state of New York."*

Act of April 3, 1818, ch. 32. An appeal to be from the northern district court of New York, to the circuit court in the southern district.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from final decrees or judgments, in the district court of the northern district of the state of New York, there shall be an appeal to the circuit court in the southern district of said state, in the same manner, and upon the same terms, as from other district courts to their respective circuit courts.

APPROVED, March 3, 1823.

STATUTE II.

March 3, 1823.

CHAP. XLIII.—*An Act further to prolong the continuance of the mint at Philadelphia.*

[Expired.]

Act of March 3, 1801, ch. 21, concerning the mint, revived for five years.

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

Duty of commissioner of loans to be performed by the collector of Philadelphia.

SEC. 2. *And be it further enacted,* That, during the continuance of the mint at the city of Philadelphia, the duties which were enjoined on the commissioner of loans for the state of Pennsylvania, by the second section of the act, entitled "An act concerning the mint," passed on the third day of March, one thousand eight hundred and one, shall be performed by the collector of the port of Philadelphia for the time being.

Expense of materials used in refining, and other deductions, to be made from the deposit, and accounted for to treasury of the United States.

SEC. 3. *And be it further enacted,* That when any silver, brought to the mint for coinage, shall require refining, the expense of the materials used in the process shall be deducted from the amount of the deposit; and that, when silver so deposited, shall be of a quality superior to that of the legal standard of the silver coins of the United States, a deduction shall be made from the amount, equal to the expense of the copper necessary to reduce it to the said standard; and that all such deductions be regularly accounted for, by the treasurer of the mint, to the treasury of the United States.

APPROVED, March 3, 1823.

STATUTE II.

March 3, 1823.

CHAP. XLIV.—*An Act for the better organization of the district court of the United States within the state of Louisiana.* (a)

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, for the more conve-

(a) *District courts of Louisiana.*

An act for the admission of the state of Louisiana into the Union, and to extend the laws of the United States to the said state, April 8, 1812, ch. 50.

nient transaction of business in the courts of the United States within the state of Louisiana, the said state shall be, and the same is hereby, divided into two districts, in manner following, to wit: The counties of Attakapas, Opelousas, Rapide, Natchitoches, and Ouachita, shall compose one district, to be called the western district of Louisiana; and all the remaining part of the said state shall compose another district, to be called the eastern district of Louisiana; and all criminal actions, or civil suits, which have arisen in the western district, together with all process, writs, recognisances, and records, belonging thereto, shall be transferred to the western district; and there shall be, annually, only three stated sessions of the district court for the eastern district, to be held at New Orleans, on the third Mondays of November, February, and May; and there shall be, annually, one stated session of the said court in the western district of the state, to be held at Opelousas Courthouse, to commence on the third Monday of August; and the district judge of the United States, for the state of Louisiana, is hereby authorized and required to hold special sessions of the said court, in the said western district, for the trial of criminal or civil causes, whenever he may deem it expedient: That all process, writs, and recognisances, of every kind, whether respecting juries, witnesses, bail, or otherwise, which relate to the cases to be tried at the said special sessions, shall be considered as belonging to such sessions, in the same manner as if they had been issued or taken in reference thereto: That any special session may be adjourned to any time, or times, previous to the next stated meeting of the district court: That all business depending for trial at any special court shall, at the close thereof, be considered as of course removed to the next stated term of the district court: the said judge shall appoint a clerk of the said court in the western district, who shall reside, and keep the records of the court, at the place where the sessions of the court are held, and shall receive for the services performed by him, the same fees and compensation that are allowed to the clerk of the said court of the eastern district of the state, and shall be subject, in every respect, to the same responsibilities.

SEC. 2. *And be it further enacted*, That the President of the United States, by and with the advice and consent of the Senate of the United States, be, and hereby is, authorized to appoint one person as marshal, and one as district attorney, for the said western judicial district of the United States within the state of Louisiana, created by this act, and that the terms of appointment and service, together with the duties and responsibilities of the said marshal and district attorney, respectively, for the district aforesaid, be, in all respects, the same within their said district as the terms of appointment and services, the duties and responsibilities, of the marshal and district attorney, respectively, of the eastern district of the state of Louisiana; and said marshal shall receive such fees and emoluments as are received by the marshal of the United States for the state of Louisiana; and said attorney an annual compensation of two hundred dollars, and the same fees and emoluments as are allowed to the attorney of the United States, for the eastern district of Louisiana.

APPROVED, March 3, 1823.

State of Louisiana divided into two districts, the western and eastern.

Three stated sessions to be held annually for the eastern district at New Orleans, and one for the western at Opelousas Courthouse.

Judge to appoint a clerk for the western district court.

President to appoint a marshal and district attorney for the western district.

An act for the better organization of the district court of the United States within the state of Louisiana, March 3, 1823, ch. 44.

An act to change the time of holding the district court of the United States for the eastern district of Louisiana, March 3, 1825, ch. 80.

An act to alter the time of holding the district court of the United States for the western district of Louisiana, May 22, 1832, ch. 92.

An act for changing the terms of the district court for the western district of Louisiana, June 30, 1834, ch. 173.

An act respecting the jurisdiction of certain district courts, Feb. 19, 1831, ch. 28.

STATUTE II.

March 3, 1823.

CHAP. XLV.—*An Act to alter the times of holding the district court of the United States for the district of Vermont.*(a)

Time of holding the district court of Vermont altered.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the district court of the United States for the district of Vermont, shall be hereafter holden on the sixth day of October, and on the twenty-fourth day of May, in each year, instead of the tenth day of October, and twenty-seventh day of May, as is now required by law: *Provided,* That if either of the days prescribed by this act for holding said court, shall be a Sunday, then the said court shall commence and be holden on the following day.

Proviso.

Causes to be proceeded in as if no alteration had been made.

SEC. 2. *And be it further enacted,* That all proceedings of a civil or criminal nature, now pending in, or returnable to, said court, shall be proceeded in by the said court, in the same manner as if no alteration of the time for holding said court had taken place.

APPROVED, March 3, 1823.

STATUTE II.

March 3, 1823.

CHAP. XLVI.—*An Act extending the time for issuing and locating military land warrants to officers and soldiers of the revolutionary army.*

[Expired.]

Time of issuing and locating military land warrants to revolutionary officers and soldiers extended.

1819, ch. 41.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the time limited by the second section of the act, approved on the twenty-fourth day of February, one thousand eight hundred and nineteen, for issuing military land warrants to the officers and soldiers of the revolutionary army, shall be extended to the fourth day of March, one thousand eight hundred and twenty-five; and the time for locating the unlocated warrants shall be extended to the first day of October thereafter.

APPROVED, March 3, 1823.

STATUTE II.

March 3, 1823.

CHAP. XLVII.—*An Act to extend the time allowed for the redemption of land sold for direct tax in certain cases.* (b)

[Expired.]

Time for redemption of lands sold for direct tax revived and extended for two years.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the time allowed for the redemption of lands, which have been, or may be, sold for the non-payment of taxes, under the several acts, passed the second day of August, one thousand eight hundred and thirteen, the ninth day of January, one thousand eight hundred and fifteen, and the fifth day of March, one thousand eight hundred and sixteen, for laying and collecting a direct tax, within the United States, so far as the same have been purchased for, or on behalf of, the United States, be revived and extended for the further term of two years, from and after the expiration of the present session of Congress: *Provided,* That on such redemption, interest shall be paid, at the rate of twenty per centum per annum on the taxes aforesaid, and on the additions of twenty per centum chargeable thereon; and the right of redemption shall enure, as well to the heirs and assignees of the lands so purchased on behalf of the United States as to the original owners thereof.

APPROVED, March 3, 1823.

(a) See act of March 22, 1816, ch. 31, for notes of the acts relating to the circuit and district courts of Vermont.

(b) Act of August 2, 1813, ch. 37.

Act of January 9, 1815, ch. 21.

Act of March 5, 1816, ch. 24.

CHAP. XLVIII.—*An Act vesting in the state of Virginia the right of the United States to all fines assessed for non-performance of militia duty, during the late war with Great Britain, within said state.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all right which the United States have to the fines assessed upon the citizens of the state of Virginia, for the non-performance of militia duty during the late war with Great Britain, shall be, and the same is hereby, vested in the said state.

SEC. 2. *And be it further enacted,* That all moneys in the hands of those who now are, or heretofore have been, marshals, or deputy marshals, which may have been collected from the fines aforesaid, after deducting the expense of collecting the same, and the cost of any suit or suits which may have been brought against said marshals or deputy marshals, in consequence of the collection of said fines, shall be paid by them, respectively, to the treasurer of said state.

SEC. 3. *And be it further enacted,* That the said fines shall be recovered, by the said state, under such regulations, provisions, and restrictions, as shall be prescribed by the legislature thereof: *Provided,* That if the provisions of this act are accepted by the state of Virginia, that state shall indemnify the United States against any charge or charges which has already accrued, or which may hereafter be made, in consequence of the assessment and collection of said fines.

APPROVED, March 3, 1823.

STATUTE II.
March 3, 1823.

Right of the United States to militia fines in Virginia vested in that state.

Moneys that are or have been collected to be paid to treasurer of the state.

Fines to be recovered by the state as prescribed by the legislature.
Provido.

CHAP. XLIX.—*An Act for the erection of a monument over the tomb of Elbridge Gerry, late Vice President 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 superintendent of the public buildings be, and he hereby is directed to cause to be erected, in the burial ground of the city of Washington, a neat and appropriate monument over the tomb of Elbridge Gerry, late Vice President of the United States, who died at Washington, November twenty-third, one thousand eight hundred and fourteen, with a suitable inscription on the same, stating the name, station, age, and time of death, of the deceased.

SEC. 2. *And be it further enacted,* That a sum, not exceeding one thousand dollars, be, and the same is hereby, appropriated for the payment of the cost thereof, from any money in the treasury, not otherwise appropriated.

APPROVED, March 3, 1823.

STATUTE II.
March 3, 1823.

Superintendent of the public buildings to erect a monument over the tomb of Elbridge Gerry.

Appropriation therefor.

CHAP. L.—*An Act to continue in force an act, entitled "An act regulating the currency within the United States of the gold coins of Great Britain, France, Portugal, and Spain, and the crowns of France and five franc pieces," passed on the twenty-ninth day of April, one thousand eight hundred and sixteen, so far as the same relates to the crowns of France and five franc pieces.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of the act, entitled "An act regulating the currency within the United States of the gold coins of Great Britain, France, Portugal, and Spain, and the crowns of France and five franc pieces," passed on the twenty-ninth day of April, one thousand eight hundred and sixteen, as relates to the

STATUTE II.
March 3, 1823.
[Expired.]

Act of April 29, 1816, ch. 139.
Act of March 3, 1823, ch. 52.
Act of April 29, 1816, regulating currency,

to be in force for four years, as regards French crowns and five franc pieces.

crowns of France and five franc pieces, shall be, and the same hereby is, continued in force, for the further term of four years, from and after the fourth day of March next.

APPROVED, March 3, 1823.

STATUTE II.

March 3, 1823.

CHAP. LI.—*An Act to authorize the Secretary of the Treasury to remit the instalments due on certain lots in Shawneetown, in the state of Illinois.*

Instalments due on certain lots in Shawneetown remitted.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to remit the instalments due, and to become due, on lots numbered eleven hundred and thirteen and eleven hundred and fourteen, in Shawneetown, in the state of Illinois, and a patent or patents shall issue for the same, as in other cases; which said lots are used as a public square.

APPROVED, March 3, 1823.

STATUTE II.

March 3, 1823.

CHAP. LII.—*An Act to establish an additional land office in the territory of Michigan. (a)*

The President to designate a place for an additional land office in the territory of Michigan.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all the public lands in the district of Detroit, lying south of the boundary line between the third and fourth townships, south of the base line, except so much thereof as lies north of the river Huron, of Lake Erie, and all the public lands in the territory of Michigan, to which the Indian title was extinguished by the treaty of Chicago, shall be formed into a new land district; and, for the sale of the public lands within the district hereby constituted, there shall be a land office established, at such place within the district as the President of the United States may designate.

President to appoint a register and receiver.

SEC. 2. *And be it further enacted,* That there shall be a register of the land office, and a receiver of public moneys, appointed by the President of the United States, for the land office hereby created, to superintend the sales of public lands within said district, who shall give security in the same manner, in the same sums, and whose compensation, emoluments, and duties, and authority, shall, in every respect, be the same, in relation to the lands which shall be disposed of at their office, as are, or may be, by law provided in relation to the registers and receivers of public moneys in the several offices established for the sale of public lands.

Provisions of the act of March 3, 1819, made applicable to this office. 1819, ch. 92.

SEC. 3. *And be it further enacted,* That the provisions of the third and fifth sections of the act, entitled "An act to designate the boundaries of districts, and establish land offices, for the disposal of the public lands, not heretofore offered for sale, in the states of Ohio and Indiana," approved March the third, one thousand eight hundred and nineteen, be, and the same are hereby, made applicable to the district and office hereby created, so far as they are not changed by subsequent laws of the United States: *Provided,* That all such public lands, embraced within the district created by this act, which shall have been offered for sale to the highest bidder, at Detroit, pursuant to any proclamation of the President of the United States, and which lands remain unsold at the taking effect of this act, shall be subject to be entered and sold at private sale by the register of the land office hereby created, in the same manner, and subject to the same terms, and upon like conditions, as the sales of said lands would have been subjected to in the land office at Detroit had they remained attached to that office.

Proviso.

(a) See notes to act of February 21, 1823, ch. 10.

SEC. 4. *And be it further enacted*, That this act shall take effect, and be in force from and after the first day of May next ensuing the passage thereof.

APPROVED, March 3, 1823.

Act to take effect 1st May next.

STATUTE II.

CHAP. LIII.—*An Act making the gold coins of Great Britain, France, Portugal, and Spain, receivable in payments on account of public lands.* March 3, 1823.

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 following gold coins shall be received in all payments on account of public lands, at the several and respective rates following, and not otherwise, viz: the gold coins of Great Britain and Portugal, of their present standard, at the rate of one hundred cents for every twenty-seven grains, or eighty-eight cents and eight-ninths per pennyweight: the gold coins of France, of their present standard, at the rate of one hundred cents for every twenty-seven and a half grains, or eighty-seven and a quarter cents per pennyweight: and the gold coins of Spain of their present standard, at the rate of one hundred cents for every twenty-eight and a half grains, or eighty-four cents per pennyweight.

SEC. 2. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to cause assays of the foregoing coins to be made at the mint of the United States, at least once in every year; and to make report of the result thereof to Congress.

APPROVED, March 3, 1823.

Act of March 3, 1823, ch. 50. Gold coins of Great Britain, Portugal, France, and Spain, to be received in payment on account of lands.

Secretary of the Treasury to cause assays to be made annually at the mint.

STATUTE II.

CHAP. LIV.—*An Act for clearing, repairing, and improving, certain roads for the purpose of facilitating the transportation of the United States' Mail.* March 3, 1823.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he hereby is, authorized to cause to be cleared, repaired, and improved, the United States' mail road, from Nashville in the state of Tennessee, to New Orleans, in the state of Louisiana: *Provided*, He shall not expend more than seven thousand nine hundred and twenty dollars, in clearing, repairing, and improving, the same, and that the said sum shall be expended on that part of the road which may lie within [the] territory occupied by the Indians, and to which their title has not yet been extinguished.

APPROVED, March 3, 1823.

President to cause certain mail-roads to be cleared, repaired, and improved.

Proviso.

STATUTE II.

CHAP. LV.—*An Act respecting stamps.*

March 3, 1823.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, whenever any person or persons shall pay to the Secretary of the Treasury, the duty chargeable by the act, entitled "An act to establish a general stamp office," passed on the twenty-third day of April, in the year one thousand eight hundred, on any deed, instrument, or writing, on which the said stamp duty chargeable by law shall not have been paid, together with the further sum of ten dollars, and shall obtain a certificate thereof, from the Secretary of the Treasury, such deed, instrument, or writing, shall be, to all intents and purposes, as valid and available, as if the same had been, or

[Expired.] April 23, 1800, ch. 31.

Deeds, &c. not stamped by act of April 23, 1800, on payment of the duty and ten dollars, rendered valid as if stamped.

were, stamped, counter stamped, or marked, as by said law required; any thing in any act to the contrary notwithstanding.

SEC. 2. *And be it further enacted*, That this act shall be, and continue, in force for the term of one year from the passage thereof, and no longer.

APPROVED, March 3, 1823.

STATUTE II.

March 3, 1823.

CHAP. LVI.—*An Act to authorize the building of lighthouses, light vessels, and beacons, therein mentioned, and for other purposes.*

Secretary of the Treasury empowered to contract for building lighthouses, &c. on certain sites and shoals.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of the Treasury be, and he hereby is, empowered to provide by contract, for building lighthouses, and light vessels, erecting beacons, and placing buoys, on the following sites or shoals, to wit: A lighthouse on Baker's Island, near Mount Desert, in the state of Maine; one on Monamoy Point, in the state of Massachusetts; a lighthouse on Goat Island, in the state of Rhode Island; a light vessel, not to be under two hundred and fifty tons, on Cape Hatteras, in North Carolina; a lighthouse on Cape Romain, in the state of South Carolina; a lighthouse at or near the entrance of the harbour of Pensacola, for that part of the territory known as West Florida; a light-house near Fort Gratiot, in Michigan territory; a beacon on Hadrell's Point, in the state of South Carolina; two light vessels to be placed in the Bay of Delaware, the one at or near the Brandywine Shoal, and the other at or near the shoal called the Upper Middle; and also, to agree for the salaries, wages, or hire, of the persons to be appointed by the President of the United States, for the superintendence of the same: *Provided*, That no moneys shall be expended in erecting such lighthouses, until the jurisdiction to such portions of land as the President of the United States shall select as the sites of the same, respectively, shall be ceded to, and the property thereof vested in, the United States.

Proviso.

Appropriations.

SEC. 2. *And be it further enacted*, That there be appropriated out of any money in the treasury not otherwise appropriated, the following sums of money, to wit: For building the lighthouse on Baker's Island, two thousand five hundred dollars; for one on Monamoy Point, three thousand dollars; for one on Goat island, two thousand five hundred dollars; for an additional sum to complete the light vessel authorized to be built, by an act, entitled "An act to authorize the building lighthouses therein mentioned, and for other purposes," passed the seventh day of May, one thousand eight hundred and twenty-two, for the state of New York, five thousand dollars; for an additional sum to complete the lighthouse on Oldfield Point, in the same state, one thousand five hundred dollars; for an additional sum to complete a tower for the light on Fort Niagara, in the same state, one thousand five hundred dollars; for placing a lantern at Fort Delaware, in the river Delaware, one thousand five hundred dollars; for completing the lighthouse on Cape May, in the state of New Jersey, a sum not exceeding five thousand seven hundred and fifty dollars; for placing a light vessel at or near Cape Hatteras shoals, a sum not exceeding twenty-five thousand dollars; for building a lighthouse on Cape Romain, ten thousand dollars; for erecting a beacon on Hadrell's Point, one thousand five hundred dollars; for finishing the lighthouse near St. Augustine, in the territory of East Florida, the sum of five thousand dollars; for building a lighthouse at or near Pensacola, a sum not exceeding six thousand dollars; for building a lighthouse at Fort Gratiot, three thousand five hundred dollars, and for building and placing two light vessels in Delaware Bay, twenty thousand dollars.

1822, ch. 119.

SEC. 3. *And be it further enacted*, That the President of the United

States be, and he is hereby, authorized to cause such an examination and survey to be made of the obstruction between the harbour of Gloucester and the harbour of Squam, in the state of Massachusetts, as may be requisite to ascertain the expediency of removing such obstruction; and the President is hereby authorized to cause such obstruction to be removed, by contract or otherwise, under the direction of the collector of the district of Gloucester, if, from the report of persons he may appoint to examine and survey the same, he shall deem it expedient; and a sum, not exceeding six thousand dollars, is hereby appropriated for that purpose, to be paid out of any money in the treasury not otherwise appropriated.

SEC. 4. *And be it further enacted, by the authority aforesaid,* That the sum of one hundred and fifty dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury, not otherwise appropriated, to enable the President of the United States, to cause the entrance of the harbour of the Port of Presque Isle, in Pennsylvania, to be examined and surveyed by one of the Topographical Engineers of the United States, whose duty it shall be to make a probable estimate of the expense of removing the obstructions, and report on the best manner of removing them, and the effect of such removal on the channel in future.

APPROVED, March 3, 1823.

President to cause an examination and survey to be made of the obstruction between the harbour of Gloucester, and that of Squam, in Mass.
Appropriation.

Appropriation for examination and survey of Port Presque Isle.

CHAP. LVII.—*An Act further to extend the provisions of the act, entitled "An act supplementary to an act, entitled 'An act for the relief of the purchasers of the public lands prior to the first July, one thousand eight hundred and twenty,'"*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all persons who shall produce satisfactory evidence to the register and receiver of the proper land office, that they were actually entitled to, and would have availed themselves of, the provisions of the act, entitled "An act supplementary to the act, entitled 'An act for the relief of the purchasers of the public lands prior to the first day of July, one thousand eight hundred and twenty,'" approved April twentieth, one thousand eight hundred and twenty-two, and their failure to do so was owing to such cause or circumstance as he [they] could not control or prevent, shall be allowed until the thirtieth day of September next, to avail themselves of all the privileges, advantages and provisions, of the said act, in the same manner they could have done prior to the thirtieth day of September last.

APPROVED, March 3, 1823.

STATUTE II.
March 3, 1823.
[Expired.]

The act of April 20, 1822, ch. 30, for the relief of the purchasers of public lands, extended to 30th Sept. next.

CHAP. LVIII.—*An Act to amend an act, entitled "And [An] act further to regulate the entry of merchandise imported into the United States from any adjacent territory."*

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, every master or other person having charge of a vessel, boat, canoe, or raft, or the conductor or driver of any carriage, or sleigh, or other person bringing merchandise, from any foreign territory adjacent to the United States, who shall neglect or refuse to deliver a manifest, as is required in and by the act, entitled "An act further to regulate the entry of merchandise imported into the United States from any adjacent territory," passed the second day of March, one thousand eight hundred and twenty-one, shall be subject to pay, instead of the penalty of four hundred dollars imposed by the first section of said act, four times the value of the merchandise so imported.

SEC. 2. *And be it further enacted,* That if any person or persons

STATUTE II.
March 3, 1823.

Penalty of the act of March 2, 1821, ch. 14, for regulating the entry of merchandise from any foreign territory, altered.

Persons receiving, &c. goods illegally imported and liable to seizure, to forfeit double the amount.

Persons forcibly resisting, &c. an officer of the customs, to be fined.

Provisions of the 46th section of the act of March 2, 1799, ch. 22, sec. 46, extended.

Penalties to be sued for, &c. Act of March 2, 1799, ch. 22, sec. 89.

shall receive, conceal, or buy, any goods, wares, or merchandise, knowing them to have been illegally imported into the United States, and liable to seizure by virtue of any act in relation to the revenue, such person or persons shall, on conviction thereof, forfeit and pay a sum double the amount or value of the goods, wares, or merchandise, so received, concealed, or purchased.

SEC. 3. *And be it further enacted*, That if any person shall forcibly resist, prevent, or impede, any officer of the customs or their deputies, or any person assisting them in the execution of their duty, such person, so offending, shall, for every such offence, be fined a sum not exceeding four hundred dollars.

SEC. 4. *And be it further enacted*, That the provisions of the forty-sixth section of the act, entitled "An act to regulate the collection of duties on imports and tonnage," passed the second day of March, Anno Domini one thousand seven hundred and ninety-nine, be, and they are hereby, extended to the case of goods, wares, and merchandise, imported into the United States from an adjacent territory.

SEC. 5. *And be it further enacted*, That all penalties and forfeitures, incurred by force of this act, shall be sued for, recovered, distributed, and accounted for, in the manner prescribed by an act, entitled "An act to regulate the collection of duties on imports and tonnage," passed on the second day of March, Anno Domini one thousand seven hundred and ninety-nine.

APPROVED, March 3, 1823.

STATUTE II.

March 1, 1823.

CHAP. LIX.—*An Act supplementary to the acts to provide for certain persons engaged in the land and naval service of the United States in the revolutionary war.*

Act of March 11, 1818, ch. 19. Secretary of War authorized to restore to the list such pensioners as have or shall be struck off by the act of May 1, 1820, ch. 53, upon certain conditions.

A judge may attend at the dwelling of such person as shall be unable to attend in court to make his schedule.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of War be, and he is hereby, authorized and required to restore to the list of pensioners the name of any person who may have been, or hereafter shall be stricken therefrom, in pursuance of the act of Congress, passed the first day of May, one thousand eight hundred and twenty, entitled "An act in addition to an act, entitled 'An act to provide for certain persons engaged in the land and naval service of the United States in the revolutionary war,'" passed the eighteenth day of March, one thousand eight hundred and eighteen, if such person, so stricken from the list of pensioners, has heretofore furnished, or hereafter shall furnish, evidence, in pursuance of the provisions of said act, to satisfy the Secretary of War that he is in such indigent circumstances as to be unable to support himself without the assistance of his country, and that he has not disposed of or transferred his property, or any portion thereof, with a view to obtain a pension.

