judge or magistrate to give a certificate thereof to such claimant, his agent or attorney, which shall be sufficient warrant for removing the said fugitive from labour, to the state or territory from which he or she fled.

Penalty on obstructing claimants of fugitives from labour.

SEC. 4. *And be it further enacted*, That any person who shall knowingly and willingly obstruct or hinder such claimant, his agent or attorney in so seizing or arresting such fugitive from labour, or shall rescue such fugitive from such claimant, his agent or attorney when so arrested pursuant to the authority herein given or declared; or shall harbor or conceal such person after notice that he or she was a fugitive from labour, as aforesaid, shall, for either of the said offences, forfeit and pay the sum of five hundred dollars. Which penalty may be recovered by and for the benefit of such claimant, by action of debt, in any court proper to try the same; saving moreover to the person claiming such labour or service, his right of action for or on account of the said injuries or either of them.

APPROVED, February 12, 1793.

STATUTE II.

Feb. 18, 1793.

CHAP. VIII.—*An Act for enrolling and licensing ships or vessels to be employed in the coasting trade and fisheries, and for regulating the same.*

What ships shall be deemed of the United States.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That ships or vessels, enrolled by virtue of "An act for registering and clearing vessels, regulating the coasting trade, and for other purposes," and those of twenty tons and upwards, which shall be enrolled after the last day of May next, in pursuance of this act, and having a license in force, or if less than twenty tons, not being enrolled shall have a license in force, as is herein after required, and no others, shall be deemed ships or vessels of the United States, entitled to the privileges of ships or vessels employed in the coasting trade or fisheries.

Ships or vessels enrolled under this act alone entitled to the privileges of the coasting trade.

Act of Sept. 1, 1789, ch. 11.

Ships to possess the requisites required by a certain act, to obtain enrolment.

Dec. 31, 1792, ch. 1.

1812, ch. 40.

SEC. 2. *And be it further enacted*, That from and after the last day of May next, in order for the enrolment of any ship or vessel, she shall possess the same qualifications, and the same requisites, in all respects, shall be complied with, as are made necessary for registering ships or vessels, by the act, intituled "An act concerning the registering and recording of ships or vessels," and the same duties and authorities are hereby given and imposed on all officers, respectively, in relation to such enrolments, and the same proceedings shall be had, in similar cases, touching such enrolments; and the ships or vessels so enrolled, with the master, or owner or owners thereof, shall be subject to the same requi-

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Damages for harboring or concealing a slave, in a free state, are recoverable only by the constitution and act of Congress. *Ibid.*

Notice that the persons harbored or concealed are fugitives from labour, need not be in writing by the claimant, or his agent, nor need it be given by either of them verbally. Notice under the act of Congress, means knowledge. *Ibid.*

If there be evidence conducing to show such notice or knowledge, it will go to the jury, who will judge of its sufficiency. The same principles apply to the evidence of harboring or concealing the fugitives. *Ibid.*

Any overt act, which intentionally places a fugitive from labour beyond the reach of his master, or is calculated to have such an effect, is a harboring of the fugitive within the statute. Jones *v.* Vanzant, 2 M'Lean's C. C. R. 611.

If the defendant had full knowledge from the negroes or otherwise, that they are fugitives from labour, it is notice under the statute. *Ibid.*

If the plaintiff was subjected to a certain reward, by the laws of Kentucky, for the return of his slaves, and the defendant was the cause of his liability to such payment, it may constitute a part of his damages. *Ibid.*

Where the defendant has been the means of the entire loss of the slave, evidence may be received of the loss of such slave, by showing what his services were worth, as conducing to show that fact, for what sum he might have been sold. *Ibid.*

The act of Congress on the subject of fugitive slaves is constitutional, and does not conflict with the ordinance for the government of the Northwestern territory. *Ibid.*

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

sites, as are in those respects provided for vessels registered by virtue of the aforesaid act; the record of which enrolment shall be made, and an abstract or copy thereof granted, as nearly as may be, in the form following: "Enrolment in conformity to an act of the Congress of the United States of America, intituled 'An act for enrolling and licensing ships or vessels, to be employed in the coasting trade and fisheries, and for regulating the same' [inserting here, the name of the person, with his occupation and place of abode, by whom the oath or affirmation is to be made] having taken and subscribed the oath (or affirmation) required by this act, and having sworn (or affirmed) that he (or she, and if more than one owner, adding the words "together with," and the name or names, occupation or occupations, place or places of abode, of the owner or owners) is, (or are) a citizen (or citizens) of the United States, and sole owner (or owners) of the ship or vessel, called the [inserting here her name] of [inserting here the name of the port to which she may belong] whereof [inserting here the name of the master] is at present master, and is a citizen of the United States, and that the said ship or vessel was [inserting here when and where built] and [inserting here the name and office, if any, of the person by whom she shall have been surveyed, or admeasured] having certified, that the said ship or vessel has [inserting here the number of decks] and [inserting here the number of masts] and that her length is [inserting here the number of feet] her breadth [inserting here the number of feet] her depth [inserting here the number of feet] and that she measures [inserting here her number of tons] that she is [describing here, the particular kind of vessel, whether ship, brigantine, snow, schooner, sloop, or whatever else, together with her built, and specifying, whether she has any or no gallery or head] and the said [naming the owner, or the master, or other person acting in behalf of the owner or owners, by whom the certificate of admeasurement shall have been countersigned] having agreed to the description and admeasurement above specified, and sufficient security having been given, according to the said act, the said ship or vessel has been duly enrolled, at the port of [naming the port where enrolled.] Given under my hand and seal, at [naming the said port] this [inserting the particular day] day of [naming the month] in the year, [specifying the number of the year, in words at length.]"

Form of enrolment.

1798, ch. 77, sec. 2.

