

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.

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.

Proviso.

A sum to be paid for fixtures, &c.

APPROVED, December 8, 1815.

Appropriation of \$5000.

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.

Specific appropriations.

sums heretofore appropriated by law, to those objects, the following sums be, and they are hereby appropriated, viz.:

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.

Further time also allowed for notifying collectors to proceed to the collection, &c.

Change of times to be applicable to furniture tax, &c.

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.

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.

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.

APPROVED, February 5, 1816.

STATUTE I.**Feb. 9, 1816.****Act of 1813,
ch. 36, continu-
ed.****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.”**

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 Ca-
nandaigua.**

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 cer-
tain 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 destruction 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.

APPROVED, March 1, 1816.

Act imposing higher duties on articles imported in British vessels no longer in force.

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 imposed a direct tax of six millions 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 imposed.

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.

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.

Land warrants
to be issued by
the Secretary
of War.

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.

Three months'
additional pay
to be made to
them by the
Treasurer of the
United States.

APPROVED, March 5, 1816.

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.]

Specific ap-
propriations.

Appropriation
for ordnance
and ordnance
stores.

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.

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.

Proceedings in said court not to be affected by this change.

Process made returnable in same way as it would have been without the change.

Terms to commence next day if they should happen on a Sunday.

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.

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.

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.

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.

Act relating to naturalization, March 26, 1790, ch. 3.

CHAP. XXXII.—*An Act relative to evidence in cases of naturalization. (b)*

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 22, 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 be
come citizens
of the United
States.

Act of April
14, 1802, ch. 28.

Admissions
without a reci-
tal of the pro-
-ceding, of no
validity.

Rights of per-
sons 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 sub-
scribe for a cer-
tain number of
copies of Wait
& Son's state

(a) Publication and printing of the laws of the United States, vol. i. 443, 496, 724.

papers, object
and price.

For the con-
tinuation 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 oc-
cupying lands
ceded to the
United States
allowed, on ap-
plication to a
register, recorder,
or marshal,
to remain
thereon, &c.

Act of March
3, 1817, ch. 106.

Act of April
20, 1818, ch. 90.

Applicant for
permits of set-
tlement 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 pre-
viously 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.

CHAP. XXXIX.—*An Act to limit the right of appeal from the Circuit Court of the United States for the District of Columbia.* (a)

STATUTE I.

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.

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.

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.

APPROVED, April 2, 1816.

No appeal
unless the matter
in dispute is
of the value of
\$1,000, &c.

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 Su-
preme Court,
&c.

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.*

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

When appeals
on petition, &c.
have been di-
rected, and the
order of the
judge has been
filed, &c. the
writ of error is
to operate as a
supersedeas.

STATUTE I.

April 9, 1816.
[Obsolete.]

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 har-
ness, lost in
military ser-
vice, except,
&c. to be paid
for.

Persons who
furnished them-
selves with
arms, &c. and
have sustained
damage by their
capture, &c. to
be paid the
value of them.

Property im-
pressed, &c.,
and destroyed,
lost or consumed,
to be paid
for, deducting,
&c.

No compen-
sation where
the owner, &c.,
has received
satisfaction, &c.

Persons
claiming com-
pensation to re-
lease all claims
against the per-
son who im-
pressed, &c.

Where the
owner of the
property has
recovered from
individuals, the
latter to be en-
titled to the
compensation.

At the rate of
40 cents per day
for each horse
furnished them-
selves by offi-
cers of volun-
teer 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.

Memorandum
written
on newspapers,
&c. to be
charged letter
postage, &c.

The Postmas-
ter 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 steam-boats, 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.

[Excribed.]

Act of March 3, 1819, ch. 73.

A bank of the United States, with a capital of 35,000,000 dollars, &c.

Places, &c. for receiving subscriptions.

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

(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 helden 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.

viously contracted in the course of its dealings, or purchased at sales, upon judgments which shall have been obtained for such debts.

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.

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-

pacity 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.

Proviso.

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.

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.

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.

Offices to be established in the District of Columbia and the several states when authorized and required by law.

Proviso.

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

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 an-
num.

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.

