usage of the states, respectively, as to their own laws, or according to such laws of the states, respectively, as may be provided for the purpose.

Constitution and amendments to be printed.

Sec. 3. *And be it further enacted*, That the Secretary of State shall cause a copy of the constitution of the United States, and of the amendments which have been made thereto, to be added to each copy of the laws of the present session of Congress, which is to be printed.

Part of former act repealed.

1789, ch. 14.

Sec. 4. *And be it further enacted*, That so much of the second section of the act, intituled "An act to provide for the safe keeping of the acts, records and seal of the United States," as relates to the publishing the laws, orders, resolutions and votes passed by Congress, in the public newspapers, be, and the same is hereby repealed.

Approved, March 2, 1799.

Statute III.

March 2, 1799.

Chap. XXXI.—*An Act giving eventual authority to the President of the United States to augment the Army.*

Repealed 1802, ch. 9.

In case of war or danger of invasion an additional force may be raised.

Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That it shall be lawful for the President of the United States, in case war shall break out between the United States and a foreign European power, or in case imminent danger of invasion of their territory by any such power shall, in his opinion, be discovered to exist, to organize and cause to be raised in addition to the other military force of the United States, twenty-four regiments of infantry, a regiment and a battalion of riflemen, a battalion of artillerists and engineers, and three regiments of cavalry, or such part thereof as he shall judge necessary; the non-commissioned officers and privates of which to be enlisted for a term not exceeding three years, and to be entitled each to a bounty of ten dollars—one half to be paid at the time of enlistment, and the remainder at the time of joining the regiment to which they may belong.

How the officers may be appointed.

Sec. 2. *And be it further enacted*, That the President of the United States be authorized, whenever it shall appear to him expedient, if during the session of the Senate, with their advice and consent, if, in their recess, alone, to appoint and commission all officers for the said troops, agreeably to the rules and regulations prescribed by law for the military establishment: *Provided*, that the general and field officers who may be appointed in the recess of the Senate, shall, at the next meeting thereof, be nominated and submitted to them for their advice and consent.

Pay and emoluments to which the new levies shall be entitled.

Sec. 3. *And be it further enacted*, That the officers, non-commissioned officers and privates of the troops, which may be organized and raised pursuant to this act, shall be entitled to the like pay, clothing, rations, forage and other emoluments, and to the like compensation in case of disability by wounds or otherwise, incurred in the service, as the officers, non-commissioned officers and privates of other troops of correspondent denominations, composing the army of the United States; and with them shall be subject to the rules and articles of war, and to all other regulations for the discipline and government of the army: *Provided*, that no officer, except captains and subalterns who may be employed in the recruiting service, shall be entitled to any pay or other emolument until he shall be called into actual service.

To what rules they shall be subject.

Proviso.

The laws respecting the military establishment to be in force in relation to them.

Sec. 4. *And be it further enacted*, That the laws of the United States respecting the regulations and emoluments of recruiting officers, punishment of persons who shall procure or entice a soldier to desert, or shall purchase his arms, uniform, clothing, or any part thereof, and the punishment of every commanding officer of every ship or vessel who shall receive on board his ship or vessel, as one of his crew, knowing him to have deserted, or otherwise carry away any soldier, or refuse to

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deliver him up to the orders of his commanding officer; and the law respecting the oath or affirmation to be taken by officers, non-commissioned officers, musicians and privates; and respecting the inserting of conditions in the enlistments; and all other laws respecting the military establishment of the United States, excepting in such cases where different and specific regulations are made by this act, shall be in force, and apply to all persons, matters and things within the intent and meaning of this act, in the same manner as they would were they inserted at large in the same.

The President may discharge them.

Sec. 5. *And be it further enacted*, That it shall be lawful for the President of the United States, at his discretion, to discharge the whole or any part of the troops which may be raised by virtue of this act, whensoever he shall think fit.

The volunteers may be organized.

1798, ch. 47.

Sec. 6. *And be it further enacted*, That the President of the United States be authorized to organize all such companies of volunteers, as have been or shall be accepted by him, pursuant to the act, entitled "An act authorizing the President of the United States to raise a provisional army," into regiments, brigades and divisions, and to appoint all officers thereof, agreeably to the organization prescribed by law for the army of the United States: And the said volunteers shall not be compelled to serve out of the state in which they reside, a longer time than three months after their arrival at the place of rendezvous.

Proviso.

For what purposes the volunteers may be employed.

1795, ch. 36.

Sec. 7. *And be it further enacted*, That it shall be lawful for the President of the United States to call forth and employ the said volunteers in all the cases, and to effect all the purposes for which he is authorized to call forth and employ the militia by the act, entitled "An act to provide for calling forth the militia, to execute the laws of the Union, suppress insurrections, and repeal invasions, and to repeal the act now in force for these purposes."

Proportion of volunteers from each state limited.

