

Cases for summary proceedings.

courts of the United States to issue attachments and inflict summary punishments for contempts of court, shall not be construed to extend to any cases except the misbehaviour of any person or persons in the presence of the said courts, or so near thereto as to obstruct the administration of justice, the misbehaviour of any of the officers of the said courts in their official transactions, and the disobedience or resistance by any officer of the said courts, party, juror, witness, or any other person or persons, to any lawful writ, process, order, rule, decree, or command of the said courts.

Cases for indictment.

SEC. 2. *And be it further enacted*, That if any person or persons shall, corruptly, or by threats or force, endeavour to influence, intimidate, or impede any juror, witness, or officer, in any court of the United States, in the discharge of his duty, or shall, corruptly, or by threats or force, obstruct, or impede, or endeavour to obstruct or impede, the due administration of justice therein, every person or persons, so offending, shall be liable to prosecution therefor, by indictment, and shall, on conviction thereof, be punished, by fine not exceeding five hundred dollars, or by imprisonment, not exceeding three months, or both, according to the nature and aggravation of the offence.

APPROVED, March 2, 1831.

STATUTE II.

March 3, 1831.

[Obsolete.]

CHAP. CIII.—*An Act making appropriations for building lighthouses, lightboats, beacons, and monuments, and placing buoys.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following appropriations be, and the same are hereby, made, and directed to be paid out of any money in the treasury not otherwise appropriated, to enable the Secretary of the Treasury to provide, by contract, for building lighthouses, lightboats, beacons, and monuments, and placing buoys, to wit:

One who was not a Quaker, who refused to be sworn as a witness, on the ground of conscientious scruples, arising from a declaration formerly made, was committed, by the circuit court of Massachusetts for a contempt of the court; the liberty to affirm being strictly confined to Quakers, by the law and practice of Massachusetts. *The United States v. Coolidge*, 2 Gallis. C. C. R. 364.

That a counsellor, practising in the highest court of the state of New York, in which he resides, had been struck off from the roll of counsellors of the district court of the United States for the northern district of New York, by the order of the judge of that court for a contempt, does not authorize the Supreme Court to refuse his admission as a counsellor of the Supreme Court. *Ex parte Tillinghast*, 4 Peters, 108.

The Supreme Court does not consider the circumstances upon which the order of the district judge was given within its cognisance; or, that it is authorized to punish for a contempt, which may have been committed in the district court of the northern district of New York. *Ibid.*

If, from any collateral evidence, it should appear that there is reason to believe the respondent has perjured himself, the circuit court will recognise him to answer at the next term of the court, to such matters as may be found against him. *United States v. Dodge*, 2 Gallis. C. C. R. 313.

Unfair practices towards a witness who is to give testimony in court, or oppression under colour of its process, although those practices and that oppression were acted out of the district in which the court is sitting, may be punished by attachment, provided the person who has thus demeaned himself comes within the jurisdiction of the court. But, it is also believed that this mode of punishment ought not to be adopted, unless the deviation from law could be clearly attached to the person against whom the motion was made; and unless the deviation were intentional; or unless the course of judicial proceeding were or might be so affected by it as to make a punishment in this mode obviously conducive to a fair administration of justice. *1 Burr's Trial*, 355.

Any publication, pending a suit, reflecting upon the court, the jury, the parties, the officers of the court, the counsel, &c., in reference to the suit, or tending to influence the decision of the controversy, is a contempt of the court, and punishable by attachment. *Hollingsworth v. Duane*, Wallace's C. C. R. 77.

For contempts to inferior jurisdictions, not of record, nor having a general power to fine and imprison, unless committed in presence of the officer, and punished instantler, there is no other mode of punishment than by indictment. *Ibid.*

It is not a contempt to serve a party, while attending at the court as a party in the cause, or as a witness, with a summons. The privilege extends to exemption from arrest, but no further. *Blight's Ex'rs v. Fisher et al.*, Peters' C. C. R. 41.

It is a contempt of court to serve process, either of summons or capias, in the actual or constructive presence of the court. *Ibid.*

State of Maine.—Four thousand dollars for a lighthouse at the western entrance of Fox island thoroughfare. Maine.

Six thousand dollars for a lighthouse at or near Cape Porpoise.

Four thousand dollars for increasing the height of the lighthouse on Boon island.

Four thousand dollars for a lighthouse at or near Marshal's Point, in the town of St. George.

Six thousand dollars for re-building the lighthouse at Whitehead.

Six thousand dollars for re-building the lighthouse on Franklin island.