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

Penalties for
forging, coun-
terfeiting, &c.

Proviso.

For engrav-
ing 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.

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.

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

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.

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.

Senate and House of Representatives.

Library of Congress.

President of the United States.

Compensation to officers of the departments.

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.

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. Specific appropriations.

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 appropriations.

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 ac-
counts against
library to be ad-
justed and set-
tled.

Librarian's salary fixed.
Repealed by act of April 18, 1818, ch. 69.

the amount thereof, which shall be deemed equitable, shall be paid out of any moneys in the treasury not otherwise appropriated.

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.

Attorney general to have the use of the books in the library.

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.

APPROVED, April 16, 1816.

STATUTE I.

April 16, 1816.

[Obsolete.]

Certain military land warrants to be issued by the Secretary of War.

Act of March 9, 1818, ch. 15.
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.

At the expiration of the term limited by this act, the surveyor general to be furnished by commissioner

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

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 Chillicothe 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.

of general land office with a list of lots there unlocated.

Unlocated lots to be sold.

APPROVED, April 16, 1816.

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.

Proviso.

Proviso.

Proviso.

Act of Aug. 2,
1813, ch. 40.

Guardians of
children of de-
ceased officers
may take the
half pay for five
years in lieu of
their land.

See act of
March 3, 1819,
ch. 94.

Bounty in
land to be given
to soldiers, &c.

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. *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.

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.

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 pa-
tents shall be is-
sued.

CHAP. LVI.—*An Act in addition to an act, entitled “An act in relation to the navy pension fund.”*

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.

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.

STATUTE I.
April 16, 1816.

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 dis-
posed of.

Marshal's and
clerk's duty
prescribed with
respect to prize
accounts.

District attorney's duty also prescribed.

Clerks may be compelled to fulfil the directions prescribed.

Extra allowance to accountant of navy department.

Marshals to make payments for proceeds of prize vessels into the registry of the court.

Commissioners of navy pension fund may increase the allowance to invalids.

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.

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.

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 quarterly yearly out of the navy pension fund.

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.

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.

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)*

STATUTE I.

April 19, 1816.

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 herein-after 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.

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.

Proviso.

Qualifications of electors of members of the convention.

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

Apportionment among the counties of the members.

(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.

Propositions on the part of the United States, offered to the convention of the territory. If accepted, to be obligatory upon the United States.

Grant of land for schools.

Salt springs.

Five per cent. of the proceeds of the public lands reserved for roads and canals.

Act of April 11, 1818, ch. 49.

An additional township for a seminary of learning.

Act of March 3, 1819, ch. 83. Four sections for the seat of government.

Proviso.

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.

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.

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.

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

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.

Proviso.

APPROVED, April 19, 1816.

STATUTE I.

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.*

April 19, 1816.

[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 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 insomuch 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.

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.

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

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 ap-
plications 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 distille-
ries, &c., to in-
spect, &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.

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-

Licenses for
distilling from
domestic, ex-
tended to for-
eign materials.

Discount al-
lowed for pay-
ing the duty
upon obtaining
license.

Distillers au-
thorized to sell
in quantities not
less than a gal-
lon, without li-
cense.

Provisions of a former act adopted by this.
Act of Aug. 3, 1813, ch. 56.

Duty of the
collectors to
make collec-
tions, &c.

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.

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.

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.

Commission-
ers authorized
to send to the
counsel em-
ployed by them
original papers
and documents.

Additional
compensation
to commis-
sioners and their
secretary.

APPROVED, April 20, 1816.

CHAP. LXIV.—*An Act concerning field officers of the militia.*

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.

STATUTE I.

April 20, 1816.

Officers of the
militia after
May 1, 1816.

Act of May
8, 1792, ch. 33.

APPROVED, April 20, 1816.

CHAP. LXV.—*An Act respecting the late officers and crew of the sloop of war Wasp.*

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,

STATUTE I.

April 20, 1816.

[Obsolete.]

Twelve
months' pay al-
lowed to the
representatives
of Capt. Blake-
ly, 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.

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-

STATUTE I.

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 pay-
masters in mak-
ing 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, com-
missary, and
quartermaster's
departments to
give bonds and
security, and to
be subject to
the rules and
articles of war.

