

arising from the sale of the land hereby directed to be sold, the parties may be entitled to.

SEC. 9. *And be it further enacted,* That the plaintiff or plaintiffs, or the attorney general of the United States, shall be entitled to an appeal to the Supreme Court of the United States, whose decision shall be conclusive between the parties; and should no appeal be taken, the judgment or decree of the said circuit court shall in like manner be final and conclusive.

APPROVED, May 7, 1822.

The plaintiff or the attorney general entitled to an appeal to the Supreme Court, &c.

STATUTE I.

CHAP. CVII.—*An Act further to establish the compensation of officers of the customs and to alter certain collection districts, and for other purposes. (a)*

May 7, 1822.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the collection district of White Mountains shall be, and hereby is, annexed to the district of Portsmouth, in New Hampshire; the district of Memphrymagog, to the district of Vermont; the district of Hudson, to the district of New York; and each of the districts so annexed is hereby abolished, and made and constituted a part of the district to which it is annexed.

Certain collection districts annexed to others.

Districts annexed abolished, &c.

SEC. 2. *And be it further enacted,* That the collection district of Chester, with the district of Havre de Grace, be, and hereby is, annexed to the district of Baltimore; the district of Nottingham, to the district of Annapolis; the districts of Dumfries and Yeocomico, to the district of Tappahannock; the districts of Hampton, in Virginia, and South Quay, to the district of Norfolk and Portsmouth; and each of the districts so

Certain other districts annexed to those mentioned.

The districts annexed estab-

(a) The acts relating to the compensation of collectors and other officers of the customs are:

An act to provide more effectually for the collection of the duties imposed by law on goods, wares, and merchandise, imported into the United States, and on the tonnage of ships or vessels, August 4, 1790, (obsolete,) ch. 35, sec. 52, vol. i. 171.

An act making further provision relative to revenue cutters, (obsolete,) May 6, 1796, ch. 22, sec. 2.

An act in addition to an act, entitled "An act supplementary to the act entitled an Act to provide more effectually for the collection of the duties on goods, wares, and merchandise imported into the United States, and on the tonnage of ships or vessels," (obsolete,) May 27, 1796, ch. 35.

An act establishing an annual salary for the surveyor of the port of Gloucester, (obsolete,) July 14, 1798, ch. 73.

An act to increase the compensation now allowed by law to inspectors, measurers, weighers, and gaugers, employed in the collection of the customs, (obsolete,) April 26, 1816, ch. 95.

An act respecting the compensation of the collectors therein named, (obsolete,) March 3, 1817, ch. 49.

An act further to establish the compensation of officers of the customs and to alter certain collection districts, and for other purposes, (obsolete,) May 7, 1822, ch. 107.

An act to establish the compensation of the officers employed in the collection of the duties on imports and tonnage, and for other purposes, March, 1799, ch. 23.

An act supplementary to an act, entitled an "Act to establish the compensation of officers employed in the collection of the duties on imports and tonnage," May 10, 1800, ch. 54.

An act to amend an act to establish the compensation of the officers employed in the collection of the duties, imports, and tonnage, and for other purposes, April 30, 1802, ch. 37.

An act relative to the compensation of certain officers of the customs, and to provide for the appointing a surveyor in the district therein mentioned, March 27, 1804, ch. 58.

An act to annex a part of the state of New Jersey to the collection district of New York, and to remove the office of collector of Niagara to Lewistown, &c., March 2, 1811, ch. 33, sec. 9.

An act to allow a salary to the collectors of the districts of Nantucket and Pensacola, and to abolish the office of surveyor of the district of Pensacola, May 26, 1824, ch. 158.

An act to regulate the foreign and coasting trade on the northern, north-eastern and north-western frontiers of the United States, and for other purposes, March 2, 1831, ch. 98.

An act making appropriation for the civil and diplomatic expenses of government, for the year one thousand eight hundred and thirty-five, June 27, 1834, ch. 92, sec. 2.

An act making appropriations for the civil and diplomatic expenses of government, for the year one thousand eight hundred and thirty-five, March 3, 1835, ch. 28, sec. 3.

An act to amend an act entitled "An act to annex part of the state of New Jersey to the collection district of New York, and to remove the office of collector of Niagara to Lewistown, &c.," June 30, 1834, ch. 128.

An act making appropriations for the civil and diplomatic expenses of government for the year one thousand eight hundred and thirty-seven, March 3, 1837, ch. 33, sec. 2.

An act to provide for the support of the military academy of the United States, for the year eighteen hundred and thirty-eight, and for other purposes, July 7, 1838, ch. 169, sec. 3.

lished as ports of delivery, &c.

The offices of surveyor, in the places specified, abolished.

Certain ports of delivery discontinued.

The President &c. to appoint a surveyor to each port of delivery established by this act, &c.

Each surveyor to have the same powers, &c. as others.

The salaries of the collectors mentioned, to cease.

Commissions to the collectors mentioned, in lieu, &c.

Salaries, in addition to emoluments, and in lieu of former salaries to the officers mentioned.

Collectors.

Surveyors.

annexed is hereby abolished, and made and constituted a part of the district to which it is annexed, and established a port of delivery, with the privileges appertaining to such ports.

SEC. 3. *And be it further enacted*, That the offices of surveyor in Augusta, Thomastown, Waldoboro', St. George, Bristol, Nobleboro' and Bangor, in Maine; Easton, Great Mills, St. Ingoes, in Maryland; Winton, Tombstone, Skewarky, Nixonton, Indiantown, New Biggin Creek, and Pasquotank, in North Carolina; Pittsburg, Marietta, Cincinnati, Massac, Charleston, in Virginia, and Limestone; be, and the same are hereby, abolished.