Sec. 3. *And be it further enacted*, That it shall and may be lawful for the collectors of the several districts, to enrol and license any ship or vessel, that may be registered, upon such registry being given up, or to register any ship or vessel, that may be enrolled, upon such enrolment and license being given up. And when any ship or vessel shall be in any other district than the one to which she belongs, the collector of such district, on the application of the master or commander thereof, and upon his taking an oath or affirmation, that according to his best knowledge and belief, the property remains, as expressed in the register or enrolment proposed to be given up, and upon his giving the bonds required for granting registers, shall make the exchanges aforesaid; but in every such case, the collector, to whom the register, or enrolment and license may be given up, shall transmit the same to the register of the treasury; and the register, or enrolment and license, granted in lieu thereof, shall, within ten days after the arrival of such ship or vessel within the district, to which she belongs, be delivered to the collector of the said district, and be by him cancelled. And if the said master or commander shall neglect to deliver the said register or enrolment and license, within the time aforesaid, he shall forfeit one hundred dollars.

On what conditions collectors may enrol vessels.

Vessels may be registered on giving up enrolment.

In such cases enrolment to be transmitted to the Register of the Treasury.

Penalty on failure to deliver up enrolment and license.

Sec. 4. *And be it further enacted*, That in order to the licensing of any ship or vessel, for carrying on the coasting trade or fisheries, the husband, or managing owner, together with the master thereof, with one or more sureties to the satisfaction of the collector granting the same,

Licenses for carrying on the coasting trade.

shall become bound to pay to the United States, if such ship or vessel be of the burthen of five tons, and less than twenty tons, the sum of one hundred dollars; and if twenty tons, and not exceeding thirty tons, the sum of two hundred dollars; and if above thirty tons, and not exceeding sixty tons, the sum of five hundred dollars; and if above sixty tons, the sum of one thousand dollars, in case it shall appear, within two years from the date of the bond, that such ship or vessel has been employed in any trade, whereby the revenue of the United States has been defrauded during the time the license granted to such ship or vessel remained in force; and the master of such ship or vessel shall also swear, or affirm, that he is a citizen of the United States, and that such license shall not be used for any other vessel, or any other employment, than that for which it is specially granted, or in any trade or business, whereby the revenue of the United States may be defrauded; and if such ship or vessel be less than twenty tons burthen, the husband or managing owner shall swear or affirm, that she is wholly the property of a citizen or citizens of the United States; whereupon it shall be the duty of the collector of the district comprehending the port, whereto such ship or vessel may belong, (the duty of six cents per ton being first paid) to grant a license, in the form following: "License for carrying on the [here insert, coasting trade, whale fishery, or cod fishery, as the case may be.]

Penalty on employing such vessel contrary to the laws of the U. States.

Form of license.

"In pursuance of an act of the Congress of the United States of America, intituled "An act for enrolling and licensing ships or vessels to be employed in the coasting trade and fisheries, and for regulating the same," [inserting here the name of the husband or managing owner, with his occupation and place of abode, and the name of the master, with the place of his abode] having given bond, that the [insert here the description of the vessel, whether ship, brigantine, snow, schooner, sloop, or whatever else she may be,] called the [insert here, the vessel's name,] whereof the said [naming the master] is master, burthen [insert here, the number of tons, in words] tons, as appears by her enrolment, dated at [naming the district, day, month and year, in words at length, (but if she be less than twenty tons, insert, instead thereof,) proof being had of her admeasurement] shall not be employed in any trade, while this license shall continue in force, whereby the revenue of the United States shall be defrauded, and having also sworn (or affirmed) that this license shall not be used for any other vessel, or for any other employment, than is herein specified, license is hereby granted for the said [inserting here, the description of the vessel] called the [inserting here the vessel's name] to be employed in carrying on the [inserting here, coasting trade, whale fishery, or cod-fishery, as the case may be] for one year from the date hereof, and no longer: Given under my hand and seal, at [naming the said district] this [inserting the particular day] day of [naming the month] in the year [specifying the number of the year in words at length.]"

Form of license to coasting vessels.

Sec. 5. *And be it further enacted*, That no license, granted to any ship or vessel, shall be considered in force, any longer than such ship or vessel is owned, and of the description set forth in such license, or for carrying on any other business or employment, than that for which she is specially licensed, and if any ship or vessel be found with a forged or altered license, or making use of a license granted for any other ship or vessel, such ship or vessel, with her tackle, apparel, and the cargo found on board her, shall be forfeited.

How far licenses shall be deemed in force as long as the vessel shall be owned and employed according to its terms.

Sec. 6. *And be it further enacted*, That after the last day of May next, every ship or vessel of twenty tons or upwards (other than such as are registered) found trading between district and district, or between different places in the same district, or carrying on the fishery, without being enrolled and licensed or if less than twenty tons, and not less

Certain vessels not complying with this act.

than five tons, without a license, in manner as is provided by this act, such ship or vessel, if laden with goods the growth or manufacture of the United States only (distilled spirits excepted) or in ballast, shall pay the same fees and tonnage in every port of the United States, at which she may arrive, as ships or vessels not belonging to a citizen or citizens of the United States, and if she have on board any articles of foreign growth or manufacture, or distilled spirits, other than sea-stores, the ship or vessel, together with her tackle, apparel and furniture, and the lading found on board, shall be forfeited: *Provided*, however, if such ship or vessel be at sea, at the expiration of the time for which the license was given, and the master of such ship or vessel shall swear or affirm that such was the case, and shall also within forty-eight hours after his arrival deliver to the collector of the district in which he shall first arrive the license which shall have expired, the forfeiture aforesaid shall not be incurred, nor shall the ship or vessel be liable to pay the fees and tonnage aforesaid.

To pay foreign duties.

Such ship or vessel to be forfeited.

Collectors to number licenses.

Sec. 7. *And be it further enacted*, That the collector of each district shall progressively number the licenses by him granted, beginning anew at the commencement of each year, and shall make a record thereof in a book, to be by him kept for that purpose, and shall, once in three months, transmit to the register of the treasury, copies of the licenses, which shall have been so granted by him; and also of such licenses, as shall have been given up or returned to him, respectively, in pursuance of this act. And where any ship or vessel shall be licensed, or enrolled anew, or being licensed or enrolled, shall afterwards be registered, or being registered, shall afterwards be enrolled, or licensed, she shall, in every such case, be enrolled, licensed or registered by her former name.

To transmit copies of licenses granted by him to the Register of the Treasury.

Vessels before proceeding on a foreign voyage failing to give up enrolment and obtain register.

