fine or penalty, any minor or apprentice, guilty of any breach of any law of the corporation, unless such fine or penalty, with the costs of prosecution, be paid by the parent, guardian, or master of such minor or apprentice, by confinement to labour for a limited time, not exceeding three months for any one offence.

Common council to have power to subscribe to the stock of the turnpike road, authorized by an act of the general assembly of Virginia, of Feb. 14, 1818.

Sec. 3. *And be it further enacted*, That the said common council shall have power to subscribe to the stock of the turnpike road, which is authorized to be made by an act of the general assembly of Virginia, passed the fourteenth day of February, one thousand eight hundred and eighteen, entitled "An act incorporating a company to establish a turnpike road from Wiley's Tavern, in the county of Fairfax, to a point of intersection on the Little River turnpike road, or on the line of the District of Columbia," and to any turnpike road, or other public improvement, which has been, or may be, authorized by any act of Congress, leading to the town of Alexandria; and the said common council may lay any tax on the property in the said town, to promote any public improvement for the benefit of the said town, when, in the opinion of the said common council, it may be expedient, which said taxes may be collected as all other taxes are, or may be directed to be collected.

Part of the act of May 26, 1824, ch. 195, repealed.

Sec. 4. *And be it further enacted*, That so much of an act, passed the twenty-sixth of May, eighteen hundred and twenty-four, entitled "An act supplementary to the act to incorporate the inhabitants of the city of Washington, passed the fifteenth of May, one thousand eight hundred and twenty, and for other purposes," as relates to the town of Alexandria, be, and the same is hereby, repealed.

Approved, May 13, 1826.

Statute I.

May 15, 1826.

Chap. XLVI.—*An Act to amend the several acts for the establishment of a territorial government in Florida.* (a)

Act of March 30, 1822, ch. 13.
Act of May 26, 1824, ch. 163.
Act of March 3, 1823, ch. 28.
Superior courts of Florida, to exercise original jurisdiction in maritime causes, and equity, &c. &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the superior courts of the territory of Florida, within their respective districts, shall have and exercise original jurisdiction in all civil causes, in law and equity, whether arising under the laws of the said territory or otherwise, where the sum in controversy shall amount to one hundred dollars; and shall have original and exclusive cognisance of all civil causes of admiralty and maritime jurisdiction, including all seizures under laws of impost, navigation, or trade of the United States, whether such seizures be made on land or water, and of all suits for penalties and forfeitures incurred under the laws of the United States; and original, but not exclusive jurisdiction, of all suits in which the United States shall be a party, whatever may be the amount in controversy in such causes and suits; and shall have and exercise appellate jurisdiction, in all civil causes, originating in the inferior courts of said territory, whatever may be the amount in controversy; and shall have and exercise original and exclusive jurisdiction of all crimes and offences committed against the laws of the said territory, where the punishment shall be death; and original and appellate jurisdiction of all other crimes and offences committed against the laws of the said territory; and original and exclusive jurisdiction of all crimes and offences which shall be cognisable, under the authority of the United States, committed within the respective districts of the said superior courts, or upon the high seas.

Power given to the superior courts in term, and the judges

Sec. 2. *And be it further enacted*, That the said superior courts, and court of appeals, in term, and the judges thereof, in vacation, shall, respectively, have full power and authority, in all civil causes and criminal

(a) See notes to the act of March 30, 1822, ch. 13.

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cases, to issue writs of habeas corpus, of error, of certiorari, of mandamus, of prohibition, of scire facias, and of quo warranto, according to the principles and rules of law.

in vacation, to issue writs of habeas corpus, &c.

SEC. 3. *And be it further enacted*, That the said superior courts, respectively, shall be held as occasion may require, to prevent a delay of justice, for the trial of causes of admiralty and maritime jurisdiction, and for the hearing of causes in equity, as often as the judges of the said courts, respectively, shall deem fit to appoint.

Superior courts to be held as occasion may require.

SEC. 4. *And be it further enacted*, That the said superior courts, respectively, shall have power, in cases where there has been a trial by jury, to grant new trials, as often as may be deemed necessary for the due administration of justice, for reasons for which new trials have usually been granted in the courts of law, and shall have power to administer all necessary oaths or affirmations, and to make and establish all necessary rules of practice and pleading, and for the orderly conducting of the business of the said courts: *Provided*, Such rules be not repugnant to the laws of the United States, or of the said territory.

Superior courts, in cases where there has been a trial by jury, to have power to grant new trials.

Proviso.