SEC. 2. *And be it further enacted*, That, when any person, coming within the provisions of the acts to which this is supplementary, shall, by reason of bodily infirmity, be unable to attend in court to make his schedule, and furnish the evidence by said acts required, it shall be lawful for any judge or justice of a court of record in the district, city, county, or borough, in which such person resides, to attend at his place of abode and receive his schedule, and oath or affirmation, and said judge or justice shall certify that said applicant was, from bodily infirmity, unable to attend such court; which schedule, and oath or affirmation, and certificate, shall, by said judge or justice, be produced in the court of which he is judge; and the opinion of said court, of the value of the property contained in said schedule, shall be entered thereon, and certified by the clerk of said court; and such schedule shall be valid for all the purposes contemplated by the acts aforesaid.

SEC. 3. *And be it further enacted*, That no pension hereafter to be allowed on claims or schedules heretofore filed under the act or acts to which this act is a supplement, or under the provisions of this act, shall commence before the passage thereof; and all other pensions hereafter to be allowed under the acts aforesaid, shall commence from the time of completing the proof.

APPROVED, March 1, 1823.

No pension to commence previous to the passing of this act, &c.

STATUTE II.

March 3, 1823.

CHAP. LX.—*An Act supplementary to the act, entitled "An act to designate the boundaries of districts, and establish land offices for the disposal of the public lands, not heretofore offered for sale, in the states of Ohio and Indiana."*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all the lands ceded and relinquished to the United States, by the Wea tribe of Indians, under the first article of the treaty held at Vincennes, on the eleventh [eleventh] day of August, eighteen hundred and twenty, and which is specified and designated by the second article of the treaty between the United States and the said tribe, concluded at St. Mary's, on the second day of October, eighteen hundred and eighteen, be, and the same is hereby, attached to the Terre Haute district for the sale of public lands in the state of Indiana.

1819, ch. 92.
Lands ceded by the Wea Indians to be attached to the Terre Haute district.

SEC. 2. *And be it further enacted*, That all the public lands specified, designated, and embraced, within the first and second article of the treaties aforesaid, which have not been granted to, or secured for, the use of any individual or individuals, or appropriated and reserved for any other purpose, by any existing treaties or laws, and, with the exception of section numbered sixteen, in each township, which shall be reserved for the support of schools therein, shall be offered for sale to the highest bidder, at the land office in the Terre Haute district, under the direction of the register of the land office and receiver of public moneys, on such day or days as shall, by proclamation of the President of the United States, be designated for that purpose. The lands shall be sold in tracts of the same size, on the same terms and conditions, and, every respect, as provided by the act, entitled "An act making further provision for the sale of the public lands," approved April twenty-fourth, eighteen hundred and twenty.

Lands to be sold at the land office of the Terre Haute district, on such day or days as shall be designated by the President.

Act of April 24, 1820, ch. 51.

SEC. 3. *And be it further enacted*, That the register of the land office and the receiver of public moneys shall, each, receive five dollars for each day's attendance in superintending the public sales of the land before described, according to the President's proclamation.

Register and receiver to receive five dollars a day each.

APPROVED, March 3, 1823.

STATUTE II.

March 3, 1823.

CHAP. LXI.—*An Act making appropriations for certain fortifications of the United States for the year one thousand eight hundred and twenty-three, and for other purposes.*

[Obsolete.]

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, appropriated, to wit:

Specific appropriations for fortifications.

For fortifications, to each specifically, as follows, viz:

For Fort Delaware, fifty-eight thousand dollars:

For Fort Washington, forty-six thousand dollars:

For Fort Monroe, one hundred thousand dollars:

For Fort Calhoun, eighty thousand dollars:

For collecting materials for a fortification at Mobile Point, in the state of Alabama, fifty thousand dollars:

Appropriations. For the Rigolets, and Chief [Chef] Menteur, one hundred thousand dollars:

For collecting materials for, and progressing with, a fort on the right bank of the Mississippi, opposite Fort St. Philip, forty thousand dollars:

For repairing Fort Jackson, in the harbour of Savannah, eight thousand dollars:

For contingencies and repairs of fortifications, twenty-six thousand dollars:

For the purchase of small arms for arming the whole body of the militia, in addition to the annual appropriation of the year one thousand eight hundred and twenty-three for arming the militia, twenty thousand dollars:

For completing the barracks and other public buildings, at Baton Rouge, twenty-nine thousand one hundred seventy-eight dollars seventy-seven cents.

APPROVED, March 3, 1823.

STATUTE II.

March 3, 1823.

[Obsolete.]
Specific appropriations for the public buildings.

CHAP. LXII.—*An Act making appropriations for the public buildings.*

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

For improving the grounds around the Capitol, one thousand dollars:

For making the necessary alteration in the Representatives' Hall, for the accommodation of the eighteenth Congress, the sum of one thousand two hundred dollars:

For finishing the south portico to the President's house, the sum of nineteen thousand dollars.

For an allegorical ornament for a clock for the use of the Senate, two thousand dollars.

To be paid from the treasury.

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

APPROVED, March 3, 1823.

STATUTE II.

March 3, 1823.

Postmaster General to pay certain balances.

Act of May 15, 1820, ch. 133.

To pay for repairs from the contingent fund.

CHAP. LXIII.—*An Act to authorize the Postmaster General to pay for certain repairs to the general post-office, and keep the engine house, the fire engine, and apparatus, in repair.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Postmaster General be authorized to pay, out of the moneys arising from the postages of letters and packets, the sum of two hundred and fifty dollars and fifty-two cents, being a balance due for repairs to the general post-office, and for procuring a fire engine, under the provisions of the act of the seventeenth [fifteenth] of May, eighteen hundred and twenty.

SEC. 2. *And be it further enacted,* That the Postmaster General shall be authorized, out of the contingent fund of said department, to defray such expenses as may be necessary for keeping in repair the engine-house, the fire engine, and hose apparatus, belonging to said department.

APPROVED, March 3, 1823.

STATUTE II.

March 3, 1823.

[Obsolete.]

Officers of the treasury to set-

CHAP. LXIV.—*An Act to enable the proper accounting officers of the Treasury Department to audit and settle the accounts of the surveyor of public lands in the states of Illinois and Missouri, and territory of Arkansas, for extra clerk hire in his office.*

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

officers of the treasury shall be, and are hereby, authorized and required to audit and settle the accounts of the surveyor of public lands in the states of Illinois and Missouri, and territory of Arkansas, for extra clerk hire in his office, for surveying executed before the first day of January, one thousand eight hundred and twenty-three, and for which provision was not made by an allowance of mileage on the surveys of the public lands, under the act of the Congress of the United States, of the third day of April, one thousand eight hundred and eighteen, and make him an allowance therefor, not exceeding the rate of clerk hire now allowed by law in the offices of the other surveyors general, proportioned to the quantity of work done in each; and the amount, so allowed, shall be paid out of any money in the treasury, not otherwise appropriated.

APPROVED, March 3, 1823.

the accounts of the surveyor of Illinois, Missouri, and Arkansas, for extra clerk hire.

Act of April 3, 1818, ch. 26.

STATUTE II.

March 3, 1823.

CHAP. LXV.—*An Act providing for the accommodation of the circuit court of the United States for Washington county, in the District of Columbia, and for the preservation of the records of said court.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby, authorized to cause to be purchased, and completely finished, in the City Hall, now building in the city of Washington, permanent and suitable apartments for holding the sessions of the circuit court of the United States, for the county of Washington, in the District of Columbia, for the use of the grand and petit juries of the said county, for the offices of the clerk of the said court and the marshal of the said district, and for the preservation and security of the books, papers, and records, of the said court, provided that the said purchase can be made upon reasonable terms, and not exceeding the sum hereinafter appropriated. And for effecting the object of this act, the sum of ten thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury, not otherwise appropriated.

Circuit court of Washington county in the District of Columbia, to be accommodated with apartments in the City Hall.

Appropriation.

SEC. 2. *And be it further enacted,* That the appropriation hereinbefore made shall be expended under the superintendence of the commissioner of the public buildings, in such manner as shall be directed by the President of the United States.

To be expended under the superintendence of the commissioner of public buildings.

SEC. 3. *And be it further enacted,* That, so soon as the said apartments shall have been provided, the said circuit court, and the said clerk's and marshal's offices, with all the books, papers, and records, thereunto belonging, shall be removed thereto; and no allowance of money for the rent of apartments for the use of the said court and offices shall thenceforth, or thereafter, be made out of the treasury of the United States.

When apartments are finished, court to be removed, and no allowance admitted afterwards for rent.

APPROVED, March 3, 1823.

STATUTE II.

March 3, 1823.

CHAP. LXVI.—*An Act to establish an additional land office in the state of Missouri.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of the public lands of the United States, as lies west of the range line dividing the twenty-third and twenty-fourth tiers of townships west of the fifth principal meridian, in the present Howard land district, in the state of Missouri, shall form a land district for the disposal of the said lands, to be called the western district; and a land office shall be established at Lexington, in the county of Lillard, for the disposal thereof.

A new land district to be formed, to be called the western district, for which a land office is to be established.

SEC. 2. *And be it further enacted,* That there shall be a register and

A register and

receiver to be appointed.

receiver appointed to the said office, to superintend the sales of the public lands in the said district, who shall reside at the place where said office is established, give security in the same manner and sums, and whose compensation, emoluments, duties, and authorities, shall, in every respect, be the same, in relation to the lands to be disposed of at their offices, as are, or may be, by law, provided in relation to the registers and receivers of public moneys in the several offices established for the sale of the public lands.

From 1st April next there shall be a new township line between the townships No. 37 and 38.

SEC. 3. *And be it further enacted*, That, from and after the first day of April next, the division line between the St. Louis and the Jackson land districts, in the state of Missouri, shall be the township line between the townships number thirty-seven and thirty-eight; any thing in the former acts, creating land districts in the state of Missouri, to the contrary notwithstanding.

APPROVED, March 3, 1823.

STATUTE II.

March 3, 1823.

CHAP. LXVII.—*An Act to authorize the purchase of a number of copies of the sixth volume of the laws of the United States.*

The Secretary of State authorized to subscribe for 550 copies of the 6th volume of the laws of the United States.
Distribution.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary for the Department of State be, and he is hereby, authorized and directed to subscribe for, and receive, for the use and disposal of Congress, five hundred and fifty copies of the sixth volume of the laws of the United States, published by Davis and Force, of the city of Washington, and cause to be distributed one copy thereof to the President of the United States, one copy to the Vice President of the United States, one copy to each of the heads of departments, to the attorney general of the United States, to each of the senators and representatives, and to each delegate of territories of the seventeenth Congress; fifteen copies to the secretary of the Senate, for the use of the Senate, and thirty copies to the clerk of the House of Representatives, for the use of that House; one copy to each branch of the legislature of each state and territory, and one copy to each of the executives of the several states and territories; and cause the residue to be deposited in the library of Congress.

Appropriation.

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

APPROVED, March 3, 1823.

STATUTE II.

March 3, 1823.

CHAP. LXVIII.—*An Act to confirm certain claims to lots [lots] in the village of Peoria, in the state of Illinois.*

Certain claims to lots in the village of Peoria confirmed.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there is hereby granted, to each of the French and Canadian inhabitants and other settlers in the village of Peoria, in the state of Illinois, whose claims are contained in a report made by the register of the land office at Edwardsville, in pursuance of the act of Congress, approved May the fifteenth, one thousand eight hundred and twenty, and who had settled a lot in the village aforesaid, prior to the first day of January, one thousand eight hundred and thirteen, and who have not heretofore received a confirmation of claims, or donation of any tract of land or village lot from the United States, the lot so settled upon and improved, where the same shall not exceed two acres, and where the same shall exceed two acres, every such

Act of May 15, 1820, ch. 117.

claimant shall be confirmed in a quantity not exceeding ten acres: *Provided*, Nothing in this act contained shall be so construed as to affect the right, if any such there be, of any other person or persons to the said lots, or any part of them derived from the United States, or any other source whatever, or as a pledge on the part of the United [States,] to make good any deficiency occasioned by any other interfering claim or claims.

Proviso.

SEC. 2. *And be it further enacted*, That it shall be the duty of the surveyor of the public lands of the United States for that district, to cause a survey to be made of the several lots, and to designate on a plat thereof the lot confirmed and set apart to each claimant, and forward the same to the Secretary of the Treasury, who shall cause patents to be issued in favour of such claimants, as in other cases.

The several lots to be surveyed.

APPROVED, March 3, 1823.

STATUTE II.

CHAP. LXIX.—*An Act concerning the lands to be granted to the state of Missouri, for the purposes of education, and other public uses.*

March 3, 1823.

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 section number sixteen, in any township within the state of Missouri, has been sold, or otherwise disposed of, it shall be the duty of the register and receiver of the respective land office in whose district such land may lie, so soon after the passage of this act as may be, to select the like quantity of other lands equivalent thereto, from any of the unappropriated lands of the United States in that state, including the residue of such section, where only a part of it has been disposed of, and the value of the residue is not materially diminished by such disposition, and is nearly contiguous to such sixteenth section as may be; and a descriptive entry of such selected lands shall be made on the books of the register, specifying as well the township in which, as that for the use of which, the selection shall have been made; and the lands thus selected and located, are hereby granted to the said state for the use of the inhabitants of the respective townships, for the use of schools, instead of such sixteenth sections so sold or otherwise disposed of.

Certain lands to be granted to the state of Missouri for schools.

SEC. 2. *And be it further enacted*, That, in all cases in which the general assembly of the state of Missouri has selected, or shall hereafter select, a salt spring, for the use of the state, according to the provisions of an act of Congress of the sixth of March, one thousand eight hundred and twenty, and the six sections of unappropriated lands cannot be found adjoining to such spring, agreeably to the provisions of said act, the deficiency shall be supplied by the selection of other sections equivalent thereto, and not farther distant than six miles therefrom, of unappropriated lands of the United States in that state, and as nearly adjoining to such spring as may be, shall be subject to the selection of the legislature of the state for the use thereof; and such sections, when so selected and located, are hereby granted according to the provisions of said act: and authenticated copies of the selections made by the register and receiver, under the provisions of this act, shall be furnished the state, and returns transmitted to the Secretary of the Treasury, of the selections now made, and of those to be made, immediately after such selections shall have been made, either by the register and receiver, or by the legislature of the State.

Certain lands granted to salt springs.

Act of March 6, 1820, ch. 22.

APPROVED, March 3, 1823.

STATUTE II.

March 3, 1823.

March 1,
1817, ch. 29.
Provisions of
the act of
March 1, 1817,
respecting the
ransom of
American cap-
tives, extended.

Proviso.

Proviso.

Accounting
officer author-
ized to adjust and
settle accounts
for clothing fur-
nished.

Proviso.

Sums to be
paid out of the
Treasury.

CHAP. LXX.—*An Act supplementary to "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 act, entitled "An act relating to the ransom of American captives of the late war," passed the first day of March, one thousand eight hundred and seventeen, be so construed as to embrace within its provisions all officers, soldiers, and persons, attached to, and followers of, the army of the United States, who were captured and made prisoners by the enemy, and who were ransomed during the late war with Great Britain; and that the proper accounting officer of the War Department be, and he is hereby, authorized and required to adjust and settle the accounts of any person, his assigns or his legal representatives, who may have purchased and ransomed from captivity any citizen, officer, soldier, or other person aforesaid, upon equitable principles: *Provided,* The evidence produced in support of such accounts shall be the best in the power of the claimant, and sufficient to satisfy the accounting officer of the justice of the claim; *Provided also,* That in no case shall a greater sum than one hundred and fifty dollars be allowed for the ransom of any one person.

SEC. 2. *And be it further enacted,* That it shall be the duty of such accounting officer, and he is hereby authorized and required, to adjust and settle the accounts of any person, his assigns, or his legal representatives, who shall have furnished proper and necessary articles of clothing to, and for the use of, any citizen, officer, soldier, or other person, purchased and ransomed from captivity during the late war with Great Britain, aforesaid: *Provided,* It shall be satisfactorily proved, and made to appear, to such accounting officer, that the apparel and clothing so furnished were necessary, at the time, to the safety, support, and comfort, of the person ransomed; and that the articles charged were applied to the clothing of such prisoners, and to no other purpose whatever.

SEC. 3. *And be it further enacted,* That all sums of money to be audited and allowed under this act, and the act to which this is an amendment, shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1823.

STATUTE II.

March 3, 1823.

President au-
thorized to em-
ploy an engi-
neer to examine
a site for a na-
tional armory
on the western
waters.

Appropriation.

CHAP. LXXI.—*An Act to establish a national armory on the western waters.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby authorized to employ a skilful engineer or officer of the ordnance department, with such other person or persons as he may judge proper, to examine the most suitable site for a national armory on the western waters; and that the said engineer, and such other person or persons be requested to report the result of their examinations to Congress at the commencement of its next session, particularly designating the sites by them examined, with the comparative advantages of each, and an estimate showing the amount necessary for purchasing each, and erecting all necessary buildings thereon.

SEC. 2. *And be it further enacted,* That the sum of five thousand dollars be, and the same is hereby, appropriated, to effect the object of this act.

APPROVED, March 3, 1823.

CHAP. LXXII.—*An Act respecting the punishment of piracy.*

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 courts of the United States, in districts where no circuit courts are holden, shall have cognisance of all cases arising under an act of Congress, approved May fifteenth, one thousand eight hundred and twenty, entitled "An act to continue in force an act to protect the commerce of the United States, and punish the crime of piracy; and, also, to make further provisions for punishing the crime of piracy," and shall have the same power and jurisdiction therein, as the circuit courts of the United States, under the same act.

APPROVED, March 3, 1823.

STATUTE II.
March 3, 1823.

May 15, 1820.
ch. 113.

District courts to take cognisance of piracy.

RESOLUTIONS.

I. RESOLUTION *requiring from the secretary of the Senate and clerk of the House of Representatives, an annual statement of the expenditures from the contingent fund of the two Houses.*

March 1, 1823.

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, and they are hereby, required to lay before the two Houses, respectively, at the commencement of each session of Congress, a table or statement showing the names and compensation of the clerks employed in their respective offices, and the names and compensation of the messengers of the respective Houses; together with the detailed statement of the items of expenditure of the contingent fund of the respective Houses for the next immediately preceding year; in which statement the disbursements shall be arranged under the following heads, to wit: first, printing; second stationery, and distinguishing under this head the articles furnished for the use of the members, from those furnished for the offices of the secretary and clerk, and specifying the number of reams of each kind of paper; third, book-binding; fourth, fuel; fifth, newspapers, specifying under this head the amount of orders given at the preceding session, as well as the payments made; sixth, the post-offices; seventh, the repairs and preservation of the furniture; eighth, services of messengers and horses; ninth, miscellaneous items not included under the preceding heads. Which statements shall exhibit, also, the several sums drawn by the said secretary and clerk, respectively, from the treasury, and the balances, if any, remaining in their hands.

Secretary of the Senate and clerk of the House of Representatives required to furnish a detailed statement of their expenditures under different heads.

APPROVED, March 1, 1823.

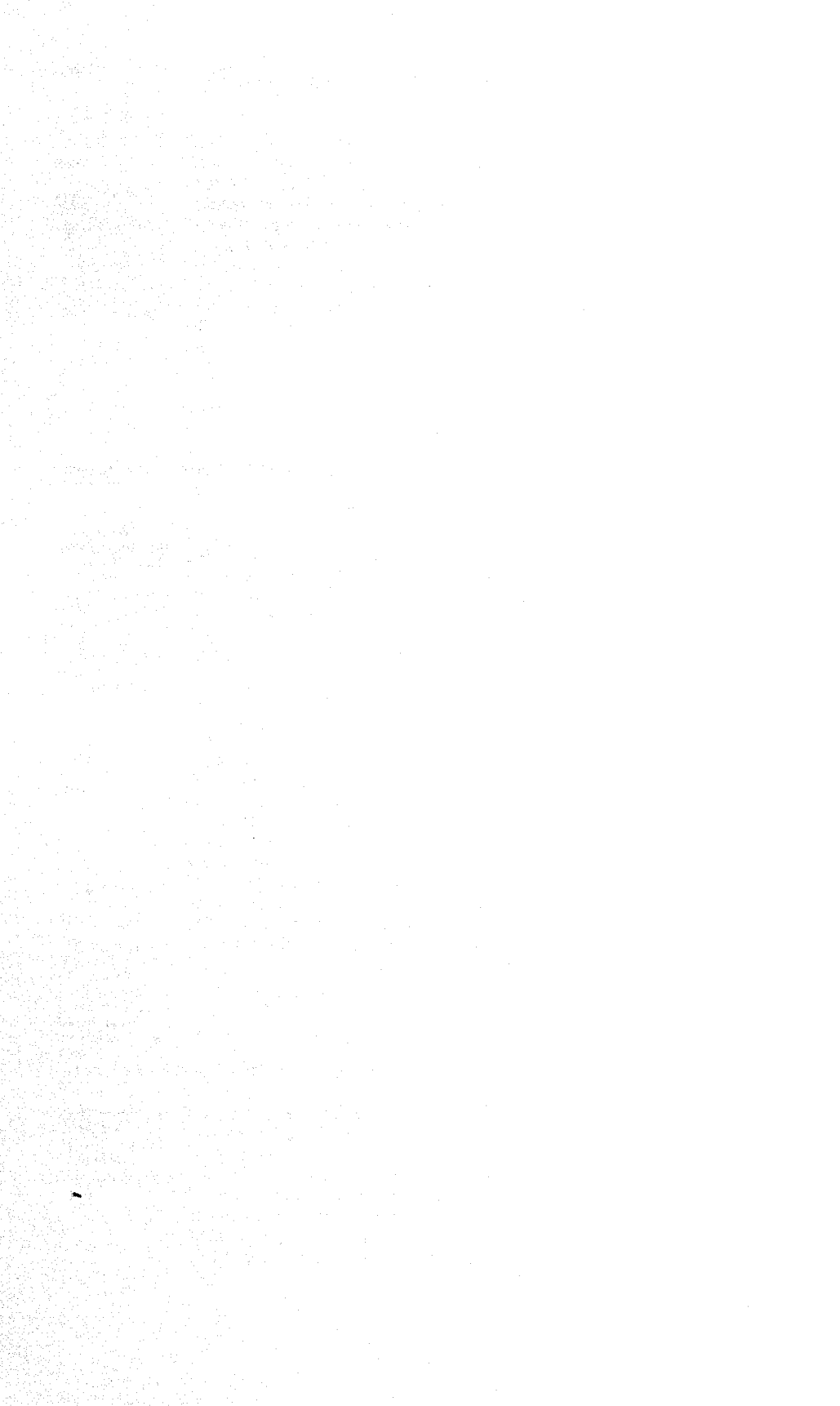
II. RESOLUTION *to direct the withholding of the compensation of certain prize agents.*

March 3, 1823.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the first day of July, next ensuing, no prize agent who has not accounted for the prize moneys with which he has heretofore been intrusted for the benefit of the officers and crews of any public armed vessel or vessels of the United States, shall receive from the treasury of the United States any salary or compensation to which he may be entitled, until he shall have accounted for, or repaid into the treasury, all sums so intrusted to him for disbursement.

Compensation to be withheld from certain prize agents.

APPROVED, March 3, 1823.



INDEX

TO THE

MATTERS IN VOLUME III.

Accounts of the Manufacturing Establishments.

The Secretary of State to cause the accounts to be classified, &c. - - - - 719

Alabama, State of.

Representation in Congress according to the fourth census, - - - - 651
 District Court of Alabama, - - - - 662
 Representation in Congress from Alabama, 720
 An act granting to the State of Alabama the right of pre-emption to certain quarter-sections of land, March 3, 1823, - - - 773
 Pre-emption of lands for seats of justice, 773

Alabama Territory.

Persons who purchase a quarter-section, or more, of land in Alabama, and have paid one-fourth of their purchase money, competent to hold office in the territory, April 9, 1808, (obsolete,) - - - - 417
 The people of the territory of Alabama enabled to form a constitution and state government for admission into the Union, March 2, 1819, - - - - 489
 Notes of the acts relative to Alabama, - 489
 Organization of the convention, - - - 491
 Propositions offered to the convention, - 491
 An act for establishing a District Court in the State of Alabama, April 21, 1820, - 564
 Note of acts relating to the District Court of Alabama, - - - - 564
 Resolution declaring the admission of the State of Alabama into the Union, December 14, 1819, - - - - 608
 An act to alter the terms of the District Court in Alabama, December 27, 1820, - 610

Alexandria County, District of Columbia.

A company incorporated to make a certain turnpike road in the county of Alexandria, - - - - - 5

Alien Duties.

Discriminating duties paid on British vessels from 17th August to 22d December, 1815, to be repaid, - - - - - 377

See *Discriminating Duties.*

American Antiquarian Society of Massachusetts

To be furnished with a copy of the Public Journals of the Senate and House of Representatives, - - - - - 248

American Captives of the late War.

Provisions of the act of March 1, 1817, chap. 29, respecting the ransom of American captives, extended, March 3, 1823, - 788
 Accounts for clothing furnished to the captives to be adjusted, - - - - 788

Apportionment of Representatives in Congress.

Representatives in the House of Representatives according to the fourth census, March 7, 1822, - - - - - 651

Appropriations.

