before appropriated, to make and complete, at the discretion of the President of the United States, the fortifications heretofore directed for certain ports and harbors, and to erect fortifications in any other place or places as the public safety shall require, in the opinion of the President of the United States; and which other fortifications he is hereby authorized to cause to be erected, under his direction from time to time as he shall judge necessary.

States erecting or completing fortifications to be credited on account of balances reported against them.

Sec. 2. *And be it further enacted*, That where any state, which was found indebted to the United States, by the report of the commissioners for settling the accounts between the United States, and the individual states, shall, with the approbation of the President of the United States, proceed to finish or complete any fortification heretofore commenced by such state, for the defence of any port or harbor within the same, or shall, under the direction of the President of the United States, make and erect any additional fortifications, pursuant to the act, intituled "An act to provide for the further defence of the ports and harbors within the United States," as well the previous expenditures made since the twentieth day of March, one thousand seven hundred and ninety-four, which shall be approved by the President of the United States, as the expenditures which have been, or which shall be directed by him, shall be allowed and credited to such state, on account of the balance found and reported, as aforesaid: *Provided*, that no expenditure exceeding the balance found and reported against the respective state, shall be allowed as aforesaid; and provided, that the fortifications for which the whole, or any part of the expenditure, shall be so allowed and credited as aforesaid, with their privileges and appurtenances, shall be, and shall be declared and established as the property of the United States, while maintained by them.

1797, ch. 3.

Proviso.

Part of former act repealed. 1797, ch. 3.

Sec. 3. *And be it further enacted*, That these words of the said act, intituled "An act for the further defence of the ports and harbors of the United States," that is to say, "Provided, the said states shall, and do cede to the United States, the lands or places on which such fortifications shall be so erected, in cases where the lands are the property of such states," shall be, and the same are hereby repealed.

Approved, May 3, 1798.

Statute II.

May 4, 1798.

[Obsolete.]

Chap. XXXVIII.—*An Act to enable the President of the United States to procure Cannon, Arms and Ammunition, and for other purposes.*

Appropriation to purchase cannon, small arms, &c.

Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That a sum not exceeding eight hundred thousand dollars, shall be, and hereby is appropriated, and shall and may be paid out of any monies not before appropriated, under the direction of the President of the United States, to purchase, as soon as may be, a sufficient number of cannon, also a supply of small arms, and of ammunition and military stores, to be deposited, and used, as will be most conducive to the public safety and defence, at the discretion of the President of the United States.

President may establish foundries and armouries.

Sec. 2. *And be it further enacted*, That the President of the United States be, and he is hereby authorized, in case he shall find it impracticable, to procure by purchase, with certainty and dispatch proportionate to the necessities of the public service, the cannon and arms hereby required, and any considerable part thereof shall be likely to be deficient, to take, by lease, for a term of years, or by sale in fee, to the United States, one or more suitable place or places where cannon or small arms may be advantageously cast and manufactured, and shall and may there establish founderies and armouries for the manufacture of the same, respectively, and shall cause suitable artisans and laborers to be there

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

employed for account of the United States; and shall and may appoint one or more persons to superintend the said works, under the direction of the department of war. And an account of the expenditures which shall be incurred in forming and employing these establishments; and of the cannon and arms which shall be cast and manufactured therein respectively, shall be laid before the Congress of the United States at their next session, and annually thereafter, so long as the same shall be continued.

Accounts to be laid before Congress respecting the same.

Sec. 3. *And be it further enacted*, That the sum of one hundred thousand dollars shall be and hereby is appropriated, and shall be paid out of any monies not before appropriated, for the hire, purchase and employ of the said founderies and armouries, respectively, in case such establishments shall be found necessary, as hereinbefore provided.

Appropriation for the foundries and armouries.

Approved, May 4, 1798.

Statute II.

May 4, 1798.

Chap. XXXIX.—*An Act to authorize the President of the United States to cause to be purchased, or built, a number of small vessels to be equipped as gallies, or otherwise.*

[Obsolete.]

Section 1. *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, if the same shall appear to him necessary for the protection of the United States, to cause a number of small vessels, not exceeding ten to be built, or purchased, and to be fitted out, manned, armed and equipped as gallies, or otherwise, in the service of the United States, the officers and men to be on the same pay, and to receive the same subsistence, as officers of the same rank and men are entitled to, in the navy of the United States.

President may provide ten gallies.

Post, p. 561.

Sec. 2. *And be it further enacted*, That the said officers shall be appointed and commissioned by the President of the United States alone during the recess of the Senate; and the said gallies or vessels shall be stationed in such parts of the United States, as he may direct.

Officers may be appointed by the President in the recess—employment of the gallies.

Sec. 3. *And be it further enacted*, That there be appropriated for the purpose aforesaid, the sum of eighty thousand dollars, out of any monies in the treasury not otherwise appropriated.

Appropriation.

Approved, May 4, 1798.

Statute II.

May 8, 1798.

Chap. XLI.—*An Act directing the payment of a detachment of Militia, for services performed in the year one thousand seven hundred and ninety-four, under Major James Ore.*

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers be, and they are hereby authorized to settle the accounts of the militia who served on an expedition commanded by Major James Ore, against the lower Cherokee Indians, in the year one thousand seven hundred and ninety-four; and that the same be paid out of any monies in the treasury, not otherwise appropriated.

Approved, May 8, 1798.

Statute II.

May 8, 1798.

Chap. XLII.—*An Act, to continue in force, a part of an act respecting the compensation to the Officers and Mariners of the Revenue Cutters.*

[Obsolete.]

Ante, p. 461.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of an act passed the sixth day of May, one thousand seven hundred and ninety-six, intituled "An act making further provision relative to the revenue