

STATUTE I.

April 2, 1844.

CHAP. VIII.—*An Act directing the disposition of certain unclaimed goods, wares, or merchandise, seized for being illegally imported into the United States.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter, in all cases of seizure of any goods, wares, or merchandise, which shall, in the opinion of the collector or other principal officer of the revenue making such seizure, be of the appraised value of one hundred dollars or less, and which shall have been so seized for having been illegally imported into the United States, the said collector of the customs, or other principal officer of the revenue making such seizure, shall proceed as follows, that is to say: he shall cause a list, containing a particular description of the goods, wares, or merchandise, so seized, to be prepared in duplicate, and an appraisement of the same to be made by two sworn appraisers under the revenue laws, if there are such appraisers in such place of seizure; and if the said seizure be made where there are no such appraisers, then by two respectable and disinterested citizens of the United States, residing at the place where the seizure may be made, and to be selected by him for said purpose. The aforesaid list and appraisement shall be properly attested by such collector or other officer and the persons making the appraisement; and for which service said appraisers shall be allowed, out of the revenue, the sum of one dollar and fifty cents per day each. If the said goods shall be found by such appraisers to be of the value of one hundred dollars or less, the said collector or other officer shall publish a notice, for the space of three weeks, in some newspaper of the county or place where the seizure was made, describing the articles, and stating the time, place, and cause of their seizure, and requiring any person or persons claiming them to appear and make such claim within ninety days from the date of the first publication of such notice: *Provided*, That any person or persons claiming the goods, wares, or merchandise, so seized, within the time specified in the notice, may file with such collector or other officer a claim, stating his or their interest in the articles seized, and may execute a bond to the United States, in the penalty of two hundred and fifty dollars, with two sureties, to be approved by the collector or other officer referred to, conditioned that, in case of condemnation of the articles so seized, the obligors will pay all the costs and expenses of the proceedings to obtain such condemnation; and upon the delivery of such bond to the collector or other officer mentioned, he shall transmit the same, with the duplicate list and description of the goods seized, to the United States district attorney for the district, who shall proceed thereon in the ordinary manner prescribed by law: *And provided, also*, That if there shall be no claim interposed and no bond given, within the time above specified, the collector or other officer, as the case may be, shall give twenty days' notice of the sale of the goods, wares, or merchandise, in the manner before mentioned; and, at the time and place specified in such notice, shall sell the articles so seized at public auction, and, after deducting the expenses of appraisement and sale, he shall deposite the proceeds to the credit of the Treasurer of the United States, as shall be directed by the Secretary of the Treasury.

Sec. 2. And be it further enacted, That within one year after the sale of any goods, wares, or merchandise, in virtue of this act, any person or persons claiming to be interested in the goods, wares, or merchandise, so sold, may apply to the Secretary of the Treasury for a remission of the forfeiture thereof, or any of them, and a restoration of the proceeds of the said sale, which may be granted by the said Secretary, upon satisfactory proof, to be furnished in such manner as he shall prescribe: *Provided*, That it shall be satisfactorily shown that the applicant, at the time of the seizure and sale of the goods in question, and

Goods seized, of not exceeding \$100 in value, to be appraised.

Fee for appraising.

If not appraised at more than \$100, notice of seizure to be published, &c.

Persons claiming within 90 days may give bond for payment of costs, &c., and District Attorney may proceed thereon in the ordinary manner prescribed by law.

If no claim be interposed, and no bond given, &c.

Within one year after sale, persons interested may apply to Secretary of Treasury for remission of forfeiture, &c.

Which may be granted on certain conditions.

during the intervening time, was absent out of the United States, or in such circumstances as prevented him from knowing of such seizure, and that he did not know of the same; and, also, that the said forfeiture was incurred without wilful negligence or any intention of fraud on the part of the owner or owners of such goods.

If no application within one year, proceeds to be distributed.

SEC. 3. *And be it further enacted*, That if no application for such restoration be made within one year, as herein before prescribed, then, at the expiration of the said time, the Secretary of the Treasury shall cause the proceeds of the sale of the said goods, wares, or merchandise, to be distributed according to law, as in the case of goods, wares, and merchandise, condemned and sold pursuant to the decree of a competent court.

Former provisions of law inconsistent with this, repealed.

SEC. 4. *And be it further enacted*, That all provisions of any former law inconsistent with this act shall be, and the same are hereby, repealed.

APPROVED, April 2, 1844.

STATUTE I.

April 4, 1844.

CHAP. X. — *An Act requiring one of the judges of the circuit court for the District of Columbia hereafter to reside in Alexandria.*

In case of vacancy of one of the present judges, his successor to reside in Alexandria.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever hereafter a vacancy shall occur in the circuit court of the District of Columbia, by reason of the death, resignation, or removal, of any one of the judges now composing said circuit court, the vacancy so occasioned shall be supplied by the appointment of some suitable person, whose duty it shall be to reside within the town of Alexandria, in said District of Columbia, during his continuance in office; and after the happening of such vacancy, as is herein before contemplated, one of the judges of the said circuit court shall thenceforth always be required to reside in the said town of Alexandria: *Provided, however*, That nothing herein contained shall be so construed as to prevent, at any time, an exchange of residence between the judges of said court, should they think proper to make such exchange, so that some one of said judges shall at all times, after the next appointment hereafter to be made of a judge of said court, reside in the said town of Alexandria.

Afterwards one of the judges always to reside there.

The judges may make an exchange of residence between them to that end.

APPROVED, April 4, 1844.

STATUTE I.

April 4, 1844.

Act of Aug. 23, 1842, ch. 186.

CHAP. XI. — *An Act to repeal so much of the act approved the twenty-third of August, one thousand eight hundred and forty-two, as requires the second regiment of dragoons to be converted into a regiment of riflemen after the fourth day of March, one thousand eight hundred and forty-three.* (a)

Repeal of so much of act as requires 2d regiment of dragoons to be converted into a regiment of riflemen.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the act entitled "An act respecting the organization of the army, and for other purposes," approved the twenty-third day of August, one thousand eight hundred and forty-two, as requires the second regiment of dragoons to be converted into a regiment of riflemen after the fourth day of March, one thousand eight hundred and forty-three, be, and the same is hereby, repealed.

Regiment to be remounted, &c.

SEC. 2. *And be it further enacted*, That the present regiment of riflemen, formerly the second regiment of dragoons, shall, as soon as it can be effected after the passage of this act, be remounted, and called the second regiment of dragoons, and shall in all things be governed by the same organization and regulations as are provided by the act raising the first regiment of dragoons, entitled "An act for the more perfect defence of the frontier," approved the second day of March, one thou-

1833, ch. 76.

(a) See notes to the act of July 5, 1838, chap. 162.