

body politic granting such power, in the words following: "I , do solemnly swear, (or affirm as the case may be,) that I am (or that the co-partnership, consisting of myself and , are, or that the corporation known by the name of , is, as the case may be,) truly, and in good faith, the owner (or owners, as the case may be,) of the shares in the capital stock of the Bank of the United States, specified in the within power of attorney, and of no other shares; that no other person has any interest in the said shares, directly or indirectly, except as stated in the said power; and that no other power has been given to any person, which is now in force, to vote for me (or for the co-partnership aforesaid, or for the body politic aforesaid, as the case may be,) at any election of directors of the said bank;" which oath or affirmation may be taken before a notary public, judge, or justice of the peace, and shall be certified by him.

Form of the oath to be endorsed.

Oath may be taken before a notary, &c.

SEC. 3. *And be it further enacted*, That if the judges of any election of directors, to be held as aforesaid, shall permit any person to give more than thirty votes, in the whole, at any such election, without the said person's having taken the aforesaid oath or affirmation, or shall suffer any person whatever to vote as attorney, agent, or proxy, for any other person, or for any co-partnership, or body politic, without a power for that purpose, as prescribed in the foregoing section, with the oath or affirmation and certificate aforesaid; such of the said judges as shall consent thereto, shall severally be deemed guilty of a misdemeanor, and, on due conviction thereof, shall be subject to a fine not exceeding two thousand dollars, or to imprisonment not exceeding one year, at the discretion of the court before which such conviction shall be had. And if any person shall wilfully and absolutely swear or affirm falsely, in taking any oath or affirmation prescribed by this act, such person, so offending, shall, upon due conviction thereof, be subject to the pains and penalties which are by law prescribed for the punishment of wilful and corrupt perjury.

Judges of elections permitting persons to give more than thirty votes without making oath, or suffering any person to vote as proxy without a power, as prescribed, to be deemed guilty, &c.

Persons swearing falsely, subject to the penalties of perjury.

SEC. 4. *And be it further enacted*, That if any person shall, directly or indirectly, give any sum or sums of money, or any other bribe, present, or reward, or any promise, contract, obligation or security, for the payment or delivery of any money, present, or reward, or any thing to obtain or procure the opinion, vote, or interest, of the president of the Bank of the United States, or either of the directors thereof, or the president or a director of either of the branches of the said bank, in any election, question, matter, or thing, which shall come before the said president and directors for decision, in relation to the interest and management of the business of the said bank, and shall be thereof convicted; such person or persons, so giving, promising, contracting, or securing to be given, paid, or delivered, any sum or sums of money, present, reward, or other bribe as aforesaid, and the president or director who shall, in any wise, accept or receive the same, on conviction thereof, shall be fined and imprisoned at the discretion of the court, and shall forever be disqualified to hold any office of trust or profit under the said corporation, and shall, also, for ever, be disqualified to hold any office of honour, trust, or profit, under the United States.

The person giving, and the president or director accepting, any money, or bribe, &c., to be fined and imprisoned, and for ever disqualified, &c.

APPROVED, March 3, 1819.

STATUTE II.

CHAP. LXXIV.—*An Act further to suspend, for a limited time, the sale or forfeiture of lands for failure in completing the payment thereon.*

March 3, 1819.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the operation of the sixth condition of the fifth section of the act, entitled "An act to amend the act entitled 'An act providing for the sale of the lands of the United

The operation of the 6th condition of the 5th section of the act for the

sale of lands,
&c., suspended
until March 31,
1820, in favour
of purchasers.
Act of May
10, 1800, ch. 55.
See act of
March 30, 1820,
ch. 26.

States north-west of the Ohio, and above the mouth of Kentucky river," be, and the same is hereby, suspended until the thirty-first day of March, one thousand eight hundred and twenty, in favour of the purchasers of public lands at any of the land offices of the United States: *Provided*, That the benefit of this act shall not be extended to any one purchaser for a greater quantity than six hundred and forty acres of land.

APPROVED, March 3, 1819.

STATUTE II.

March 3, 1819. CHAP. LXXV.—*An Act in addition to "An act concerning tonnage and discriminating duties in certain cases."*

Act of April
20, 1818, ch.
112.

The act of
20th April,
1818, extended
to the vessels
of Prussia,
Hamburg and
Bremen.

The act of 3d
March, 1815,
ch. 76, the act
April 20, 1818,
ch. 112, and this
act to cease on
1st Jan., 1824.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act passed on the twentieth of April, one thousand eight hundred and eighteen, entitled "An act concerning tonnage and discriminating duties in certain cases," be, and the same hereby is, extended, in all its provisions and limitations, to the vessels of Prussia, of the city of Hamburg, and of the city of Bremen.

SEC. 2. *And be it further enacted*, That the act passed on the third of March, eighteen hundred and fifteen, entitled "An act to repeal so much of the several acts imposing duties on the tonnage on [of] ships and vessels, and on goods, wares, and merchandise, imported into the United States, as imposes a discriminating duty on tonnage, between foreign vessels and vessels of the United States, and between goods imported into the United States in foreign vessels and vessels of the United States," and also the act to which this is an addition, together with this act, shall cease and expire on the first day of January, eighteen hundred and twenty-four.

APPROVED, March 3, 1819.

STATUTE II.

March 3, 1819.

Act of March
3, 1819, ch. 100.

Act of May
10, 1800, ch. 51.
The President
authorized to

CHAP. LXXVII.—*An Act to protect the commerce of the United States, and punish the crime of piracy. (a)*

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 hereby is, authorized and requested to employ

(a) The decisions of the courts of the United States upon prosecutions for piracy, have been:

Piracy.—A robbery committed on the high seas, although such robbery, if committed on land, would not, by the laws of the United States, be punishable with death, is piracy, under the act of Congress of 1790; and the circuit courts have jurisdiction thereof. *United States v. Palmer*, 3 Wheat. 610; 4 Cond. Rep. 352.

The crime of robbery, as mentioned in the act, is the crime of robbery as recognised and defined at common law. *Ibid*.

The crime of robbery, committed by a person who is not a citizen of the United States, on the high seas, on board of a ship belonging exclusively to subjects of a foreign state, or on persons in a foreign vessel, is not piracy under the act, and is not punishable in the courts of the United States. *Ibid*.

When a civil war rages in a foreign nation, one part of which separates itself from the old established government, and erects itself into a distinct government, the courts of the United States must view such newly constituted government as it is viewed by the legislative and executive departments of the government of the United States. If that government remains neutral, but recognises the existence of a civil war, the courts of the Union cannot consider as criminal, those acts of hostility which war authorizes, and which the new government may direct against its enemy. *Ibid*.

The same testimony which would be sufficient to prove that a vessel or person is in the service of an acknowledged state, is admissible to prove that they are in the service of such newly created government. Its seal cannot be allowed to prove itself, but may be proved by such testimony as the nature of the case admits; and the fact that a vessel or person is in the service of such government may be established otherwise, should it be impracticable to prove the seal. *Ibid*.

A commission issued by Aury, as "brigadier of the Mexican republic," (a republic whose existence is unknown and unacknowledged,) or as "generalissimo of the Floridas," (a province in the possession of Spain,) will not authorize armed vessels to make captures at sea. *United States v. Klintock*, 5 Wheat. 144; 4 Cond. Rep. 614.