Sec. 8. *And be it further enacted*, That if any ship or vessel, enrolled or licensed, as aforesaid, shall proceed on a foreign voyage, without first giving up her enrolment and license, to the collector of the district comprehending the port, from which she is about to proceed on such foreign voyage, and being duly registered by such collector, every such ship or vessel, together with her tackle, apparel and furniture, and the goods, wares and merchandise, so imported therein, shall be liable to seizure and forfeiture: *Provided always*, if the port, from which such ship or vessel is about to proceed on such foreign voyage, be not within the district, where such ship or vessel is enrolled, the collector of such district shall give to the master of such ship or vessel a certificate, specifying that the enrolment and license of such ship or vessel is received by him, and the time when it was so received; which certificate shall afterwards be delivered by the said master to the collector, who may have granted such enrolment and license.

To be forfeited. Proviso.

Forfeiture on neglecting to give up license, about to expire.

Sec. 9. *And be it further enacted*, That the license, granted to any ship or vessel, shall be given up to the collector of the district, who may have granted the same, within three days after the expiration of the time, for which it was granted, in case such ship or vessel be then within the district, or if she be absent, at that time, within three days from her first arrival within the district afterwards, or if she be sold out of the district, within three days after the arrival of the master within any district, to the collector of such district, taking his certificate therefor; and if the master thereof shall neglect, or refuse to deliver up the license, as aforesaid, he shall forfeit fifty dollars; but if such license shall have been previously given up to the collector of any other district, as authorized by this act, and a certificate thereof under the hand of such collector, be produced by such master, or if such license be lost, or destroyed, or unintentionally mislaid, so that it cannot be found, and the master of such ship or vessel shall make and subscribe an oath or affirmation, that such license is lost, destroyed, or unintentionally mislaid, as he verily believes, and that the same, if found, shall be delivered up, as is

Forfeiture not to be incurred if license proved to have been mislaid.

herein required, then the aforesaid penalty shall not be incurred. And if such license shall be lost, destroyed, or unintentionally mislaid, as aforesaid, before the expiration of the time for which it was granted, upon the like oath or affirmation being made and subscribed by the master of such ship or vessel, the said collector is hereby authorized and required, upon application being made therefor, to license such ship or vessel anew.

A new license to be given.

Sec. 10. *And be it further enacted*, That it shall and may be lawful for the owner or owners of any licensed ship or vessel, to return such license to the collector who granted the same at any time within the year, for which it was granted, who shall thereupon, cancel the same and shall license such vessel anew, upon the application of the owner or owners, and upon the conditions herein before required, being complied with; and in case the term, for which the former license was granted, shall not be expired, an abatement of the tonnage of six cents per ton shall be made, in the proportion of the time so unexpired.

When owners may cancel license, and obtain new ones.

Abatement of the tonnage duty.

Sec. 11. *And be it further enacted*, That every licensed ship or vessel shall have her name, and the port to which she belongs painted on her stern, in the manner as is provided for registered ships or vessels, and if any licensed ship or vessel be found, without such painting, the owner or owners thereof shall pay twenty dollars.

Licensed vessels to have name and port painted on the stern.

1792, ch. 1, sec. 3.

Sec. 12. *And be it further enacted*, That when the master of any licensed ship or vessel, ferry boats excepted, shall be changed, the new master, or, in case of his absence, the owner or one of the owners thereof, shall report such change to the collector residing at the port where the same may happen, if there be one, otherwise, to the collector residing at any port, where such ship or vessel may next arrive, who, upon the oath or affirmation of such new master, or in case of his absence, of the owner or one of the owners, that he is a citizen of the United States, and that such ship or vessel shall not, while such license continues in force, be employed in any manner, whereby the revenue of the United States may be defrauded, shall endorse such change on the license, with the name of the new master; and when any change shall happen, as aforesaid, and such change shall not be reported, and the endorsement made of such change, as is herein required, such ship or vessel, found carrying on the coasting trade or fisheries, shall be subject to pay the same fees and tonnage, as a vessel of the United States, having a register, and the said new master shall forfeit and pay the sum of ten dollars.

Proceedings on change of masters of licensed vessels.

Forfeiture in case of neglect.

Sec. 13. *And be it further enacted*, That it shall be lawful, at all times, for any officer concerned in the collection of the revenue, to inspect the enrolment or license of any ship or vessel; and if the master of any such ship or vessel shall not exhibit the same, when thereunto required by such officer, he shall pay one hundred dollars.

By whom enrolments may be inspected.

Sec. 14. *And be it further enacted*, That the master or commander of every ship or vessel licensed for carrying on the coasting trade, destined from a district in one state, to a district in the same, or an adjoining state on the sea-coast, or on a navigable river, having on board, either distilled spirits in casks exceeding five hundred gallons, wine in casks exceeding two hundred and fifty gallons, or in bottles exceeding one hundred dozens, sugar in casks or boxes exceeding three thousand pounds, tea in chests or boxes exceeding five hundred pounds, coffee in casks or bags exceeding one thousand pounds, or foreign merchandise in packages, as imported, exceeding in value four hundred dollars, or goods, wares or merchandise, consisting of such enumerated or other articles of foreign growth or manufacture, or of both, whose aggregate value exceeds eight hundred dollars, shall, previous to the departure of such ship or vessel from the port where she may then be, make out and subscribe duplicate manifests of the whole of such cargo on board such ship or vessel, specifying in such manifests, the marks

Duty of masters of licensed coasting vessels, having on board distilled spirits, &c.

exceeding in value $800,

to make out duplicate manifests.

and numbers of every cask, bag, box, chest or package containing the same, with the name and place of residence of every shipper and consignee, and the quantity shipped by and to each, and if there be a collector or surveyor, residing at such port, or within five miles thereof, he shall deliver such manifests to the collector, if there be one, otherwise to the surveyor, before whom he shall swear or affirm, to the best of his knowledge and belief, that the goods therein contained were legally imported, and the duties thereupon paid or secured, or if spirits distilled within the United States, that the duties thereupon have been paid or secured, whereupon the said collector or surveyor shall certify the same on the said manifests, one of which he shall return to the said master, with a permit, specifying thereon, generally, the lading on board such ship or vessel, and authorizing him to proceed to the port of his destination. And if any ship or vessel, being laden and destined, as aforesaid, shall depart from the port where she may then be, without the master or commander having first made out and subscribed duplicate manifests of the lading on board such ship or vessel, and in case there be a collector or surveyor residing at such port, or within five miles thereof, without having previously delivered the same to the said collector or surveyor, and obtaining a permit, in manner as is herein required, such master or commander shall pay one hundred dollars.