Proviso.

President may
prescribe the
quantity and
kind of clothing.

Proviso.

Proviso.

At what rate
soldiers dis-
charged are to
be paid for de-
ficient articles
of clothing.

Pay and emo-
luments of the
several officers
of the staff.
1813, ch. 52.

1813, ch. 52.

Certain offi-
cers of the staff,
provisionally
retained in ser-
vice, to be con-

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.

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.

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.

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.

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.*

STATUTE I.

April 24, 1816.

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.

Entry of vessels at Middletown and Plymouth.

APPROVED, April 24, 1816.

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.*

STATUTE I.

April 24, 1816.
[Obsolete.]

Specific appropriations.

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

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.

Act of March 5, 1816, ch. 25.
Further allowance of pay.

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.

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.

Assent of Congress to a law of Virginia relative to the navigation of James River.

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.

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.

Reward for capturing the sloop of war Levant.

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.

STATUTE I.

April 26, 1816.

Bayou St.
John a port of
entry.**CHAP. LXXXI.—*An Act establishing a port of delivery at the town of the Bayou St. John.***

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.]

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.

Times to which the changes that are made have reference.

Proviso.

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.*

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 insomuch 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.

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

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.

Enumerations and valuations subject to revisions and alterations by principal assessors.

1815, ch. 21.

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.

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.

Certain measures prescribed by this act may be executed after the time particularly limited for their execution.

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.

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.

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.

Penalties upon principal assessors for not performing duties required by this act.

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.

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 imports 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.

CHAP. CI.—*An Act making further provision for settling claims to land in the territory of Illinois.*

STATUTE 1.

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.

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.

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.

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

Further time
allowed to cer-
tain settlers on
the publiclands
of the United
States for mak-
ing good their
pre-emption
right.

Act of April
16, 1814, ch. 61.

Act of Feb.
27, 1815, ch. 63.

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-emp-
tion.

Proviso.

Provisions of
second section
of act of 1815,
ch. 63, to extend
to settlers on a
fractional sec-
tion within the
Kaskaskia dis-
trict.

Claims reported 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.

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 perfect 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.

Proviso.

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, Patawatomies, 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

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 cer-
tain reserva-
tions, at public
sale.

APPROVED, April 26, 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

STATUTE I.

April 27, 1816.

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.

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 duties upon goods, wares and merchandise imported into the United States.

Substitution of other ad valorem and specific duties.

CHAP. CVII.—*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 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 cotton 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.

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 seines, 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.

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, brazilletto, 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.

Regulations as to drawback.

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-

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 ex-
portation
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 for-
mer laws also
to apply.

Discriminat-
ing 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. 93.

CHAP. CXII.—An Act making appropriations for repairing certain roads therein described.

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.

STATUTE I.
April 27, 1816.

Repairs of certain roads.

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.

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

STATUTE I.
April 27, 1816.
[Obsolete.]

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.

Specific appropriations.

Light of Scituate light-house may be extinguished.

APPROVED, April 27, 1816.

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.

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

April 27, 1816.

[Obsolete.]

Sale of lands in the district of Jeffersonville.

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.

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.

CHAP. CXXXI.—*An Act to authorize the surveying and making a road in the territory of Illinois.*

Commissioners to be appointed for laying off the road.

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.

Road to be opened under direction of the President.

Compensation payable to commissioners, &c.

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.

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 ap-
propriation 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.

CHAP. CXXXVIII.—*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 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."

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.

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.

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."

APPROVED, April 29, 1816.

VOL. III.—41

STATUTE I.

April 29, 1816.

[Obsolete.]
First section
repealed by act
of March 3,
1821, ch. 47.

Increase of
the navy provi-
ded for, 1815,
ch. 81.

Ships to be built.

Act of May
17, 1826, ch. 64.
1813, ch. 6.

Three steam
batteries to be
procured for
harbour de-
fence.

The block
ship at New
Orleans to be
completed.

Appropriation.

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.

CHAP. CXLI.—*An Act to establish a land district in Illinois territory, north of district of Kaskaskia.*

STATUTE I.