An act making appropriations for furnishing the Senate chamber, and repairing the north wing of the Capitol, July 26, 1813, - 48
 Additional appropriations for the support of government for the year 1813, August 2, 1813, (obsolete,) - - - - 81
 An act making partial appropriations for the year 1814, January 11, 1814, (obsolete,) 93
 An act making appropriations for the support of the military establishment of the United States for the year 1814, March 19, 1814, (obsolete,) - - - - 104
 An act making appropriations for the support of the navy of the United States for the year 1814, (obsolete,) - - - - 105
 Appropriations for the support of government for the year 1814, (obsolete,) - - - 106
 An act making further appropriations for the service, of the year 1814, April 18, 1814, (obsolete,) - - - - 139
 Additional appropriations for the service of the year 1814, Dec. 15, 1814, (obsolete,) 152
 Appropriation for repairing or rebuilding the public buildings in Washington, February 18, 1815, (obsolete,) - - - - 205
 Appropriations for the support of government for the year 1815, February 16, 1815, (obsolete,) - - - - 206
 An act making appropriations for support of the military establishment for the year 1815, (obsolete,) - - - - 222
 Appropriation of two hundred thousand dollars in addition to the sum heretofore appropriated to purchase a stock of ship-timber for ship building, &c., - - - - 226
 Appropriation for preparing registers of ships and vessels, (obsolete,) - - - - 235

Appropriations.

- Additional appropriations to defray the expenses of the army and militia of the United States, December 21, 1815, (obsolete,) 251
- Appropriations for ordnance and ordnance stores for 1816, March 18, 1816, (obsolete,) 257
- Appropriations for the support of the government, April 16, 1816, (obsolete,) - 277
- Appropriations for the support of the navy for 1816, (obsolete,) - - - - 299
- Appropriation for carrying into effect a treaty with the Cherokee Indians, April 29, 1816, (obsolete,) - - - - 326
- Appropriations for the support of the military establishment of the United States, April 29, 1816, (obsolete,) - - - - 330
- An act making further appropriation for the year 1816, April 30, 1816, (obsolete,) 340
- An act making a partial appropriation for the subsistence of the army for the year 1817, January 22, 1817, (obsolete,) - - 345
- Appropriations for the support of government in 1817, (obsolete,) - - - 352
- Appropriations for the support of the military establishment in 1817, (obsolete,) - 359
- Provision for furnishing the house of the President of the United States, (obsolete,) - 362
- An act making additional appropriations to repay the expenses of the army and militia during the late war with Great Britain, March 3, 1817, (obsolete,) - - 378
- An act making appropriations for the support of the navy of the United States for the year 1819, (obsolete,) - - - 382
- The President restrained from making transfers of appropriations for specified objects to other purposes, March 3, 1817, - 390
- Appropriation for carrying into effect certain Indian treaties, (obsolete,) - - - 393
- Appropriations for carrying into effect treaties with certain Indian tribes, March 3, 1817, (obsolete,) - - - - 393
- Appropriation for payment of arrearages incurred for the support of the military establishment previous to 1817, February 16, 1818, (obsolete,) - - - - 405
- Appropriations for the military establishment for the year 1818, February 19, 1818, (obsolete,) - - - - 407
- Appropriations for the support of the navy in 1818, May 18, 1818, (obsolete,) - 411
- Appropriations for the support of the government in 1818, April 9, 1818, (obsolete,) 417
- An act supplementary to an act making appropriations for the year 1818, April 20, 1818, (obsolete,) - - - - 463
- Appropriation for the military service of the United States for the year 1818, February 15, 1818, (obsolete,) - - - 480
- Appropriations for the support of the navy for the year 1819, February 16, 1819, (obsolete,) - - - - 483
- An act making appropriations for the support of government for the year 1819, March 3, 1819, (obsolete,) - - - - 496
- An act making appropriations for the public

Appropriations.

- buildings, for the purchase of a lot of land, and furnishing water for the use of certain public buildings, March 3, 1819, (obsolete,) 516
- An act making appropriations to carry into effect treaties concluded with several Indian tribes therein mentioned, March 3, 1819, (obsolete,) - - - - 517
- An act making partial appropriations for the military service of the year 1820, January 14, 1820, (obsolete,) - - - 539
- An act in addition to the "Act making appropriations for the support of the navy of the United States for the year 1819," January 14, 1820, (obsolete,) - - - 540
- An act making appropriations to supply the deficiency in the appropriations heretofore made for the completion of the repairs of the north and south wing of the capitol, for furnishing the President's house, and the erection of two new executive offices, February 10, 1820, (obsolete,) - - 541
- An act making appropriations for the support of the navy of the United States for the year 1820, March 17, 1820, (obsolete,) 553
- An act making appropriations for the support of government for the year 1820, April 11, 1820, (obsolete,) - - - - 555
- An act making appropriations for the military service of the United States for the year 1820, April 11, 1820, (obsolete,) - 562
- An act in addition to the act entitled "An act making appropriations for the support of government for the year 1820," and for other purposes, May 15, 1820, (obsolete,) 601
- An act making appropriations for carrying into effect the treaties concluded with the Chippewa and Kickapoo nations of Indians, May 16, 1820, (obsolete,) - - 608
- An act making partial appropriations for the military service of the United States for the year 1821, January 17, 1821, (obsolete,) 612
- An act making appropriations for the support of government for the year 1821, March 3, 1821, - - - - - 628
- An act making appropriations for the military service of the year 1821, March 3, 1821, (obsolete,) - - - - 633
- An act making appropriations for the support of the navy of the United States for the year 1821, March 3, 1821, (obsolete,) - 634
- An act making appropriations for the public buildings, March 3, 1821, (obsolete,) - 635
- An act making partial appropriations for the support of the navy of the United States during the year 1822, February 19, 1822, (obsolete,) - - - - 650
- An act making appropriations for the military service of the United States during the year 1822, and towards the service of the year 1823, March 15, 1822, (obsolete,) - 652
- An act making appropriations for the support of government for the year 1822, and for other purposes, April 30, 1822, (obsolete,) - 668
- An act making an appropriation to defray the expenses of missions to the independent

Appropriations.

- nations on the American continent, May 4, 1822, (obsolete,) - - - - 678
- An act making appropriations for the support of the navy of the United States for the year 1822, and for other purposes, May 4, 1822, (obsolete,) - - - - 676
- An act making further appropriations for the military service of the United States, and for other purposes, May 7, 1822, (obsolete,) 686
- Appropriation for the compensation of the Senate and House of Representatives for 1823, - - - - - 721
- An act making appropriations for the military service of the United States for the year 1823, March 3, 1823, (obsolete,) - 748
- An act making appropriations for the support of government for the year 1823, March 3, 1823, - - - - - 757
- An act making appropriations for the support of the navy of the United States for the year 1823, March 3, 1823, (obsolete,) 763
- An act making appropriations for certain fortifications of the United States for the year 1823, and for other purposes, March 3, 1823, (obsolete,) - - - - 783
- An act making appropriations for the public buildings, March 3, 1823, (obsolete,) - 784
- Repairs of the post-office, &c., - - - - 784

Arkansas Territory.

- An act granting further time for registering claims to lands in the late district of Arkansas, in the territory of Missouri, and for other purposes, August 2, 1813, (obsolete,) 86
- Further time given for the registering of claims to lands in the territory of Arkansas, - - - - - 86
- Note of the acts relating to the territory, afterwards the state of Arkansas, - - - - 493
- An act establishing a separate territorial government in the southern part of the territory of Missouri, March 2, 1819, - 493
- Organization of the government of the Arkansas territory, - - - - - 493
- The act providing for the government of the territory of Missouri in force in the territory of Arkansas, - - - - - 565

Army of the United States.

- Five additional regiments to be raised, act of July 5, 1818, (obsolete,) - - - - 3
- An act to regulate the allowance of forage to officers in the army of the United States, July 22, 1813, - - - - - 34
- An act to continue in force, for a limited time, certain acts authorizing corps of rangers, &c., July 24, 1813, - - - - 39
- An act to authorize the raising of a corps of sea fencibles, July 26, 1812, - - - - 47
- Number of officers and privates of the ten companies of rangers, August 2, 1813, (obsolete,) - - - - - 74
- See *Rangers*, - - - - - 74
- The President authorized to appoint officers of the five regiments during the recess of the Senate, August 2, 1813, (obsolete,) 74

Army of the United States.

- Deputy commissaries of ordnance, not exceeding five, to be appointed, August 2, 1812, (obsolete,) - - - - 75
- The fourteen regiments enlisted for one year may be enlisted for five years, or during the war, - - - - - 94
- Bounty, pay, and emoluments, - - - - 94
- An act making further provision for filling the ranks of the regular army, encouraging enlistments, and authorizing the re-enlistment for longer periods, of men whose term of service is about to expire, January 27, 1814, (obsolete,) - - - - - 94
- Pensions under this act, - - - - - 95
- Three regiments of riflemen to be raised, February 10, 1814, (obsolete,) - - - - 96
- Bounty, pay, and emoluments of officers and men of each regiment and company, 97
- The act of February 25, 1813, chap. 31, to raise ten additional companies of rangers, continued, February 24, 1814, (expired,) 98
- The President authorized to receive into service certain volunteer corps, February 14, 1814, (obsolete,) - - - - - 98
- An act for the better organizing, paying, and supplying the army of the United States, March 30, 1814, - - - - - 113
- Two regiments of dragoons to be formed, 114
- Artillerists and light dragoons, - - - - 114
- The President may appoint apothecaries, 114
- The pay of officers and privates not to be affected by captivity, - - - - - 115
- Allowances to medical staff, - - - - - 115
- Aides-de-camp of the major-general, - 115
- Officers of volunteers may be promoted in the line, - - - - - 115
- An act making further provision for filling the ranks of the army of the United States, December 10, 1814, (repealed,) - - 146
- Officers, seamen, &c., of the navy of the United States, to be furnished with camp equipage, horses, &c., while acting on shore in co-operation with the army, - - - - 151
- The President may accept the services of state troops and of volunteers, January 27, 1815, (repealed,) - - - - - 193
- An act for the better regulation of the ordnance department, - - - - - 203
- Officers of the department, - - - - - 203
- Regulation of the department, - - - - 203
- Repeal of the act which authorized the President to accept the services of volunteer corps, and of the act for raising a corps of sea fencibles, February 27, 1815, - 219
- The medical staff extended, April 24, 1816, (repealed,) - - - - - 297
- Judge-advocates and chaplains, - - - - 297
- Pay and emoluments, - - - - - 297
- Paymasters, their duties, to give bond, 297, 298
- Ordnance department, - - - - - 298
- An act regulating the general staff of the army, - - - - - 426
- Pay and emoluments of brevet officers, - 427
- An act respecting the organization of the army, and for other purposes, April 20, 1818, - - - - - 460

Army of the United States.

- Officers of artillery, light artillery, - 460
 Armourers to the regiment of infantry, rifle-
 men and artillery, - - - - 460
 Extra allowance to the officers and men of the
 army when on fatigue duty, March 2,
 1819, - - - - 488
 An act further to regulate the medical depart-
 ment of the army, May 8, 1820, - 570
 Repeal of the 14th section of the act entitled
 "An act to reduce the military peace estab-
 lishment of March 2, 1821." May 7, 1822, 686

Arsenals and Armouries.

- The proceeds of lots to be sold in Pittsburg
 appropriated to the erection of arsenals,
 armouries, &c., - - - - 75
 The President authorized to purchase a lot of
 ground at Plattsburg, on which the arsenals,
 &c. stand, - - - - 205
 An act to establish an armoury on the western
 waters, March 3, 1823, - - - 788

Assent of Congress to acts of State Legislatures.

- An act to revive and continue in force the act
 of March 17, 1800, chap. 16, declaring the
 assent of Congress to an act of the State
 of Georgia, April 16, 1814, - - 125
 Assent of Congress to an act of Virginia rela-
 tive to the improvement of the navigation
 of James river, - - - - 301
 Assent of Congress to acts of the State of
 South Carolina and Georgia, - - 331
 Assent of Congress to the act of the State of
 North Carolina relative to sick and disabled
 seamen, April 4, 1818, (expired,) - 416
 An act to revive and continue in force "An
 act declaring the assent of Congress to
 certain acts of the States of Maryland and
 Georgia," April 20, 1822, (expired,) - 665
 Assent of Congress to acts of the city council
 of Charleston, and acts of the State of
 Georgia, May 7, 1820, (expired,) - 683

Auction Sales.

- An act levying a duty on sales at auction
 of merchandise, and of ships and vessels,
 July 24, 1813, - - - - 44

Bail and Affidavits.

- Powers of the commissioners for taking bail
 and affidavits extended so as to enable the
 affidavits to be used in the courts of the
 United States, and to authorize them to ex-
 ercise, in cases of bail, all the powers of a
 justice or judge of the courts of the United
 States, - - - - 350

Banks in the District of Columbia

- Authorized to take the whole or part of the
 loan of seven millions four hundred thou-
 sand dollars authorized by the act of Au-
 gust 2, 1813, (obsolete,) - - - 76
 Authorized to lend any part of the loan of
 twenty-five millions of dollars, under the
 act of March 24, 1814, (obsolete,) - 112
 Banks of the District of Columbia authorized
 to lend any part of the same, (obsolete,)
 228
 Treasury notes issued previous to this act may
 be received in part of the loan, - - 228

Banks in the District of Columbia,

- An act to incorporate the subscribers to certain
 banks in the District of Columbia, and to
 prevent the circulation of the notes of the
 unincorporated banks within the District,
 March 3, 1817, (expired,) - - 383
 The charters of the Bank of Alexandria, the
 Farmers' Bank of Alexandria, the Bank of
 Washington, the Bank of the Metropolis,
 the Potomac Bank of Washington, the
 Farmers' Bank of Georgetown, the Bank
 of Columbia, extended to March 3, 1836.
 March 2, 1821, (expired,) - - 618
 Congress may revoke the charters of the banks
 that refuse to pay specie, - - - 618
 Prosecutions of officers for frauds, - 618
 No notes to be issued under five dollars, 619
 Consolidation of the Union Bank and the
 Bank of Potomac, - - - - 620
 Provisions in case of the dissent of any stock-
 holder to the renewal of the charters, - 621

Bank of the United States.

- An act to incorporate the Bank of the United
 States, April 10, 1816, (expired,) - 266
 Regulation of elections for directors of the
 Bank of the United States, March 3, 1819,
 (obsolete,) - - - - 508

Biddle, Captain, and others.

- Reward of Captain Biddle, and the officers
 and crew of the Hornet, for the destruction
 of the Penguin, - - - - 254
 Medals to be presented to Captain James Bid-
 dle and others, - - - - 341

Blakely, Captain, and others.

- Resolution expressive of the sense of Congress
 relative to the capture of the British brig
 Reindeer by the American sloop of war
 Wasp, - - - - 246

Bounty to Private armed Vessels of the United States.

- A bounty allowed for prisoners taken by the
 private armed vessels of the United States, 81
 An hundred dollars to be paid for each pri-
 soner taken, - - - - 105
 To officers and crews of private armed ves-
 sels, - - - - 323

Bremen.

- The act of 1818, chap. 105, relating to dis-
 criminating duties extended to vessels of
 Bremen, March 3, 1819, - - - 510

British vessels.

- The ports of the United States closed against
 British vessels from Lower Canada, New
 Brunswick, &c., May 15, 1820, (repealed.)
 603
 British vessels, after the 30th September, 1820,
 to give bond not to land articles of the
 growth, &c., of the United States in pro-
 hibited places, - - - - 603
 Merchandise imported from prohibited places,
 603
 Vessels and goods forfeited for violating this
 act, - - - - 603

Brown, Major-General.

- Thanks of Congress for his gallant services,
 247

- Burrows and M'Call.*
Resolution expressive of the sense of Congress of the brilliant achievements of Lieutenants Burrows and M'Call, - - 141
- Canadian Volunteers.*
Bounties in land and extra pay, given to certain Canadian volunteers, - - - 256
The paymaster of the army of the United States to pay the further allowances to the Canadian volunteers, - - - 301
The assignees of warrants issued to Canadian volunteers authorized to locate them, 641
- Capitol at Washington.*
The President to cause astronomical observations to be made, to insure a correct determination of the longitude of the Capitol, 648
- Carriages.*
An act laying duties on carriages for the conveyance of persons, February 24, 1813, (repealed,) - - - - 40
- Census.*
Census or enumeration of the inhabitants of the United States, (the fourth census,) March 14, 1820, - - - - 548
The time for taking the fourth census enlarged to the first day of September, 1821, - 643
Distribution of the marshals' returns of the fourth census, - - - - 719
Representatives in Congress according to the fourth census.—See *Apportionment of Representatives in Congress.*
- Central Bank of Georgetown.*
Bank incorporated, (expired,) - - 387
- Chaplains to Congress.*
Compensation allowed to them, - - 334
- Chesapeake Bay.*
Survey of the Chesapeake bay preparatory to the establishment of two naval arsenals, 476
- City of Washington.*
Appropriation for enclosing and improving the public square near the Capitol, - 324
Board of commissioners for the superintendence of public buildings abolished, and one commissioner to be appointed, - - 324
The commissioner for the superintendence of public buildings, to sell parts of the public reservations, - - - - 346
Buildings to be erected on the lots by the purchasers, - - - - 346
An act supplementary to the act entitled "An act further to amend the charter of the city of Washington," February 20, 1819, 485
Fire engines to be purchased, - - 525
An act incorporating the city of Washington, and the supplementary act, continued to March 3, 1821, February 28, 1820, (expired,) - - - - 543
An act to incorporate the inhabitants of the city of Washington, and to repeal all acts heretofore passed for that purpose, May 15, 1820, - - - - 583
An act to authorize and empower the corporation of the city of Washington, in the District of Columbia, to drain the low grounds on and near the public reservations, and to
- City of Washington.*
improve and ornament certain parts of such reservations, May 7, 1822, - - 691
Decisions of the Supreme Court on the claims to lots authorized to be sold by this act, 691
- Clark, Midshipman, John.*
Resolution that a sword, &c., be presented to the nearest male relative of Midshipman Clarke, slain in the battle on Lake Erie, 143
- Clerks.*
Compensation of clerks in the departments of the government, - - - - 445
Additional clerks to be appointed in the offices of the third auditor and second comptroller, January 14, 1820, (expired,) - - 540
See *Compensation.*
- Clerks of the Circuit and District Courts.*
Their compensation diminished, (repealed,) 133
- Coast Survey.*
Appropriation for the coast survey, April 27, 1816, - - - - 316
No one but persons belonging to the army or navy to be employed in surveying the coasts of the United States, April 14, 1818, 425
Instruments, surveys, and drafts to be deposited as directed by the President, - - 425
An act to provide for the survey of the coast of North Carolina, and for other purposes, May 15, 1820, - - - - 606
- Coasting Trade.*
An act supplementary to the acts concerning the coasting trade, March 2, 1819, - 492
Notes of the acts relating to the coasting trade, - - - - 492
The sea-coast and navigable rivers of the United States divided into two districts, 493
Regulations of the coasting trade, - - 493
- Code of Jurisprudence for the District of Columbia.*
A code of laws for the District of Columbia to be prepared, (obsolete,) - - 323
- Coins and Currency.*
Regulation as to the currency of foreign coins, April 29, 1816, (expired,) - - 322
Assays of gold and silver coins to be made, 322
An act to continue in force an act regulating the currency within the United States, of the gold coins of Great Britain, France, Portugal, and Spain, and the crowns of France and five-franc pieces, March 3, 1819, (expired,) - - - - 525
The act of April 29, 1816, chap. 139, regulating the currency within the United States, of the gold coins of Great Britain, France, Portugal and Spain, as relating to crowns and five-franc pieces, continued in force for two years, March 3, 1821, - - 645
The act of April 29, 1816, chap. 139, relating to crowns of France and five-franc pieces, continued in force for four years, March 3, 1827, (expired,) - - - - 777
- Collection Districts.*
The collector of the district of Brunswick to reside at Darien, - - - - 408
Darien to be the sole port of entry, &c., 408
The district of Erie to be called the district of Cuyahoga, - - - - 425

Collection Districts.

- The port of delivery at the mouth of Slade's creek, in North Carolina, to cease after April 30, 1818, - - - - - 431
 Port of entry at Cape St. Vincent established, and a collector to be appointed, - - - - - 433
 Bath, in Massachusetts, made a port of entry for vessels arriving from the Cape of Good Hope, - - - - - 464
 Belfast a port of entry, - - - - - 464
 District of Pearl river established, March 2, 1821, - - - - - 617
 Portland to be the port of entry in the district of Sandusky, March 3, 1821, - - - - - 642

Collection of the Public Revenue.

- The Secretary of the Treasury to cause the revenue of the United States to be collected and paid in the legal currency of the United States, or treasury notes, or notes of the Bank of the United States, or the notes of banks payable or paid in the currency of the United States, April 30, 1816, - - - - - 343
 Bonds for duties given by either partner to be binding on the firm, act of March 1, 1823, 737

Collectors of Duties.

- Authority of collectors of duties, - - - - - 196
 Collectors may search for goods on board of any vessel, to prevent unlawful importation, March 3, 1815, (expired,) - - - - - 232
 May search dwelling-houses, and stop and examine any person on foot suspected of being engaged in unlawful trade, - - - - - 232
 May employ additional inspectors, and command any person to aid and assist, - - - - - 232
 Forfeitures, penalties, suits for, - - - - - 233
 Note of the decision of the Circuit Court of the district of Massachusetts, as to payments out of the treasury of the United States by collectors, - - - - - 306
 An act further to establish the compensation of officers of the collectors of the customs, and to alter certain collection districts, and for other purposes, May 7, 1822, - - - - - 693
 Notes of the acts relating to compensation of collectors and other officers of the customs, 693, 695
 An act further to amend an act entitled "An act to regulate the entry of merchandise imported into the United States from any adjacent territory, March 3, 1823, - - - - - 781
 Regulation of the entry of goods from adjacent territories, - - - - - 781, 782

Collectors of Internal Duties.

- Provisions for their compensation, - - - - - 82
 The collectors to give bond, - - - - - 82
 The sums collected to be a lien on the estates of collectors, - - - - - 83

Commerce of the United States.

- Public armed vessels of the United States authorized to capture vessels of the Algerines, - - - - - 230
 Private armed vessels may make reprisals, 230
 British vessels arriving from a British colony closed against vessels of the United States, not permitted to enter the ports of the United States, - - - - - 432

Commerce of the United States.

- Regulation of trade with the British colonies, 432
 The armed vessels of the United States to be employed to protect the commerce of the United States, - - - - - 510
 Merchant vessels may defend against aggression, - - - - - 511
 An act to provide for obtaining accurate statements of the foreign commerce of the United States, February 10, 1820, - - - - - 541
 The register of the treasury to prepare statistical accounts of the commerce of the United States, - - - - - 541
 The President, on being satisfied that the ports of the British West Indies have been opened to the commerce of the United States, may declare the ports of the United States open to vessels of Great Britain employed in the trade between the United States and the British islands, May 6, 1822, (obsolete,) 681
 In the event of the signature of a treaty with France, concerning the navigation or commerce of the United States with France, the President may suspend certain acts of Congress laying additional duties on French tonnage, &c., (obsolete,) - - - - - 681

Commercial Intercourse with certain British Colonial Ports.

- An act to regulate the commercial intercourse between the United States and certain British colonial ports, March 1, 1823, (obsolete,) - - - - - 740
 The first, second, and third sections of the act concerning navigation, of April 18, 1818, chap. 65, and the act of May 15, 1820, chap. 122, suspended as to certain British colonial ports; and the ports of the United States to be opened as to British vessels from such ports, - - - - - 740
 Proclamation of the President, - - - - - 740
 Notes of the decisions of the Circuit Court of the first circuit, on the provision of the act of May 15, 1820, chap. 122, - - - - - 740
 Articles of the growth, &c. of British colonies to be imported in British vessels, - - - - - 741
 Any British colonial port which may be opened, to have the benefit of this act, 742

Commissioner of Loans.

- The duties of commissioner of loans transferred to the Bank of the United States, 360

Commissioner of Public Buildings in Washington.

- A commissioner to be appointed, - - - - - 324
 The duties of superintendents of the public buildings to be performed by the commissioner, - - - - - 324
 An act fixing the compensation of the commissioner of public buildings, May 7, 1822, 689

Commissioner of the Revenue.

- Authorized to appoint a clerk, with authority to sign licenses, - - - - - 146
 The office of commissioner of the revenue to cease whenever the duties and taxes already accrued shall be collected, unless the President shall determine the office before, December 29, 1817, - - - - - 402

Commissioners under the Treaty of Ghent.

Salaries of the commissioners and agents appointed under the treaty of Ghent, March 3, 1821, - - - - - 640

Compact between Kentucky and Tennessee.

Assent of Congress to the compact establishing the boundary line between the two states, May 12, 1820, - - - - - 609

Compensation.