1799, ch. 22.

Duty of masters of licensed coasting vessels having on board distilled spirits, &c.

Sec. 15. *And be it further enacted*, That the master or commander of every ship or vessel licensed for carrying on the coasting trade, having on board, either distilled spirits in casks exceeding five hundred gallons, wine in casks exceeding two hundred and fifty gallons, or in bottles exceeding one hundred dozens, sugar in casks or boxes exceeding three thousand pounds, tea in chests or boxes exceeding five hundred pounds, coffee in casks or bags exceeding one thousand pounds, or foreign merchandise in packages, as imported, exceeding in value four hundred dollars, or goods, wares or merchandise, consisting of such enumerated or other articles of foreign growth or manufacture, or of both, whose aggregate value exceeds eight hundred dollars, and arriving from a district in one state, at a district in the same or an adjoining state on the sea-coast, or on a navigable river, shall, previous to the unlading of any part of the cargo of such ship or vessel, deliver to the collector, if there be one, or if not, to the surveyor residing at the port of her arrival, or if there be no collector or surveyor residing at such port, then to a collector or surveyor, if there be any such officer, residing within five miles thereof, the manifest of the cargo, certified by the collector or surveyor of the district from whence she sailed (if there be such manifest), otherwise the duplicate manifests thereof, as is herein before directed, to the truth of which, before such officer, he shall swear or affirm. And if there have been taken on board such ship or vessel, any other or more goods, than are contained in such manifest or manifests, since her departure from the port from whence she first sailed, or if any goods have been since landed, the said master or commander shall make known and particularize the same to the said collector or surveyor, or if no such goods have been so taken on board or landed, he shall so declare, to the truth of which he shall swear or affirm: Whereupon, the said collector or surveyor shall grant a permit for unlading a part, or the whole of such cargo, as the said master or commander may request.—And if there be no collector or surveyor, residing at, or within five miles of the said port of her arrival, the master or commander of such ship or vessel may proceed to discharge the lading from on board such ship or vessel, but shall deliver to the collector or surveyor, residing at the first port, where he may next afterwards arrive, and within twenty-four hours of his arrival, the manifest or manifests aforesaid, noting thereon the times when, and places where, the goods therein mentioned have been unladen, to the truth of which, before the said last mentioned collector

1799, ch. 22.

or surveyor, he shall swear or affirm; and if the master or commander of any such ship or vessel, being laden as aforesaid, shall neglect or refuse to deliver the manifest or manifests, at the times, and in the manner, herein directed, he shall pay one hundred dollars.

Duty of masters of vessels destined from any district to other than a district in the same or an adjoining state.

Sec. 16. *And be it further enacted*, That the master or commander of every ship or vessel, licensed for carrying on the coasting trade, and being destined from any district of the United States, to a district other than a district in the same, or an adjoining state, on the sea-coast, or on a navigable river, shall, previous to her departure, deliver to the collector residing at the port where such ship or vessel may be, if there is one, otherwise to the collector of the district comprehending such port, or to a surveyor within the district, as the one or the other may reside nearest to the port at which such ship or vessel may be, duplicate manifests of the whole cargo on board such ship or vessel, or if there be no cargo on board, he shall so certify, and if there be any distilled spirits, or goods, wares and merchandise, of foreign growth or manufacture on board, other than what may, by the collector, be deemed sufficient for sea stores, he shall specify in such manifests, the marks and numbers of every cask, bag, box, chest or package, containing the same, with the name, and place of residence, of every shipper and consignee of such distilled spirits, or goods of foreign growth or manufacture, and the quantity shipped by, and to each, to be by him subscribed, and to the truth of which, he shall swear or affirm; and shall also swear or affirm before the said collector or surveyor, that such goods, wares, or merchandise, of foreign growth or manufacture, were, to the best of his knowledge and belief, legally imported, and the duties thereupon paid or secured; or if spirits distilled within the United States, that the duties thereupon have been duly paid or secured; upon the performance of which, and not before, the said collector or surveyor shall certify the same on the said manifests; one of which he shall return to the master, with a permit, thereto annexed, authorizing him to proceed to the port of his destination. And if any such ship or vessel shall depart from the port where she may then be, having distilled spirits, or goods, wares or merchandise, of foreign growth or manufacture on board, without the several things herein required, being complied with, the master thereof shall forfeit one hundred dollars; or if the lading be of goods, the growth or manufacture of the United States only, or if such ship or vessel have no cargo, and she depart, without the several things herein required, being complied with, the said master shall forfeit and pay fifty dollars.

Act of March 2, 1799, ch. 22.

Forfeiture on neglecting it.

Amount of forfeiture.

Masters of coasting vessels when and to whom to deliver manifests.

Sec. 17. *And be it further enacted*, That the master or commander of every ship or vessel, licensed to carry on the coasting trade, arriving at any district of the United States, from any district, other than a district in the same, or an adjoining state on the sea-coast, or on a navigable river, shall deliver to the collector residing at the port where she may arrive, if there be one, otherwise to the collector or surveyor in the district comprehending such port, as the one, or the other, may reside nearest thereto, if the collector or surveyor reside at a distance not exceeding five miles, within twenty-four hours, or if at a greater distance, within forty-eight hours next after his arrival; and previous to the unlading any of the goods brought in such ship or vessel, the manifest of the cargo (if there be any) certified by the collector or surveyor of the district from whence she last sailed, and shall make oath or affirmation, before the said collector or surveyor, that there was not when he sailed from the district where his manifest was certified, or has been since, or then is, any more, or other goods, wares or merchandise of foreign growth or manufacture, or distilled spirits (if there be any, other than sea stores, on board such vessel) than is therein mentioned; and if there be no such goods, he shall so swear or affirm; and if there be no cargo on board, he shall produce the certificate of the collector or surveyor of