April 29, 1816.

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.

Terms upon
which lands are
to be disposed
of.

APPROVED, April 29, 1816.

CHAP. CXLII.—*An Act to increase the compensation of the superintendents of the manufactorys of arms at Springfield and Harper's Ferry.*

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 manufactorys of arms, at Springfield and Harper's Ferry, they shall receive thirty dollars per month, and one ration per day.

STATUTE I.

April 29, 1816.

Compensation
increased.

APPROVED, April 29, 1816.

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.*

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.

STATUTE I.

April 29, 1816.

Code of laws
to be digested
and formed for
District of
Columbia.

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.

Appropriation.

APPROVED, April 29, 1816.

CHAP. CXLV.—*An Act authorizing payment for prisoners captured by private armed vessels.*

STATUTE I.

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.

Appropriation.

APPROVED, April 29, 1816.

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.

Board of com-
missioners abo-
lished, and one
commissioner
appointed.

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.

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.

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.

CHAP. CLI.—*An Act to provide for the appointment of a surveyor of the public lands in the territories of Illinois and Missouri.*

STATUTE I.

April 29, 1816.

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

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.

To be exposed to sale, and sold to the highest bidder.

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

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.

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.

Lands, undisposed of this way, to be sold by private bargains.

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.”*

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.

Act of March 3, 1815, ch. 97.
To what judicial circuits new counties are attached.

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.

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.

Provision in case of the inability of the regular judges to hold the prescribed courts.

Judges to appoint clerks of courts.

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.

Courts of oyer and terminer for the trial of persons charged with felonies to be held upon the order of the governor.

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.

Limitation of this act, and of the one to which it is supplemental.

Legislative power—how to be exercised.

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.

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.

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.

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, 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,

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.

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.

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.

APPROVED, April 29, 1816.

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2 E 2

Act of March
10, 1812, ch. 38.
Act of Feb.
27, 1813, ch. 38.
Act of April
12, 1814, ch. 52.

Confirmation
of certain
claims.

Proviso.

Certain other
claims confirm-
ed.

1812, ch. 99.

Act of March
3, 1813, ch. 44.
sect. 3.

In cases not
provided for by
law, if claim is
confirmed a
patent to issue.

Fees.

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.

Pre-emption right secured.

Act of Feb. 5, 1813, ch. 20.

Act of April 12, 1814, ch. 52.

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.*

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,

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.

How the
claims of
several persons
settlers upon
land are to be
adjusted.

APPROVED, April 29, 1816.

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.

Act of May
7, 1822, ch. 61.
Consent of
Congress given
to act of South
Carolina.

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.

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.

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.

APPROVED, April 29, 1816.

Proviso.
Act limited to
five years.

STATUTE I.April 29, 1816.

Act of May 6, 1812, ch. 77.
Repeal of part of a former act.

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.

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.

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.

contrary to this act.

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.

When trials under this act are to take place.

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.

Penalties for violations of the second section.

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.

Military force of the U. S. may be used for enforcing provisions of this act.

APPROVED, April 29, 1816.

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. I. to Orrington; also the route from Prospect, by Mount Ephraim, to Frankfort in Maine.

From Plymouth, by New Hampton, Meredith, Gilmanston, Northwood, Nottingham and Durham, to Portsmouth in New Hampshire.

From Greersburgh, 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:
- In Maine.*—From Lovell to Fryburg. Post-roads established. 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, Lyndon, Sheffield and Barton, to Derby.
- From Colraine, 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, Torringford, 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 Skaneatelas.
- 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 Brownsburg 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.
- 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.
- 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.
- 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.