To the paymaster of the army of the United States, - - - - - 128
 To the additional clerks in his office, - 128
 Assistant district paymasters, - - 128
 Paymasters and assistant district paymasters of the army, - - - - - 128
 An act to lessen the compensation of marshals, clerks, and district attorneys, in certain cases, (repealed,) - - - - - 133
 Their compensation diminished, (repealed,) 133
 District attorneys of the United States, their compensation diminished, (repealed,) 133
 Salaries of clerks in the office of the Secretary of the Senate, and clerk of the House of Representatives increased, April 14, 1814, (obsolete,) - - - - - 137
 Clerks in the office of the Secretary of the Senate, and the clerk of the House of Representatives, - - - - - 137
 Compensation to members of Congress, March 19, 1816, (repealed,) - - - - - 257
 The members of the Senate and of the House of Representatives to receive fifteen hundred dollars a year, - - - - - 257
 The president of the Senate and the speaker of the House of Representatives to receive each three thousand dollars, - - - - - 257
 Increased compensation allowed to inspectors, measurers, weighers, and gaugers employed in the collection of the customs, April 26, 1816, - - - - - 306
 Increase of the compensation of collectors of the customs, - - - - - 306
 Salaries of officers of the government continued, April 27, 1816, (expired,) - 309
 Additional compensation to the district judge of New York, - - - - - 318
 Compensation of the superintendents of Springfield and Harper's ferry increased, 323
 Compensation of commissioners, clerks, and translator of the board for land-claims in the eastern and western district of Orleans, now the State of Louisiana, - - 324
 Increase of the salary of the register of the treasury, - - - - - 332
 Compensation to the secretary of the Senate, and the clerk of the House of Representatives, - - - - - 334
 Compensation to chaplain to Congress, 334
 Repeal of the act entitled "An act to change the mode of compensation to members of Congress and delegates from the territories," February 6, 1817, - - - - - 345
 Salaries of the second comptroller and auditor, March 3, 1817, - - - - - 368
 Additional allowance to the collectors at Edgartown, Plymouth, and Middletown, 368

Compensation.

Compensation to the members of Congress.
 Eight dollars per day allowed, - - 404
 Allowance for mileage, - - - - - 404
 Notes of the acts relative to the compensation of members of the Senate and House of Representatives, - - - - - 404
 Compensation to the surveyor of Illinois and Missouri territory, April 3, 1818, (obsolete,) 412
 Compensation to the secretary of the Senate, the clerk of the House of Representatives, the clerks and librarian, April 18, 1818, 431
 Compensation of clerks in the departments of the government, - - - - - 445
 The salaries of the judges of the Circuit Court of the District of Columbia increased, April 20, 1816, - - - - - 457
 An act fixing the compensation of Indian agents and factors, April 20, 1818, - 461
 Compensation to receivers and registers of public moneys for lands of the United States, April 20, 1818, - - - - - 466
 Salary and compensation of the district judge, the district attorney, and marshal of the District Court of Western Virginia, February 4, 1818, - - - - - 478
 Increase of the salaries of the Secretaries of State, Treasury, War, and Navy, attorney-general and postmaster-general, assistants to the postmaster-general, and of the chief justice and judges of the Supreme Court of the United States, February 20, 1819, 484
 Compensation of the Indian agent of upper Missouri, - - - - - 514
 Increase of allowance of the judge of the Orphans' Court of the District of Columbia, May 1, 1821, - - - - - 570
 Salaries of the district attorney and marshal of the District Court for the western district of Pennsylvania, - - - - - 598
 Salaries of the district attorney and marshal of the northern district of New York, 598
 Salaries of the district judge, district attorney, and marshal of Missouri, - - - - - 653
 Salary of the commissioner of public buildings, - - - - - 689

Congress.

Congress to meet on the first Monday in December, 1813, - - - - - 48
 The new building on Capitol hill to be leased for the accommodation of Congress, (obsolete,) - - - - - 251
 The chairmen of the standing committees of Congress authorized to administer oaths or affirmations in any case before them, 345
 Compensation of eight dollars per day to the members of the Senate and House of Representatives, - - - - - 404
 Allowance for mileage, - - - - - 404
 Notes of the acts of Congress relative to the compensation of members of the Senate and House of Representatives, - - 404
 Congress to meet on the first Monday in November, 1818, - - - - - 433

Congress.

- The meeting of Congress to be on the second Monday of November, 1820, - - - 581
 The act of April 18, 1818, chap. 64, fixing the compensation of the secretary of the Senate, the clerk of the House of Representatives, and the clerks employed in their offices, continued in force until January 1, 1824, March 3, 1821, - - - 645

Connecticut.

- Representation in Congress according to the fourth census, - - - - - 651

Constitution Frigate.

- Rewards to the officers and crew of the frigate Constitution, for capturing the *Levant*, 301

Convention between the United States and Great Britain.

- The acts imposing higher duties on goods imported in British vessels, no longer in force, March 1, 1816, - - - - - 255

Convention of Navigation and Commerce with France.

- Repeal of the act of May 15, 1820, chap. 26, respecting tonnage duty on French vessels, March 3, 1823, - - - - - 747
 Duties on French goods, - - - - - 747
 Tonnage duties and light-money, - 747, 748
 Certain duties on the tonnage of French vessels refunded, - - - - - 748

Convention which formed the Constitution of the United States.

- Distribution of the journal of the convention, 609

Costs.

- An act concerning suits and costs in the courts of the United States, July 22, 1818, - 19
 When several actions or several libels are brought, when one might have been instituted, costs of one suit only allowed, - 20
 Causes to be consolidated, - - - - - 21
 Attorney or proctor to pay excess of costs of proceedings which have been multiplied unnecessarily, - - - - - 21
 Notes of the decisions of courts of the United States on the law of costs, - - - 19
 Rule of the Supreme Court as to costs, - 21

Court-house at Hamilton, Ohio.

- Payment to be made for building the court-house at Hamilton, Ohio, - - - - - 306

Court-house at New Orleans.

- An act which provides for the building a court-house in New Orleans, for the District Court of the United States of Louisiana, May 15, 1820, - - - - - 602

Courts-Martial.

- Proceedings of courts-martial, - - - 134

Crimes.—Neutral relations of the United States.

- Crimes committed within the Indian boundary, - - - - - 383
 Jurisdiction given to certain courts for the trial of crimes committed within the Indian boundary, - - - - - 383
 Decisions of the courts of the United States on the acts of Congress relating to crimes committed in the Indian boundary, - - 383

Crimes.—Neutral relations of the United States.

- Punishment for exercising a commission within the United States to serve a foreign government, - - - - - 447
 For enlisting any person within the jurisdiction of the United States to serve a foreign state, - - - - - 448
 Fitting out or arming vessels, or augmenting their force to serve against a foreign state, 448

Cumberland road.

- Appropriation of 100,000 dollars for laying out and making the Cumberland road, February 14, 1815, - - - - - 206
 Further appropriations for the Cumberland road, April 14, 1818, - - - - - 426

Debt of the United States.

- A loan of seven millions, five hundred thousand dollars authorized, - - - - - 75
 A loan of twenty-five millions of dollars authorized, March 24, 1814, (obsolete,) - 111
 Banks in the District of Columbia authorized to lend any part of the same, - - - 112
 A loan of three millions of dollars authorized, March 15, 1814, (obsolete,) - - - 144
 Provisions relating to the payment of certain lost certificates, - - - - - 425
 The certificates of the public debt issued to creditors of states made transferable, - 651
 An act to authorize the Secretary of the Treasury to exchange a stock bearing an interest of five per cent. for certain stocks bearing interest of six and seven per cent., April 20, 1822, (obsolete,) - - - - - 663
 An act authorizing the payment of certain certificates, May 7, 1822, - - - - - 696
 Parts of the act of March 3, 1795, chap. 45, and the act of June 12, 1798, suspended, 696

Defence of the United States.

- The President authorized to exchange a lot with the corporation of New York for a lot to be employed for the safety and defence of the city of New York, - - - - - 116

Delaware.

- Representation in Congress according to the fourth census, - - - - - 651

Department of State.

- The Secretary of State to employ additional clerks, - - - - - 607

Direct Taxes.

- An act for the assessment of direct taxes and internal duties, July 22, 1813, - - - 22
 An act to levy and collect a direct tax within the United States, August 2, 1813, - 53
 When the legislature of a state shall not meet before January 1, 1814, such state to be allowed until February to make payment of the state's quota of the direct tax, - 94
 An act to provide additional revenues, by laying a direct tax upon the United States, and to provide for the assessment and collection thereof, January 9, 1815, (repealed,) 164
 Notes of acts relating to the assessment of lands, &c., for direct taxes, - - - 164

Direct Taxes.

- A direct tax laid on the District of Columbia, February 27, 1815, (repealed,) - - 165
 Further time allowed to assessors and collectors of the direct tax for the performance of certain duties, January 17, 1816, (obsolete,) 252
 Collection of direct taxes, - - - 231
 Commissions and compensation of collectors of direct taxes and internal duties, - 230
 Duties and powers of the collectors, - 231
 State or county courts in adjoining collection districts authorized to take cognizance of suits for taxes, - - - - 244
 Supplement to the act laying direct taxes, April 26, 1816, (obsolete,) - - 302
 Regulations for the assessment and collection of direct taxes, - - - - 302
 Compensation to collectors, April 27, 1816, (obsolete,) - - - - 315
 An abatement of fifteen per cent. on the direct taxes on the State of Georgia assumed by the state, - - - - 369
 Appeals regulated, - - - - 392
 Deeds for real estate sold, to be examined by the designated collector or collectors of the district, - - - - 392
 An act supplementary to the several acts relative to direct taxes and internal duties, April 20, 1818, (obsolete,) - - 441
 An act extending the time allowed for the redemption of land sold for direct taxes in certain cases, May 11, 1820, (expired,) 575
 The time allowed for the redemption of lands sold for direct taxes extended, February 4, 1822, - - - - 649
 Notes of the acts passed relating to direct taxes, - - - - 649
 The time for the redemption of land sold for direct taxes extended for two years, March 3, 1823, (expired,) - - - - 776

Disbursement of Public Money.

- No advance of public money to be made, except under the special direction of the President of the United States, - - 723
 Officers and agents to account quarter-yearly, 723
 Officers neglecting to account to be dismissed from the public service, - - - 723
 The obligations of securities not to be impaired by the dismissal of the officer or agent, 724

Discriminating Duties.—See Duties.

- Repeal of certain acts and parts of acts imposing discriminating duties, March 3, 1815, 224
 Discriminating duties paid on British vessels from 17th August to 22d December to be repaid, - - - - 377
 Repeal of the discriminating duties on vessels and goods of the Netherlands, April 20, 1818, - - - - 464
 The act of April, 1818, chap. 105, relating to discriminating duties extended to the vessels of Prussia, Hamburg, and Bremen, March 3, 1819, - - - - 510
 Repeal of certain acts and parts of acts relating to discriminating duties repealed, - 510

Discriminating Duties.

- An act to impose a new tonnage duty on French ships and vessels, May 15, 1820, (repealed,) - - - - 605
 An act to release French ships and vessels from the operation of the act, entitled "An act to impose a new tonnage duty on French ships and vessels," passed March 15, 1820, March 3, 1821, (obsolete,) - 641
 The extra duties paid on French vessels to be refunded, - - - - 642
 The President may suspend the operation of the act of March 15, 1820, in the event of the convention with France relative to commerce and navigation being signod, - 642

Distilled Spirituous Liquors.

- A duty on licenses to distil spirituous liquors, July 24, 1813, - - - 42

District of Columbia.

- Appeals from the Circuit Court of the District of Columbia to the Supreme Court allowed, if the matter in dispute is of the value of 1000 dollars, April 2, 1816, - - 261
 Appeals in important cases allowed, when the matter in dispute is 100 dollars, on petition to a judge of the Supreme Court, - 261
 The writ of error, in cases where an appeal has been allowed on petition, to be a super-sedeas, - - - - 261
 The company incorporated for making certain turnpike roads in the District of Columbia may extend the road from the Eastern Branch Bridge, - - - - 284
 A code of laws for the District of Columbia to be prepared, (obsolete,) - - - 323
 The Columbia Turnpike Road Company authorized to extend the road, - - 391
 Fees to notaries in the county of Washington, 417
 Increase of the salaries of the judges of the Circuit Court for the District of Columbia, April 20, 1818, - - - - 457
 Increase of allowance to the judges of the Orphans' Court, - - - - 570
 Alteration of the terms of the sessions of the Circuit and District Court in the District of Columbia, May 11, 1820, - - 576
 An act to amend the act, entitled "An act to alter the times of the session of the Circuit and District Court in the District of Columbia," December 29, 1820, - - 611
 The Circuit and District Courts in the county of Washington to be accommodated in the City Hall, and the appropriation for fitting up rooms for the accommodation of the court, &c., to be under the direction of the superintendent of the public buildings, - - - - 785
- Drawbacks on Merchandise.**
 Regulation of drawbacks on spirits distilled within the United States, - - - 338
 Drawback allowed on merchandise transported by land from Boston to Bristol, and from Bristol to Boston, the same as if exported coastwise, - - - - 405
 Additional penalties imposed for false entries

Drawbacks on Merchandise.

for the benefit of drawbacks and bounties on exportation, February 20, 1819, - 486
 Drawbacks under the act of March 3, 1819, chap. 81, regulating the duties on wines, 515
 Twenty days from the date of the entry of goods for the benefit of drawback allowed for completing the entry, April 18, 1820, 564

Drawbacks on the exportation of loaf sugar and spirits distilled from molasses to be paid, March 3, 1821, - - - - 640

Counterfeiting certificates or attestations for drawbacks, - - - - 737

Time for taking the oath for drawback, - 738

Spirits entitled to debenture, - - - 739

Goods transported coastwise, - - - 739

Distribution of penalties and forfeitures, and mitigation and remission thereof, - 739

Duties.—See Discriminating Duties.

An act laying a duty on imported salt; granting a bounty on pickled fish exported, and allowances to certain vessels employed in the fisheries, July 29, 1813, - - - 49

Duties on licenses to retailers of wines, spirituous liquors and foreign merchandise, 72

An act to amend the act laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise, April 18, 1814, (repealed,) - - - - 137

Physicians not obliged to take out licenses for retailing spirits for their own prescriptions, 137

An act laying additional duties on goods, wares, and merchandise manufactured within the United States, January 18, 1815, (repealed,) - - - - 180

Duties laid on household furniture, and on gold and silver watches, January 18, 1815, (repealed,) - - - - 186

Duties on gold, silver and plated ware, jewelry, &c., manufactured within the United States, February 27, 1815, (repealed,) - - 217

Duties on imported salt continued, February 9, 1816, (expired,) - - - - 254

Additional duties on all goods, wares, and merchandise imported from any foreign port or place continued, February 6, 1816, (expired,) - - - - 253

Additional duty of forty-two per cent. imposed after June 30, 1816, (expired,) - - 253

This act not to contravene any commercial treaty or stipulation, - - - - 253

Repeal of the acts of January 18, 1815, chap. 22, and of February 21, 1815, chap. 61, laying duties on merchandise, &c., - 254

The acts imposing higher duties on goods imported in British vessels no longer in force, March 1, 1816, - - - - 255

Repeal of the duties on household furniture and gold and silver watches, April 9, 1816, 264

The duties on spirits distilled within the United States abolished, and other duties in lieu of them imposed, April 19, 1816, (repealed,) 291

Duties.

Licenses to be obtained for using stills, (repealed,) - - - - - 291

An act to regulate the duties on imports and tonnage, April 27, 1816, - - - - 310

Duties imposed by the act, - - - - 310 to 315

Note of the construction of the act of 1819, chap. 8, relative to the duty on loaf-sugar, 312

An act for reducing the duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise, April 29, 1816, (repealed,) - - - - - 320

Tonnage duties, - - - - - 344

Ad valorem duty to be on the net cost of the articles whence exported, March 3, 1817, (obsolete,) - - - - - 369

Additional duty of two dollars per ton on vessels from foreign ports into which vessels of the United States are not permitted to enter and trade, March 3, 1817, (repealed,) 369

Collectors and naval officers empowered to remove causes from the state courts to the Circuit Courts of the United States, March 3, 1817, - - - - - 369

Act of March 3, 1815, chap. 90, continued, except the 5th and 6th sections, (expired,) 396

Provisions for the collection of duties already accrued, - - - - - 401

Regulation of the importation of goods subject to ad valorem duties, - - - - 433

An act to increase the duties on manufactured articles imported into the United States, April 20, 1818, (repealed,) - - - 458

An act to increase the duties on iron bars and bolts, iron in pigs, castings, nails, and alum, April 20, 1818, (repealed,) - - - 460

Part of the act of 1816, chap. 107, continued until June 20, 1826, (expired,) - - - 461

Duties on British vessels, entered in 1815, contrary to the provisions of the commercial convention of July, 1815, with Great Britain, April 20, 1818, (repealed,) - 465

An act providing for the deposit of wines and distilled spirits in public warehouses, April 20, 1818, (obsolete,) - - - - 469

An act to regulate the duties on certain wines, March 3, 1819, (repealed,) - - - 515

Continuance of the act of April 20, 1818, chap. 74, for two years, April 18, 1820, - 563

Duties on the statue of George Washington remitted to North Carolina, - - - 543

Duties on goods at Castine, paid by Walter Channing, to be repaid, - - - - 606

Manifests, verified by oath, of the cargo subject to duty, of vessels from adjoining territories to be delivered to the nearest collector, March 2, 1821, - - - - - 616

Duties to be collected or secured by the deputy-collector of the district contiguous to the foreign territory, - - - - - 617

Penalties and forfeitures under this act, - 617

Vessels of six hundred tons allowed twenty days for unloading, March 3, 1821, - 640

The duties on a sword presented to Captain Thomas Macdonough remitted, - - - 662

Duties.

- An act to provide for the collection of duties on imports and tonnage in Florida, and for other purposes, May 7, 1822, - - 684
- An act supplementary to an act, and to amend an act entitled "An act to regulate the collection of duties on imports and tonnage," passed 2d March, 1799. March 1, 1823, 729
- A true invoice of goods subject to duty to be produced, - - - - 729
- Oath of owner, importer, consignee, or agent, 729, 730
- Goods not entered to be deposited in the public warehouses, until the invoice is produced, 731
- Mode of estimating ad valorem duties, - 732
- Provisions for the entry of goods subject to ad valorem duties, - - - - 733, 734
- Notes of the decisions of the Supreme Court on an indictment for perjury in falsely taking and swearing the owner's oath under the fourth section of the act of March 1, 1823, chap. 19, - - - - 731
- Duties on Carriages, &c.**
- Duties laid on carriages, &c., December 15, 1814, (repealed,) - - - - 148
- Duties on Sales at Auction.**
- Condition of the bond to be given by auctioneers, - - - - - 113
- Duties laid on sales at auction, December 28, 1814, (repealed,) - - - - 139
- Elliott, Lieutenant.**
- Prize money allowed to him, - - - 4
- Embargo.**
- An act laying an embargo on all ships and vessels in the ports and harbours of the United States, December 17, 1813, (repealed,) 88
- The departure of foreign vessels, with their cargoes, belonging to nations in amity, not prohibited, - - - - - 88
- The time during which the act is to be in operation, not to be computed with respect to drawbacks, (obsolete,) - - - - 92
- The President authorized to grant permission to vessels to load and depart, in certain cases, (obsolete,) - - - - - 98
- Engineer Corps.**
- The President authorized to employ a skilful assistant in the corps of engineers, - 342
- Epervier, Brig.**
- Allowance to the widows and orphans of the officers and seamen lost in the Epervier, 369
- Escape.**
- Notes of the cases decided in the courts of the United States on the law of escape, - 646
- Farmers' and Mechanics' Bank of Georgetown**
- Incorporated, (expired,) - - - - 383
- Fencibles.—See Army of the United States.**
- Fisheries.**
- An act for the government of certain fisheries, June 19, 1813, - - - - - 2
- Agreements with fishermen, - - - - 2
- Fishermen neglecting their duty, - - 2

Fisheries.

- Fishing vessels to continue liable for wages of the hands for six months after the sale of fish caught, - - - - - 2
- Proceedings for wages, - - - - - 2
- An act laying a duty on imported salt, granting a bounty on pickled fish exported, and allowances to certain vessels employed in the fisheries, July 29, 1813, - - 49
- Regulations relating to allowances to vessels employed in the fisheries, - - - - 50
- Notes of the acts of Congress relating to ships and vessels, and persons employed in the fisheries, - - - - - 49
- Decisions of the courts of the United States on the acts relating to the fisheries, - - 49
- The bounty on pickled fish exported, and allowances to fishing vessels continued, February 9, 1816, (expired,) - - 254
- Allowances to fishing vessels, &c., - - 520
- Notes of the decisions of the Circuit Court of Massachusetts on the acts of July 28, 1813, chap. 35, and the act of March 3, 1819, chap. 88, - - - - - 520
- Regulation of the bounty to fishing vessels which had been prevented by capture from fishing, - - - - - 416
- An act in addition to and alteration of an act, entitled "An act laying a duty on imported salt, granting a bounty on pickled fish exported, and allowances to certain vessels employed in the fisheries," March 3, 1819, 520
- Flag of the United States.**
- The flag to be thirteen stripes and twenty stars after July 4, 1813, - - - - - 415
- A star to be added for every new state, - 415
- Flags and Standards captured from the enemies of the United States.**
- The Secretaries of War and of the Navy to collect the captured flags, and they shall be placed as designated by the President of the United States, - - - - - 133
- Floating Batteries,**
- Authorized to be built, &c., for the defence of the harbours of the United States, (obsolete,) - - - - - 104
- Florida.**
- Resolution of January 15, 1811, relative to taking possession of the Floridas, - 471
- The President authorized to take possession of the territory of Florida, east of Pearl river, January 15, 1811, - - - - - 471
- The act of January 15, 1811, not to be published, unless directed by the President, until after the next session of Congress, March 3, 1811, 472
- The President authorized to occupy West Florida, west of the Perdido, February 12, 1813, - - - - - 472
- The act authorizing the President of the United States to take possession of East and West Florida, and establish a temporary government therein, March 3, 1819, - - - 523
- Notes of the acts passed relative to the territory of Florida, - - - - - 523
- An act for carrying into execution the treaty between the United States and Spain, con-

Florida.

- cluded at Washington on the twenty-second day of February, 1819. March 3, 1821, 637
- The President authorized to take possession of Florida, and to remove the Spanish troops according to the treaty, - - - 637
- Organization of the government of Florida, 638
- Notes of the decisions of the Supreme Court upon the treaty between the United States and Spain of 22d February, 1819, - 637
- An act for the establishment of a territorial government in Florida, March 30, 1822, 654
- Organization of the government - - 654
- Notes of the acts relating to the territory of Florida, - - - - - 654
- The laws of the United States in force in Florida, - - - - - 657
- An act concerning the commerce and navigation of Florida, March 30, 1822, - 660
- An act to provide for the collection of duties on imports and tonnage in Florida, May 7, 1822, - - - - - 684
- Collectors and surveyors to be appointed, and their compensation, - - - - 684
- An act to relieve the people of Florida from the operation of certain ordinances, - 685
- An act to ascertain the claims and titles to land within the territory of Florida, May 8, 1822, - - - - - 709
- Appointment of commissioners to examine claims, - - - - - 709
- Organization and proceedings of the commissioners, - - - - - 709
- Notes of the decisions of the courts of the United States upon claims and titles to land in the territory of Florida, - - - 709
- An act to amend "An act for the establishment of a territorial government in Florida," and for other purposes, March 3, 1823, - 750
- East and West Florida to constitute the Territory of Florida, - - - - 750
- Organization of the government of Florida, 752
- Judiciary in Florida, and officers, - 752, 753
- Legislature, - - - - - 753
- Revenue laws of the United States, - 753
- No slaves to be imported from places out of the United States, - - - - 753
- An act amending and supplementary to the "Act to ascertain claims and titles to land in the territory of Florida," and to provide for the survey and disposal of the public lands in Florida, March 3, 1823, - 754
- Provisions relating to claims to lands in Florida, - - - - - 754
- Sale of the public lands in Florida, - 756
- Florida Treaty.*
- The judges of the superior courts of Florida to adjust the claims under the ninth article of the Florida treaty, and to report to the Secretary of the Treasury, - - - 768
- Flotilla Service.*
- The appointment of certain officers for the flotilla service authorized, April 12, 1814, (obsolete,) - - - - - 125
- Repeal of the acts concerning the flotilla service, - - - - - 217

Flotilla Service.

- Armed vessels on Lake Erie to be sold, - 217
- Gunboats to be sold, - - - - 218

Forage.

- An act to regulate the allowance of forage to the officers of the army of the United States, July 22, 1813, - - - - 34

Foreign Armed Vessels.

- Harbours into which foreign armed vessels may enter, after July 1, 1820. May 15, 1820, (expired,) - - - - - 597
- The President may employ force to execute the act, - - - - - 597

*Foreign Coins and Currency.—See Coins and Currency.**Foreign Consuls.*

- The papers of foreign vessels to be deposited with the consul of the nation to which the vessels belong, - - - - - 362
- The consuls not to redeliver papers until a clearance of the vessel is produced, - 362
- Restriction of the provisions of the act as to foreign vessels of nations in which American consuls are not permitted, - - - 362

Foreign Vessels.

- Foreign vessels may enter and unlade their cargoes at Middletown and Plymouth, 299
- The papers of foreign vessels to be deposited with the consul of the nation to which the vessel belongs, - - - - - 362

Forfeitures and Penalties.

- Remission of forfeitures by the Secretary of the Treasury not to affect the rights of the captors, - - - - - 5

Frauds on the Government of the United States.

- An act for the punishment of frauds committed on the government of the United States, March 3, 1823, - - - - - 771
- Forging or uttering forged papers to obtain any sum of money from the United States, 772
- Persons knowingly having fraudulent papers, 772
- The courts of the several states not to be deprived of jurisdiction of such offences, 772

Gamble and Stansbury, Lieutenants.

- A silver medal to be presented to their representatives, - - - - - 245

Guines, Major-General.