Sec. 8. *And be it further enacted*, That it shall not be lawful for the President of the United States to accept a greater number of the said volunteers in any of the states, or territories of the United States, than is hereinafter apportioned to them respectively; that is to say: To New Hampshire, three thousand; to Massachusetts, ten thousand; to Rhode Island, one thousand; to Vermont, two thousand; to Connecticut, five thousand; to New York, seven thousand; to New Jersey, five thousand; to Pennsylvania, ten thousand; to Delaware, one thousand; to Maryland, five thousand; to Virginia, ten thousand; to Kentucky, one thousand; to North Carolina, seven thousand; to Tennessee, one thousand; to South Carolina, four thousand; to Georgia, fifteen hundred; to North Western Territory, one thousand: and to Mississippi territory, five hundred.

Appropriation for the purposes of this act, and authority to borrow money.

Sec. 9. *And be it further enacted*, That for the execution of this act, if it shall be found necessary to carry it, or any part of it into effect, there be appropriated the sum of two millions of dollars, and that the President be authorized to borrow, on behalf of the United States, the said sum, or so much thereof as he shall deem necessary (which the Bank of the United States is hereby empowered to lend) and upon such terms and conditions as he shall judge most advantageous to the United States. *Provided*, That such terms and conditions shall not restrain the United States from paying off the sum which may be borrowed, after the expiration of fifteen years.

Certain duties pledged to redeem the loan.

Sec. 10. *And be it further enacted*, That so much as may be necessary of the surplus of the duties on imports and tonnage, beyond the permanent appropriations heretofore charged upon them by law, shall be, and hereby is pledged and appropriated for paying the interest of all such monies as may be borrowed pursuant to this act, according to the terms and conditions on which the loan or loans, respectively, may be effected; and also for paying, by discharging the principal sum or sums

of any such loan or loans, according to the terms and conditions to be fixed as aforesaid.

Limitation of the powers given in the first and second sections.

Sec. 11. *And be it further enacted*, That the powers, by the first and second sections of this act vested in the President of the United States, shall cease at the expiration of the session of Congress next ensuing the present, unless they shall be, by some future law, continued in force for a longer time.

Approved, March 2, 1799.

Statute III.

March 2, 1799.

Chap. XXXII.—*An Act providing for the security of Bail in certain cases.*

If a defendant giving bail in one district committed in another, the bail may be discharged.

Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in all cases where a defendant, who hath procured bail to respond the judgment in a suit brought against him in any of the courts of the United States, shall afterwards be arrested in any district of the United States, other than that in which the first suit was brought, and shall be committed to a gaol, the use of which shall have been ceded to the United States for the custody of prisoners, it shall be lawful for and the duty of any judge of the court, in which the suit is depending, wherein such defendant had so procured bail as aforesaid, at the request and for the indemnification of the bail, to order and direct that such defendant be held in the gaol to which he shall have been committed a prisoner, in the custody of the marshal, within whose district such gaol is, and upon the said order duly authenticated, being delivered to the said marshal, it shall be his duty to receive such prisoner into his custody, and him safely to keep, and the marshal shall thereupon be chargeable, as in other cases, for an escape. And the said marshal thereupon shall make a certificate, under his hand and seal, of such commitment, and transmit the same to the court from which such order issued; and shall also, if required, make a duplicate thereof, and deliver the same to such bail, his or their agent or attorney, and upon the said certificate being returned to the court which made the said order, it shall be lawful for the said court or any judge thereof, to direct that an exoneretur be entered upon the bail piece where special bail shall have been found, or otherwise to discharge such bail, and such bail shall thereupon accordingly be discharged.

Resolution of Sept. 23, 1789. Ante, p. 96.

Duty of the marshal.

His fees.

Sec. 2. *And be it further enacted*, That the marshal or his deputy, serving such order as foresaid, shall therefor receive the same fees and allowances as for the service of an original process commitment thereon to the gaol and the return thereof.

Defendant to be held until judgment in the first suit, &c.

Sec. 3. *And be it further enacted*, That in every case of commitment as aforesaid, by virtue of such order as aforesaid, the person so committed shall, unless sooner discharged by law, be holden in gaol until final judgment shall be rendered in the suit in which he procured bail as aforesaid, and sixty days thereafter, if such judgment shall be rendered against him, that he may be charged in execution, which may be directed to and served by the marshal in whose custody he is: *Provided always*, that nothing in this act contained shall affect any case wherein bail has been already given.

This act not to affect bail already given.

Approved, March 2, 1799.

Statute III.

March 2, 1799.

[Obsolete.]

Chap. XXXIII.—*An Act to grant an additional compensation, for the year one thousand seven hundred and ninety-nine, to certain officers of the Senate and House of Representatives of the United States.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be allowed to the secretary of the Senate and to the clerk of the House of Repre-