SEC. 5. *And be it further enacted*, That writs of error and appeal shall lie, and may be taken on all final decisions of said superior courts, where the matter in dispute shall amount to the sum or value of one hundred dollars, exclusive of costs, to the court of appeals of said territory; in all civil causes of admiralty and maritime jurisdiction; in all causes of seizure, under the laws of impost, navigation, and trade, of the United States; in all suits for penalties and forfeitures incurred under the laws of the United States, and in all suits in which the United States shall be a party; in all civil causes, in law and equity, arising under the Constitution and laws of the United States, and treaties made, and which shall be made, under their authority; and in all civil cases affecting ambassadors, other public ministers and consuls; in controversies between citizens of two different states, and between aliens and citizens of the United States; in the same manner, and under the same regulations, as appeals are directed to be taken from a district to a circuit court of the United States. And writs of error and appeal shall lie, and may be taken from the final decisions of the said court of appeals, in all such cases, to the Supreme Court of the United States, in the same manner and under the same restrictions and regulations, as writs of error and appeals are directed to be taken from the circuit courts of the United States. And in all other cases, writs of error and appeal may be taken and prosecuted from said superior courts to the court of appeals, in such manner as the legislative council have directed, or shall direct.

Writs of error and appeal shall lie, and may be taken on all final decisions of said superior courts, where the matter in dispute shall amount to the sum or value of one hundred dollars, exclusive of costs to the court of appeals of said territory.

SEC. 6. *And be it further enacted*, That the regulations prescribed by the nineteenth, twentieth, twenty-first, twenty-second, twenty-third, and twenty-fourth sections of the act of the twenty-fourth of September, seventeen hundred and eighty-nine, entitled "An act to establish the judicial courts of the United States," and by the act of the twelfth of December, seventeen hundred and ninety-four, entitled, "An act to amend and explain the twenty-second section of the act establishing the judicial courts of the United States," as far as said regulations shall be practicable, shall be observed in respect to all writs of error and appeals, from the said superior courts to the court of appeals in the cases enumerated in the first part of the preceding section, and in writs of error and appeals from the said court of appeals to the Supreme Court of the United States.

Regulations to be observed in respect to all writs of error and appeals to the Supreme Court of the United States.

Act of Sept. 24, 1789, ch. 20.

Act of Dec. 12, 1794, ch. 3.

SEC. 7. *And be it further enacted*, That the clerks of the said superior courts, respectively, where the courts are held shall keep correct, particular, and regular minutes and records of every day's proceedings of the said courts, and the said clerks, marshals, and district attorneys, shall respectively, receive for their services, in all causes of admiralty and maritime jurisdiction, and in causes arising on seizures under the laws of impost

Clerks of the superior courts shall keep correct, particular, and regular minutes and records of every day's

proceeding, &c. &c.

navigation, and trade, of the United States, the same fees and compensation as are allowed by law to the clerks, marshals and district attorneys, of the district court of the United States for Louisiana district, in similar causes, and in all other causes, such fees as have been or shall be hereafter established by the legislative council of the said territory. And the clerk, United States' attorney, and marshal, of the court of appeals, shall have the same fees and compensation for attending said court, whilst exercising the powers of a circuit court, as directed in this act, as are allowed to the clerk, attorney, and marshals of the circuit courts of the United States: and, in all other cases, such fees as the legislative council of said territory have established, or may direct.

Fees.

Judges of the superior courts required to hold a court in one other place in their respective districts.

Sec. 8. *And be it further enacted*, That the judges of the superior courts shall only be required to hold a court in one other place, in their respective districts, than the one assigned by the laws of the United States, to be designated by the governor and legislative council; and so much of any law, as restricts said courts to a particular number of days, for the trial of causes arising under the constitution and laws of the United States, be, and the same is hereby, repealed.

Marshals of each district shall reside within the same.

Bond to be given.

Sec. 9. *And be it further enacted*, That the marshals of each district shall reside within the same, and execute all the process of said courts, whether arising under the laws of the United States, or of said territory; and perform all the duties of ministerial officers of the same; and shall execute bond, with security, to be approved by said judges, conditioned for the performance of the duties required of the executive officers, by the laws of said territory, in the sum of ten thousand dollars, which shall be recorded by the clerks of said courts.

Thirteen persons shall be annually elected by the people of said territory, to compose the legislative council, &c., &c.