- Thanks of Congress for his gallant services, - - - - - 247

Gerry, Elbridge.

- A monument over the tomb of Elbridge Gerry to be erected at Washington, - - 771

Georgetown.

- An act concerning streets in Georgetown, 1

Georgia.

- Circuit Court in Georgia, - - - - 300
- A sum of money, equal to certain Mississippi stock, to be paid to the state of Georgia, 359
- Representation in Congress according to the fourth census, - - - - - 651

Hamburg.

- The act of 1818, chap. 185, relating to discriminating duties extended to vessels of Hamburg, March 3, 1819, - - - 510
 See *Discriminating Duties*.

Harbour Defence.

- A number of barges to be built for harbour defence, (obsolete,) - - - 3

Harbours of the United States.

- The President authorized to cause to be built floating batteries for the defence of the harbours of the United States, (obsolete,) 104

Harrison, Major-General, and Governor Shelby.

- The thanks of Congress for their gallantry and conduct at the battle of the Thames to be presented to Major-General Harrison and Governor Shelby, and to their officers and men, and medals to be struck, &c. - 476

Hornet, Officers and Crew of the.

- Prize-money allowed to them, - - - 4

Humiliation and Prayer.

- The President requested to recommend a day of humiliation and prayer, - - - 248

Illinois, State of.

- Land granted to the State of Illinois for a seat of the government of the state, - - - 525
 Resolution declaring the admission of the State of Illinois into the union, December 3, 1818, - - - - - 536
 Three per cent. of the product of the sales of public lands in Illinois to be paid to the State of Illinois to be applied to the encouragement of learning, - - - 610
 An account of the appropriation to be annually transmitted to the Secretary of the Treasury, - - - - - 610
 The four sections of land selected by commissioners confirmed as the seat of government, - - - - - 618
 Representation in Congress according to the fourth census, - - - - - 651
 An act to authorize the State of Illinois to open a canal through the public lands, to connect the Illinois river with Lake Michigan, March 30, 1822, - - - 659
 An additional land-office to be established in the State of Illinois, May 8, 1822, - 700

Illinois Territory.

- An act confirming claims to land in the Illinois territory, and providing for their location, - - - - - 125
 The western boundary of the Illinois territory to include all the islands in the Mississippi between the middle and the eastern passage, - - - - - 218
 Regulations as to the location of lands, - 218
 Organization of the courts of the United States in the Illinois territory, March 3, 1815, (obsolete,) - - - - - 237
 Further time given for perfecting pre-emption rights and making entries of land in the Illinois territory, - - - - - 307, 308
 Persons whose claims are perfected to receive certificates to that effect, - - - 308

Illinois Territory.

- A new land district north of the district of Kaskaskia to be established, - - - 323
 Administration of justice in the Illinois territory, April 29, 1816, (obsolete,) - 327
 The paymaster-general of the army authorized to pay certain officers of the territory of Illinois, - - - - - 399
 Propositions offered to the convention of Illinois, - - - - - 430
 The people of the territory of Illinois authorized to form a constitution and state government, April 16, 1818, - - - - - 428
 An act to provide for the execution of the laws of the United States in the State of Illinois, March 3, 1819, - - - - - 502

Imprisonment for Debt.

- Relief of persons imprisoned for debts due to the United States, March 3, 1817, - 399

Indian Agents.

- Superintendents of Indian traders, agents, &c., April 16, 1818, - - - - - 428
 Indian agents may be transferred by the President, - - - - - 514
 Appointment and salary of the Indian agent of Upper Missouri, - - - - - 514

Indian Tribes.

- Licenses to trade with the Indians to be given to citizens of the United States only, - 332
 Foreigners going into Indian settlements to have passports, - - - - - 332
 Penalties for violation of the law, - - - 332
 The act establishing trading houses with the Indians continued until May 1, 1818, 363
 An act to provide for the punishment of crimes and offences committed within the Indian boundary, March 3, 1817, - - - 383
 See *Crimes*.
 The trading houses with the Indians continued to March 1, 1819, April 16, 1818, (obsolete,) - - - - - 428
 An act making provision for the civilization of the Indian tribes, adjoining the frontier settlement, March 3, 1819, - - - 516
 The President authorized to employ capable persons to instruct the Indians in agriculture, and to teach Indian children reading, writing, and arithmetic, - - - 516
 The act for establishing trading houses with the Indian tribes continued to March 1, 1820, March 3, 1819, - - - - - 514
 The act of March 2, 1811, establishing trading houses with the Indians continued to July 3, 1822, - - - - - 641
 An act to amend an act, entitled "An act to regulate trade and intercourse with the Indian tribes," &c., passed March 3, 1802, chap. 13. May 6, 1822, - - - 682
 Provisions relating to trade with the Indians, 692
 An act to provide for annuities to the Ottawas, Pattawatimas, Kickapoos, Choctaws, Kaskaskias, &c., and to carry into effect the treaty at Saginaw, May 7, 1822, - 690

Indiana, State of.

- The State of Indiana to be paid three per cent.

Indiana, State of.

- of the net proceeds of public lands in Indiana, April 11, 1818, - - - 424
- Representation in Congress according to the fourth census, - - - - 651
- An act authorizing the location of certain school lands in the State of Indiana, May 7, 1822, (obsolete,) - - - - 686
- A district and land-office for the sale of public lands at Fort Wayne established, - 701
- A register and receiver to be appointed, - 701
- All the public lands, with certain exceptions, to be sold, - - - - - 701
- The President may remove the land-office, 702

Indiana Territory.

- An act to establish the mode of laying off the territory of Indiana into districts for the election of its members of the legislative assembly, March 4, 1814, (obsolete,) - 103
- Regulations of courts of justice in Indiana, February 24, 1815, - - - - 213
- The people of Indiana authorized to form a state government and to be admitted into the union, April 19, 1816, - - - 289
- Provisions for forming a constitution, - 289
- Propositions on the part of the United States to be offered to the convention, and, if accepted, to be obligatory on the United States, - - - - - 290
- All the laws of the United States not locally inapplicable to be in force in the State of Indiana, March 3, 1817, - - - - 390
- The State of Indiana admitted into the union, December 11, 1816, - - - - 399

Insolvent Debtors.

- The provisions which require a year's residence in the District of Columbia, to entitle to relief under the act of March 3, 1803, chap. 31, for the relief of insolvent debtors in the District of Columbia, repealed, - - 682

Intercourse with the Enemy.

- Custom-house officers authorized to enter on board vessels in adjoining districts as well as their own, to seize dutiable articles, - 195
- Goods forfeited, illegally brought from the possessions of the enemy, - - - - 195
- Forfeitures for attempt to transport goods, &c., to the enemy, - - - - - 196
- Intercourse with Canada regulated, - 396
- Deputies may be employed, - - - - 397

Internal Duties.

- An act for the assessment of direct taxes and internal duties, July 22, 1813, - - 22
- Duties on refined sugar, - - - - 35
- Duties laid on carriages of persons, February 24, 1813, - - - - - 40
- Duties laid on licenses to distil spirituous liquors, July 24, 1813, - - - - 42
- Notes of decisions of the Supreme Court on this statute, - - - - - 42
- Duties on sales of merchandise and ships, &c., at auction, July 24, 1813, - - - 43
- Duties on sales at auction. - - - - 44
- Duties on distilled spirituous liquors, - 43
- An act making further provision for the collection of internal duties, and for the com-

Internal Duties.

- pensation of the assessors, August 2, 1813, (obsolete,) - - - - - 82
- The Secretary of the Treasury to remit certain duties on stills, - - - - - 369
- Internal duties on licenses to distillers, on refined sugar, licenses to retailers, sales at auction, on carriages, on stamps, discontinued, December 23, 1817, - - 401
- An act supplementary to the several acts relative to direct taxes and internal duties, April 20, 1818, - - - - - 441

Jackson, Major-General.

- Thanks of Congress to Major-General Jackson and the troops under his command, for their gallantry and good conduct in the defence of New Orleans, - - - - - 249
- A gold medal to be presented to Major-General Jackson, - - - - - 249

Jails.

- Resolution providing for jails in certain cases, for the safe keeping of persons committed under the authority of the United States, March 3, 1821, - - - - - 646
- Notes of the acts relating to jails, - - 646

Jefferson, Thomas.

- Purchase of the library of Thomas Jefferson, 246

Johnson, Richard M.

- A sword to be presented to Richard M. Johnson, - - - - - 476

Journals of Congress.

- Distribution of the Journals of Congress and documents, - - - - - 140

Judiciary.

- The appointment of an additional judge in the territory of Missouri directed, - - 95
- By what rules judgments of the court established by the act of January 27, 1814, may be reversed by the Supreme Court, - 96
- When a writ of error will operate as a super-seedeas, - - - - - 96
- The time for holding the District Court of the United States for the Virginia district altered, March 24, 1814, - - - - 112
- An act for the better organization of the courts of the United States within the State of New York, - - - - - 120
- The state divided into two districts, - 120
- An act directing the disposition of money paid into the courts of the United States, April, 1814, - - - - - 127, 395
- Money to be deposited in incorporated banks, 127, 395
- Regulation of courts of justice in Indiana, 213
- The President to appoint a marshal and district attorney for the northern judicial district of New York, - - - - - 235
- Organization of the courts of the United States in the Illinois territory, March 3, 1815, (obsolete,) - - - - - 237
- Time of holding the Circuit and District Courts in Vermont, - - - - - 258
- Notes of the acts relating to the Circuit and District Courts in Vermont, - - - 258

Judiciary.

When it is \$100, an appeal allowed on a petition to a judge of the Supreme Court, 261
 On appeals allowed on petition, the writ of error to be a supersedeas, - - - 261
 Appeals from the Circuit Court of the District of Columbia to the Supreme Court allowed where the matter in dispute is 1000 dollars, - - - - - 261
 Circuit Courts in South Carolina and Georgia, 300
 Additional compensation to the district judge of the southern district of New York, April 27, 1816, (obsolete,) - - - 318
 Administration of justice in the Illinois territory, April 29, 1816, (obsolete,) - 327
 An act respecting the District Court of the northern district of New York, - - 392
 Time of holding the District Court for the district of Virginia, March 19, 1818, - 411
 The laws of the United States to have effect in Mississippi, - - - - - 413
 Judicial district, district attorney, marshal, 413
 District Court in Maine, - - - - 413
 Courts of the northern district of New York, - - - - - 413
 Increase of the salaries of the judges of the Circuit Court of the District of Columbia, April 20, 1818, - - - - - 457
 Pennsylvania divided into two districts, and the districts called the eastern and western districts, - - - - - 462
 Richard Peters to hold the courts of the eastern district, and a district judge, marshal, and district attorney to be appointed for the western district, - - - - - 462
 Regulations of process and proceedings in the districts, - - - - - 462
 The judicial power of judges in Alabama extended to the counties in the Mississippi territory, April 20, 1818, (obsolete,) - 468
 Original cognisance in equity and at law given to the courts of the United States in controversies respecting territory and patents for useful inventions, February 15, 1819, 481
 An act to alter the terms of the court for the western district of Virginia, February 10, 1820, - - - - - 540
 An act establishing a Circuit Court within and for the district of Maine, March 30, 1820, 554
 Rhode Island, Massachusetts, New Hampshire, and Maine to form the first circuit, - 554
 Organization of the Circuit Court of Maine, 554
 A District Court in Alabama established, April 21, 1820, - - - - - 564
 Organization of the court, - - - - 564
 A district judge, district attorney, and marshal to be appointed, - - - - - 564
 Compensation of the judge, district attorney, and marshal, - - - - - 565
 An act to alter the times of holding the Circuit and District Courts in the District of Columbia, May 11, 1820, - - - - 576
 Alteration of the time for holding the District

Judiciary.

Court of the western district of Pennsylvania, - - - - - 598
 An act to alter the terms of the District Court in Alabama, December 27, 1820, - 610
 Alteration of the times of holding the Circuit and District Courts in the District of Columbia, December 29, 1820, - - 611
 Writs and process returned accordingly, - 611
 An act to alter the time of holding the District Court in the district of Mississippi, January 11, 1821, - - - - - 611
 Notes of the acts relating to the District Court of Mississippi, - - - - - 611
 The District Courts in the northern district of New York to be hereafter holden at Utica on the last Tuesday in August, and at Albany on the last Tuesday in January, March 3, 1821, - - - - - 623
 The clerk of the District Court of Louisiana authorized to appoint a deputy, - - 643
 In suits in the District Courts, when the judge may be interested, the proceedings may be certified to the next Circuit Court, which must take cognisance of and proceed therein, - - - - - 643
 A District Court established in Missouri, March 16, 1822, - - - - - 653
 A district attorney, clerk, and marshal to be appointed, - - - - - 653
 Process in the Circuit Court of east or west Tennessee, - - - - - 661
 District Court of Alabama, - - - - 662
 The times of holding the courts in the western district of Virginia altered, April 26, 1822, - - - - - 666
 The time and place of holding the District Court in the State of Mississippi altered, 667
 See *Mississippi*.
 The State of South Carolina divided into two judicial districts, - - - - - 726
 The eastern District Court to be held at Charleston, as usual, - - - - - 726
 The western District Court to be held at Lawrence court-house on the second Monday in May in each year, - - - - 726
 Terms of the District Court of Kentucky altered, - - - - - 742
 Notes of the acts establishing the sessions of the District Court of Kentucky, - - 742
 An act to extend the jurisdiction of justices of the peace in the recovery of debts in the District of Columbia, March 1, 1823, - 743
 See *District of Columbia*.
 Alteration of the time of holding the Circuit Courts in Maine and New Hampshire, 773
 An appeal to be from the northern District Court of New York to the Circuit Court of the southern district, March 3, 1823, (obsolete,) - - - - - 774
 Organization of the District Court of Louisiana, - - - - - 775
 Alteration of the time of holding the District Court in Vermont, - - - - - 776
 Notes of the acts of Congress relative to the Circuit and District Courts of Vermont, 776
 An act providing for the accommodation of

Judiciary.

the Circuit and District Courts of the United States for the county of Washington, and for the preservation of the records of said court, March 3, 1823, - - - 785

Keep-Tryst Furnace.

The Secretary at War authorized to sell the tract of land in Jefferson county, Virginia, called Keep-Tryst Furnace, - - - 521

Kentucky, State of.

Representation in Congress according to the fourth census, - - - - - 651

Alteration in the time of holding the District Court of the United States for the district of Kentucky, March 1, 1823, - - - 742

Notes of the acts establishing the sessions of the District Court of Kentucky, - - - 742

See *Judiciary.*

Kentucky and Tennessee.

Assent of Congress to the compact between Kentucky and Tennessee to adjust and establish the boundary line between the two states, May 12, 1820, - - - - - 609

Lawrence, Captain James.

Prize money allowed to him, - - - - - 4

Resolution expressive of the sense of Congress of the brilliant achievement of Captain James Lawrence, - - - - - 142

Laws of the United States.

A subscription to Bioren, Duane, and Weightman's edition of the laws of the United States authorized, - - - - - 129

Distribution of 1000 copies, - - - - - 129

Future acts of Congress to be published in the form prescribed, - - - - - 129

The laws of the United States to be published in the territories of the United States, 145

Distribution of the laws of the United States among the members of the thirteenth Congress, - - - - - 250

The collection of land laws to be revised and published, - - - - - 344

Publication of the laws of the United States, amendments proposed to the Constitution, and treaties, under the direction of the Secretary of State, - - - - - 439

Eleven thousand copies to be printed and distributed, - - - - - 439

The copies to be printed to correspond with the revised edition of the laws published by Bioren & Co. - - - - - 439

Distribution of the laws, - - - - - 440

Distribution of copies of Bioren & Co.'s edition of the laws of the United States among members of Congress and delegates of territories, - - - - - 473

Laws of the fourteenth Congress to be procured, - - - - - 473

Distribution of the land laws, - - - - - 473

The distribution of the laws of the fourteenth Congress among the members of the 15th Congress directed, - - - - - 475

An alphabetical index to the acts and resolutions of Congress, after the close of every

Laws of the United States.

session, to be prepared by the Secretary of State, - - - - - 475

Fifteen sets of the laws of the United States to be transmitted to Michigan, to be distributed by the government of the territory, - - - - - 565

Publication of the laws of the United States in public newspapers by the Secretary of State regulated, - - - - - 576

An act to authorize the purchase of a number of copies of the sixth volume of the laws of the United States, March 3, 1823, - - - 786

Letters of Marque.

Persons wounded or disabled on board of vessels bearing a commission of letter of marque to be placed on the pension list, - - - 86

Library of Congress.

Purchase of the library of Thomas Jefferson, - - - - - 195

An act to provide for the transporting the library purchased from Thomas Jefferson, - - - - - 225

Purchase of the library of Thomas Jefferson, - - - - - 246

The attorney-general of the United States to have the use of the library, - - - 283

Salary of the librarian of Congress fixed at 1000 dollars, April 16, 1816, (obsolete,) 284

Removal of the library of Congress to the north wing of the capitol, December 3, 1818, (obsolete,) - - - - - 477

Appropriations for books, - - - - - 477

Salary of the librarian, - - - - - 645

Licenses to Retailers.

Duties on licenses to retailers of wines and spirituous liquors, - - - - - 72

Amendment of the act laying duties on licenses to retailers of wines, &c., April 18, 1814, (repealed,) - - - - - 137

Of spirituous liquors, December 21, 1814, (repealed,) - - - - - 152

On licenses to distillers of spirituous liquors, December 28, 1814, (repealed,) - - - 159

The act laying duties on licenses to retailers of wines not to extend to wine dressers selling wine of their own growth, - 205

Licenses to trade with the Enemy.

Penalty for using or disposing of British licenses to American vessels, - - - 84

Vessels sailing with such licenses to be treated as British vessels, - - - - - 85

Light-houses.

Appropriations for rebuilding certain light-houses, and completing the plan of lighting them according to the improvement of Winslow Lewis, - - - - - 316

Beacons and buoys at the harbour of Beverly, Massachusetts, - - - - - 316

Beacons and buoys at the entrance of Savannah river, South Carolina, - - - 316

Light-houses on Lake Erie, - - - - - 316

Light-houses on Race Point, on Point Gammon, and on the Island of Petite Manon, in Massachusetts, - - - - - 316

Light-houses.

- A light-house at Holmes's Hole, Massachusetts, - - - - - 360
- An act to authorize the building, erecting, and placing light-houses, beacons, and buoys in places designated, in Boston, Buzzard, and Chesapeake bays, Lakes Ontario and Erie, and for other purposes, March 3, 1819, 534
- A light-house on the Isles of Shoals, - 599
- A light-house at the mouth of Kennebunk river, - - - - - 599
- At Tenpound island, - - - - - 599
- At Baker's island, - - - - - 599
- At Genessee river, - - - - - 599
- A buoy on South-west ledge, and on Adams' fall, near New Haven, - - - - - 599
- A light-vessel at Smith's Point Shoals, - 599
- A light-house at Shell Castle island, North Carolina, - - - - - 599
- A beacon and two buoys in the harbour of Charleston, - - - - - 599
- A light-house in Mobile bay, - - - - - 599
- A light-vessel at the mouth of the Mississippi, - - - - - 599
- A light-house on Sparrow's point, - - - 599
- A light-vessel on Craney island, - - - 599
- Light-houses and buoys to be built in ports, harbours, and rivers enumerated in the act, March 3, 1821, - - - - - 643
- No light-house to be built previous to a cession of jurisdiction of the same to the United States, - - - - - 644
- An act authorizing the building of light-houses therein mentioned, and for other purposes, May 7, 1822, - - - - - 698
- An act to authorize the building of light-houses, light-vessels, and beacons therein mentioned, and for other purposes, March 3, 1823, 780
- Light-houses, &c., to be built on Baker's island, Monamoy point, Goat island, Cape Hatteras, Cape Romain, Pensacola, Fort Gratiot, Haddrell's point, Bay of Delaware, act of March 3, 1823, - - - - - 780

Loans to the United States.—See Debt of the United States.

- A loan not exceeding seven millions, five hundred thousand dollars authorized, August 2, 1813, (obsolete,) - - - - - 75
- A loan of twenty-five millions of dollars authorized, March 24, 1814, - - - - - 111
- A loan not exceeding three millions of dollars authorized, March 15, 1814, (obsolete,) 144
- A loan of twenty-five millions, and three millions of dollars authorized, December 26, 1814, (obsolete,) - - - - - 161
- Treasury notes may be issued for the deficiency of any authorized loan, - - - 161
- A loan of 18,452,800 dollars authorized, March 3, 1815, - - - - - 227
- An act to repeal so much of any acts now in force as authorizes a loan of money or issue of Treasury notes, March 2, 1817, (obsolete,) - - - - - 377
- The President empowered to borrow 3,000,000 of dollars, May 15, 1820, - - - - - 582
- An act to authorize the President of the United

Loans to the United States.

States to borrow a sum not exceeding five millions of dollars, March 3, 1821, - 635

Louisiana.—See Public Lands.

- An act for the final adjustment of land titles in the State of Louisiana and territory of Missouri, - - - - - 121
- Land titles in Louisiana and Missouri, - 517
- An act for adjusting the claims to land and establishing land-offices in the districts east of the island of Orleans, March 3, 1819, 528
- Regulations as to the examination of claims to land, - - - - - 528
- Notes of the acts relating to the adjustment of land claims in Louisiana, - - - - - 528
- An act supplementary to the several acts for the adjustment of land claims in the State of Louisiana, May 11, 1820, - - - - - 573
- An act to provide for building an addition to the custom-house now erecting in the city of New Orleans, for the use of the District Court of the United States for the State of Louisiana, May 15, 1820, - - - - - 602
- The clerk of the District Court of Louisiana authorized to appoint a deputy, - - - - 643
- Representation in Congress according to the fourth census, - - - - - 651
- An act supplementary to the several acts for adjusting the claims to land, and establishing land-offices in the districts east of the island of Orleans, May 8, 1822, - - - - - 707
- Provisions relative to claims to land in Louisiana, - - - - - 707
- Claims to certain lands in Louisiana confirmed, - - - - - 727
- Claims to lands on Red river confirmed, 727
- The seventh section of the act of May 11, 1820, chap. 87, continued for eighteen months, - - - - - 728
- Part of Navy store-house lot granted to the city of New Orleans, - - - - - 728
- An act providing for the examination of the titles to land in that part of the State of Louisiana situated between the Rio Hondo, and the Sabine rivers, March 3, 1823, 756
- An act for the better organization of the District Court of the United States within the State of Louisiana, March 3, 1823, - 774
- Notes of the acts of Congress relating to the District Court of Louisiana, - - - - - 774

Louisiana and New Orleans.

Resolution expressive of the high sense entertained by Congress of the patriotism and good conduct of the people of Louisiana and New Orleans during the late military operations before that city, - - - - - 248

Macdonough, Commodore, and others.

Resolution expressive of the sense of Congress of the gallant conduct of Commodore Macdonough, the officers, seamen, marines, and infantry serving as marines, on board the United States squadron on Lake Champlain, - - - - - 245

Macomb, Major-General.

Thanks of Congress for his gallant services, 247

Madison, James.

Privilege of franking given to James Madison, - - - - - 350

Maine, State of.

District Court in Maine, - - - - 413
 An act for the admission of the State of Maine into the Union, March 3, 1820, - 544
 Notes of the acts relating to the State of Maine, - - - - - 544
 An act establishing a Circuit Court within and for the District of Maine, March 30, 1820, - - - - - 554
 Apportionment of representatives in Congress from Massachusetts and Maine, April 7, 1820, - - - - - 555
 Representation in Congress according to the fourth census, - - - - - 651
 An act altering the time of holding the Circuit Courts in the districts of Maine and New Hampshire, March 3, 1823, - - 773
 Notes of the acts of Congress relating to Circuit Courts in the district of Maine, - 773

Marietta.

Sales of lands in the district of Marietta, 409

Marine Corps.

An act authorizing an augmentation of the marine corps, and for other purposes, - 124
 Organization of the marine corps, - - 124
 The President may appoint officers in the recess of the Senate, - - - - - 124
 Military peace establishment of the marine corps, March 3, 1817, (obsolete,) - 376

Maryland, State of.

Representation in Congress according to the fourth census, - - - - - 651
 Assent of Congress to acts of the state legislature, - - - - - 665

Massachusetts, State of.

Apportionment of representatives in Congress from Massachusetts and Maine, April 7, 1820, - - - - - 555
 Representation in Congress according to the fourth census, - - - - - 651

Mechanics' Bank of Alexandria.

An act to extend the charter of the Mechanics' Bank of Alexandria in the District of Columbia, (expired,) - - - - - 726

Medical Department of the Army.

Allowances to the medical staff of the army, 115
 Apothecary and assistant apothecaries-general to give bonds, with securities, for the faithful performance of their duties, May 8, 1820, - - - - - 570

Meeting of Congress.

Congress to meet the last Tuesday in October, 1814, - - - - - 128

Michigan Territory.

