Statute I.
May 2, 1792.

CHAP. XXVIII.—*An Act to provide for calling forth the Militia to execute the laws of the Union, suppress insurrections and repel invasions.*

[Repealed.]
President of U. States how to proceed in case of invasion by foreign nations, &c.

1795, ch. 36, sec. 10.

Insurrection against the government of any state;

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That whenever the United States shall be invaded, or be in imminent danger of invasion from any foreign nation or Indian tribe, it shall be lawful for the President of the United States, to call forth such number of the militia of the state or states most convenient to the place of danger or scene of action, as he may judge necessary to repel such invasion, and to issue his orders for that purpose, to such officer or officers of the militia as he shall think proper; and in case of an insurrection in any state, against the government thereof, it shall be lawful for the President of the United States, on application of the legislature of such state, or of the executive (when the legislature cannot be convened) to call forth such number of the militia of any other state or states, as may be applied for, or as he may judge sufficient to suppress such insurrection.

or opposition to the execution of the laws of U. States.

SEC. 2. *And be it further enacted*, That whenever the laws of the United States shall be opposed, or the execution thereof obstructed, in any state, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals by this act, the same being notified to the President of the United States, by an associate justice or the district judge, it shall be lawful for the President of the United States to call forth the militia of such state to suppress such combinations, and to cause the laws to be duly executed. And if the militia of a state, where such combinations may happen, shall refuse, or be insufficient to suppress the same, it shall be lawful for the President, if the legislature of the United States be not in session, to call forth and employ such numbers of the militia of any other state or states most convenient thereto, as may be necessary, and the use of militia, so to be called forth, may be continued, if necessary, until the expiration of thirty days after the commencement of the ensuing session.

By proclamation to order insurgents to disperse.

SEC. 3. *Provided always, and be it further enacted*, That whenever it may be necessary, in the judgment of the President, to use the military force hereby directed to be called forth, the President shall forthwith, and previous thereto, by proclamation, command such insurgents to disperse, and retire peaceably to their respective abodes, within a limited time.

Pay of the militia employed by U. States.

SEC. 4. *And be it further enacted*, That the militia employed in the service of the United States, shall receive the same pay and allowances, as the troops of the United States, who may be in service at the same time, or who were last in service, and shall be subject to the same rules and articles of war: And that no officer, non-commissioned officer or private of the militia shall be compelled to serve more than three months in any one year, nor more than in due rotation with every other able-bodied man of the same rank in the battalion to which he belongs.

Penalty on disobeying the President of U. States.

SEC. 5. *And be it further enacted*, That every officer, non-commissioned officer or private of the militia, who shall fail to obey the orders of the President of the United States in any of the cases before recited, shall forfeit a sum not exceeding one year's pay, and not less than one month's pay, to be determined and adjudged by a court martial; and such officer shall, moreover, be liable to be cashiered by sentence of a court martial: and such non-commissioned officers and privates shall be liable to be imprisoned by a like sentence, on failure of payment of the fines adjudged against them, for the space of one calendar month for every five dollars of such fine.

Courts martial how composed.

SEC. 6. *And be it further enacted*, That courts martial for the trial of militia shall be composed of militia officers only.

SEC. 7. *And be it further enacted*, That all fines to be assessed, as

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aforesaid, shall be certified by the presiding officer of the court martial before whom the same shall be assessed, to the marshal of the district, in which the delinquent shall reside, or to one of his deputies; and also to the supervisor of the revenue of the same district, who shall record the said certificate in a book to be kept for that purpose. The said marshal or his deputy shall forthwith proceed to levy the said fines with costs, by distress and sale of the goods and chattels of the delinquent, which costs and the manner of proceeding, with respect to the sale of the goods distrained, shall be agreeable to the laws of the state, in which the same shall be, in other cases of distress; and where any non-commissioned officer or private shall be adjudged to suffer imprisonment, there being no goods or chattels to be found, whereof to levy the said fines, the marshal of the district or his deputy may commit such delinquent to gaol, during the term, for which he shall be so adjudged to imprisonment, or until the fine shall be paid, in the same manner as other persons condemned to fine and imprisonment at the suit of the United States, may be committed.

Fines to be certified,

and duty of marshals herein.

Sec. 8. *And be it further enacted*, That the marshals and their deputies shall pay all such fines by them levied to the supervisor of the revenue, in the district in which they are collected, within two months after they shall have received the same, deducting therefrom five per centum, as a compensation for their trouble; and in case of failure, the same shall be recoverable by action of debt or information in any court of the United States, of the district, in which such fines shall be levied, having cognizance thereof, to be sued for, prosecuted and recovered, in the name of the supervisor of the district, with interest and costs.

To pay the fines to the supervisor, &c.

Sec. 9. *And be it further enacted*, That the marshals of the several districts and their deputies, shall have the same powers in executing the laws of the United States, as sheriffs and their deputies in the several states have by law, in executing the laws of their respective states.

Powers of the marshals.

Sec. 10. *And be it further enacted*, That this act shall continue and be in force, for and during the term of two years, and from thence to the end of the next session of Congress thereafter, and no longer.

Continuation of this act.

Approved, May 2, 1792.

Statute I.

May 5, 1792.

Chap. XXIX.—*An Act for the relief of persons imprisoned for Debt.*(a)

Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That persons imprisoned on executions issuing from any court of the United States for satisfaction of judgments in any civil actions shall be entitled to like privileges of the yards or limits of the respective gaols as persons confined in such gaols for debt on judgments rendered in the courts of the several states are entitled to, and under the like regulations and restrictions.

Persons imprisoned on executions issuing from courts of U. States, to have like privileges as are allowed by state courts.

(a) The acts relating to imprisonment for debt, passed subsequent to this act, are: An act to continue in force the act for the relief of persons imprisoned for debt, passed May 30, 1794, chap. 34; an act for the relief of persons imprisoned for debt, passed May 28, 1796, chap. 38; an act supplementary to an act entitled, "An act for the relief of persons imprisoned for debts due to the United States," passed June 6, 1798, chap. 50; an act for the relief of persons imprisoned for debt, passed January 6, 1800, chap. 4; an act supplementary to "an act for the relief of persons imprisoned for debts due to the United States," passed March 3, 1817, chap. 114; an act supplementary to an act entitled, "An act for the relief of persons imprisoned for debt," passed January 7, 1824, chap. 3; an act supplementary to the act entitled, "An act supplementary to the act entitled, 'An act for the relief of persons imprisoned for debt,'" passed April 22, 1824, chap. 40; an act for the relief of certain insolvent debtors of the United States, passed March 2, 1831, chap. 62; an act in addition to an act entitled "An act for the relief of certain insolvent debtors of the United States," passed July 14, 1832, chap. 230; an act to extend, for a longer period, the several acts now in force for the relief of certain insolvent debtors of the United States, passed March 2, 1837, chap. 23; an act to extend for a longer period the several acts now in force for the relief of insolvent debtors to the United States, passed May 27, 1840, chap. 10; an act to re-enact, and continue in operation, the several acts now in force for the relief of insolvent debtors of the United States, passed January 28, 1843, chap. 20.