March 2, 1799, ch. 22.

under oath.

the district from whence she last sailed, as aforesaid, that such is the case: Whereupon such collector or surveyor shall grant a permit for unlading the whole, or part of such cargo (if there be any) within his district, as the master may request; and where a part only of the goods, wares and merchandise, of foreign growth or manufacture, or of distilled spirits, brought in such ship or vessel, is intended to be landed, the said collector or surveyor shall make an endorsement of such part, on the back of the manifest, specifying the articles to be landed; and shall return such manifest to the master, endorsing also thereon, his permission for such ship or vessel to proceed to the place of her destination; and if the master of such ship or vessel shall neglect or refuse to deliver the manifest, (or if she has no cargo, the certificate) within the time herein directed, he shall forfeit one hundred dollars, and the goods, wares and merchandise of foreign growth or manufacture, or distilled spirits, found on board, or landed from such ship or vessel, not being certified, as is herein required, shall be forfeited, and if the same shall amount to the value of eight hundred dollars, such ship or vessel, with her tackle, apparel and furniture, shall be also forfeited.

And obtain permits for unlading.

In what cases masters of vessels may be exempt from delivering manifests.

Sec. 18. *And be it further enacted*, That nothing in this act contained shall be so construed, as to oblige the master or commander of any ship or vessel, licensed for carrying on the coasting trade, bound from a district in one state, to a district in the same, or an adjoining state on the sea-coast, or on a navigable river, having on board goods, wares or merchandise, of the growth, product or manufactures of the United States only (except distilled spirits) or distilled spirits, not more than five hundred gallons, wine in casks not more than two hundred and fifty gallons, or in bottles not more than one hundred dozens, sugar in casks or boxes not more than three thousand pounds, tea in chests or boxes not more than five hundred pounds, coffee in casks or bags not more than one thousand pounds, or foreign merchandise in packages, as imported, of not more value than four hundred dollars, or goods, wares or merchandise, consisting of such enumerated or other articles of foreign growth or manufacture, or of both, whose aggregate value shall be not more than eight hundred dollars, to deliver a manifest thereof, or obtain a permit, previous to her departure, or on her arrival within such district, to make any report thereof; but such master shall be provided with a manifest, by him subscribed, of the lading, of what kind soever, which was on board such ship or vessel, at the time of his departure from the district from which she last sailed, and if the same, or any part of such lading, consists of distilled spirits, or goods, wares, or merchandise, of foreign growth or manufacture, with the marks and numbers of each cask, bag, box, chest or package, containing the same, with the name of the shipper and consignee of each; which manifest shall be by him exhibited, for the inspection of any officer of the revenue, when, by such officer, thereunto required; and shall also inform such officer, from whence such ship or vessel last sailed, and how long she has been in port, when by him so interrogated. And if the master of such ship or vessel shall not be provided, on his arrival within any such district, with a manifest, and exhibit the same, as is herein required, if the lading of such ship or vessel consist wholly of goods, the produce or manufacture of the United States (distilled spirits excepted) he shall forfeit twenty dollars, or if there be distilled spirits, or goods, wares, or merchandise, of foreign growth or manufacture, on board, excepting what may be sufficient for sea stores, he shall forfeit forty dollars; or if he shall refuse to answer the interrogatories truly, as is herein required, he shall forfeit the sum of one hundred dollars. And if any of the goods laden on board such ship or vessel, shall be of foreign growth or manufacture, or of spirits distilled within the United States, so much of the same as may be found on board such ship or vessel, and which shall

In others how to be provided with them.

Forfeiture on neglect thereof.

not be included in the manifest exhibited by such master, shall be forfeited.

Collector of Pennsylvania may grant permits for transporting foreign goods to Maryland across the state of Delaware, and to Virginia.

Also to New York across New Jersey.

So also the collector of New York to goods to cross New Jersey, under what regulations.

Sec. 19. *And be it further enacted*, That it shall and may be lawful for the collector of the district of Pennsylvania, to grant permits for the transportation of goods, wares or merchandise, of foreign growth or manufacture, across the state of New Jersey, to the district of New York, or across the state of Delaware, to any district in the state of Maryland or Virginia; and for the collector of the district of New York, to grant like permits for the transportation across the state of New Jersey; and for the collector of any district of Maryland or Virginia, to grant like permits for the transportation across the state of Delaware, to the district of Pennsylvania: *Provided*, That every such permit shall express the name of the owner, or person sending such goods, and of the person or persons, to whom such goods shall be consigned, with the marks, numbers and description of the packages, whether bale, box, chest or otherwise, and the kind of goods contained therein, and the date, when granted; and the owner, or person sending such goods, shall swear or affirm, that they were legally imported, and the duties thereupon paid or secured: *And provided also*, That the owner or consignee of all such goods, wares and merchandise, shall, within twenty-four hours after the arrival thereof, at the place to which they were permitted to be transported, report the same, to the collector of the district where they shall so arrive, and shall deliver up the permit accompanying the same, and if the owner or consignee aforesaid, shall neglect or refuse to make due entry of such goods, within the time, and in the manner, herein directed, all such goods, wares and merchandise shall be subject to forfeiture; and if the permit granted shall not be given up, within the time limited for making the said report, the person or persons to whom it was granted, neglecting or refusing to deliver it up, shall forfeit fifty dollars for every twenty-four hours it shall be withheld afterwards: *Provided*, That where the goods, wares and merchandise, to be transported in manner aforesaid, shall be of less value than eight hundred dollars, the said oath and permit shall not be deemed necessary, nor shall the owner or consignee be obliged to make report to the collector of the district where the said goods, wares and merchandise shall arrive.

Owner or consignee to report the same to the collector.

Registered vessels employed in going from district to district subject to regulations in sec. 16 and 17 of this act.

