special action on the case founded upon this act, in any court having cognizance thereof.

Persons sued for any thing done under this act may give special matter in evidence.

Sec. 7. *And be it further enacted,* That if any person or persons shall be sued or prosecuted for any matter, act or thing done under or by virtue of this act, he or they may plead the general issue, and give the special matter in evidence.

Approved, May 31, 1790.

Statute II.

June 4, 1790.

Chap. XVII.—*An Act for giving effect to an Act entituled "An Act to establish the Judicial Courts of the United States," within the State of North Carolina.*

Act of April 13, 1792 ch. 21. Judicial act declared in force as to N. Carolina.

1790, ch. 1. District court, its sessions, and where held.

Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act intituled "An act to establish the judicial courts of the United States," shall have the like force and effect within the State of North Carolina, as elsewhere within the United States.

Sec. 2. *And be it further enacted,* That the said state shall be one district, to be called North Carolina district; and there shall be a district court therein to consist of one judge, who shall reside in the district, and be called a district judge, and shall hold annually four sessions; the first to commence on the first Monday in July next, and the other three sessions progressively on the like Monday of every third calendar month afterwards. The stated district court shall be held at the town of Newbern.

Annexed to southern circuit. Circuit courts, their sessions. Where held.

Sec. 3. *And be it further enacted,* That the said district shall be, and the same is hereby annexed to the southern circuit. And there shall be held annually in the said district two circuit courts; the first session of the circuit court shall commence on the eighteenth day of June next, the second session on the eighth day of November next, and the subsequent sessions on the like days of every June and November afterwards, except when any of the days shall happen on a Sunday, and then the session shall commence on the next day following. And the sessions of the said circuit courts shall be held at Newbern.

Salary of the judge.

Sec. 4. *And be it further enacted,* That there shall be allowed to the judge of the said district, the yearly compensation of fifteen hundred dollars, to commence from his appointment, and to be paid at the treasury of the United States in quarterly payments.

Approved, June 4, 1790.

Statute II.

June 4, 1790.

Chap. XVIII.—*An Act supplemental to the Act for establishing the Salaries of the Executive Officers of Government, with their assistants and Clerks.*

Act of Sep. 11, 1789, ch. 13. Act of March 2, 1799, ch. 23. Secretary of State to appoint an additional clerk; with what salary.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the more effectually to do and perform the duties in the Department of State, the Secretary of the said department be, and is hereby authorized to appoint an additional clerk in his office, who shall be allowed an equal salary, to be paid in the same manner as is allowed by law to the chief clerk.

Approved, June 4, 1790.

Statute II.

June 14, 1790.

Chap. XIX.—*An Act for giving effect to the several Acts therein mentioned, in respect to the State of Rhode Island and Providence Plantations.*

[Obsolete.] Acts of import and tonnage, declared in force as to

Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the several and respective duties specified, and laid in and by the act, intituled "An act for laying a duty on goods, wares and merchandises im-

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ported into the United States," and in and by the act, intituled "An act imposing duties on tonnage," shall be paid and collected upon all goods, wares and merchandises, which after the expiration of five days from the passing of this act, shall be imported into the state of Rhode Island and Providence Plantations, from any foreign port or place, and upon the tonnage of all ships and vessels, which after the said day shall be entered within the said state of Rhode Island and Providence Plantations, subject to the exceptions, qualifications, allowances and abatements in the said acts contained or expressed, which acts shall be deemed to have the like force and operation within the said state of Rhode Island and Providence Plantations, as elsewhere within the United States.

the state of R. Island.

Act of July 4, 1789, ch. 2.

Act of July 20, 1789, ch. 3.

Sec. 2. *And be it further enacted*, That for the due collection of the said duties, there shall be in the said State of Rhode Island and Providence Plantations, two districts—to wit: the district of Newport, and the district of Providence. The district of Newport shall comprehend all the waters, shores, bays, harbors, creeks and inlets, from the west line of the said state, all along the sea-coast, and northward up the Narraganset Bay, as far as the most easterly part of Kinnimicut Point at high water mark; and shall include the several towns, harbors and landing-places at Westerly, Charlestown, South Kingstown, North Kingstown, East Greenwich, and all that part of the town of Warwick southward of the latitude of said Kinnimicut Point; and also the towns, harbors and landing-places of Barrington, Warren, Bristol, Tiverton, Little Compton, and all the towns, harbors and landing-places of the island of Rhode Island, Kinnimicut, Prudence, New Shoreham, and every other island and place within the said state southward of the latitude of the said Kinnimicut Point. The district of Providence shall comprehend all the waters, shores, bays, harbors, creeks and inlets within the said state northward of the latitude of said Kinnimicut Point. The town of Newport shall be sole port of entry in the said district of Newport; and a collector, naval officer and surveyor shall be appointed, to reside at the said town of Newport; and North Kingstown, East Greenwich, Barrington, Warren, Bristol, and Pawcatuck river in Westerly, shall be ports of delivery only; and a surveyor shall be appointed, to reside at each of the ports of North Kingstown, East Greenwich, Warren, Bristol and Pawcatuck river, and the surveyor to reside at Warren shall be surveyor for the port of Barrington. The town of Providence shall be the sole port of entry in the said district of Providence; and Patuxet in the same district shall be a port of delivery only; and a collector, naval officer and surveyor shall be appointed, to reside at Providence, and a surveyor shall be appointed, to reside at Patuxet.