<i>In Indiana Territory.</i> —From Brookville, by Bath, to Salisbury.	Post-roads established. Indiana Territory.
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 Shawnestown pass through Harmony, in Gibson county.	
<i>In Illinois Territory.</i> —From Shawnestown, by White Courthouse, and Edward Courthouse, to Vincennes, in Indiana territory.	Illinois Territory.
<i>In Missouri Territory.</i> —From St. Louis, by Potosi and Lawrence Courthouse, to Arkansas.	Missouri Territory.
From St. Charles, by Murphey's in St. John's settlement, to fort Cooper or Howard Courthouse.	
<i>In Maryland.</i> —From Triadelphia, by Damascus, to New Market.	Maryland.
From Hagerstown to McConnelstown, in Pennsylvania.	
From Upper Marlborough to McGruder's tavern, in Prince George's county.	
<i>In Virginia.</i> —From Cabin Point, by J. Edmund's, Baileysburg, Urquhart's store, and C. Bower's, to South Quay.	Virginia.
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.	
<i>In Kentucky.</i> —From Washington, by Maysville, to Xenia in Ohio.	Kentucky.
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.	
<i>In North Carolina.</i> —From Tarborough, by Staunton's Bridge, Snow Hill and Kinston, to Duplin Courthouse.	North Carolina.
From Charlotte, by Harrisburg, Pine Hill, Alexander's, Lanford and Lewisville, to Chester Courthouse in South Carolina.	
From Murfreesborough, by Windsor, to Plymouth.	
<i>In South Carolina.</i> —From Chesterfield Courthouse, by Lawry's mills, and Pickett's store, to Wadesborough, in North Carolina.	South 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.	
<i>In Georgia.</i> —From Jefferson to Hurricane Shoals.	Georgia.
From Montgomery Courthouse, by Blackmore's and Hardin's, to Riceborough.	
<i>In Tennessee.</i> —From Nashville by Murfreesborough, Stone Fort, and Winchester, in Tennessee, Lowry's, Van's old place, and Blackburn's, to Athens, in Georgia.	Tennessee.
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.	

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.

Mississippi Territory.

In Mississippi Territory.—From Franklin Courthouse, to Liberty, Amity Courthouse.

APPROVED, April 30, 1816.

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.

Further regulations.

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.

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.

[Obsolete.]

Appropriations.

1816, ch. 40.

CHAP. CLXXIII.—*An Act making further appropriations 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 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.

Register of
the officers and
agents, civil,
military and
naval, to be
compiled every
two years by the
Secretary of
State.

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.

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 ves-
sels of the
United States.

Distribution.

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.

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.

An assistant
in the corps of
engineers to be
employed.

VII. RESOLUTION authorizing the President of the United States to employ a skilful assistant in the corps of engineers.

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.

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

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.

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.

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

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

APPROVED, January 22, 1817.

STATUTE II.

Jan. 22, 1817.

[Obsolete.]
40,000 dolls.
appropriated.

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

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

APPROVED, February 6, 1817.

STATUTE II.

Feb. 6, 1817.

The act of the 19th March, 1816, ch. 30, re-pealed.

Proviso: no other act re-vived.

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

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

APPROVED, February 8, 1817.

STATUTE II.

Feb. 8, 1817.

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

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

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

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STATUTE II.

Feb. 22, 1817.

[Obsolete.]

Second sec-tion of the act

of 18th April,
1814, ch. 84, re-
pealed.

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.

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

Manner of
surveying the
land.

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

APPROVED, February 22, 1817.

STATUTE II.

Feb. 24, 1817.

[Obsolete.]
The superin-
tendent to lay
off that part of
the public re-
servation of
ground describ-
ed.

To sell half
the lots, &c.

Condition of
sale.

Appropriation
of the moneys
arising from the
sales.

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

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.

APPROVED, February 24, 1817.

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.*

STATUTE II.
March 1, 1817.
[Obsolete.]

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.

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

APPROVED, March 1, 1817.

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

STATUTE. II.
March 1, 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 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.

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.

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.

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.

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.

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.

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.

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.

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 held 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.

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

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

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Proviso: Reservations and conditions of admission to the union.

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

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

Act of March 31, 1814, ch. 39.

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

1814, ch. 39.

The state entitled to one representative in Congress.

STATUTE II.

March 1, 1817.

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

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

Exception in favour of purser on distant service.

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 purser 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.

STATUTE II.

March 1, 1817.

[Obsolete.]

Letters and packets to and from James Madison free during life.

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.

STATUTE II.

March 1, 1817.

[Obsolete.]

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

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.

STATUTE II.