Five hundred and ten dollars for spindles and buoys in Penobscot river.

State of Massachusetts.—Five thousand dollars for building a lighthouse on the monument at Gloucester Point. Massachusetts.

One thousand dollars for erecting a monument on or near Cohasset Rocks.

Two hundred and fifty dollars in addition to an unexpended balance of a former appropriation, for erecting a spindle-beacon on Minot's Ledge, and placing a buoy on Hospital Island Ledge near George's island.

Twelve hundred dollars for erecting a monument upon a ledge of rocks situated at the outer part of the harbour of Swampscut.

One thousand dollars for two monuments, one on Sunken island, and the other on Pig Rocks, in Braintree bay.

Five hundred dollars for placing ten buoys in the northern channel through the Vineyard Sound, at the following places: one on Point Rips; one on the Shovel Shoals, near Monomoy Point; three on the Handkerchief, north-east, south-east, and south-west parts; one on a rock near Hyannis harbour, in the channel; and two on the Broad Shoal to the eastward of Falmouth, east and west parts.

Five thousand dollars for re-building a lighthouse on Cape Cod, should it be deemed expedient by the Secretary of the Treasury.

Four hundred dollars for placing six buoys on ledges and rocks at a place called Wood's Hole, near Falmouth; and a spindle on Lone Rock, near that place.

State of Rhode Island.—For a beacon-light at or near the entrance of the harbour of Wickford, in the town of North Kingston, three thousand dollars. Rhode Island.

Fifty dollars for a spindle on the Halfway Rock between the islands of Rhode Island and Connecticut.

State of Connecticut.—Five thousand dollars for building a lighthouse at or near Morgan's Point, on the north side of Fisher's Island Sound, in the township of Groton. Connecticut.

Four hundred dollars for a spindle to be erected on the Whale Rock, at the entrance of Mystic river, and for one on Turner's Reef, situated about one-third of the distance from the main land to Fisher's island.

Three thousand dollars for erecting a beacon on the beach near the west side of New Haven harbour; and two hundred and fifty dollars for buoys on Pardee's bar, Black Rock Bar, and the Shag Banks in said harbour.

Six thousand and two hundred dollars for erecting a monument or beacon on Brandford Reef, in Long Island Sound.

Two hundred and fifty dollars for placing buoys, viz: one on the north end of Hatcher's Reef, in the Sound; one on the south end of said reef; one on the south-east tail of Saybrook Bar, at the mouth of Connecticut river; and one on the south end of Crane Reef, west of Saybrook.

State of New York.—Three thousand one hundred and ninety dollars to rebuild the beacon in Black Rock harbour, should it be deemed expedient by the Secretary of the Treasury. New York.

Four thousand dollars for erecting a beacon-light on a proper site near Sackett's Harbour, in Lake Ontario.

Three thousand dollars for erecting a beacon-light at the junction of Rondout creek and Hudson river, or on or near the Esopus Meadows, as may be deemed most expedient by the Secretary of the Treasury.

One thousand dollars for erecting a beacon on the middle ground between Stratford and Crane Neck, in Long Island Sound.

Twelve thousand five hundred and twelve dollars, in addition to the unexpended balance of former appropriations for erecting a lighthouse, and forming the foundation for the same, in the harbour of Buffalo.

Pennsylvania. *State of Pennsylvania.*—Two thousand five hundred dollars for erecting a beacon-light at the end of the pier which forms the entrance into the harbour of Erie, on Lake Erie.

Delaware. *State of Delaware.*—Fifteen hundred dollars for erecting a beacon-light near the mouth of Mispillion creek.

1828, ch. 69. Ten thousand dollars for building a lighthouse at Mahon's ditch, in addition to what remains unexpended of an appropriation to build a lighthouse at Duck creek, and which last-named appropriation is hereby transferred to the first-mentioned object.

Maryland. *State of Maryland.*—Five thousand dollars for building a lighthouse on or near Turkey Point, at the mouth of Elk river.

For erecting a beacon-light on Lazaretto Point, at the entrance of the harbour of Baltimore, or on the point of land upon which fort McHenry is situated, in the discretion of the Secretary of the Treasury, two thousand five hundred dollars.

For a floating-light at the Wolf Trap, in the Chesapeake bay, twelve thousand dollars.

Four hundred dollars for placing buoys at the entrance of the harbour of Annapolis.

Virginia. *State of Virginia.*—Seven thousand and five hundred dollars for building a lighthouse on one of the Chingoteague islands.