And for due collection, two districts established;

their limits and boundaries;

Ports of entry and delivery.

Sec. 3. *And be it further enacted*, That all the regulations, provisions, exceptions, allowances, compensations, directions, authorities, penalties, forfeitures, and other matters whatsoever contained or expressed in the act, intituled "An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares and merchandises imported into the United States," and not locally inapplicable, shall have the like force and effect within the said state of Rhode Island and Providence Plantations, for the collection of the said duties, as elsewhere within the United States, and as if the same were repeated and re-enacted in this present act: *Provided always, and be it declared*, That the thirty-ninth section of the said act, and the third section of an act, intituled "An act to suspend part of an act, intituled An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares, or merchandises imported into the United States, and for other purposes," did, by virtue of the adoption of the constitution of the United States by the said state of Rhode Island and Providence Plantations, cease to operate in respect to the same.

Regulations, exceptions, &c.

1789, ch. 2.

Operation of parts of former acts to cease.

1789, ch. 15.

Act for registering vessels, and to regulate coasting trade declared in force.

Act of Sept. 1, 1789, ch. 11.

Sec. 4. *And be it further enacted,* That the act, intituled "An act for registering and clearing vessels, regulating the coasting trade, and for other purposes," shall, after the expiration of five days from the passing of this act, have the like force and operation within the state of Rhode Island and Providence Plantations, as elsewhere within the United States, and as if the several clauses thereof were repeated and re-enacted in this present act.

Approved, June 14, 1790.

Statute II.

June 23, 1790.

Act of April 13, 1792. [Obsolete.]

Judicial act of Sep. 24, 1789, declared in force as to R. Island.

Chap. XXI.—*An act for giving effect to an act intituled "An act to establish the Judicial Courts of the United States," within the State of Rhode Island and Providence Plantations.*

Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the act, intituled "An act to establish the judicial courts of the United States," shall have the like force and effect, within the State of Rhode Island and Providence Plantations, as elsewhere within the United States.

District court, its sessions,

Sec. 2. *And be it further enacted,* That the said state shall be one district, to be called Rhode Island district: and there shall be a district court therein, to consist of one judge, who shall reside in the district, and be called a district judge, and shall hold annually four sessions; the first to commence on the first Monday in August next, and the other three sessions progressively on the like Monday of every third calendar month afterwards. The stated district court shall be held alternately at the towns of Newport and Providence, beginning at the first.

where held.

Annexed to eastern circuit.

Circuit courts, their sessions,

Sec. 3. *And be it further enacted,* That the said district shall be, and the same is hereby annexed to the eastern circuit: and there shall be held annually in the said district two circuit courts; the first session of the circuit court shall commence on the fourth day of December next, the second session on the fourth day of June next, and the subsequent sessions on the like days of every December and June afterwards, except when any of the days shall happen on a Sunday, and then the session shall commence on the day following. And the sessions of the said circuit courts shall be held alternately at the said towns of Newport and Providence, beginning at the last.

where held.

Salary of the Judge.

Sec. 4. *And be it further enacted,* That there shall be allowed to the judge of the said district, the yearly compensation of eight hundred dollars, to commence from his appointment, and to be paid at the treasury of the United States, in quarterly payments.

Approved, June 23, 1790.

Statute II.

July 1, 1790.

Act of Feb. 9, 1793, ch. 4.

Act of March 20, 1794, ch. 7.

President authorized to draw $40,000.

Chap. XXII.—*An Act providing the means of intercourse between the United States and foreign nations.*

Section 1. *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 shall be, and he hereby is authorized to draw from the treasury of the United States, a sum not exceeding forty thousand dollars annually, to be paid out of the monies arising from the duties on imports and tonnage, for the support of such persons as he shall commission to serve the United States in foreign parts, and for the expense incident to the business in which they may be employed: *Provided,* That exclusive of an outfit, which shall in no case exceed the amount of one year's full salary to the minister plenipotentiary or charge des affaires to whom the same may be allowed, the President shall not allow to any minister plenipotentiary a greater sum than at the rate of

for outfit;

and salaries of ministers plenipotentiary, and