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 purasers and other officers of the navy, passed August 26, 1842, ch. 206, the pay of purasers 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.

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

STATUTE II.

March 1, 1817.

Restriction of imports 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.

For Congress.

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, 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 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, 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 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 President and Vice President.

For the Department of State.

For the Treasury Department.

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.

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.

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.

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.

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.

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.

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

Comptroller.

Auditor.

Treasurer.

Commissioner
of general land
office.

Commissioner
of the revenue.

Register.

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.

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.

Superintendent general of military supplies.

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

Commissary general of purchases.

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.

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 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.

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.

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

Adjutant and
inspector gen-
eral.
Ordnance.

For the Navy
Department.

Accountant.

Commission-
ers of the navy
board.

For the gen-
eral post office.

For the Com-
missioners of
loans.

For the sur-
veyor general.

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 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 the com-
missioner for
settling claims,
&c.

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

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.

1790, ch. 34.

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.

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.

[Obsolete.]

Act of July 6,
1812, ch. 128.
The act for the
safe keeping of
prisoners, &c.
repealed.

An account to
be rendered.

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.*

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.

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 Pittsburgh, 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.]

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

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

STATUTE II.

March 3, 1817.

[Obsolete.]

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 superintendence 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 countersigned 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.

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

Proviso; as
to the time, &c.

Proviso; as
to states where
no banks are es-
tablished by
law.

Office of com-
missioner of
loans abolished,
&c.

An act for the
prompt settle-
ment 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 pro-
hibited in for-
eign vessels
from countries
whence vessels
of the United
States are not
allowed to bring
it.

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-

This act to be
in force for five
years.

Proviso; 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.

Act of Feb. 26, 1803, ch. 9.

Ships' papers to be produced to the collector before entry.

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

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

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

Consuls offending to be fined.

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

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.

[Obsolete.]

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

CHAP. LXI.—An Act to provide for furnishing the house 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 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.

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.

vol. i, 51.

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 Binghamton.

Pennsylvania.

From Williamsport to Jersey Shore.

Virginia.

In Virginie.—From Liberty to Fincastle.

Indiana.

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

- 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 Ossipee, 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 Stamford, 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, Gennessee 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 Beckmantown, 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, Mamakotong, 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, Pratts ville, 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 Connellsburg to Mount Pleasant.
 From Kittanning to Roseburg.
 From Franklin, by Oil Creek Town, Centreville, Bloomfield and Union, to Waterford.
 From Lewistown, by Bellville, M'Aleavy's, Henry's and Petersburgh, 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 Sheshi quin, to Meansville.

From Montrose, by Orwell and Warren, to Athens.	Post-roads es- tablished.
From Shickshenny, by Huntingdon, Jackson and Evernills, to Jerseytown.	
<i>In Maryland.</i> —From Westminster, by Taneytown and Emmitsburg, to Waynesburg.	Maryland.
From Baltimore, by Randalstown, Freedom and New Windsor, to Uniontown.	
<i>In Ohio.</i> —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.	
<i>In Virginia.</i> —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.	
<i>In Kentucky.</i> —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.	
<i>In North Carolina.</i> —From Morgantown, by Rutherfordton, to Greenville, S. C.	North Carolina.
<i>In Tennessee.</i> —From Boat-yard to Scott c. h.	Tennessee.
From Dandridge, by Seviersville, 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.	
<i>In South Carolina.</i> —From Pocotaligo, by Hickory Hill, in Prince William Parish, to Lower Three Runs, or Higginbottoms.	South Carolina.
From Cambridge, by Scuffletown, to Pickensville.	
<i>In Georgia.</i> —From Washington, by Elberton c. h. and Danielsville, to Carnesville.	Georgia.
<i>In Indiana.</i> —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 Hendersonton, 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.

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.

Auditors to
report to the
Secretary of the
Treasury.

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.

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

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
first comptrol-
ler.

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.

Duty of the
second comp-
troller.

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

First comp-
troller to super-
intend the re-
covery of all
debts, &c.

Act of May 7,
1822, ch. 90.

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.

Act 1797, ch. 20.