Sec. 20. *And be it further enacted*, That when any ship or vessel of the United States, registered according to law, shall be employed in going from any one district in the United States, to any other district, such ship or vessel, and the master or commander thereof, with the goods she may have on board, previous to her departure from the district, where she may be, and also, upon her arrival in any other district, shall be subject (except as to the payment of fees) to the same regulations, provisions, penalties and forfeitures, and the like duties are imposed on like officers, as is provided by the sixteenth and seventeenth sections of this act, for ships or vessels licensed for carrying on the coasting trade: *Provided however*, that nothing herein contained, shall be construed to extend to registered ships or vessels of the United States, having on board goods, wares and merchandise of foreign growth or manufacture, brought into the United States in such ship or vessel from a foreign port, and on which the duties have not been paid or secured, according to law.

Proviso.

Duty of masters of ships licensed for carrying on the fishery, intending to touch at a foreign port.

Sec. 21. *And be it further enacted*, That when any ship or vessel, licensed for carrying on the fishery, shall be intended to touch and trade at any foreign port or place, it shall be the duty of the master, commander, or owner, to obtain permission for that purpose, from the collector of the district where such ship or vessel may be, previous to her departure, and the master or commander of every such ship or vessel, shall deliver like manifests, and make like entries, both of the ship or vessel, and of the goods, wares, or merchandise on board, within the

same time, and under the same penalty, as by the laws of the United States, are provided for ships or vessels of the United States arriving from a foreign port. And if any ship or vessel, licensed for carrying on the fisheries, shall be found within three leagues of the coast, with goods, wares, or merchandise of foreign growth or manufacture, exceeding the value of five hundred dollars, without having such permission, as is herein directed, such ship or vessel, together with her goods, wares, or merchandise of foreign growth or manufacture imported therein, shall be subject to seizure and forfeiture.

Masters of vessels transporting goods from district to district, to report themselves within 24 hours after arrival.

Sec. 22. *And be it further enacted*, That the master or commander of every ship or vessel, employed in the transportation of goods from district to district, that shall put into a port, other than the one to which she was bound, shall, within twenty-four hours of his arrival, if there be an officer residing at such port, and she continue there so long, make report of his arrival, to such officer, with the name of the place he came from, and to which he is bound, with an account of his lading; and if the master of such ship or vessel shall neglect or refuse to do the same, he shall forfeit twenty dollars.

Duty of collectors on masters of vessels having lost their manifests.

To take bond for foreign duties.

Sec. 23. *And be it further enacted*, That if the master or commander of any ship or vessel, employed in the transportation of goods, from district to district, having on board goods, wares, or merchandise of foreign growth or manufacture, or distilled spirits, shall, on his arrival at the port to which he was destined, have lost or mislaid the certified manifest of the same, or the permit which was given therefor, by the collector or surveyor of the district from whence he sailed, the collector of the district where he shall so arrive, shall take bond for the payment of the duties on such goods, wares and merchandise of foreign growth or manufacture, or distilled spirits, within six months, in the same manner, as though they were imported from a foreign country: *Provided however*, such bond shall be cancelled, if the said master shall deliver, or cause to be delivered to the collector taking such bond, and within the term therein limited for payment, a certificate from the collector or surveyor of the district, from whence he sailed, that such goods were legally exported in such ship or vessel, from such district.

Bond to be cancelled on certificate that said goods were legally imported.

Masters of vessels bound from district to district previously to deliver duplicate manifests to collector, &c.

Masters of foreign vessels.

Manifests on oath.

Forfeiture on neglect thereof.

Proviso.

Sec. 24. *And be it further enacted*, That the master or commander of every foreign ship or vessel, bound from a district in the United States, to any other district within the same, shall, in all cases, previous to her departure, from such district, deliver to the collector of such district, duplicate manifests of the lading on board such ship or vessel, if there be any, or if there be none, he shall declare that such is the case, and to the truth of such manifests or declaration, he shall swear or affirm, and also obtain a permit, from the said collector, authorizing him to proceed to the place of his destination. And the master or commander of every such ship or vessel, on his arrival within any district, from any other district, shall, in all cases, within forty-eight hours after his arrival, and previous to the unlading any goods from on board such ship or vessel, deliver to the collector of the district where he may have arrived, a manifest of the goods laden on board such ship or vessel, if any there be, or if in ballast only, he shall so declare, and to the truth of which manifest or declaration, he shall swear or affirm; and also, that such manifest contains an account of all the goods, wares, and merchandise which were on board such ship or vessel, at the time, or have been, since her departure from the place from whence she shall be reported last to have sailed; and he shall also deliver to such collector the permit which was given him from the collector of the district from whence he sailed. And if the master or commander of any such ship or vessel shall neglect or refuse complying with any of the requirements herein made, he shall forfeit one hundred dollars: *Provided always*, That no-

thing herein contained shall be construed as affecting the payment of tonnage, or any other requirements which such ships or vessels are now subject to by the present existing laws of the United States.

Enrolment, &c. by whom issued.

Sec. 25. *And be it further enacted*, That in every case, where the collector is, by this act, directed to grant any enrolment, license, certificate, permit, or other document, the naval officer residing at the port (if there be one) shall sign the same, and every surveyor who shall certify a manifest, or grant a permit, or who shall receive any certified manifest, or a permit as is provided for in this act, shall make monthly returns thereof, or sooner, if it can conveniently be made, to the collector of the district where such surveyor may reside.

Monthly returns to be made by the surveyors to the collector.

How vessels under twenty tons shall be admeasured, &c.

Sec. 26. *And be it further enacted*, That before any ship or vessel, of the burthen of five tons, and less than twenty tons, shall be licensed, the same admeasurement shall be made of such ship or vessel, and the same provisions observed relative thereto, as are to be observed in case of admeasuring ships or vessels to be registered or enrolled; but in all cases, where such ship or vessel, or any other licensed ship or vessel, shall have been once admeasured, it shall not be necessary to measure such ship or vessel anew, for the purpose of obtaining another enrolment or license, except such ship or vessel shall have undergone some alteration as to her burthen, subsequent to the time of her former license.

Revenue officers may go on board vessels without their districts.

Sec. 27. *And be it further enacted*, That it shall be lawful for any officer of the revenue, to go on board of any ship or vessel, whether she shall be within or without his district, and the same to inspect, search and examine, and if it shall appear, that any breach of the laws of the United States has been committed, whereby such ship or vessel, or the goods, wares and merchandise on board, or any part thereof, is, or are liable to forfeiture, to make seizure of the same.