The election of a delegate to Congress from the Michigan territory authorized, February 16, 1819, (obsolete,) - - - - 482
 Right of suffrage to the citizens of the territory, - - - - - 482
 Notes of the acts which have been passed relative to the Michigan territory, - - 482
 The laws of Michigan, which are in force, to

Michigan Territory.

be printed under the direction of the Secretary of State, and distributed, - - 565
 Fifteen sets of the laws of the United States to be transmitted to Michigan, - - 565
 Public lands, - - - - - 572
 An act to annex certain lands within the territory of Michigan to the district of Detroit, May 11, 1820, - - - - - 577
 An additional judge in the Michigan territory to be appointed, January 30, 1823, (obsolete,) - - - - - 722
 Proceedings in the courts, - - - - 722
 An act to revive and continue in force the acts for the adjustment of land claims in the territory of Michigan, February 21, 1823, 724
 Note of the acts relating to the public lands in Michigan, - - - - - 724
 An act to amend the ordinance and acts of Congress for the government of the Michigan territory, March 3, 1823, - - 769
 Organization of the government of the territory of Michigan, - - - - - 769
 An additional land-office to be established in the Michigan territory, March 3, 1823, 778

Military Bounty Lands.

An act to authorize the survey of two millions of acres of the public lands in lieu of that quantity heretofore authorized to be surveyed in the territory of Michigan as military bounty land, April 29, 1816, (obsolete,) 332

Military Land Warrants.

Time of issuing military land warrants extended to March 4, 1816, act of July 5, 1813, (obsolete,) - - - - - 3
 Certain warrants may be issued, - - - 4
 The time extended for issuing military land warrants, April 16, 1816, (obsolete,) 284
 A list of the lots located to be furnished to the attorney-general, - - - - - 285
 Cases of lost military land warrants and omissions in discharges from the army, provided for, - - - - - 317
 The time for issuing and locating military land warrants extended to October 1, 1819, March 2, 1818, (obsolete,) - - - 409
 The act of May 6, 1812, chap. 17, not to apply to the heirs, &c., of persons killed in the late war, March 27, 1818, (obsolete,) - - - - - 412
 Further time given for completing the issuing and locating military land warrants, February 24, 1819, (expired,) - - - - 487
 The time for issuing and locating military land warrants to officers and soldiers of the revolutionary army extended to March and October, 1823, March 2, 1821, - - 617
 See *Virginia Military Land Warrants.*

Military Peace Establishment.

An act fixing the military peace establishment of the United States, March 3, 1815, - 224
 Rank, grade, and compensation of officers, 225
 How corps are to be arranged and completed, - - - - - 225
 Three months' pay allowed to commissioned officers who shall be deranged, - - 225

Military Sites.

An act authorizing the sale of certain military sites, - - - - - 520

Militia.

Pensions to widows and orphans of militia slain or disabled in the service of the United States, August 2, 1813, (obsolete,) - 73

Additional officers of the militia authorized, April 18, 1814, (obsolete,) - - 134

Courts-martial for the trial of the drafted militia to be composed of militia officers, - 134

Field-officers of the militia after May 1, 1815, - - - - - 295

The militia of Kentucky under the command of Colonel Dudley, captured at Fort Meigs, to be paid in the same manner as the regular troops would be paid, - - - 310

An act concerning the annual sum appropriated for arming the militia of the United States, April 29, 1816, (obsolete,) - 320

The expenses of the militia when marching to places of rendezvous to be paid, - 444

An act for the relief of volunteer mounted cavalry, - - - - - 444

An act to increase the pay of the militia while in actual service, and for other purposes, 459

The system of field exercise observed by the regular army to be observed by the militia, May 12, 1820, - - - - - 577

An act vesting in the State of Pennsylvania the right of the United States to all fines assessed for the non-performance of militia duty during the late war with Great Britain, May 4, 1822, - - - - - 678

The right of the United States to militia fines assessed in Virginia, vested in the State of Virginia, March 3, 1823, - - - - 776

Miller, Brigadier-General.

Thanks of Congress for his gallant services, 247

Mint of the United States.

The mint to be continued at Philadelphia, January 15, 1818, - - - - - 403

An act further to prolong the continuance of the mint at Philadelphia, March 3, 1823, (expired,) - - - - - 774

Mississippi, State of.

Representation in Congress according to the fourth census, - - - - - 651

Three per cent. of the sales of public lands in the State of Mississippi to be paid to the state, to be appropriated to making roads and canals, under the direction of the legislature, May 3, 1822, - - - - 674

Mississippi Territory.

Indemnification of certain claimants of public lands in the Mississippi territory, - 116

Indemnification of claimants under the act or supposed act of the State of Georgia, - 116

The Upper Mississippi Company, the Tennessee Company, the Georgia Mississippi Company, the Georgia Company, - 116

Certificates of stock issued under this act receivable for public lands in the Mississippi territory, - - - - - 118

An act extending relief to the purchasers of public lands in the Mississippi territory, 130

Mississippi Territory.

An act further to extend the right of suffrage and to increase the number of members of the legislative council in the Mississippi territory, October 25, 1814, (obsolete,) - 143

Note of acts relating to the western part of the Mississippi territory, - - - - - 143

The county courts of the Mississippi territory may appoint agents for leasing the sections of lands for the use of schools, - - 163

The President authorized to appoint a board of commissioners, relating to the indemnification of claimants to land in the Mississippi territory, - - - - - 192

Proceedings of the commissioners appointed relating to claimants of public lands in the Mississippi territory, - - - - - 235

Supplement to the act providing for the indemnification of claimants of public lands in the Mississippi territory, April 20, 1816, (obsolete,) - - - - - 294

Further time allowed to purchasers of certain public lands, - - - - - 300

The people of the territory of the western part of Mississippi authorized to form a constitution and state government, and to be admitted into the union, March 1, 1817, - - - - - 348

Organization of the convention, - - 348

Reservations and conditions for admission into the union, - - - - - 349

Prior obligations to the state of Georgia to be discharged, - - - - - 349

An act to establish a separate territorial government for the eastern part of Mississippi territory, March 3, 1817, (obsolete,) - 371

A surveyor of lands in the northern part of the Mississippi territory to be appointed, - 375

The laws of the United States to have the same effect in Mississippi as elsewhere, 413

Judicial districts in Mississippi, - - 413

District attorney and marshal, - - 413

Administration of justice in the Mississippi territory, - - - - - 469

The legislature may regulate the holding of Superior Courts, - - - - - 468

Mississippi admitted into the union. Resolution of December 10, 1817, - - - - - 472

Lands granted for a seat of the government of the State of Mississippi, and for seminaries of learning, February 20, 1819, - 485

An act to alter the time of holding the District Court in the district of Mississippi, January 11, 1820, - - - - - 611

Notes of the acts relating to the District Court of Mississippi, - - - - - 611

Missouri, State of.

Resolution for the admission of Missouri into the union on certain conditions, March 2, 1821, - - - - - 645

An act to provide for the execution of the laws of the United States within the State of Missouri, and for the establishment of a District Court, March 16, 1822, - - 653

Representation in Congress according to the fourth census, - - - - - 651

Three per cent. of the sales of public lands in

Missouri, State of.

- Missouri to be paid to the state, and to be appropriated to making roads and canals, under the direction of the legislature, May 3, 1822, - - - - - 674
- An additional land-office in the State of Missouri, to be called the Western District, 785
- Certain lands granted to the State of Missouri for schools, March 3, 1823, - - - - - 787
- If the six sections of land granted to the State of Missouri, with a salt spring, have been sold, other lands may be selected, - 787

Missouri Territory.

- The appointment of an additional judge for the Missouri territory directed, January 27, 1814, (obsolete,) - - - - - 95
- An act for the final adjustment of land titles in the State of Louisiana and territory of Missouri, - - - - - 121
- Lands granted to persons having lands in the county of New Madrid, which were injured by earthquakes, February 17, 1815, - 211
- Government of the Missouri territory, April 29, 1816, - - - - - 328
- An additional land-office established in the Missouri territory, February 17, 1818, 406
- Land titles in Missouri, - - - - - 517
- An act to authorize the people of the territory of Missouri to form a constitution and state government, and for the admission of such state into the union on an equal footing with the original states, and to prohibit slavery in certain territories, March 6, 1820, - - - - - 545
- Boundaries of the proposed state, - - - 545
- Organization of the convention, - - - 546
- Concurrent jurisdiction over the rivers bordering on the state, - - - - - 546
- Propositions offered to the convention, - 547
- Slavery for ever prohibited in the territory of the United States north of 36 degrees, 30 minutes, north latitude, except in Missouri, - - - - - 548

Mobile.

- An act to establish the town of Mobile as a port of entry, July 22, 1812, - - - 35
- The public lots granted to the city of Mobile to be sold, - - - - - 465

Money paid into Court.

- Money paid into court to be deposited in the branch banks of the United States, April, 1814, - - - - - 127,395
- No money to be drawn from the banks except by an order of the judge or the judges of the court, - - - - - 395

Nantucket.

- Permission given to the inhabitants of Nantucket to hold intercourse with the main land under certain regulations, - - - 94

Naturalization.

- Persons authorized to become citizens who were resident in the United States on the 18th June, 1812, and who had made a declaration of their intention to become citizens of the United States, July 30, 1813, - 53

Naturalization.

- Nothing contained in this act to interfere with or prevent the apprehension or removal of alien enemies, previous to actual naturalization, - - - - - 53
- Resolution for printing the laws relative to naturalization, - - - - - 341

Navigation of the United States.

- Restriction of importation to -vessels of a particular character, March 1, 1817, - 351
- Bounties on vessels employed in the fisheries restricted, - - - - - 351
- Regulations with respect to goods carried from port to port of the United States, - 351
- Provisions as to diminution of duties, - 351
- Provisions as to the number of citizens of the United States on board vessels, - - 352

Naval arsenals.

- Surveys of Chesapeake bay for the establishment of naval arsenals, - - - 476

Navy Commissioners.

- Authority given to the board of navy commissioners to appoint clerks, - - - 231

Navy of the United States.

- The President authorized to cause to be built, equipped, and employed, floating batteries for the defence of the harbours of the United States, March 4, 1814, (obsolete,) - 104
- Floating batteries, - - - - - 104
- Building of vessels on Lake Champlain, April 18, 1814, (obsolete,) - - - - - 139
- The President authorized to have built or purchased any number of vessels, not exceeding twenty, for the public service, - - - 144
- Establishment of the board of commissioners of the navy, February 7, 1815, (repealed,) - - - - - 202
- Increase of the navy provided for, April 29, 1816, (obsolete,) - - - - - 321
- Nine ships to be built, to rate not less than seventy-four guns; twelve ships, to rate not less than forty-five guns, - - - - 321
- Three steam batteries to be procured for harbour defence, - - - - - 321
- The block ship at New Orleans to be completed, - - - - - 321
- The second section of the act of April 18, 1814, which gave to the President of the United States authority to make additions to the pay of the officers and seamen of the United States in certain cases, February 22, 1817, (repealed,) - - - - 345
- Certain lands, which produce live oak, to be reserved from sale for timber for the navy of the United States, - - - - - 347
- Regulations of security to be given by pursers in the navy of the United States, 350
- Notes of the acts regulating the pay of pursers in the navy, - - - - - 350
- Resolution declaring the manner in which the vessels composing the navy of the United States shall be named, March 8, 1819, - - - - - 538
- The President authorized to build a certain number of small vessels of war, May 15, 1820, (obsolete,) - - - - - 596

Navy of the United States.

- Enlistments of seamen and boys to be during the continuance of the cruise, not to exceed three years, May 15, 1820, - 606
- The authority to the Secretary of the Navy to appoint agents and surveyors to survey lands reserved for naval purposes repealed, and the duties to be performed by the surveyors of the public lands, - 607
- Appropriation of \$500,000 for the gradual increase of the navy, March 3, 1821, 642
- The President to employ the land and naval forces to prevent the destruction and carrying away public timber in Florida, - 651
- An act further to amend the several acts relative to the Treasury, War, and Navy Departments, May 7, 1822, - 688
- Decisions of the courts of the United States on the duties of the departments, - 688

Navy Pension Fund.

- Proceeds of sales of prize vessels to be paid over to the navy pension fund, - 287
- The commissioners of the navy pension fund may increase the allowance to invalids, 288

Netherlands.

- Discriminating duties on vessels and goods of the Netherlands repealed, April 20, 1818, 464

Neutral Relations of the United States.

- Persons fitting out and arming vessels intended to be employed to commit hostilities against a friendly power subject to fine and imprisonment, March 3, 1817, (repealed,) - 369
- Bonds to be given by the owners of armed vessels, - 370
- The collectors authorized to seize armed vessels, &c., - 370
- Increasing or augmenting the force of vessels, - 371
- Offences against the neutrality of the United States by enlisting men, arming or fitting out, or augmenting the force of vessels to serve against a foreign state with which the United States are in amity, act of April 20, 1818, - 447

New Hampshire.

- Representation in Congress according to the fourth census, - 651
- An act altering the time of holding the Circuit Court in the districts of Maine and New Hampshire, March 3, 1823, - 773
- Notes of the acts of Congress relating to the Circuit Courts in New Hampshire, - 773

New Jersey.

- Representation in Congress according to the fourth census, - 651
- The time of holding the District Court in New Jersey altered, May 4, 1822, - 678
- Notes of the acts relating to the District Courts in New Jersey, - 678

New Madrid.

- Claims to lands granted to the inhabitants of New Madrid, - 417

New Orleans.

- Authority given to the corporation of New Orleans to sell certain public ground in the city, March 30, 1822, - 661

New York, State of.

- Two districts for courts organized in the State of New York, - 120
- Judges assigned to the districts, - 120
- Notes of the acts relative to the District Courts of New York, - 120
- The President to appoint a marshal and district attorney for the northern judicial district of New York, - 235
- Additional compensation to the district judge of New York, April 27, 1816, (obsolete,) - 318
- District Court of the United States in the northern district of New York, - 392
- Courts in the northern district of New York, - 413
- Notes of the acts regulating the times of holding the District Court in the northern district of New York, - 413
- Salaries of the marshal and district attorney of the northern district of New York, 598
- An act to alter the times of holding the District Court in the northern district of New York, March 2, 1821, - 623
- Representation in Congress according to the fourth census, - 651
- An act supplementary to "An act for the better organization of the courts of the United States within the State of New York," March 3, 1823, (obsolete,) - 774

Non-Intercourse.

- Repeal of the acts which prohibit the entrance of foreign vessels into the waters of the United States, March 3, 1815, - 226

North Carolina, State of.

- Representation in Congress according to the fourth census, - 651

Oaths or Affirmations.

- The chairmen of standing committees of Congress empowered to administer oaths or affirmations in any case under examination, 345

Officers of Government.

- An act to limit the term of office of certain officers therein named, and for other purposes, May 15, 1820, - 582
- District attorneys, collectors and surveyors of the customs, naval officers, navy agents, receivers of public moneys for lands, registers of land-offices, paymasters of the army, apothecaries, and assistant apothecaries-general, and commissary of purchases, to be appointed for the term of four years, and to be removable from office at pleasure, - 582
- Commissions of officers employed in collecting the revenue to be recorded in the Treasury Department, - 582

Officers of the House of Representatives.

- Secretary of the Senate and clerk of the House of Representatives required to give bond,

Officers of the House of Representatives.
 with security, for the proper application and disbursement of public money in their hands, - - - - - 212
 Compensation to the sergeant-at-arms of the Senate and House of Representatives, and to the door-keepers of the Senate and House of Representatives, March 3, 1815, - 226

Ohio, State of.
 Sale of public lands in Ohio, not heretofore offered for sale, - - - - - 521
 Representation in Congress according to the fourth census, - - - - - 651

Ordnance.
 Deputy commissaries of ordnance, not exceeding five, to be appointed, August 2, 1812, (obsolete,) - - - - - 75

Paintings of Events in the American Revolution.
 John Trumbull employed to compose and execute four paintings commemorative of events in the American Revolution, - - 400

Partners.
 Bonds given for duties by one partner to be binding on the firm, act of March 1, 1823, sect. 25, - - - - - 737

Passenger Ships and Vessels.
 An act regulating passenger ships and vessels, March 2, 1817, - - - - - 488
 Notes of the decisions of the courts of the United States on the passenger acts, - 488

Patents for Useful Inventions.
 Original cognisance in equity and at law given to the courts of the United States in controversies respecting inventions and patents for useful inventions, - - - - - 481

Patriotic Bank of Washington,
 Incorporated, (expired,) - - - - - 388

Pennsylvania, State of.
 Pennsylvania divided into two judicial districts, and the courts in the districts organized, April 20, 1820, - - - - - 462
 Suits in the District Court of the western district of Pennsylvania, December 16, 1818, (obsolete,) - - - - - 478
 An act for altering the time of holding the court of the United States for the western district of Pennsylvania, and for other purposes, May 15, 1820, - - - - - 598
 Salaries of the district attorney and marshal of the western district of Pennsylvania, - 598
 Representation in Congress according to the fourth census, - - - - - 651
 Militia fines incurred during the late war with Great Britain vested in the State of Pennsylvania, subject to expenses of two courts-martial, - - - - - 678

Pensions.
 An act to provide for the widows and orphans of militia slain and disabled in the service of the United States, August 2, 1813, (obsolete,) - - - - - 73
 Persons wounded or disabled on board of vessels bearing a commission of letter of marque to be placed on the pension list, - 86

Pensions.
 Pensions under the act of January 27, 1814, 95
 Pensions given to the orphans and widows of persons in the public and private armed vessels of the United States, March 4, 1814, - - - - - 103
 Notes of acts relating to pensions, - - 103
 Pensions given to officers and seamen serving on board the revenue-cutters, if wounded in the discharge of their duty, co-operating with the navy by order of the President of the United States, - - - - - 127
 An act making further provision for military services during the late war, and for other purposes, April 16, 1816, - - - - - 285
 Representatives and children of officers and soldiers provided for, - - - - - 286
 Bounty in land given to soldiers, &c., - 286
 Pensions to invalids, in the army and in the militia, April 24, 1816, - - - - - 296
 Pension agents, - - - - - 296
 Widows and children of officers and men who have died in the naval service entitled to certain pensions, (obsolete,) - - 373
 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 2, 1817, - - - - - 373
 Pensions to widows and children of soldiers and militia volunteers, rangers, and seafencibles, March 3, 1817, (obsolete,) - 394
 Relinquishment of title to bounty lands entitled children of regular soldiers to three dollars per month, - - - - - 395
 An act to provide for certain persons engaged in the land and naval service of the United States during the revolutionary war, March 18, 1818, - - - - - 410
 An act in addition to "An act giving pensions to the orphans and widows of persons slain in the public armed vessels of the United States," April 16, 1818, - - - - - 427
 Widows and orphans of militia called into service against the Seminole Indians entitled to pensions, - - - - - 459
 Five years' additional half-pay given to widows and children of officers, seamen, and marines killed in battle, or who died in the naval service during the last war, March 3, 1819, (expired,) - - - - - 502
 An act regulating payments to invalid pensioners, March 3, 1819, - - - - - 514
 Evidence of continued disability to be furnished, - - - - - 514
 An act concerning the allowances of pensions upon a relinquishment of bounty lands, March 3, 1819, (obsolete,) - - 524
 An act concerning invalid pensions, March 3, 1819, - - - - - 526
 Pensions granted to officers and soldiers of the revolution who have availed themselves of the act of March 18, 1818, chap. 18, to cease, - - - - - 528
 Regulations as to pensions under acts of 1806, chap. 25, and 1808, chap. 85, - - 528
 No person to receive a pension unless he ex-

Pensions.

- Prohibits a schedule of his whole estate and income, May 1, 1820, - - - 569
- The Secretary at War may strike from the pension list the names of persons who in his opinion are not in indigent circumstances, &c., - - - 570
- The act of April 10, 1806, relating to pensions to persons who were disabled by wounds received in the revolutionary war, revived, May 15, 1820, (expired,) - - - 596
- The act of March 3, 1819, which requires evidence of continued disability, &c., not affected by the act, - - - 597
- Pension to commence when testimony is completed, - - - 597
- The acts of April 10, 1806, chap. 25, April 25, 1812, May 15, 1820, revived and continued in force until February 4, 1828, February 4, 1822, - - - 650
- Evidence taken under the act of May 15, 1820, chap. 109, - - - 650
- An act supplementary to the act to provide for certain persons engaged in the land and naval service of the United States in the revolutionary war, March 3, 1823, - 782
- Pension Agents.*
- An additional agent for paying pensions to be appointed in the State of Tennessee, - 521
- Agents for paying pensions to give bond, with sureties, - - - 597
- Peoria.*
- An act for the relief of the inhabitants of Peoria, in the State of Illinois, May 15, 1820, 605
- An act to confirm claims to lots in the village of Peoria, in the State of Illinois, March 3, 1823, - - - 786
- Perry, Oliver H.*
- Five thousand dollars given to Oliver H. Perry, in addition to his prize-money, as captain of the ship Lawrence, for the capture of the British vessels on Lake Erie, on the 10th September, 1813, - - - 130
- Resolution expressive of the sense of Congress of the gallant conduct of Oliver H. Perry and others on Lake Erie, - - - 141
- An act for the relief of the family of Oliver Hazard Perry, March 2, 1821, - - 622
- Piracy.*
- An act to protect the commerce of the United States, and to punish the crime of piracy, March 3, 1819, - - - 510
- Punishment of piracy, - - - 512
- Notes of the decisions of the courts of the United States upon prosecutions for piracy, - - - 510
- The act of March 3, 1819, chap. 75, to protect the commerce of the United States and punish the crime of piracy, continued in force, May 15, 1820, - - - 600
- Persons committing robbery, &c., on the high seas, - - - 600
- Persons engaged in any piratical enterprise, 600
- Persons landing on a foreign shore to seize negroes, &c., - - - 601
- Persons confining or detaining negroes on

Piracy.

- board of any vessel with intent to make them slaves, - - - 601
- Notes of cases decided, arising under this act, - - - 601
- The President authorized to purchase or construct vessels for immediate service, to suppress piracy, - - - 720
- The act of March 3, 1819, chap. 76, to punish piracy, continued in force, - - - 721
- The District Courts, in the district where the Circuit Courts are holden, to have cognisance of all cases arising under the act of May 15, 1820, chap. 113, to punish the crime of piracy, &c., - - - 789
- Pitkin's Commercial Statistics.*
- A subscription for 500 copies of Pitkin's Commercial Statistics authorized, - - 464
- Distribution of Seybert's Annals and Pitkin's Statistics, - - - 537
- Plaster of Paris.*
- The trade in plaster of Paris regulated, March 3, 1817, (obsolete,) - - - 361
- Porter, Major-General.*
- Thanks of Congress for his gallant services, 247
- Ports and Harbours of the United States.*
- A number of barges to be built for harbour defence, - - - 3
- An act providing for their further defence, July 16, 1818, - - - 18
- Hulks may be sunk for their security, - 18
- Ports of Entry.*
- Town of Mobile made a port of entry, - 35
- Foreign vessels may enter and unlade their cargoes at Middletown and Plymouth, 299
- Bath made a port of entry for vessels arriving from the Cape of Good Hope, - - 464
- Belfast made a port of entry, - - 464
- Philadelphia to be the sole port of entry and delivery for the district of Philadelphia, April 17, 1822, - - - 662
- The district of Bristol to be known as the district of Bristol and Warren, and Bristol and Warren to be one port of entry, - 662
- The district of Blakly established, - 663
- Postage.*
- Increased duties laid on postage, December 28, 1814, (repealed,) - - - 159
- Repeal of the act laying additional postage, February 1, 1816, - - - 252
- Post-office.*
- An act in addition to the act regulating the Post-office Department, February 27, 1815, (repealed,) - - - 220
- Regulations, - - - 220
- Steamboats may be employed for the delivery of letters, - - - 221
- An act in addition to the act to regulate the post-office establishment, April 9, 1816, (repealed,) - - - 264
- Rates of postage after May 1, 1816, - 264
- Franking privilege to members of Congress, 265
- The Postmaster-General authorized to contract for carrying the mail in steamboats between

Post-office.

New Orleans and Louisville, March 2, 1819, - - - - -	496
The clause in the act of February 27, 1813, chap. 34, for securing the regular transportation of the mail, repealed, March 3, 1819, (obsolete,) - - - - -	536
Imlay's copper cases for carrying letters to be tested, - - - - -	719

Post-roads.

An act to alter and establish certain post-roads, April 18, 1814, - - - - -	130
An act to alter and establish certain post-roads, March 1, 1815, - - - - -	221
An act to establish post-roads, - - - - -	334
An act to alter and establish certain post-roads, March 3, 1817, (obsolete,) - - - - -	363
An act to establish certain post-roads, April 20, 1818, - - - - -	453
An act to alter and establish certain post-roads, March 3, 1819, - - - - -	503
An act to alter and establish certain post-roads, May 13, 1820, - - - - -	577
An act to alter and establish certain post-roads, March 3, 1821, - - - - -	623
An act to establish certain post-roads, and to discontinue others, and for certain purposes, May 8, 1822, - - - - -	702
An act to discontinue certain post-roads, and to establish others, March 3, 1823, - - - - -	764

President of the United States.

An act to provide for the accommodation of the President of the United States, July 26, 1813, - - - - -	48
---	----

Printing for Congress.

Proposals for printing for Congress to be invited by publications in newspapers, - - - - -	249
Resolution directing the manner in which the printing of Congress shall be executed, fixing the prices thereof, and providing for the appointment of a printer or printers thereof, March 3, 1819, - - - - -	538

Prisoners of War.

The act for the safe keeping of prisoners of war repealed, March 3, 1817, - - - - -	358
---	-----

Private Armed Vessels of the United States.

An act allowing a bounty to the owners, officers, and crews of the private armed vessels of the United States, August 2, 1813, (obsolete,) - - - - -	81
--	----

Prize Agents.