Sec. 10. *And be it further enacted*, That thirteen persons shall be annually elected by the people of said territory who shall compose the legislative council thereof, each of whom shall be an inhabitant of said territory, and shall have resided therein one year next preceding his election; and the term for which each shall be elected shall be one year, to commence on the second Monday of December annually. And it shall be the duty of the governor to divide the said territory into thirteen convenient districts, so as to give to each district, as near as may be, an equal number of free white inhabitants, for the purpose of electing members of the legislative council of said territory; and he shall also designate places for holding elections in each district, and appoint judges or managers to preside at, and conduct the same, who shall take the same oath, and observe the same formality, as is now required by law, in the election of delegate to Congress. The time and place of holding the elections shall be made known, by proclamation, and sent to each district, respectively: and it shall be lawful for the inhabitants within the respective districts, who are, or may be qualified voters, under the laws of the same, to elect one person in each district, as a member of the legislative council. And it shall be the duty of the said judges or managers, in each district, to make a return to the governor of the name of every person voted for as a member of the legislative council, in such district, together with the number of votes which each person shall have received, written in full, opposite his name; and the votes in each district shall be canvassed by the governor and secretary of the territory, or by such other persons, or in such other manner, as the legislative council may hereafter direct by law; and the person in each district, having the greatest number of legal votes, shall be declared elected, and entitled to a seat in the legislative council; and in case two or more persons shall have the greatest, and an equal number of votes in any district, it shall be lawful for the governor to order a new election in such district, in such manner, and at such time, as the legislative council may by law prescribe. And the said legislative council shall hold a session in every year, commencing on the second Monday in December, in each year, at

the seat of government in said territory, and continue not longer than six weeks; and the members of said council shall receive three dollars each per day, during their attendance in council, and three dollars for every twenty miles, to be estimated by the actual distance from the place of residence to the seat of government, and so distinctly certified by the governor of said territory, in going to, and returning from, any meeting of the legislative council, once in each session, and no more; and the first election shall be held on the first Monday of October next, and at such times thereafter, and under such regulations, as the governor and legislative council shall direct.

Members of the legislative council not to be eligible to any office, &c.

SEC. 11. *And be it further enacted*, That the members of the legislative council shall not be eligible to any office created during the period of their service, or the fees of which were regulated by laws passed whilst they were members, or for one year thereafter.

Taxes.

SEC. 12. *And be it further enacted*, That it shall not be lawful for the legislative council to pass any law imposing a higher tax on the lands of non-residents, than those of residents of said territory.

So much of the several acts of which this is an amendment, &c., repealed.

SEC. 13. *And be it further enacted*, That so much of the several acts of which this is an amendment, as may be inconsistent with the provisions of this act, be, and the same are hereby, repealed; and so much of any of the laws of said territory, as are repugnant to the same, are disapproved and annulled.

Acts by the legislative council, &c., disapproved and annulled.

SEC. 14. *And be it further enacted*, That the several acts passed by the governor and legislative council, granting divorces; the four first sections of "An act to amend an act to define crimes," &c. approved December tenth, eighteen hundred and twenty-five; and "An act to prescribe the forms of actions," &c. approved December fifth, eighteen hundred and twenty-five; the act "in addition and amendment of an act to determine fees," &c. approved December ninth, eighteen hundred and twenty-five; and "An act to amend an act regulating judicial proceedings," &c. approved December eighth, eighteen hundred and twenty-five; and "An act to provide, in part, for raising a revenue," approved the ninth of December, eighteen hundred and twenty-five, be, and the same are hereby, disapproved and annulled.

APPROVED, May 15, 1826.

STATUTE I.

May 15, 1826.

CHAP. XLVII.—*An Act for the sale of a house and lot in New Orleans, and a store house at the Quarantine ground in Louisiana.*

Secretary of the Treasury authorized to sell a house and lot, public property, in Royal street in the city of New Orleans.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to sell a house and lot, in Royal street, in the city of New Orleans, heretofore used for the district court of the United States, and a public store-house and lot of land at the Quarantine ground, in the state of Louisiana, whenever, in his opinion, the same shall be deemed expedient.

APPROVED, May 15, 1826.

STATUTE I.

May 16, 1826.

CHAP. LVI.—*An Act to alter the lines between the land districts in the territory of Michigan.*

Boundaries of the southern land district, in Michigan, established by the act of March 3, 1823, ch. 52, to be altered.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the boundaries of the southern land district, in the territory of Michigan, as established by the act passed the third of March, eighteen hundred and twenty-three, entitled "An act to establish an additional land office in the territory of Michigan," shall be so altered, as that, from the point where the