Collector's duty in cases of seizure.

Names of the owners or consignees of ships or vessels or goods seized to be inserted in the advertisement.

Sec. 28. *And be it further enacted*, That in every case, where a forfeiture of any ship or vessel, or of any goods, wares or merchandise, shall accrue, it shall be the duty of the collector, or other proper officer, who shall give notice of the seizure of such ship or vessel, or of such goods, wares or merchandise, to insert in the same advertisement, the name or names, and the place or places of residence, of the person or persons, to whom any such ship or vessel, goods, wares and merchandise belonged, or were consigned, at the time of such seizure, if the same shall be known to him.

Forfeiture on recording enrolment, &c. contrary to this act.

Penalty on persons in office refusing or neglecting to do their duty.

Sec. 29. *And be it further enacted*, That every collector, who shall knowingly make any record of enrolment or license of any ship or vessel, and every other officer, or person, appointed by, or under them, who shall make any record, or grant any certificate, or other document whatever, contrary to the true intent and meaning of this act, or shall take any other, or greater fees, than are by this act allowed, or shall receive, for any service performed pursuant to this act, any reward or gratuity, and every surveyor, or other person appointed to measure ships or vessels, who shall wilfully deliver to any collector, or naval officer, a false description of any ship or vessel, to be enrolled or licensed, in pursuance of this act, shall, upon conviction of any such neglect or offence, forfeit to the United States five hundred dollars, and be rendered incapable of serving in any office of trust or profit, under the United States. And if any person, authorized and required by this act, in respect to his office, to perform any act or thing required by this act, shall wilfully neglect or refuse to do and perform the same, according to the true intent and meaning of this act, such person, on being duly convicted thereof, if not hereby subject to the penalty and disqualifications aforesaid, shall forfeit and pay the sum of five hundred dollars for the first offence, and a like sum for the second offence, and shall from thencefor-

ward, be rendered incapable of holding any office of trust or profit under the United States.

Penalties on swearing falsely. 1790, ch. 9, sec. 18.

Sec. 30. *And be it further enacted*, That if any person or persons shall swear, or affirm to any of the matters, herein required to be verified, knowing the same to be false, such person or persons shall suffer the like pains and penalties, as shall be incurred, by persons committing wilful and corrupt perjury. And if any person or persons shall forge, counterfeit, erase, alter or falsify any enrolment, license, certificate, permit, or other document, mentioned or required in this act, to be granted by any officer of the revenue, such person or persons, so offending, shall forfeit five hundred dollars.

On counterfeiting, or falsifying enrolment.

Penalty on obstructing the execution of this act.

Sec. 31. *And be it further enacted*, That if any person or persons shall assault, resist, obstruct, or hinder any officer in the execution of this act, or of any other act or law of the United States, herein mentioned, or of any of the powers or authorities vested in him by this act, or any other act or law, as aforesaid, all and every person and persons so offending, shall, for every such offence, for which no other penalty is particularly provided, forfeit five hundred dollars.

On transferring vessels to foreigners, &c.

Sec. 32. *And be it further enacted*, That if any licensed ship or vessel shall be transferred, in whole or in part, to any person, who is not, at the time of such transfer, a citizen of, and resident within, the United States, or if any such ship or vessel shall be employed in any other trade than that for which she is licensed, or shall be found with a forged or altered license, or one granted for any other ship or vessel, every such ship or vessel, with her tackle, apparel and furniture, and the cargo found on board her, shall be forfeited.

In what cases the lading on board of vessels shall be exempt from forfeiture.

Sec. 33. *Provided nevertheless, and be it further enacted*, That in all cases where the whole or any part of the lading, or cargo, on board any ship or vessel, shall belong bona fide to any person or persons other than the master, owner, or mariners of such ship or vessel, and upon which the duties shall have been previously paid or secured, according to law, shall be exempted from any forfeiture under this act, any thing therein contained to the contrary notwithstanding.

Fees allowed under this act.

Sec. 34. *And be it further enacted*, That the fees and allowances for the several duties and services, to be performed, in virtue of this act, shall be as follow; that is to say:

Fees for admeasuring ships or vessels.

For admeasuring every ship or vessel, in order to the enrolment, or licensing and recording the same, if of the burthen of five tons, and less than twenty tons, fifty cents; if of twenty tons, and not exceeding seventy tons, seventy-five cents; if above seventy tons, and not exceeding one hundred tons, one hundred cents; if above one hundred tons, one hundred and fifty cents:

For every certificate of enrolment, fifty cents:

For every endorsement on a certificate of enrolment, twenty cents:

For every license, and granting the same, including the bond, if not exceeding twenty tons, twenty-five cents; if above twenty, and not more than one hundred tons, fifty cents; and if more than one hundred tons, one hundred cents:

For every endorsement on a license, twenty cents:

For certifying manifests, and granting a permit for a licensed vessel to proceed from district to district, twenty-five cents, if less than fifty tons, and if above fifty tons, fifty cents:

For receiving a certified manifest, and granting a permit, on the arrival of such vessel, twenty-five cents, if less than fifty tons, and if above fifty tons, fifty cents:

For certifying manifests, and granting a permit for a registered vessel to proceed from district to district, one hundred and fifty cents:

For receiving a certified manifest, and granting a permit, on the arrival of such registered vessel, one hundred and fifty cents:

For granting a permit for a vessel, not belonging to a citizen or citizens of the United States, to proceed from district to district, and receiving the manifest, two hundred cents:

For receiving a manifest, and granting a permit, to unload, for such last mentioned vessel, on her arrival in one district, from another district, two hundred cents:

For granting a permit for a vessel carrying on the fishery, to trade at a foreign port, twenty-five cents, and for the report and entry of any foreign goods imported in such vessel, twenty-five cents.

Disposal of fees under this act.

