recovery of any duties or penalties, which shall have accrued, and remain unpaid; any thing in the last section of the act of the last session, intituled "An act making further provision for the support of public credit, and for the redemption of the public debt," to the contrary notwithstanding: And that this act shall continue in force, until the last day of August, in the year one thousand eight hundred and one, and no longer.

1795, ch. 45.

Limitation of this act.

Approved, May 28, 1796.

Statute I.

May 28, 1796.

[Expired.]

Chap. XXXVIII.—*An Act for the relief of persons imprisoned for Debt.*

1798, ch. 50. 1792, ch. 29.

Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That persons imprisoned on process issuing from any court of the United States in civil actions, shall be entitled to like privileges of the yards or limits of the respective gaols, as persons confined in like cases, on process from the courts of the respective states, are entitled to, and under the like regulations and restrictions.

Privileges of persons imprisoned in civil actions under U. States.

Oath to be administered to them.

Sec. 2. *And be it further enacted,* That any person imprisoned as aforesaid, may have the oath or affirmation herein after expressed, administered to him by any judge of the United States; and in case there shall be no judge of the United States residing within twenty miles of the gaol wherein such debtor may be confined, such oath or affirmation may be administered by any two persons, who may be commissioned for that purpose by the judge of the district court of the United States within whose jurisdiction the debtor may be confined; the creditor, his agent or attorney, if either live within one hundred miles of the place of imprisonment, or within the district in which the judgment was rendered, having had at least thirty days previous notice by a citation served on him, issued by the district judge to appear at the time therein mentioned at the said gaol, if he see fit, to shew cause, why the said oath or affirmation should not be so administered: at which time and place, if no sufficient cause, in the opinion of the judge, (or the commissioners appointed as aforesaid) be shewn, or doth, from examination, appear to the contrary, he (or they) may, at the request of the debtor, proceed to administer to him the following oath or affirmation, as the case may be, viz: "You, , solemnly swear (or affirm) that you have not estate, real or personal, nor is any, to your knowledge, holden in trust for you, (necessary wearing apparel excepted) to the amount or value of thirty dollars, nor sufficient to pay the debt for which you are imprisoned." Which oath or affirmation being administered, the judge or commissioners shall certify the same under his or their hands to the prison keeper, and the debtor shall be discharged from his imprisonment on such judgment, and shall not be liable to be imprisoned again for the said 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. And whenever the oath aforesaid shall be administered by commissioners, in addition to the certificate by them made and delivered to the prison keeper, they shall make return of their doings to the district court with the commission to them issued to be kept upon the files and records of the same court.

Oath to be administered to persons imprisoned for debt, and by whom.

Penalty on swearing falsely.

Sec. 3. *And be it further enacted,* That if any person shall falsely take the oath or affirmation aforesaid, such person shall be deemed guilty of perjury, and upon conviction thereof, shall suffer the pains and penalties in that case provided. And the court, upon the motion of the creditor, shall recommit the debtor to the prison from whence he was liberated, there to be detained for the said debt, in the same manner as if such oath or affirmation had not been taken.

1794, ch. 34.

Sec. 4. *And be it further enacted,* That the act, entitled "An act

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to continue in force the act for the relief of persons imprisoned for debt," be and the same is hereby repealed.

Former act repealed.

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

Limitation of this act for three years.

Approved, May 28, 1796.

Statute I.

May 30, 1796.

Chap. XXXIX.—*An Act to ascertain and fix the Military Establishment of the United States.*

[Repealed.]

Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the military establishment of the United States, from and after the last day of October next, be composed of the corps of artillerists and engineers, as established by the act, intituled "An act providing for raising and organizing a corps of artillerists and engineers;" two companies of light dragoons, who shall do duty on horse or foot, at the discretion of the President of the United States; and four regiments of infantry, of eight companies each; the company of dragoons shall consist of one captain, two lieutenants, one cornet, four sergeants, four corporals, one farrier, one saddler, one trumpeter, and fifty-two privates; and shall be armed and accoutred in such manner as the President of the United States may direct.

Military establishment after 31st of October next.

Page 507, post.

1794, ch. 24.

Sec. 2. *And be it further enacted*, That each regiment of infantry shall consist of one lieutenant colonel commandant, two majors, one adjutant, one paymaster, one quartermaster, one surgeon, two surgeon's mates, eight captains, eight lieutenants, eight ensigns, two sergeant majors, two quartermaster-sergeants, two senior musicians, thirty-two sergeants, thirty-two corporals, sixteen musicians, and four hundred and sixteen privates: *Provided always*, that the President of the United States may, in his discretion, appoint an additional number of surgeon's mates, not exceeding ten, and distribute the same, according to the necessity of the service.

Number of officers and men to each regiment of infantry.

Page 507, post.

Sec. 3. *And be it further enacted*, That there shall be one major-general, with two aids-de-camp, one brigadier-general, who may choose his brigade-major from the captains or subalterns of the line; which brigade-major shall receive the monthly pay of twenty-four dollars, in addition to his pay in the line, be entitled to four rations of provisions, for his daily subsistence; and whenever forage shall not be furnished by the public, to ten dollars per month in lieu thereof: one quartermaster-general; one inspector, who shall do the duty of adjutant-general; and one paymaster-general: and that the adjutants, quartermasters and paymasters of regiments shall be appointed from the subalterns of their respective regiments.

To be one major general with two aids, &c.

Allowance to certain officers in addition to their pay in the line.

Page 507, post.

Sec. 4. *And be it further enacted*, That the President of the United States cause to be arranged, the officers, non-commissioned officers, privates and musicians of the legion of the United States, and light dragoons, in such manner, as to form and complete out of the same, the four regiments aforesaid, and two companies of light dragoons: And the supernumerary officers, privates and musicians shall be considered, from and after the last day of October next, discharged from the service of the United States.

President of the U. States to cause to be arranged the legion and light dragoons.

Supernumeraries to be discharged on 31st October next.

Sec. 5. *And be it further enacted*, That the corps of artillerists and engineers be completed, conformably to the act of the eighth day of May, one thousand seven hundred and ninety-four, establishing the same, and prescribing the number and term of enlistments, and the method of organization.

Artillerists and engineers to be completed.

Sec. 6. *And be it further enacted*, That the commissioned officers, who shall be employed in the recruiting service, to keep up, by enlistments, the corps of artillerists, infantry and dragoons aforesaid, shall be

Two dollars allowance to each recruit.