

Penalties.

Entrance in our ports of any officer of a foreign armed vessel committing a trespass or tort upon vessels of the U. States on the high seas forbidden.

If found in the U. States contrary to the interdiction, how to be dealt with.

To be liable to prosecution and punishment for other offences.

Collectors and marshals to be instructed touching the execution of this act.

This act may be given in evidence, &c.

Limited to two years, and to the end of the next succeeding session of Congress.

STATUTE II.

March 3, 1805.

[Expired.]

Owners, &c. of armed vessels bound to the W. Indies, &c. &c. to give bonds, &c. &c.

Arms, &c. &c. to be returned or otherwise accounted for.

person or persons so offending, shall forfeit and pay a sum not exceeding one thousand dollars, and shall also be liable to be bound to their good behaviour.

SEC. 6. *And be it further enacted*, That whensoever any officer of an armed vessel commissioned by any foreign power, shall on the high seas commit any trespass or tort, or any spoliation on board any vessel of the United States, or any unlawful interruption or vexation of trading vessels actually coming to or going from the United States, it shall be lawful for the President of the United States, on satisfactory proof of the facts, by proclamation to interdict the entrance of the said officer, and of any armed vessel by him commanded within the limits of the United States, and if at any time after such proclamation made, he shall be found within the limits of the United States, he shall be liable therefor to be arrested, indicted and punished by fine and imprisonment, in any court in the United States having competent jurisdiction, and it shall be a part of the sentence that he shall within such time after the payment of his fine and the expiration of his term of imprisonment, as the court shall direct, leave the United States, never to return. And if he shall return within the limits of the United States, after the passing of such sentence, or be found therein after the period limited by the court as aforesaid, he shall again be liable to be indicted, fined and imprisoned at the discretion of the court: *Provided always*, that if the said officer shall also have committed any other offence made punishable by this act, he shall be liable to prosecution and punishment; the provisions of this section to the contrary notwithstanding.

SEC. 7. *And be it further enacted*, That the President of the United States shall be, and he is hereby authorized and required to give, as soon as may be, after the passage of this act, to the collectors of the respective districts, and to such other persons as he may think proper, the necessary instructions for carrying this act into effect, particularly marking out the line of conduct to be observed by the marshal, and the several collectors in performing the duties enjoined by this act.

SEC. 8. *And be it further enacted*, That if any person shall be sued for any thing done in pursuance of, or in obedience to this act, he may plead the general issue and give this act in evidence, any law, custom or usage to the contrary, notwithstanding.

SEC. 9. *And be it further enacted*, That this act shall continue in force for the term of two years, and from thence to the end of the next session of Congress, and no longer.

APPROVED, March 3, 1805.

CHAP. XLII.—An Act to regulate the clearance of armed merchant vessels.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That after due notice of this act at the several custom-houses, no vessel owned in whole, or in part, by any citizen or citizens of the United States, or by any person or persons residing within the same, or the territories thereof, and armed, or provided with the means of being armed at sea, shall receive a clearance, or be permitted to leave the port where she may be so armed, or provided, for any island in the West Indies, or for any port or place situated on the continent of America, between Cayenne and the southern boundary of Louisiana, without bond with two sufficient sureties being given by the owner or owners, agent or agents, together with the master or commander, to the use of the United States, in a sum equal to double the value of said vessel, her arms, ammunition, tackle, apparel and furniture, conditioned that such arms and ammunition shall not be used for any unlawful purposes, but merely for resistance and defence,

in case of involuntary hostility; and that the guns, arms and ammunition of such vessel shall be returned within the United States, or otherwise accounted for, and shall not be sold or disposed of in any port or place in the West Indies; which bond may be sued for, and recovered with costs of suit, in the name and for the use of the United States, in any court competent to try the same.

SEC. 2. *And be it further enacted*, That no armed merchant vessel or vessel prepared for armament, owned as aforesaid, shall receive a clearance, or be permitted to depart from any port in the United States, for any port or place, other than those described in the first section of this act, unless the owner or owners, agent or agents, and the commander of such vessel shall make oath that such vessel is not bound, or intended to proceed to any island in the West Indies, or any port or place on the continent between Cayenne and the southern boundary of Louisiana, nor on the continent of America between Cayenne and the southern boundary of Louisiana, and also unless a bond be given by the owner or owners, agent or agents, and commander, in a sum equal to double the value of such vessel, her arms, tackle, apparel and furniture, to the use of the United States, conditioned that such vessel shall not proceed to any island in the West Indies, or port on the continent as aforesaid, unless compelled thereto by unavoidable accident; and if so compelled, that no part of the cargo of such vessel shall be sold except so much thereof as may be absolutely necessary to defray the expenses necessary to enable such vessel to proceed on her intended voyage.

SEC. 3. *And be it further enacted*, That if any armed vessel, as aforesaid, shall proceed to sea without a clearance, contrary to the provision of this act, such vessel, with her arms, ammunition, tackle, apparel and furniture, shall be forfeited to the use of the United States, and be liable to be seized, prosecuted and condemned; or the value thereof may be sued for, and recovered with costs of suit, of the owner or owners of such vessel, in any court of competent jurisdiction: and the collector within whose district such forfeiture shall accrue, is hereby enjoined to cause prosecutions for the same to be commenced without delay, and prosecuted to effect.

SEC. 4. *And be it further enacted*, That this act shall be in force until the end of the next session of Congress, and no longer.

APPROVED, March 3, 1805.

Bonds may be sued for and recovered, &c. &c.

Armed merchant vessels, &c. &c. not to proceed to any other ports than those described in the first section of this act, &c. &c.

Vessels going to sea, and armed as above, forfeited, if they depart from the U. States without the clearance prescribed in the last preceding section.

Collectors to cause prosecutions to be instituted, &c.

STATUTE II.

CHAP. XLIII.—*An Act supplementary to the act intituled "An act making provision for the disposal of the public lands in the Indiana territory, and for other purposes."* (a)

March 3, 1805.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the lands lately purchased

Act of March, 26, 1804, ch. 35.
Act of April 27, 1816, ch. 118.

(a) Public lands in Indiana:—

An act for granting lands to the inhabitants and settlers at Vincennes, and the Illinois country in the territory northwest of the Ohio, and for confirming them in their possessions, March 3, 1791, ch. 27.

An act making provision for the disposal of the public land in the Indiana territory, and for other purposes, March 26, 1804, chap. 35.

An act to suspend the sale of certain lands in the state of Ohio, and the Indiana territory, April 15, 1806, chap. 28.

An act confirming claims to lands in the district of Vincennes, and for other purposes, March 3, 1807, chap. 47.

An act providing for the sale of certain lands in the Indiana territory, and for other purposes, April 30, 1810, chap. 35.

An act confirming the titles of certain purchasers of lands who purchased from the board of trustees of the Vincennes University, April 27, 1816, chap. 118.

An act providing for the sale of certain lands in the district of Marietta, and for the location of claims and sale of certain lands in the district of Vincennes, March 18, 1818, chap. 17.

An act to designate the boundaries of the districts, and establish land-offices for the disposal of public lands not heretofore offered for sale in the states of Ohio and Indiana, March 3, 1819, chap. 90.

An act to designate the boundaries of a land district, and for the establishment of a land-office in the state of Indiana, May 8, 1822, chap. 126.