And where a surveyor shall certify a manifest, or grant a permit, or receive a certified manifest and grant a permit, the fees arising therefrom, shall be received by him solely for his use. And all other fees arising, by virtue of this act, shall be received, and accounted for, by the collector, or, at his option, by the naval officer, where there is one, and where there is a collector, naval officer, and surveyor, shall be equally divided, monthly, between the said officers; and where there is no naval officer, two thirds to the collector, and the other third to the surveyor; and where there is only a collector, he shall receive the whole amount thereof; and where there is more than one surveyor in any district, each of them shall receive his proportionable part of such fees, as shall arise in the port, for which he is appointed: *Provided always*, That in all cases, where the tonnage of any ship or vessel shall be ascertained, by any person appointed for that purpose, such person shall be paid a reasonable compensation therefor, out of the fees aforesaid, before any distribution thereof, as aforesaid; and every collector and naval officer, and every surveyor, who shall reside at a port where there is no collector, shall cause to be affixed, and constantly kept, in some conspicuous place of his office, a fair table of the rates of fees, demandable by this act.

Persons employed to ascertain tonnage of vessels to be paid before distribution of fees.

Table of fees.

Penalties and forfeitures how sued for and recovered.

1790, ch. 35.

Sec. 35. *And be it further enacted*, That all penalties and forfeitures, which shall be incurred by virtue and force of this act, shall and may be sued for, prosecuted and recovered, in like manner, as penalties and forfeitures, incurred by virtue of the act, intituled "An act to regulate the collection of the duties imposed by law on goods, wares and merchandise imported into the United States, and on the tonnage of ships or vessels," may be sued for, prosecuted and recovered, and shall be appropriated in like manner: *Provided always*, That if any officer, entitled to a part or share of any such penalty or forfeiture, shall be necessary as a witness on the trial for such penalty or forfeiture, such officer may be a witness upon the said trial; but in such case, he shall not receive, or be entitled to any part or share of the said penalty or forfeiture, and the part or share to which he would otherwise have been entitled, shall accrue to the United States.

When this act shall be in force, and certain other acts repealed.

Act 1789 ch. 11, sec. 22, repealed with exceptions.

1789, ch. 22.

Sec. 36. *And be it further enacted*, That this act shall commence, and take effect, from and after the last day of May next, and thenceforth, the act, intituled "An act for registering and clearing vessels, regulating the coasting trade, and for other purposes," and also, the act, intituled "An act to explain and amend an act, intituled An act for registering and clearing vessels, regulating the coasting trade, and for other purposes," shall be repealed, and cease to operate, except as to the validity of the registers, records, enrolments and licenses, with the certificates and documents, which shall have been done or granted, in pursuance of those acts, prior to the first day of June next, which shall continue to be of the like force and effect, as if the said acts were not repealed; and except also, as to the prosecution, recovery and distribution of, and for fines, penalties and forfeitures, which may have been incurred, prior to the first day of June next, for which purpose likewise, the said acts shall continue in force.

Sec. 37. *And be it further enacted*, That nothing in this act, shall be

Nothing herein to extend to boats, &c.

construed to extend to any boat or lighter, not being masted, or if masted, and not decked, employed in the harbor of any town or city.

Approved, February 18, 1793.

Statute II.

Feb. 18, 1793.

Chap. IX.—*An Act providing compensation to the President and Vice President of the United States.*

Act of Sept. 24, 1789, ch. 19.

Compensation to the President and Vice President.

$25,000 per annum to the President, and $5000 to the Vice President.

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 in the present year, the compensation of the President of the United States shall be at the rate of twenty-five thousand dollars per annum, with the use of the furniture and other effects belonging to the United States, and now in possession of the President: And that of the Vice President, at the rate of five thousand dollars per annum, in full for their respective services, to be paid quarter-yearly, at the treasury.

Approved, February 18, 1793.

Statute II.

Feb. 21, 1793.

Chap. X.—*An Act to repeal part of a resolution of Congress of the twenty-ninth of August, one thousand seven hundred and eighty-eight, respecting the inhabitants of Post Saint Vincents.*

Inhabitants of Post St. Vincents relieved from expense of certain surveys.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the resolution of Congress of the twenty-ninth of August, one thousand seven hundred and eighty-eight, as requires the French and Canadian inhabitants, and other settlers at Post Saint Vincents, to pay for the survey of the several tracts, which they rightfully claimed, and which had been allotted to them, according to the laws and usages of the government, under which they had settled, be, and hereby is repealed: And that such surveys thereof, as may have been made, be paid for by the United States, not exceeding the rates hitherto established by Congress for making surveys.

Approved, February 21, 1793.

Statute II.

Feb. 21, 1793.

Chap. XI.—*An Act to promote the progress of useful Arts; and to repeal the act heretofore made for that purpose.*(a)

Act of 1790, ch. 7.

Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That when any person or persons, being a citizen or citizens of the United States, shall

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(a) Laws passed relating to patents for useful inventions: An act to extend the privilege of obtaining patents for useful discoveries and inventions to certain persons therein mentioned, and to enlarge and define the penalties for violating the rights of patentees, April 17, 1800, chap. 25; an act to extend the jurisdiction of the Circuit Courts of the United States, in cases arising under the law relating to patents, February 15, 1819, chap. 19; an act supplementary to the act entitled "An act to promote the progress of useful arts," June 7, 1794, chap. 58; an act concerning patents for useful inventions, July 3, 1832, chap. 162; an act concerning the issuing of patents to aliens for useful discoveries and inventions, passed July 13, 1832, chap. 203; an act to promote the progress of the useful arts, and to repeal all acts and parts of acts heretofore made on that subject, July 4, 1836, chap. 257; an act in addition to the act to promote the progress of science and useful arts, March 3, 1837, chap. 43; an act in addition to the act to promote the progress of the useful arts, and to repeal all acts and parts of acts, heretofore made for the purpose, August 29, 1842, chap. 263.

Decisions of the courts of the United States on the acts of Congress relating to patents for useful inventions.—Patents for useful inventions.

The forms and subjects of Patents.—Invention or Discovery,—the Specification or Description.—Under the 6th section of the patent law of February 21, 1793, if the thing secured by patent has been in use, or has been described in a public work, anterior to the supposed discovery, the patent is void, whether the patentee had a knowledge of this previous use or not. Evans *v.* Eaton, 3 Wheat. 454; 4 Cond. Rep. 291.

A party cannot entitle himself to a patent for more than his own invention; and if a patent be for the