Auditors em-
powered to ad-
minister oaths,
&c.Secretary of
the Treasury to
cause all ac-
counts of the
expenditure of
public money to
be settled with-
in the year, &c.The comp-
troller to distin-
guish between
balances, &c.Salary of the
second comp-
troller and auditors
\$3000.Letters, &c.
to and from the
second comp-
troller and au-
ditors, free.

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.

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 an-
nual allowance
to the collector
of the customs
at Edgartown.

And to the
collector of the
customs, Ply-
mouth.

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.”*

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.

APPROVED, March 3, 1817.

March 3, 1817.

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

Two dolls.
per ton on for-
eign vessels
from foreign
ports withwhich
vessels of the
United States
are not permit-
ted to enter and
trade.

STATUTE II.

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

March 3, 1817.

[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.

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.

APPROVED, March 3, 1817.

STATUTE II.

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

March 3, 1817.

[Obsolete.]
The widows
and orphans of
officers and men
lost in the Eper-
vier, to receive
six months' pay
additional, &c.,

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.

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.

[Obsolete.]
The Secretary
of the Treasury
authorized to
remit propor-
tion of duties

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-

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. 38, 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.

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

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,

STATUTE II.

March 3, 1817.

[Obsolete.]

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.

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.

Act of March 1, 1817, ch. 23.

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.

St. Stephens the seat of government.

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

APPROVED, March 3, 1817.

STATUTE II.

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

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 dollars 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.

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

STATUTE II.

March 3, 1817.

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 dollars. 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.

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.

[Obsolete.]
Number of officers and men.

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

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-commiss-

(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.

sioned 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.

Act of April
16, 1814, ch. 53.

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.

Supernumerary officers to be discharged, &c.

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

APPROVED, March 3, 1817.

STATUTE II.

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

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.

March 3, 1817.

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

Under direc-
tion of the Sec-
retary of War.

APPROVED, March 3, 1817.

STATUTE II.

CHAP. LXIX.—*An Act to authorize the Secretary of the Treasury to cause repay-
ments to be made of certain alien 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 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.

March 3, 1817.

[Obsolete.]
Discriminat-
ing duties paid
on British ves-
sels, from the
17th Aug. to 22d
Dec. 1815, to be
repaid, &c.

Exception.

APPROVED, March 3, 1817.

STATUTE II.

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

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

March 3, 1817.

[Obsolete.]
Acts auth-
orizing loans, &c.
repealed.

Proviso ; as to securities for money heretofore borrowed.

Acts authorizing treasury notes to be issued, repealed.

Proviso ; as to right of holders, &c.

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

Feb. 24, 1815,
ch. 56.

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

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

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

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

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

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

[Obsolete.]

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

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

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

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, for defraying the expenses of the military establishment, and those incurred by calling out the militia during the late war with Great Britain, in addition to the sums heretofore appropriated by law for these objects, the following sums be, and the same are hereby appropriated, viz :

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

For subsistence, two hundred thousand dollars.

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

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

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

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

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

APPROVED, March 3, 1817.

STATUTE II.
March 3, 1817.

[Obsolete.]
Acts making
appropriation
for the pur-
chase, &c. of
the funded debt,
&c. repealed.
An annual
sum of 10,000,-
000 dollars.appro-
priated to the
sinking fund.

Application
of the money.

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

Proviso; as
to the time of
payment.

Proviso; as to
payments made
to the commis-
sioners hereto-
fore.

9,000,000 dollars.
additional ap-
propriated to
the sinking fund
for the year
1817, &c.

A further sum
of 4,000,000
dollars. during
1817, in ad-
vance, if, &c.

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

Any surplus
in the treasury,
above appropri-
ations, and

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

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

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

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

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

leaving two millions there, appropriated to the sinking fund.

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

The price not to exceed the rates specified.

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

No interest to accrue on certificates cancelled, &c.

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

Nor to affect pledges of former acts, &c.

Exception.

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

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

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

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

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

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

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

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

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

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

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

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

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

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

Manner of location.

Act of March 3, 1815, ch. 88.

Proviso; as to the title vested.

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

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

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

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

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

The Secretary of the Treasury

to decide finally, &c.

