

## STATUTE II.

Jan. 27, 1813.

[Obsolete.]

Goods imported into the United States from British ports beyond the Cape of Good Hope exempt from fine.

See act of April 14, 1814, ch. 56.

1797, ch. 13.

When to be released.

Proviso.

CHAP. XIV.—*An Act authorizing the admission, under certain circumstances, of vessels owned by citizens of the United States of America, with their cargoes, from British ports beyond the Cape of Good Hope.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in all cases where goods, wares and merchandise, bona fide the property of a citizen or citizens of the United States, have been imported into the United States from British ports beyond the Cape of Good Hope, for the cargoes of which vessels' bonds have been required, at the port or place of shipment from, and have been given by the owners, agents, consignees, or supercargoes of such vessels, that the cargoes thereof shall be delivered or landed at some port or place in the United States; and the person or persons interested in such goods, wares or merchandise, or concerned in the importation thereof, have incurred thereby any fine, penalty and forfeiture, or have delivered the same into the possession or custody of the United States, on such person petitioning for relief to any judge or court proper to hear the same, in pursuance of the provisions of the act, entitled "An act to provide for mitigating and remitting the fines, forfeitures and penalties, in certain cases therein mentioned;" and on the facts being shown, on inquiry had by said judge or court, stated and transmitted as by said act is required, to the Secretary of the Treasury; in all such cases wherein it shall be proved, to his satisfaction, that said goods, wares and merchandise, at the time of their shipment, were bona fide owned by a citizen or citizens of the United States, and for the landing or delivery of which, at some port or place in the United States, bonds were required and given as aforesaid, the Secretary of the Treasury is hereby directed to remit all fines, penalties and forfeitures, which may have been incurred in consequence of such shipment, importation or importations, to deliver up possession of the said vessels, goods, wares and merchandise, to the owner or owners thereof, upon the costs and charges that have arisen or may arise being paid, and the duties payable on such goods, wares and merchandise, or which would have been payable if they had been legally imported, being paid or secured to be paid according to law, as if the same had been imported and entered at the time of the release thereof; and also to direct the prosecution or prosecutions, if any shall have been instituted for the recovery of such fines, penalties, and forfeitures, to cease and be discontinued: *Provided*, that nothing in this act contained shall extend or be construed to extend to a remission of or exemption from any fine, penalty or forfeiture which has been or may be incurred for a breach of any law or laws of the United States other than such as prohibit the admission into the United States of goods, wares and merchandise, imported as aforesaid.

APPROVED, January 27, 1813.

## STATUTE II.

Jan. 29, 1813.

[Obsolete.]

Additional regiments to be raised.

Act of January 11, 1812, ch. 14.

Act of January 14, 1812, ch. 16.

Constituent parts of the regiments.

CHAP. XVI.—*An Act in addition to the act entitled "An act to raise an additional military force," and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in addition to the present military establishment of the United States, there be raised such number of regiments of infantry, not exceeding twenty, as in the opinion of the President may be necessary for the public service, to be enlisted for the term of one year, unless sooner discharged.

SEC. 2. *And be it further enacted,* That each of the said regiments shall consist of one colonel, one lieutenant colonel, two majors, one adjutant, one paymaster, one quartermaster, one surgeon, two surgeons' mates, one sergeant major, one quartermaster sergeant, two principal musicians, and ten companies.

SEC. 3. *And be it further enacted*, That each company shall consist of one captain, one first lieutenant, one second lieutenant, one third lieutenant, one ensign, five sergeants, six corporals, two musicians, and ninety privates.

Of companies.

SEC. 4. *And be it further enacted*, That it shall be lawful for the President of the United States in the recess of the Senate to appoint such of the officers authorized by this act, as may not be appointed during the present session; which appointments shall be submitted to the Senate at their next session for their advice and consent.

President may appoint the officers during the recess.

SEC. 5. *And be it further enacted*, That all the officers, non-commissioned officers, musicians, and privates, authorized by this act, shall receive the like pay, forage, rations, clothing, and other emoluments (the land and bounty excepted) as the officers of the same grade and corps, non-commissioned officers, musicians, and privates, of the present military establishment.

Pay, &c. &c. of the officers, &c. &c.

SEC. 6. *And be it further enacted*, That the officers, non-commissioned officers, musicians, and privates, of the regiments hereby authorized to be raised, shall be governed by the rules and articles of war, which have been established by the United States in Congress assembled, or by such rules and articles as may be hereafter by law established.

To be governed by the rules and articles of war.

SEC. 7. *And be it further enacted*, That the commissioned officers who shall be employed in recruiting the force authorized by this act, shall be entitled to receive, for every person enlisted by them into this service, for the term specified, and approved by the commanding officer of the regiment, and between the ages of eighteen and forty-five years, the sum of two dollars: *Provided nevertheless*, that this regulation, so far as respects the age of the recruit, shall not extend to musicians, or to those soldiers who may re-enlist into the service: *And provided also*, that no person under the age of twenty-one years, shall be enlisted by any officer, or held in the service of the United States, without the consent, in writing, of his parent, guardian, or master, first had and obtained, if any he have; and if any officer shall enlist any person contrary to the true intent and meaning of this act, for every such offence he shall forfeit and pay the amount of the bounty and clothing, which the persons so recruited may have received from the public, to be deducted out of the pay and emoluments of such officer.

