

the French republic; and for other purposes;" and that the collection district shall be and remain as thereby established.

SEC. 6. *And be it further enacted*, That this act shall commence and be in force from and after the thirtieth day of April, eighteen hundred and twelve.

APPROVED, April 8, 1812.

STATUTE I.

April 8, 1812.

CHAP. LIII.—*An Act in addition to the act entitled "An act to raise an additional military force," passed January the eleventh, one thousand eight hundred and twelve.*

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 be, and he hereby is empowered to cause to be enlisted for the term of eighteen months, unless sooner discharged, such part of the light dragoons, artillery and infantry, authorized by the act, entitled "An act to raise an additional military force," as he may deem expedient: *Provided*, the whole number, so to be enlisted for eighteen months, shall not exceed fifteen thousand, any thing in the said recited act to the contrary notwithstanding.

Act of Jan.
11, 1812, ch. 14.

SEC. 2. *And be it further enacted*, That the non-commissioned officers, musicians and privates, so to be enlisted, shall be entitled to the bounty of sixteen dollars, and the same pay, clothing and rations, the same provisions for wounds or disabilities, and to all other allowances (the bounty in land excepted) provided by the said before recited act, for the non-commissioned officers, musicians and privates, who may be raised under the same, and shall be held to perform the same duties, and be subject to the same rules and regulations.

APPROVED, April 8, 1812.

STATUTE I.

April 10, 1812.

CHAP. LIV.—*An Act for the relief of the officers and soldiers who served in the late campaign on the Wabash.*

Officers and soldiers to receive compensation as allowed to militia called into actual service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the officers, according to the rank assigned them by Governor Harrison, and which they held on the seventh day of November, one thousand eight hundred and eleven, the non-commissioned officers and soldiers of the volunteers and militia, and the legal representatives of those who were killed or died of their wounds, composing the army that served in the late campaign on the Wabash against the hostile Indians, shall receive the same compensation which is allowed by law to the militia of the United States when called into the actual service of the United States.

Pensions to wounded officers and soldiers, and to the families of such as were killed.

In case of death or marriage of widow, half pension to go to children under sixteen years.

SEC. 2. *And be it further enacted*, That the officers, according to the rank which they held as aforesaid, the non-commissioned officers and soldiers, of the volunteers or militia, who served in the said campaign, and who were killed or died of wounds received in said service, leaving a widow, or if no widow, shall have left a child or children, under the age of sixteen years, such widow, or if no widow, such child or children, shall be entitled to, and receive the half of the monthly pay to which the deceased was entitled at the time of his death, or receiving the wound of which he died, for and during the term of five years; and in case of the death or intermarriage of such widow, before the expiration of the term of five years, the half pay, for the remainder of the term, shall go to the child or children of such deceased officer or soldier, whilst under the age of sixteen years; and in like manner the allowance to the child or children of such deceased, where there is no widow, shall be paid no longer than while there is a child or children under the

age aforesaid: *Provided*, that no greater sum shall be allowed in any case to the widow or to the child or children of any officer than the half pay of a lieutenant colonel.

Limitation of amount.

SEC. 3. *And be it further enacted*, That every officer, according to the rank which he held as aforesaid, non-commissioned officer and private, of the volunteers and militia, who served in the said campaign, and who have been disabled by known wounds received in said service, shall be placed on the list of invalids of the United States, at such rate of pension as shall be directed by the President of the United States, upon satisfactory proof of such wound and disability being produced to the Secretary of War, agreeably to such rules as he may prescribe: *Provided*, that the rate of compensation for such wounds and disabilities shall never, for the highest disability, exceed half the monthly pay of such officer, at the time of being so wounded or disabled, and that the rate of compensation to a non-commissioned officer and private, shall never exceed five dollars per month; and all inferior disabilities shall entitle the person so disabled, to receive a sum in proportion to the highest disability; but no pension of a commissioned officer shall be calculated at a higher rate than the half pay of a lieutenant colonel.

Pensions to be in proportion to the wounds, &c.

Compensation for disabilities not to exceed half monthly pay.

SEC. 4. *And be it further enacted*, That any person or persons belonging to the said army, who may have had a horse or horses killed or lost during the late battle on the Wabash, shall be entitled to, and receive the value thereof: *Provided*, that the proof of the value of such horse or horses shall be by affidavit of the quartermaster of the corps to which the owner may have belonged, or of two other credible witnesses.

Horses killed in the battle of the Wabash to be paid for.

SEC. 5. *And be it further enacted*, That to the heirs or legal representatives of every person who was killed, and to every person who was wounded in the said campaign, who were purchasers of public lands of the United States, and whose lands had not, before the seventh of November, one thousand eight hundred and eleven, been actually sold or reverted to the United States, for the non-payment of part of the purchase money, a further time of three years shall be allowed, in addition to the time allowed by former laws, to complete their payments; which further time of three years shall commence from the respective times when their payments should have been completed according to former laws.

Further time given to such as were wounded, or to the representatives of those killed to make payment for public lands.

APPROVED, April 10, 1812.

STATUTE I.

CHAP. LV.—*An Act to authorize a detachment from the Militia of the United States.*(a)

April 10, 1812.

[Expired.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the

(a) A justice of the peace, in the District of Columbia, is an officer of the government of the United States, and is exempt from militia duty. *Wise v. Withers*, 3 Cranch, 331; 1 Cond. Rep. 552.

The court martial has not exclusive jurisdiction of that question, and its sentence is not conclusive. *Ibid.*

Trespass lies against a collector of militia fines, who distrains for a fine imposed by a court martial, upon a person not liable to be enrolled in the militia; the court martial having no jurisdiction in such cases. *Ibid.*

The act of the state of Pennsylvania of 29th March, 1814, providing, by the 21st section, that the officers and privates of the militia of Pennsylvania, neglecting or refusing to serve when called into actual service, in pursuance of any order or requisition of the President of the United States, shall be liable to the penalties defined in the act of Congress of 28th February, 1795, chap. 36, or to any penalty which may be imposed since the date of the act, or which may hereafter be prescribed by any law of the United States; and also providing for the trial of such delinquents by a state court martial, and that a list of the delinquents fined by such court, should be furnished to the marshal of the United States, and also to the comptroller of the treasury of the United States, in order that the further proceedings directed to be had thereon by the laws of the United States might be completed; is not repugnant to the laws and the constitution of the United States. *Houston v. Moore*, 5 Wheat. 1; 4 Cond. Rep. 589.

The act of February 28, 1795, chap. 36, to provide for calling forth the militia to execute the laws of the Union, to suppress insurrections and repel invasions, is within the constitutional authority of Congress. *Martin v. Mott*, 12 Wheat. 19; 6 Cond. Rep. 410.