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

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

The agent may employ a surveyor.

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

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

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

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

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

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

Appropriations for defraying the expenses of the navy for 1817.

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

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

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

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

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

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

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

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

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

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

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

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

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

For contingent expenses for the same, fourteen thousand dollars.

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

APPROVED, March 3, 1817.

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

STATUTE II.
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 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.

Indians or
other persons
committing of-
fences in Indian
towns, &c.
which, if com-
mitted within
the sole juris-
diction of the
United States,
would be pun-
ished with
death, or other
punishment, to
suffer in like
manner.

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.

Superior ter-
ritorial, and
circuit, and
other courts
authorized to
try offences
against this act.

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.

The President,
and the govern-
ors of territo-
ries, 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.

APPROVED, March 3, 1817.

STATUTE II.

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.*

March 3, 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 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 inter-course 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 investure 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 incorporated.

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

Capital.

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

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

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 according to shares.

Proviso; this section may be altered by Congress.

Annual election of directors.

SEC. 5. And be it further enacted, That a general meeting of stockholders of the said bank shall be helden 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.

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.

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.

Six per cent.
per annum for
discounts.

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.

Books, &c.
subject to in-
spection of di-
rectors.

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.

Cashier and
other officers of
the banks, &c.

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.

No compen-
sation to a di-
rector, except,
&c.

Debts of
stockholders to
be paid before
transfer of
stock.

Half yearly dividends.

Dividends not to impair capital stock.

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

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

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.

The directors to fill vacancies in that body.

Number of stockholders who may call a general meeting.

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

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.

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.

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.

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 bona fide mortgaged to the bank by way of security, or conveyed to it in satisfaction of debts previously contracted in the course of dealings, or purchased to secure debts contracted with, or due to, the bank; and in every instance in which the bank may become the owners or claimants of lands, tenements, or real estates, the president and directors are empowered to sell or dispose of the same, in such manner as they may deem beneficial for the said bank.

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.

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.

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.

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.

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.

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.

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-

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.

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

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

Central Bank of Georgetown and Washington incorporated.

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.

Patriotic
Bank of Wash-
ington incor-
porated.

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.

Real Estate
Bank of the
United States.
incorporated.

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.

Union Bank
of Alexandria
incorporated.

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,

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.

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-

March 3, 1817.

[Obsolete.]

100,000 dolls. appropriated for repairing the public buildings.

38,658 dolls. appropriated for completing the

enclosure, &c. lars be, and the same is hereby appropriated, to be applied under the of the public same direction as aforesaid. square.

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.

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.

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.

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

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 quarterly 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, 1812, 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.

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

STATUTE II.

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 defraining 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 sec-
tion of the act
referred to ex-
tended, &c.

Proviso; as to
the assent of
other heirs.

Relinquish-
ment of title to
bounty land
entitles chil-
dren of regular
soldiers to four
dollars per
month.

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

STATUTE II.

March 3, 1817.

Act of April
18, 1814, ch. 62.
Money to be
deposited in the
branch banks of
the United
States, &c.

Moneys here-
after received
to be also de-
posited, &c.

No money to
be drawn from
the banks ex-
cept 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.

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

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.

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 steam-boats to Canada on lake Champlain.

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.

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.

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

This act in
force for four
years, &c.

Collectors
may employ de-
puties, &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 refer-
red to.

Act of April
20, 1818, ch.
124.

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

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

Commissions
to be awarded
in cases above
200 dollars, &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.

Compensation
for horses,
mules, wagons,
&c.

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.

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

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.

Claims of 200
dollars. and up-
wards to be re-
vised by the
Secretary of
War, &c.

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 vol-
ume 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.

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

APPROVED, March 3, 1817.

STATUTE II.

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.

March 3, 1817.
Relief of officers of Illinois territory.

APPROVED, March 3, 1817.

STATUTE II.

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

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.

APPROVED, March 3, 1817.

RESOLUTIONS.

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

Dec. 11, 1816.

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.

Indiana admitted into the union as a state.

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

Act of April 19, 1816, ch. 57.

FOURTEENTH CONGRESS. SESS. II. RES. 2, 3. 1817.

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.