Compensation to be withheld from certain prize agents who have not accounted for prize-money intrusted to them, - - - - -	789
---	-----

Prize-goods.

Claims of the United States to prize-goods captured by private armed vessels, under non-intercourse acts, and condemned to the captors, relinquished, - - - - -	5
Suits on behalf of the United States discontinued on payment of costs, - - - - -	5
When the goods have not been condemned for the benefit of the captors, the rights of the United States to remain, - - - - -	5
Duties on captured goods, - - - - -	5

Prize-money.

Vessels captured on Lake Erie, - - - - -	130
One hundred thousand dollars distributed for prize-money to the captors of certain Algerine vessels restored to the Dey of Algiers, - - - - -	315
Distribution of a sum of money among the representatives of Commodore Edward Preble and the officers and crew of the brig Syren, for the capture of the brig Transport, February 4, 1818, (obsolete,) - - - - -	480

Process.

Duplicate writs may be issued in the Circuit Court for the district of east or west Tennessee against defendants who reside in either district, and executions on judgments may issue directed to the marshal of either district, - - - - -	661
---	-----

Property lost, captured, or destroyed by the Enemy.

Provisions for payment for such property, - - - - -	261, 262, 263
Construction of the act of April 3, 1816, chap. 40, - - - - -	397
Provisions for compensation, - - - - -	397
All claims under the acts of 1816, chap. 40, and 1817, chap. 110, transferred for adjustment to the office of the third auditor of the Treasury, April 20, 1818, (obsolete,) - - - - -	466

Prussia.

The act of April, 1818, chap. 105, relating to discriminating duties extended to Prussian vessels, March 3, 1819, - - - - -	510
---	-----

Public Accounts.

An act for the prompt settlement of public accounts, March 3, 1817, - - - - -	366
Offices of accountants of the War and Navy Department and superintendent-general of military supplies abolished, - - - - -	366
All accounts to be settled at the Treasury, - - - - -	366
Offices of auditors and comptrollers established, their duties, - - - - -	366
Salaries of the second comptroller and auditor, - - - - -	368
The second auditor to receive unsettled accounts of Indian affairs, his duties, February 24, 1819, - - - - -	487
The Treasurer to disburse moneys for the Indian department, - - - - -	487
An act in addition to an act, entitled "An act for the prompt settlement of public accounts, and for the punishment of the crime of perjury," March 1, 1823, - - - - -	770
Expenditures in certain cases to be admitted, - - - - -	771
Any person swearing falsely shall suffer as for wilful and corrupt perjury, - - - - -	771
Notes of the decisions of the Supreme Court on an indictment under the third section of the act for swearing falsely, - - - - -	771

Public Buildings and Public Squares in the City of Washington.

Appropriation for repairing public buildings and for the enclosure of public squares, - - - - -	389
Appropriation for repairs of public buildings, - - - - -	405
Repairs of the roof of the General Post-office, - - - - -	606

Public Contracts.

No contracts to be made by the Secretary of State, War, or Navy, except under the authority of a law, or an adequate appropriation, May 1, 1820, - - - - 568

Public Documents.

The message of the President of the United States of July 12, 1813, to be transmitted free of postage, - - - - 48

The Secretary of State authorized to subscribe for 500 copies of Waite & Son's State Papers, March 25, 1816, - - - - 259

A copy of the documents printed by order of Congress to be transmitted to each of the judges of the Supreme Court, - - - - 341

An act authorizing a subscription to Waite & Son's tenth volume of Public Documents, 398

Public documents to be printed in royal octavo pages, - - - - - 400

Distribution of T. B. Waite & Son's edition of Public Documents, - - - - 473

The members of Congress, &c., to transmit, free of postage, the message of the President of March 14, 1818, - - - - 474

Judges of the Supreme Court to be furnished with Waite & Son's edition of the Public Documents, - - - - - 475

Journal of the convention which formed the Constitution of the United States, - 475

The publication and distribution of the Journal directed, - - - - - 475

Public documents to be transmitted free of postage, - - - - - 537

Documents relating to the Bank of the United States, to be franked by members of Congress, &c., - - - - - 537

Documents printed by order of the Senate and House of Representatives, relating to the sixteenth Congress, to be transmitted free of postage by the members of Congress, the secretary of the Senate, and the clerk of the House of Representatives, - - - - 539

Members and delegates to Congress, the secretary of the Senate, and the clerk of the House of Representatives authorized to transmit, free of postage, documents printed by order of either house, December 19, 1821, 649

Public Lands.

The sale of certain lots in the borough of Pittsburg authorized, and the proceeds to be appropriated to the erection of arsenals, armories, and laboratories, August 2, 1813, (obsolete,) - - - - - 75

Claims barred, if the provisions of the act are not complied with, - - - - - 75

Further time for payment given to the purchasers of public lands, February 19, 1814, (expired,) - - - - - 97

A lot for the town of Shawneetown, to be laid off, - - - - - 113

The State of Tennessee to issue grants for certain lands, - - - - - 415

Regulations relative to the grants of those lands, - - - - - 415

An act confirming claims to land in the Illi-

Public Lands,

nois territory, and providing for their location, April 16, 1814, - - - - 125

Relief granted to the purchasers of lands in the Mississippi territory, - - - - 130

Time for delivering notices, and the evidence of claims to lands in that part of Louisiana which lies east of the river Mississippi and island of Orleans, extended, August 18, 1814, - - - - - 137

Evidence of claims to be reported to the commissioner of the land-office, - - - - 137

Lands in the district west of the Perdido, 137

An act concerning certificates of confirmation of claims to lands in the State of Louisiana, - - - - - 139

The land lying between the foot of the rapids of the Miami of Lake Erie, &c., attached to the district of Canton, in Ohio, - - 201

Further time given to the purchasers of public lands to complete their payments, - 201

Settlers on the public lands ceded to the United States may remain on them, on application to the register, receiver, or marshal, March 25, 1816, (expired,) - - - - 260

Applicant to give up possession when required, - - - - - 260

Relief to claimants to lands in the district of Vincennes, - - - - - 285

Supplement to the act providing for the indemnification of certain claimants of public land in the Mississippi territory, April 20, 1816, (obsolete,) - - - - - 294

The President authorized to lease the Saline belonging to the United States, near the Wabash river, April 24, 1816, (obsolete,) 296

Further time allowed to certain purchasers of land in the Mississippi territory, April 24, 1816, (obsolete,) - - - - - 300

Further time given to settlers on public lands in the Illinois territory for making good their pre-emption right, April 27, 1816, (obsolete,) - - - - - 307

Settlers in the Kaskaskia district, - - - 307

Further time for entries with the register of the land-office of Illinois, - - - - - 307

Sale of a tract of land, to be laid out in lots, at the foot of the lower rapids of Sandusky river, - - - - - 308

Sale of the public lands in the district of Jeffersonville, which have been forfeited to the United States, - - - - - 317

A new land district, north of the district of Kaskaskia, to be established, - - - 323

A surveyor of the public lands in the territory of Illinois and Missouri, to be appointed, April 29, 1816, - - - - - 324

His compensation and place of residence, 325

Lands set apart for the Canadian and Nova Scotia refugees, to be sold, - - - - 326

Confirmation of certain claims to lands in the western district of Louisiana, and in the territory of Missouri, - - - - - 328

Pre-emption rights to lands in the State of Louisiana, and in the territory of Missouri, April 29, 1816, - - - - - 330

The public lands, when sold, designated by

Public Lands.

- certain sections in every township, shall be offered for sale in half and quarter sections, - - - - - 346
- The Secretary of the Navy to cause vacant lands of the United States to be explored, and selections made for the timber upon them for the use of the navy of the United States, and the tracts so selected to be reserved from public sales, - - - 347
- Penalties for cutting and carrying away timber on the reserved lands, - - - 347
- Lands in the Mississippi territory set apart for the cultivation of the vine and the olive, 374
- A surveyor of lands in the northern part of the Mississippi territory, to be appointed, - 375
- Sale of lands in the Mississippi territory, 375
- Location of lands reserved for the chiefs and warriors of the Creek Indians, March 3, 1817, - - - - - 380
- The claimants to certain donation rights in the district of Detroit, allowed until the first of December to file their claims, - - 390
- The act of March 25, 1816, chap. 35, continued in force for one year, March 3, 1817, (expired,) - - - - - 393
- An additional land-office established in the Missouri territory, February 17, 1818, 406
- Sales of lands in the Missouri territory, - 407
- Two townships for support of a seminary of learning, in Missouri, - - - - - 407
- Sale of certain lands in the district of Marietta and Vincennes, - - - - - 409
- Settlement of accounts with William Rector as principal deputy-surveyor, - - - 412
- The State of Tennessee authorized to dispose of certain lands, April 4, 1818, - - 415
- Claims to lands granted to the inhabitants of New Madrid in the Missouri territory, 417
- Further suspension of the sale, or forfeiture, of public lands which have not been paid for, April 18, 1818, (obsolete,) - - - 433
- Public lots of ground in Mobile to be sold, 465
- Sale and survey of the public lands in the Alabama territory, April 20, 1818, - - 466
- The lands reserved to chiefs, &c., of the Creek nation by the act of March 3, 1817, chap. 88, to be purchased by the President, - 484
- The lands acquired by this act to be offered for sale, - - - - - 484
- The sale of lands forfeited for non-payment of the purchase money, further suspended, March 3, 1819, (expired,) - - - 509
- Lands for the seat of government of the State of Indiana, - - - - - 516
- An act to designate the boundaries of districts and establish land-offices for the disposal of public lands, not heretofore offered for sale, in the States of Ohio and Indiana, March 3, 1819, - - - - - 521
- Sale of public lands in Indiana not heretofore offered for sale, - - - - - 521
- An act to provide for correction of errors, in making entries of land at the land-offices, 526
- A receiver and register of the land-office in Lawrence county, in the Arkansas territory, to be appointed, - - - - - 554

Public Lands.

- Claimants to pre-emption, of lands, to make known their claims, - - - - - 554
- An act further to suspend for a limited time the sale or forfeiture of lands for failure in completing the payment of them, March 30, 1820, (expired,) - - - - - 555
- Forfeitures suspended until March 31, 1821, 555
- An act making further provision for the sale of the public lands, April 24, 1820, - 566
- No credit on sales of public lands, - - 566
- Price of lands one dollar and twenty-five cents per acre, - - - - - 566
- Regulation of the sales of public lands, - 566
- An act to establish additional land-offices in the States of Alabama and Illinois, May 11, 1820, - - - - - 571
- Organization of the land offices, - - - 571
- An act to revive the powers of the commissioners for ascertaining claims to lands in the district of Detroit, and for settling claims to lands at Green Bay, and Prairie des Chiens, in the territory of Michigan, May 11, 1820, - - - - - 572
- An act supplementary to the several acts for the adjustment of land claims in the State of Louisiana, May 11, 1820, - - - 573
- Land reserved in the State of Ohio for the Delaware tribe of Indians, to be sold, - 575
- An act to annex certain lands within the territory of Michigan to the district of Detroit, May 11, 1820, - - - - - 577
- An act to authorize the governor of Illinois to obtain certain abstracts of lands for certain public offices, - - - - - 602
- Abstracts of military bounty land patented to soldiers in Illinois, to be made out and delivered to the governor of Illinois, - 602
- Right of pre-emption of certain public lands, granted to the State of Ohio for the establishment of a seat of justice, in certain counties, - - - - - 607
- The Secretary of the Treasury to pay three per cent. of the proceeds of public lands in Illinois to the State of Illinois, to be applied to the encouragement of learning, December 12, 1820, - - - - - 610
- Account of the application to be transmitted annually to the Secretary of the Treasury, - - - - - 610
- An act for the relief of purchasers of public lands prior to the first day of July, eighteen hundred and twenty, March 2, 1821, - 612
- Provisions for their relief, - 612, 613, 614
- Notes of the act for the relief of the purchasers of public lands, - - - - - 612
- The President authorized to remove the land-office in the district of Lawrence county, in the territory of Arkansas, - - - - - 622
- The assignees of warrants issued to the Canadian volunteers, to locate them, - - 641
- The President of the United States authorized to sell land in Northumberland, Virginia, and appropriate the proceeds to the payment of a debt due by Sharp Delany, - - - 641
- An act supplementary to the act entitled "An act for the relief of the purchasers of public

Public Lands.

- lands prior to the first of July, 1820," April 20, 1822, (expired,) - - - 665
- Purchasers allowed to avail themselves of the act of July 20, until September 30, 1822, - - - - - 665
- A supplement to the act for the encouragement of the cultivation of the vine and the olive, passed March 3, 1817, chap. 51, - - 667
- An act to perfect certain locations of public lands in Missouri, April 26, 1822, (obsolete,) - - - - - 668
- Locations under the act for the relief of sufferers by earthquakes at New Madrid, may be perfected into grants, &c., - - 668
- An act providing for the disposal of public lands in the State of Mississippi, and for the better organizing of land districts in Alabama and Mississippi, May 6, 1822, - - 680
- Unsold lots in the towns of Perrysburg and Croghansville, Ohio, to be sold for county purposes, - - - - - 696
- Purchasers of public lands to have copies of papers affecting their titles to public lands, and the copies to be evidence, - - 721
- An act to revive and continue in force certain acts for the adjustment of land claims in the territory of Michigan, February 21, 1823, 724
- Provisions for the sale of the public lands, 756
- An act making the gold coins of Great Britain, France, and Portugal receivable in payment on account of public lands, - - 779
- The act of April 20, 1822, chap. 30, for the relief of the purchasers of public lands, extended to September 30, 1823, - - 781
- The officers of the Treasury to audit and settle accounts for clerk hire of the surveyors of public lands in Illinois, Missouri, and Arkansas, - - - - - 784
- Lands ceded by the Iowa Indians to be attached to the Terre Haute district, and to be sold at the land-office of that district, - 784
- Compensation of the register and receiver, 784

Public Warehouses.

- Deposit of wines and distilled spirits in public warehouses, and regulations relative to the payment of the duties on the goods so deposited, April 20, 1818, (obsolete,) - 469

Rangers.—See Army of the United States.

- Act of August 2, 1812, (obsolete,) - 74

Real Estate Bank of the United States,

- Incorporated, - - - - - 388

Refined Sugar.

- An act laying duties on sugar refined within the United States, July 24, 1828, - 35
- Decisions of the Circuit Court of Pennsylvania on this act, - - - - - 35
- Drawback allowed in certain cases, - 36
- Duties on refined sugar continued, February 1, 1816, (obsolete,) - - - - - 253

Register of the Officers of the United States.

- The Secretary of State required to have completed, and printed, a register of the officers of the United States, - - - - - 342

Register of the Treasury.

- Increase of the salary of the register of the Treasury, - - - - - 333

Registry of Ships and Vessels.

- Appropriation for defraying the expense of, 235

Reporter, and Reports of the Decisions of the Supreme Court.

- An act to provide for reports of the decisions of the Supreme Court, March 3, 1817, (expired,) - - - - - 376
- Distribution of the copies of the reports, - 376
- Salary of the reporter, - - - - - 376
- Notes of acts in relation to reporter and reports of the decisions of the Supreme Court, - - - - - 376
- A reporter of the decisions of the Supreme Court to be appointed, with a salary of \$1000 annually, - - - - - 376
- The act of March 3, 1817, continued in force for three years, May 15, 1820, - - 608
- An act to continue in force the act entitled "An act to provide for reports of the decisions of the Supreme Court of the United States," passed the third of March, 1817, March 3, 1823, (obsolete,) - - 768

Rhode Island, State of.

- Representation in Congress according to the fourth census, - - - - - 651

Ripley, Brigadier-General.

- Thanks of Congress for his gallant services, 247

Roads.—See Cumberland Road. See District of Columbia.

- The road laid out from the foot of the rapids of the river Miami of Lake Erie to be altered, - - - - - 285
- Repairs of roads in Tennessee, Louisiana, and Georgia, - - - - - 315
- An act authorizing the surveying and making a road in the territory of Illinois, - 318
- Four thousand dollars appropriated for cutting a road from Tennessee river to near the south end of the Chickasaw old town, 377
- Appropriation for repair of the roads in Georgia, Alabama, Tennessee, and Mississippi, - 412
- An act to authorize the appointment of commissioners to lay out a road from Wheeling to the Mississippi river, May 15, 1820, 604
- Provisions for the construction of the road, 604
- A road to be made from the lower rapids of the Miami of Lake Erie, to Connecticut western reserve, - - - - - 727
- The President to cause the United States mail road from Nashville to New Orleans to be repaired and improved, - - - - - 779

Scott, Major-General.

- Thanks of Congress for his gallant services, 247

Seamen of the United States.

- During the continuance of the war with Great Britain, the Secretary of State may make an additional allowance to merchant vessels for bringing home distressed or destitute American seamen, December 1, 1814, (expired,) - - - - - 146

See *Army of the United States.*

- Sea-wall on the Coast of New Hampshire and Maine.*
The President to cause surveys to be made of the Isles of Shoals, and have the results communicated to Congress, March 3, 1821, - 644
Sea-wall at Smutty Nose island, to be repaired, - - - - - 644
- Secret Journal of the Old Congress, &c., and Journal of the Convention which framed the Constitution.*
The Secret Journal and papers of the Old Congress from 1783 to 1789 to be published under the direction of the President, April 21, 1820, - - - - - 609
Distribution of the Journal, May 5, 1820, 609
Resolution directing the distribution of the copies of the Journals of the old Congress and of the Convention which framed the Constitution, - - - - - 718
- Settlers on Public Lands.*
Act of March 25, 1816, chap. 35, continued in force for one year, April 20, 1818, (expired,) - - - - - 450
- Seybert's Statistical Annals.*
A subscription for 500 copies of Seybert's Statistical Annals, authorized, - - - 464
- Shawneetown.*
An act concerning Shawneetown, - - - 113
Instalments due on certain lots in Shawneetown to be remitted, - - - - - 778
- Slave Trade.*
Prohibition of importation of persons of colour as slaves, April 20, 1818, - - - - - 450
Disposition of slaves imported in violation of the act, - - - - - 452
Penalties for dealing in slaves, - - - 452
Evidence in prosecutions for offences under the act, - - - - - 452
An act in addition to the act prohibiting the slave trade, March 3, 1819, - - - - - 532
The President may employ the armed vessels of the United States on the coasts of the United States and of Africa, to take vessels of the United States employed in the slave trade, - - - - - 532
Division of the proceeds of captured vessels, - - - - - 533
Bounty of twenty-five dollars for every negro found on board vessels of the United States engaged in the slave trade, - - - 533
Agents on the coast of Africa to be appointed to receive negroes on board vessels captured, when engaged in the slave trade, - 533
Negroes on board of captured vessels to be sent to Africa, - - - - - 533
Vessels captured to be sent into the state or territory where they belong, - - - 534
Bounty to informers against violations of the laws prohibiting the slave trade, - 534
An act to continue in force "An act to protect the commerce of the United States and punish the crime of piracy," and also to make further provision for punishing the crime of piracy, May 15, 1820, - - - 600
- Slavery.*
Slavery for ever prohibited in the territory of the United States north of 36 degrees, 30 minutes, north latitude, except in Missouri, - - - - - 548
- South Carolina, State of.*
Circuit Court in South Carolina, - - 300
Representation in Congress according to the fourth census, - - - - - 651
An act to divide South Carolina into two judicial districts, February 21, 1823, - 726
- Stamps.*
An act laying duties on the notes of banks, bankers, and certain companies, and obligations discounted by banks, bankers, and certain companies, and on bills of exchange of certain descriptions, August 2, 1813, 77
Penalties for violating the law, - - - 78
All instruments in writing, required to be stamped, not evidence unless stamped, 79
Stamps may be put on papers not stamped on payment of an additional sum, - - - 79
The Secretary of the Treasury may make a composition with private bankers in lieu of stamp duty, - - - - - 148
Composition with banks, - - - - - 148
Duties on bank notes continued, February 1, 1816, (obsolete,) - - - - - 253
Deeds not stamped by the act of April 23, 1800, chap. 31, on payment of ten dollars, to be rendered valid as if stamped, - 779
- State Courts.*
State or county courts and the principal judge authorized to mitigate fines, - - - 245
State or county courts authorized to take cognisance of suits for taxes, - - - 244
Jurisdiction to attach without regard to the sum in controversy, - - - - - 244
- State of Louisiana, and Territory of Missouri.*
An act for the final adjustment of land titles in the State of Louisiana and territory of Missouri, April 14, 1814, - - - - - 121
Actual settlers entitled to pre-emption, - 122
- Stewart, Captain Charles, and others.*
Captain Charles Stewart and the officers of the Constitution, medals to be presented to them, - - - - - 341
- Steuben's Rules of Discipline for the Army.*
The provisions of the act of May 8, 1792, which establishes the Baron de Steuben's Rules of Discipline for the army, repealed, May 12, 1820, - - - - - 577
- Survey of the Coast of North Carolina.*
Surveys of the points of Cape Hatteras, &c., to be made, - - - - - 537
- Surveyor-General.*
Every surveyor-general to give bond, with security, for the faithful performance of duty, - - - - - 697
- Tennessee, State of.*
Assent of Congress to an act of the legislature of Tennessee, - - - - - 123
Representation in Congress according to the fourth census, - - - - - 651

Tennessee, State of.
 Process in the Circuit Court of east and west Tennessee, - - - - - 661
 Part of the act of April 18, 1806, relative to land in Tennessee, and fixing the price of the land, repealed, February 28, 1823, 729

Territories of the United States.
 Delegates to Congress, - - - - 363

Thanksgiving for the Restoration of Peace.
 The President requested to recommend a day of thanksgiving for the restoration of peace, - - - - - 250

Tonnage Duties.
 Duties on tonnage, - - - - - 344

Trading Houses with the Indians.
 The act establishing trading houses with the Indians continued in force until March 4, 1817, - - - - - 239

Treasury Department.
 An act providing for the better organization of the Treasury Department, May 15, 1820, - - - - - 592
 Notes of the decisions of the courts of the United States on the second section of the act of 1820, chap. 107, providing for proceedings by warrants from the Treasury for balances due on accounts settled at the Treasury, - - - - - 593

Treasury Notes.
 An act to authorize the issuing of Treasury notes for the service of the year 1814, March 4, 1814, (obsolete,) - - - - 100
 A sum not exceeding five millions of dollars to be prepared, - - - - - 100
 Additional sum of five millions may be borrowed on Treasury notes, - - - - 100
 Notes of the acts authorizing the issuing of Treasury notes, - - - - - 100
 Decisions of the courts of the United States upon Treasury notes, - - - - - 102
 Treasury notes due before January, 1815, to be received in payment of the loan of three millions of dollars authorized by the act of March 15, 1814, or of any other loan, 145
 Treasury notes may be issued for the deficiency of any authorized loan, December 26, 1814, (obsolete,) - - - - - 161
 The amount of Treasury notes which may be issued shall not exceed seven millions four hundred thousand dollars, - - - - 162
 Regulations for their reimbursement, - 162
 An issue of Treasury notes, not exceeding twenty-five millions of dollars, authorized, 214
 Regulations for the funding of the Treasury notes issued, - - - - - 214
 Treasury notes made receivable for public dues, - - - - - 214
 The act of February 24, 1815, authorizing the issuing of Treasury notes, repealed, March 3, 1817 - - - - - 378
 The Treasury notes, the property of the United States, to be cancelled, - - - - - 378
 Provision for the payment of Treasury notes lost or destroyed, - - - - - 479

Treasury Notes.
 No Treasury notes to be received in payment, or paid, or funded, except at the Treasury, May 3, 1822, - - - - - 675

Treasury, War, and Navy Departments.
 An act in addition to the several acts for the establishment of the Treasury, War, and Navy Departments, May 1, 1820, - 567
 Regulations of accounts, - - - - - 567
 No contract to be made except under the authority of a law or an adequate appropriation, - - - - - 568
 An act further to amend the several acts relative to the Treasury, War, and Navy Departments, May 7, 1822, - - - - 688
 Notes of the decisions of the courts of the United States on the duties of the departments, 688
 See *War Department.*

Trumbull, John.
 John Trumbull to be employed to compose and execute four paintings commemorative of important events in the American Revolution, - - - - - 400

Turnpike-roads in the District of Columbia.
 Turnpike-road in the county of Alexandria, 5
 Turnpike-road in the county of Washington, 12

Unincorporated Banks
 Prohibited after April 4, 1817, - - - 389
 Penalty on signing notes, or issuing bills or notes of unincorporated banks after April, 1817, - - - - - 389

Union Bank of Alexandria
 Incorporated, - - - - - 388

Vaccination.
 Repeal of the act of February 7, 1813, chap. 37, to encourage vaccination, May 4, 1822, 677

Vermont, State of.
 Time of holding Circuit and District Courts in Vermont, March 22, 1816, - - - - 258
 Notes of the acts relating to the Circuit and District Courts in Vermont, - - - - 258
 Representation in Congress according to the fourth census, - - - - - 651
 An act to alter the time of holding the District Court of the United States for the district of Vermont, March 3, 1823, - - - - 776
 Notes of the acts of Congress relative to the Circuit and District Courts in the district of Vermont, - - - - - 776

Vessels captured on Lake Champlain.
 The British vessels captured on Lake Champlain to be purchased, and their value distributed, as prize-money, among the captors, - - - - - 229

Vessels captured on Lake Erie.
 The vessels captured on Lake Erie on the tenth of September, 1813, to be purchased by the United States, and the sum of two hundred thousand dollars given in payment for the same, to be distributed as prize-money, - - - - - 130
 Five thousand dollars, in addition to his prize-money, given to Oliver H. Perry, - 130

Vincennes.