Five hundred dollars for placing in the Potomac river three buoys on the Kettle Bottoms, one on Port Tobacco shoals, one in Nanjemoy Reach, one on Ragged Point bar, and one on Parsimmon bar.

North Carolina. *State of North Carolina.*—Eleven thousand dollars for building a lightboat, to be stationed at or near Brant Island Shoal, in Pamlico Sound.

For a buoy to be placed on the bar near Harbour island, two hundred dollars.

For three buoys to be placed in the river and inlets of Cape Fear, twelve hundred dollars.

South Carolina. *State of South Carolina.*—Fifteen hundred dollars for constructing three hollow buoys, and placing the same on the bar at or near the entrance of the harbour of Georgetown, in addition to any unexpended appropriation for placing buoys at or near that harbour.

A sum not exceeding one thousand dollars for purchasing land and removing a wind-mill on Cape Roman.

Georgia. *State of Georgia.*—For a beacon on the White Oyster Beds, near the mouth of Savannah river, three thousand dollars.

Ohio. *State of Ohio.*—Five thousand dollars for building a lighthouse on Turtle island, at the mouth of Maumee bay, Lake Erie.

One thousand dollars for erecting a beacon-light on the pier at Grand river.

Louisiana. *State of Louisiana.*—Forty thousand dollars for building two lighthouses, one at the mouth of the south-west pass of the river Mississippi, and the other on the south point, between the south-west pass and the Balize.

Seven thousand dollars for a lighthouse at the Rigolets.

Mississippi. *State of Mississippi.*—Seven thousand dollars for building a lighthouse on St. Joseph's island, or some other suitable place off the Pascagoula bay.

Seven thousand dollars for a lighthouse at Pass Christian near the bay of St. Louis.

For buoys to be placed at the south pass, and the pass at Dauphin island, four hundred dollars.

State of Alabama.—Five hundred dollars for placing buoys in Mobile bay.

Alabama.

State of Illinois.—Five thousand dollars for building a lighthouse at the mouth of Chicago river, Lake Michigan.

Illinois.

Michigan Territory.—Five thousand dollars for building a lighthouse at the confluence of the St. Joseph's river with Lake Michigan.

Michigan.

Five thousand dollars for a lighthouse on the Outerthunder bay island in Lake Huron.

A sum not exceeding ten thousand dollars for building a light-boat to be stationed in the strait connecting Lakes Huron and Michigan; and three hundred and fifty dollars for buoys and placing the same on the flats at the head of Lake St. Clair.

Florida Territory.—Eleven thousand four hundred dollars for building a lighthouse on the west end of St. George's island, near the entrance of Appalachicola bay.

Florida.

Four hundred dollars for placing buoys in the said bay between St. George's island, and the entrance of the Appalachicola river.

Two hundred dollars for placing buoys in the bay and river of St. Mark's.

One hundred and sixty dollars for placing buoys at St. Augustine, and in St. John's river.

Five thousand dollars for building a lighthouse on a suitable site at or near Port Clinton.

APPROVED, March 3, 1831.

STATUTE II.

March 3, 1831.

CHAP. CIV.—*An Act for the benefit of Percis Lovely, and for other purposes.*

Certain lands secured to her.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the tract of land not exceeding one half section, including the present residence of Mrs. Percis Lovely, in Pope county, in the territory of Arkansas, shall be reserved by the President of the United States from public sale, during the lifetime of said Percis, and that she shall have the entire use and privilege of, and possession of the said half section of land, for and during her life: *Provided,* That the said Percis Lovely shall not commit, or permit any other person to commit, on said land, any voluntary waste.

Proviso.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury pay unto the said Percis Lovely, or her legal representative, out of any money in the treasury of the United States not otherwise appropriated, a sum equal to that for which her improvements upon the land secured to her by the treaty at Hiawassee, in one thousand eight hundred and seventeen, for life, were valued, and which improvements and land were taken from her by the treaty at Washington, of one thousand eight hundred and twenty-eight, with the Cherokee Indians. *Provided,* That before the money shall be paid the said Percis Lovely, she shall produce to the Treasury Department satisfactory evidence that the said sum of money has not been heretofore paid her by the government of the United States, through the Indian Department: and *Provided, also,* That the half section granted by this act, shall not interfere with, or include any lands lying within the limits of any reservation made by the last-named treaty, made at Washington as aforesaid, in the year eighteen hundred and twenty-eight.

Value of certain improvements, &c.

Proviso.

Proviso.

SEC. 3. *And be it further enacted,* That, for carrying into effect the treaty concluded with the Seneca tribe of Indians at Washington, the

Seneca treaty.