Premium to the officers for enlisting men.

Proviso.

No person under twenty-one to be enlisted, without consent of parent, &c.

SEC. 8. *And be it further enacted*, That there shall be allowed and paid to each man recruited as aforesaid, a bounty of sixteen dollars; but the payment of eight dollars of the said bounty shall be deferred until he shall be mustered, and have joined some military corps of the United States.

Sixteen dollars bounty to each man.

SEC. 9. *And be it further enacted*, That the said regiments shall be paid in such manner, that the arrears shall at no time exceed two months; unless the circumstances of the case shall render it unavoidable.

Arrears never to exceed two months.

SEC. 10. *And be it further enacted*, That if any officer, non-commissioned officer, musician or private, shall be disabled by wounds or otherwise, while in the line of his duty in public service, he shall be placed on the list of invalids of the United States, at such rate of pension and under such regulations as are or may be directed by law: *Provided always*, that the compensation to be allowed for such wounds or disabilities, to a commissioned officer, shall not exceed for the highest rate of disability half the monthly pay of such officer, at the time of his being disabled or wounded; and that no officer shall receive more than the half pay of a lieutenant colonel; and that the rate of compensation to non-commissioned officers, musicians and privates shall not exceed five dollars per month: *And provided also*, that all inferior disabilities shall entitle the person so disabled to receive an allowance proportionate to the highest disability.

Disabled officers, musicians, and privates, to be placed on the list of invalids.

Proviso.

Proviso.

SEC. 11. *And be it further enacted*, That if any commissioned officer

Widows or children of commissioned officers dying from wounds received in actual service, entitled to half the monthly pay for five years.

Proviso.

Non-commissioned officers, musicians, or privates, deserting the service, to make good the time of enlistment, &c.

Oath to be taken by officers, musicians, and privates.

Form of the oath.

Extra expenses incurred by commissioned officers to be allowed, &c.

Officers and soldiers discharged from service to be allowed travelling expenses.

A chaplain to be appointed to each brigade, &c.

No field or staff officer entitled to receive pay or emolument till called into actual service.

Certain acts relating to volunteer military corps repealed.

Act of Feb. 6, 1812, ch. 21.

Act of July 6, 1812, ch. 138.

Proviso.

shall, while in the service of the United States, die, by reason of any wound received in actual service of the United States, and leave a widow, or if no widow, a child or children, under sixteen years of age, such widow, or if no widow, such child or children, shall be entitled to and receive half the monthly pay to which the deceased was entitled at the time of his death, for and during the term of five years: but in case of the death or intermarriage of such widow, before the expiration of the said term of five years, the half pay for the remainder of the time shall go to the child or children of such deceased officer: *Provided always*, that such half pay shall cease on the decease of such child or children.

SEC. 12. *And be it further enacted*, That if any non-commissioned officer, musician or private, shall desert the service of the United States, he shall, in addition to the penalties mentioned in the rules and articles of war, be liable to serve for and during such a period as shall, with the time he may have served previous to his desertion, amount to the full term of his enlistment; and such soldier shall and may be tried by a court martial, and punished, although the term of his enlistment may have elapsed previous to his being apprehended or tried.

SEC. 13. *And be it further enacted*, That every officer, non-commissioned officer, musician and private, shall take and subscribe the following oath or affirmation, to wit: "I, *A. B.* do solemnly swear or affirm (as the case may be) that I will bear true faith and allegiance to the United States of America; and that I will serve them honestly and faithfully against their enemies or opposers whomsoever; and that I will observe and obey the orders of the President of the United States, and the orders of the officers appointed over me, according to the rules and articles of war."

SEC. 14. *And be it further enacted*, That where any commissioned officer shall be obliged to incur any extra expense, in travelling and sitting on general courts martial, he shall be allowed a reasonable compensation for such extra expense actually incurred, not exceeding one dollar and twenty-five cents per day to officers who are not entitled to forage, and not exceeding one dollar per day to such as shall be entitled to forage.

SEC. 15. *And be it further enacted*, That whenever any officer or soldier shall be discharged from the service, except by way of punishment for an offence, he shall be allowed his pay and rations, or an equivalent in money, for such term of time as shall be sufficient for him to travel from the place of discharge to the place of his residence, computing at the rate of twenty miles to a day.

SEC. 16. *And be it further enacted*, That there shall be appointed to each brigade one chaplain, who shall be entitled to the same pay and emoluments as a major in the infantry.

SEC. 17. *And be it further enacted*, That no field or staff officer, who may be appointed by virtue of this act, shall be entitled to receive any pay or emoluments until he shall be called into actual service, nor for any longer time than he shall continue therein.

SEC. 18. *And be it further [enacted]*, That the act, entitled "An act authorizing the President of the United States to accept and organize certain volunteer military corps," and the act, entitled "An act supplementary to the act, entitled, An act authorizing the President of the United States, to accept and organize certain volunteer military corps," be, and the same are hereby repealed, from and after the first day of February next: *Provided*, that nothing herein contained shall be so construed as to deprive the officers and men who may have entered the service as volunteers, under the said acts, of any rights, immunities, or privileges therein secured, or the United [States] of the services of such volunteers, agreeably to the provisions of said acts.

APPROVED, January 29, 1813.