- Land claims in the district of Vincennes—certain locations may be entered with the register, - - - - - 163
 Sales of lands in the district of Vincennes, - - - - - 409
 Claims to lots in the town of Vincennes, - - - - - 468
 An act for the relief of certain settlers in the state of Illinois, who reside in the district of Vincennes, - - - - - 573

Vine and Olive.

- Encouragement of the cultivation of the vine and olive—an act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive, March 3, 1817, - - - - - 374
 Lands set apart in the territory of Missouri, - - - - - 374
 The lands to be sold to a company of French emigrants, who shall form a settlement, 374
 No lands to be conveyed until the conditions of the contract are complied with, - 374
 Lands to be set apart in the Mississippi territory, for the cultivation of the vine and olive, - - - - - 374
 An act supplementary to an act, entitled "An act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive," - 667

Virginia, State of.

- District Court of Virginia, - - - - - 411
 A District Court, west of the Alleghany mountains, established, Feb. 4, 1818, - 478
 A judge, district attorney, and marshal to be appointed, their compensation, - 478
 To hold six sessions annually, - - - 478
 Notes of the acts relating to the District Courts in Virginia, - - - - - 478
 An act to alter the terms of the court for the western district of Virginia, February 10, 1820, - - - - - 540
 Representation in Congress according to the fourth census, - - - - - 651
 The times of holding courts in the western district of Virginia altered, April 26, 1823, - - - - - 666
 Regulations as to the adjournment of the court, - - - - - 666
 The right of the United States to militia fines assessed in Virginia vested in the State of Virginia, March 3, 1823, - - - - - 777

Virginia Military Land Warrants.

- Further time allowed to the officers and soldiers of the Virginia line to locate their warrants, November 3, 1814, (expired,) 143
 Time for locating Virginia military land warrants extended, and the act authorizing the issuing of patents, revived, - - - 423

Virginia Military Land Warrants.

- An act to extend the time for locating Virginia military land warrants, and returning surveys thereon to the general land-office, February 9, 1821, (expired,) - - - - - 612
 An act extending the time for locating Virginia military land warrants, and returning the surveys to the general land-office, March 1, 1823, (expired,) - - - - - 772

Virginia Resolution Land Warrants.

- Further time allowed to complete surveys under Virginia resolution warrants, February 22, 1815, - - - - - 212
 Notes of the acts relating to Virginia resolution land warrants, and sale of lands northwest of the river Ohio, vol. I. 464, - 612

Volunteers.

- The President authorized to receive into the service certain corps of volunteers, (obsolete,) - - - - - 98
 Repeal of the act, February 27, 1815, - 219

Volunteer Mounted Cavalry.

- An act for the relief of volunteer mounted cavalry, - - - - - 444

War Department.

- An additional accountant of the War Department to be appointed, April 29, 1816, (expired,) - - - - - 322
 Additional clerks to be employed, - - 477

War with the Seminole Indians.

- An act for the relief of the officers, volunteers, and other persons engaged in the war with the Seminole Indians, May 4, 1822, - 676
 Payment to be made for horses, horse equipage, or guns lost, &c., - - - - - 676

Warrington, Captain, and others.

- A gold medal to be presented to Captain Lewis Warrington, of the sloop of war Peacock, a silver medal to the commissioned officers, and a sword to the midshipmen and sailing-master, for their conduct in the action with the British brig Epervier, - - - - - 246

Washington County, District of Columbia.

- A company incorporated to make a turnpike-road in the county of Washington, - 12

Washington Turnpike Company.

- Washington Turnpike Company, - - - 503

Wasp, Sloop of War.

- Rewards and prize-money of the representatives of the officers and crew of the sloop of war Wasp, supposed to be lost, - 295

West Point.

- Further provisions for completing the public buildings at West Point, for the accommodation of the military academy, March 3, 1815, (obsolete,) - - - - - 223

APPENDIX I.

Proclamations issued by the President under the acts of March 3, 1815, ch. 7, and March 3, 1817, ch. 39, and March 1, 1823, ch. 22, respecting discriminating duties.

1. *Respecting Trade in Plaster of Paris with Nova Scotia.*

April 23, 1818.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

A PROCLAMATION.

Whereas, by an act of the lieutenant governor, council, and assembly, of his Britannic majesty's province of Nova Scotia, passed in the year one thousand eight hundred and sixteen, it was, among other things, enacted, that, from and after the first day of May, of that year, "no plaster of Paris, otherwise called gypsum, which should be laden or put on board any ship or vessel at any port or place within the limits of the said province, to be transported from thence to any other port or place within or without the said limits, should, directly or indirectly, be unladen or landed, or put on shore, at any port or place in the United States of America, eastward of Boston, in the State of Massachusetts, nor unladen or put on board any American ship, vessel, boat, or shallop, of any description, at any port or place eastward of Boston aforesaid, under the penalty of the forfeiture of every such ship or vessel from which any such plaster of Paris, or gypsum, should be unladen contrary to the provision of the said act, together with her boats, tackle, apparel, and furniture, to be seized and prosecuted in manner thereafter mentioned :"

Reference to the Act of the Legislature of Nova Scotia, in 1816, prohibiting the landing of plaster of Paris eastward of Boston.

And whereas, by an act of the Congress of the United States passed on the third day of March, one thousand eight hundred and seventeen, it was enacted, that, from and after the fourth day of July, then next, no plaster of Paris, the production of any country, or its dependencies, from which the vessels of the United States were not permitted to bring the same article, should be imported into the United States, in any foreign vessel — and that all plaster of Paris imported, or attempted to be imported, into the United States, contrary to the true intent and meaning of the said act of Congress, and the vessel in which the same might be imported, or attempted to be imported, together with the cargo, tackle, apparel, and furniture, should be forfeited to the United States, and liable to be seized, prosecuted, and condemned, in the manner therein prescribed :

1817, ch. 39.

And whereas, by the said act of Congress, it was further enacted, that the same should 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 at the time of the passage of the said act of Congress, had in force regulations on the subject of the trade in plaster of Paris, prohibiting the exportation thereof to certain ports of the United States, should discontinue such regulations, the President of the United States was thereby authorized to declare that fact by his proclamation; and the restrictions imposed by the said act of Congress should, from the date of such proclamation, cease and be discontinued in relation to the nation or its dependencies discontinuing such regulations :

The Restrictions imposed by the Act of Congress, to cease on the discontinuance of the Regulations of any foreign nation &c. upon Proclamation of the President.

And whereas an act of the lieutenant governor, council, and assembly, of his Britannic majesty's province of Nova Scotia, repealing the abovementioned act of the said province, passed in the year one thousand eight hundred and sixteen, has been officially communicated by his said majesty's envoy extraordinary and minister plenipotentiary to this government :

The Legislature of Nova Scotia has repealed its act of 1816, &c.

And whereas, by the said repealing act of the said province of Nova Scotia, one of the dependencies of the United Kingdom of Great Britain and Ireland, the regulations at the time of the passage of the said act of Congress, in force in the said province, on the subject of the trade in plaster of Paris, prohibiting

And the Regulations under it have been discontinued.

APPENDIX I.

the exportation thereof to certain ports of the United States, have been and are discontinued:

Proclamation,
&c.
Restrictions
cease.

Now, therefore, I, James Monroe, President of the United States of America, do, by this my proclamation, declare that fact, and that the restrictions imposed by the said act of Congress do, from the date hereof, cease, and are discontinued, in relation to his Britannic majesty's said province of Nova Scotia.

Given under my hand, at the City of Washington, this twenty-third day of April, in the year of our Lord one thousand eight hundred and eighteen, and in the forty-second year of the independence of the United States.

JAMES MONROE.

By the President.

JOHN QUINCY ADAMS,

Secretary of State.

July 4, 1818.

2. *Respecting Trade in Plaster of Paris with New Brunswick.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

A PROCLAMATION.

The Regulations, in the Province of New Brunswick, prohibiting the exportation of plaster of Paris to certain ports of the U. States, discontinued. 1817, ch. 39.

Whereas it appears, by a proclamation of the lieutenant governor of his Britannic majesty's province of New Brunswick, bearing date the tenth day of April last, and officially communicated by his envoy extraordinary and minister plenipotentiary, residing in the United States, to this government, that the regulations on the subject of the trade in plaster of Paris, prohibiting the exportation thereof to certain ports of the United States, which were in force in the said province at the time of the enactment of the Act of the Congress of the United States, entitled "An Act to regulate the trade in plaster of Paris," passed on the third day of March, one thousand eight hundred and seventeen, have been and are discontinued:

The Restrictions imposed by the Act of Congress cease.

Now, therefore, I, James Monroe, President of the United States, do hereby declare that fact, and that the restrictions imposed by the said act of Congress shall, from the date hereof, cease and be discontinued in relation to the said province of New Brunswick.

Given under my hand, at the City of Washington, this fourth day of July, in the year of our Lord one thousand eight hundred and eighteen, and in the forty-third year of the Independence of the United States.

JAMES MONROE.

By the President.

JOHN QUINCY ADAMS,

Secretary of State.

July 24, 1818.

3. *Respecting Commerce with Bremen.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

A PROCLAMATION.

1815, ch. 77.

Whereas, by an Act of the Congress of the United States, of the third of March, one thousand eight hundred and fifteen, so much of the several acts imposing duties on the ships and vessels, and on goods, wares, and merchandise, imported into the United States, as imposed a discriminating duty of tonnage between foreign vessels and vessels of the United States, and between goods imported into the United States in foreign vessels and vessels of the United States, were repealed, so far as the same respected the produce or manufacture of the nation to which such foreign ship or vessel might belong, such repeal to take effect in favor of any foreign nation whenever the President of the United States should be satisfied that the discriminating or countervailing duties of such foreign nation, so far as they operate to the disadvantage of the United States, have been abolished:

The President satisfied that Bremen has abolished discriminating duties

And whereas satisfactory proof has been received by me, from the Burgomasters and Senators of the Free and Hanseatic City of Bremen, that, from and after the twelfth day of May, one thousand eight hundred and fifteen, all

APPENDIX I.

discriminating or countervailing duties of the said city, so far as they operated to the disadvantage of the United States, have been and are abolished:

Now, therefore, I, James Monroe, President of the United States of America, do hereby declare and proclaim, that so much of the several acts imposing duties on the tonnage of ships and vessels, and on goods, wares, and merchandise, imported into the United States, as imposed a discriminating duty of tonnage between vessels of the Free and Hanseatic city of Bremen and vessels of the United States, and between goods imported into the United States in vessels of Bremen and vessels of the United States, are repealed, so far as the same respect the produce or manufacture of the said Free Hanseatic city of Bremen.

Declares the discriminating duty with respect to Bremen repealed.

Given under my hand, at the City of Washington, this twenty-fourth day of July, in the year of our Lord one thousand eight hundred and eighteen, and the forty-third year of the independence of the United States.

JAMES MONROE.

By the President.

JOHN QUINCY ADAMS,
Secretary of State.

4. *Respecting Commerce with Hamburg.*

August 1, 1818.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

A PROCLAMATION.

Whereas, by an Act of the Congress of the United States of the third of March, one thousand eight hundred and fifteen, so much of the several acts imposing duties on the ships and vessels, and on goods, wares, and merchandise, imported into the United States, as imposed a discriminating duty of tonnage between foreign vessels and vessels of the United States, and between goods imported into the United States in foreign vessels and vessels of the United States, were repealed, so far as the same respected the produce or manufacture of the nation to which such foreign ship or vessel might belong, such repeal to take effect, in favor of any foreign nation, whenever the President of the United States shall be satisfied that the discriminating or countervailing duties of such foreign nation, so far as they operate to the disadvantage of the United States, have been abolished:

1815, ch. 77.

And whereas satisfactory proof has been received by me, from the Burgomasters and Senators of the Free and Hanseatic City of Hamburg, that, from and after the thirteenth day of November, one thousand eight hundred and fifteen, all discriminating or countervailing duties of the said city, so far as they operated to the disadvantage of the United States, have been, and are, abolished:

The President satisfied that Hamburg has abolished discriminating duties.

Now, therefore, I, James Monroe, President of the United States of America, do hereby declare and proclaim, that so much of the several acts imposing duties on the tonnage of ships and vessels, and on goods, wares, and merchandise, imported into the United States, as imposed a discriminating duty of tonnage between vessels of the Free and Hanseatic City of Hamburg and vessels of the United States, and between goods imported into the United States in vessels of Hamburg and vessels of the United States, are repealed, so far as the same respect the produce or manufacture of the said Free Hanseatic City of Hamburg.

Declares the discriminating duty, with respect to Hamburg, repealed.

Given under my hand, at the City of Washington, this first day of August, in the year of our Lord one thousand eight hundred and eighteen, and the forty-third year of the Independence of the United States.

JAMES MONROE.

By the President.

JOHN QUINCY ADAMS,
Secretary of State.

APPENDIX I.

May 4, 1820.

5. *Respecting Commerce with Lubeck.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

A PROCLAMATION.

1815, ch. 77.

Whereas, by an Act of the Congress of the United States, of the third of March, one thousand eight hundred and fifteen, so much of the several acts imposing duties on the ships and vessels, and on goods, wares, and merchandise, imported into the United States, as imposed a discriminating duty of tonnage between foreign vessels and vessels of the United States, and between goods imported into the United States in foreign vessels and vessels of the United States, were repealed, so far as the same respected the produce or manufacture of the nation to which such foreign ship or vessel might belong, such repeal to take effect in favor of any foreign nation, whenever the President of the United States should be satisfied that the discriminating or countervailing duties of such foreign nation, so far as they operate to the disadvantage of the United States, have been abolished:

The President satisfied that Lubeck has abolished discriminating duties.

Declares the discriminating duty, with respect to Lubeck, repealed.

And whereas satisfactory proof has been received by me, from the Burgomasters and Senate of the Free and Hanseatic City of Lubeck, that from and after the thirtieth day of October, one thousand eight hundred and nineteen, all discriminating or countervailing duties of the said city, so far as they operated to the disadvantage of the United States, have been and are abolished:

Now, therefore, I, James Monroe, President of the United States of America, do hereby declare and proclaim, that so much of the several acts imposing duties on the tonnage of ships and vessels, and on goods, wares, and merchandise, imported into the United States, as imposed a discriminating duty of tonnage between vessels of the Free and Hanseatic City of Lubeck and vessels of the United States, and between goods imported into the United States in vessels of Lubeck and vessels of the United States, are repealed, so far as the same respect the produce or manufacture of the said Free Hanseatic City of Lubeck.

Given under my hand, at the City of Washington, this fourth day of May, in the year of our Lord one thousand eight hundred and twenty, and forty-fourth year of the Independence of the United States.

JAMES MONROE.

By the President.

JOHN QUINCY ADAMS,

Secretary of State.

Aug. 20, 1821.

6. *Respecting Commerce with Norway.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

A PROCLAMATION.

1815, ch. 77.

Whereas, by an Act of the Congress of the United States, of the third of March, one thousand eight hundred and fifteen, so much of the several acts imposing duties on the ships and vessels, and on goods, wares, and merchandise, imported into the United States, as imposed a discriminating duty of tonnage between foreign vessels and vessels of the United States, and between goods imported into the United States in foreign vessels and vessels of the United States, were repealed, so far as the same respected the produce or manufacture of the nation to which such foreign ship or vessel might belong, such repeal to take effect in favor of any foreign nation whenever the President of the United States should be satisfied that the discriminating or countervailing duties of such foreign nation, so far as they operate to the disadvantage of the United States, have been abolished:

The President satisfied that discriminating duties in the Kingdom of Norway have been abolished.

And whereas satisfactory proof has been received by me, through the Chargé d'Affaires of the United States in Sweden, under date of the thirtieth day of January, one thousand eight hundred and twenty-one, that thenceforward all discriminating or countervailing duties in the Kingdom of Norway, so far as

APPENDIX I.

they operated to the disadvantage of the United States, had been and were abolished.

Now, therefore, I, James Monroe, President of the United States of America, do hereby declare and proclaim, that so much of the several acts imposing duties on the tonnage of ships and vessels, and on goods, wares, and merchandise, imported into the United States, as imposed a discriminating duty of tonnage between vessels of the Kingdom of Norway and vessels of the United States, and between goods imported into the United States in vessels of the said Kingdom of Norway and vessels of the United States, are repealed, so far as the same respect the produce or manufacture of the said Kingdom of Norway.

Declares the discriminating duty, with respect to Norway, repealed.

Given under my hand, at the City of Washington, this twentieth day of August, in the year of our Lord one thousand eight hundred and twenty-one, and the forty-sixth year of the Independence of the United States.

JAMES MONROE.

By the President.

JOHN QUINCY ADAMS,
Secretary of State.

7. *Respecting Commerce with Oldenburg.*

Nov. 22, 1821.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

A PROCLAMATION.

Whereas, by an Act of the Congress of the United States, of the third of March, one thousand eight hundred and fifteen, so much of the several acts imposing duties on the ships and vessels, and on goods, wares, and merchandise, imported into the United States, as imposed a discriminating duty of tonnage between foreign vessels and vessels of the United States, and between goods imported into the United States in foreign vessels and vessels of the United States, were repealed, so far as the same respected the produce or manufacture of the nation to which such foreign ship or vessel might belong, such repeal to take effect in favor of any foreign nation whenever the President of the United States should be satisfied that the discriminating or countervailing duties of such foreign nation, so far as they operate to the disadvantage of the United States, have been abolished:

1815, ch. 77.

And whereas satisfactory proof has been received by me, under date of the eleventh of May last, that thenceforward all discriminating or countervailing duties of the Dukedom of Oldenburg, so far as they might operate to the disadvantage of the United States, should be, and were, abolished, upon his Highness the Duke of Oldenburg's being duly certified of a reciprocal act on the part of the United States:

The President satisfied that Oldenburg has abolished discriminating duties.

Now, therefore, I, James Monroe, President of the United States of America, do hereby declare and proclaim, that so much of the several acts imposing duties on the tonnage of ships and vessels, and on goods, wares, and merchandise, imported into the United States, as imposed a discriminating duty of tonnage between vessels of the Dukedom of Oldenburg and vessels of the United States, and between goods imported into the United States in vessels of the said Dukedom of Oldenburg and vessels of the United States, are repealed, so far as the same respect the produce or manufacture of the said Dukedom of Oldenburg.

Declares the discriminating duty, with respect to Oldenburg, repealed.

Given under my hand, at the City of Washington, this twenty-second day of November, in the year of our Lord one thousand eight hundred and twenty-one, and the forty-sixth year of the Independence of the United States.

JAMES MONROE.

By the President.

JOHN QUINCY ADAMS,
Secretary of State.

APPENDIX I.

March 17, 1827.

8. *Respecting Commerce with the British Colonial Ports.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

A PROCLAMATION.

1823, ch. 22.

Whereas, by the sixth section of an Act of Congress, entitled "An act to regulate the commercial intercourse between the United States and certain British colonial ports," which was approved on the first day of March, in the year of our Lord one thousand eight hundred and twenty-three, it is enacted, "that this act, unless repealed, altered or amended, by Congress, shall be and continue in force so long as the above enumerated British colonial ports shall be open to the admission of the vessels of the United States, conformably to the provisions of the British act of Parliament, of the twenty-fourth of June last, being the forty-fourth chapter of the acts of the third year of George the Fourth: but if at any time the trade and intercourse between the United States and all or any of the above enumerated British colonial ports, authorized by the said act of Parliament, should be prohibited by a British order in Council, or by act of Parliament, then, from the day of the date of such order in Council, or act of Parliament, or from the time that the same shall commence to be in force, proclamation to that effect having been made by the President of the United States, each and every provision of this act, so far as the same shall apply to the intercourse between the United States and the above enumerated British Colonial ports, in British vessels, shall cease to operate in their favour; and each and every provision of the 'Act concerning navigation,' approved on the eighteenth of April, one thousand eight hundred and eighteen, and of the act supplementary thereto, approved on the fifteenth of May, one thousand eight hundred and twenty, shall revive and be in full force:"

1818, ch. 70.

1820, ch. 122.

And whereas, by an act of the British Parliament, which passed on the fifth day of July, in the year of our Lord one thousand eight hundred and twenty-five, entitled "An act to repeal the several laws relating to the customs," the said act of Parliament of the twenty-fourth of June, one thousand eight hundred and twenty-two, was repealed; and by another act of the British Parliament, passed on the fifth day of July, in the year of our Lord one thousand eight hundred and twenty-five, in the sixth year of the reign of George the Fourth, entitled "An Act to regulate the trade of the British possessions abroad," and by an order of His Britannic Majesty in Council, bearing date the twenty-seventh of July, one thousand eight hundred and twenty-six, the trade and intercourse authorized by the aforesaid act of Parliament, of the twenty-fourth of June, one thousand eight hundred and twenty-two, between the United States and the greater part of the said British Colonial ports therein enumerated, have been prohibited upon and from the first day of December last past, and the contingency has thereby arisen on which the President of the United States was authorized by the sixth section aforesaid of the act of Congress of first March, one thousand eight hundred and twenty-three, to issue a proclamation to the effect therein mentioned:

1823, ch. 22.

Now, therefore, I, John Quincy Adams, President of the United States of America, do hereby declare and proclaim that the trade and intercourse authorized by the said act of Parliament of the twenty-fourth of June, one thousand eight hundred and twenty-two, between the United States and the British Colonial ports enumerated in the aforesaid act of Congress of the first of March, one thousand eight hundred and twenty-three, have been, and are, upon and from the first day of December, one thousand eight hundred and twenty-six, by the aforesaid two several acts of Parliament of the fifth of July, one thousand eight hundred and twenty-five, and by the aforesaid British order in Council of the twenty-seventh day of July, one thousand eight hundred and twenty-six, prohibited.

Given under my hand, at the City of Washington, this seventeenth day of March, in the year of our Lord one thousand eight hundred and twenty-seven, and the fifty-first year of the Independence of the United States.

JOHN QUINCY ADAMS.

By the President.

H. CLAY,

Secretary of State.

APPENDIX II.

Proclamation respecting the Admission of the State of Missouri into the Union. August 10, 1821.

BY THE PRESIDENT OF THE UNITED STATES,

A PROCLAMATION.

Whereas the Congress of the United States, by a joint resolution of the second day of March last, entitled "Resolution providing for the admission of the State of Missouri into the Union on a certain condition," did determine and declare — "That Missouri should be admitted into this Union on an equal footing with the original States, in all respects whatever, upon the fundamental condition that the fourth clause of the twenty-sixth section of the third article of the constitution, submitted on the part of said State to Congress, shall never be construed to authorize the passage of any law, and that no law shall be passed in conformity thereto, by which any citizen of either of the States of this Union shall be excluded from the enjoyment of any of the privileges and immunities to which such citizen is entitled under the constitution of the United States: *Provided*, That the Legislature of the said State, by a solemn public act, shall declare the assent of the said State to the said fundamental condition, and shall transmit to the President of the United States, on or before the first Monday in November next, an authentic copy of said act; upon the receipt whereof, the President, by proclamation, shall announce the fact: whereupon, and without any further proceeding on the part of Congress, the admission of the said State into this Union shall be considered as complete:" And whereas, by a solemn public act of the Assembly of the said State of Missouri, passed on the twenty-sixth of June, in the present year, entitled "A solemn public act declaring the assent of this State to the fundamental condition contained in a resolution passed by the Congress of the United States, providing for the admission of the State of Missouri into the Union on a certain condition," an authentic copy whereof has been communicated to me, it is solemnly and publicly enacted and declared, that that State has assented, and does assent, that the fourth clause of the twenty-sixth section of the third article of the constitution of said State "shall never be construed to authorize the passage of any law, and that no law shall be passed in conformity thereto, by which any citizen of either of the United States shall be excluded from the enjoyment of any of the privileges and immunities to which such citizens are entitled under the constitution of the United States:" Now, therefore, I, James Monroe, President of the United States, in pursuance of the resolution of Congress aforesaid, have issued this my proclamation, announcing the fact, that the said State of Missouri has assented to the fundamental condition required by the resolution of Congress aforesaid; whereupon the admission of the said State of Missouri into this Union is declared to be complete.

In testimony whereof I have caused the Seal of the United States of America to be affixed to these Presents, and signed the same with my hand. Done at the City of Washington, the tenth day of August, 1821; and of the Independence of the said United States of America the forty-sixth.

JAMES MONROE.

By the President.

JOHN QUINCY ADAMS,

Secretary of State.

Proclamation admitting Missouri into the Union. Washington, 10th August, 1821. Ante, p. 645.

The State of Missouri has assented to the condition prescribed by Congress.

The President announces the fact.

Admission of Missouri declared complete.

APPENDIX III.

Additional Instruction to the Public and Private Armed Vessels of the United States, referred to in Act of 1813, ch. 10, § 1, ante, p. 5.

The public and private armed vessels of the United States are not to interrupt any vessels belonging to citizens of the United States coming from British ports to the United States, laden with British merchandise, in consequence of the alleged repeal of the British orders in council; but are, on the contrary, to give aid and assistance to the same; in order that such vessels and their cargoes may be dealt with, on their arrival, as may be decided by the competent authorities. — Aug. 23, 1812.