SEC. 4. *And be it further enacted*, That the ports of delivery of Augusta, in Maine, Winton, Tombstone, Skewarky, Nixonton, Indian town, New Biggin Creek, and Pasquotank, in North Carolina, be, and the same are hereby, discontinued as ports of delivery.

SEC. 5. *And be it further enacted*, That the President of the United States, be, and he is hereby authorized, with the advice and consent of the Senate, to appoint a surveyor to each of the ports of delivery established by this act; and also a surveyor for the port of Eastport, in the district of Passamaquoddy; and each surveyor so appointed, shall have the same powers, and be subject to the same duties, as other surveyors of the customs.

SEC. 6. *And be it further enacted*, That the salaries heretofore allowed by law to the several collectors of the customs for the districts of White Mountains, Memphrymagog, Barnstable, Nantucket, Marblehead, and New Bedford, shall cease and be discontinued.

SEC. 7. *And be it further enacted*, That in lieu of the commissions allowed by law to the several officers hereafter mentioned, there shall be allowed the following, to wit; To each of the collectors for the districts of Saco, Cape Vincent, Georgetown, in the District of Columbia, Newbern, and St. Mary's, in Georgia, three per cent.; to each collector for the districts of Kennebunk, Newport, and New London, two and a half per cent.; to each collector for the districts of Bath, Bristol, New Haven, and Alexandria, two per cent.; to the collector for the district of Portsmouth, one and three fourths per cent.; to each collector for the districts of Norfolk and Portsmouth, Petersburg, and Richmond, one and three-fourths per cent.; and to the collector for the district of Mississippi, one per cent.; to the collector for the district of Boston, one-fifth of one per cent.; and to the collector for the district of New-York, one-sixth of one per cent., on all moneys by them respectively received on account of the duties arising from goods, wares and merchandise, imported into the United States, and on the tonnage of vessels.

SEC. 8. *And be it further enacted*, That, in addition to the emoluments, of the several officers hereinafter mentioned, and in lieu of the salaries now established by law, there shall be allowed and paid the following salaries, to wit: To the collector of the district of Wilmington, in Delaware, five hundred dollars; to the collector of the district of Sagg Harbour, four hundred dollars; to each of the collectors for the districts of Saco, Edgartown, Fairfield, Cape Vincent, Sackett's Harbour, Champlain, Oswegatchie, Oswego, Vermont, Oxford, Tappahannock, Beaufort, in North Carolina, Edenton, Georgetown, in South Carolina, and Beaufort, in South Carolina, two hundred and fifty dollars; to each of the collectors for the districts of Wiscasset, Oswego, Plymouth, in North Carolina, two hundred dollars; to the surveyor at Eastport, for the district of Passamaquoddy, five hundred dollars; to the surveyors at North Kingston, for the district of Newport, and to each of the surveyors at New London, and at Hartford and Middletown, for the district of Middletown and Hampton, two hundred and fifty dollars; to each of the surveyors of the ports for the districts of St. Mary's in Maryland, East River, South Quay, Petersburg, Edenton, Pawtuxet, and Camden, two hundred dollars; and

to each of the surveyors of the ports of Chester, Havre de Grace, Nottingham, Dumfries, and Yeocomico, one hundred and fifty dollars; to the naval officers for the districts of Providence and Newport, two hundred and fifty dollars each.

SEC. 9. *And be it further enacted*, That whenever the emoluments of any collector of the customs of either of the ports of Boston, New York, Philadelphia, Baltimore, Charleston, Savannah, or New Orleans, shall exceed four thousand dollars, or the emoluments of any naval officer of either of said ports, shall exceed three thousand dollars, or the emoluments of any surveyor of either of said ports shall exceed two thousand five hundred dollars, in any one year, after deducting the necessary expenses incident to his office in the same year, the excess shall, in every such case, be paid into the treasury, for the use of the United States.

SEC. 10. *And be it further enacted*, That whenever the emoluments of any other collector of the customs shall exceed three thousand dollars, or the emoluments of any other naval officer shall exceed two thousand five hundred dollars, or the emoluments of any other surveyor shall exceed two thousand dollars, in any one year, after deducting therefrom the necessary expenses incident to his office in the same year, the excess shall, in every such case, be paid into the treasury, for the use of the United States. (a)

SEC. 11. *And be it further enacted*, That the preceding provisions shall not extend to fines, penalties, or forfeitures, or the distribution thereof.

SEC. 12. *And be it further enacted*, That every collector, naval officer, and surveyor, shall account to the treasury for all his emoluments, and also for all the expenses incident to his office; that such accounts, as well of expenses as of emoluments, shall be rendered on oath or affirmation, at such times and in such forms, and shall be supported by such proofs, as shall be prescribed by the Secretary of the Treasury, and all such accounts shall be settled at the treasury like other public accounts.

SEC. 13. *And be it further enacted*, That every collector, naval officer, and surveyor, shall, together with his accounts of the expenses incident to his office, render a list of the clerks employed by him, stating the rate of compensation allowed to each, and the duties which they severally perform; and also an account of the sums paid for stationery, official or contingent expenses, fuel, and office rent, stating the purposes for which the premises rented are applied.

SEC. 14. *And be it further enacted*, That, in the ports of Boston, New York, Philadelphia, Baltimore, Charleston, Savannah, and New Orleans, no person shall be an inspector who, at the same time, holds any other office in the collection of the customs in either of the said ports.

SEC. 15. *And be it further enacted*, That the Secretary of the Treasury may, from time to time, limit and fix the number and compensations of the clerks to be employed by any collector, naval officer, or surveyor, and may limit and fix the compensation of any deputy of any such collector, naval officer, or surveyor: *Provided*, That no such deputy, in any of the districts of Boston and Charlestown, New York, Philadelphia, Baltimore, Charleston, Savannah, or New Orleans, shall receive more than one

Naval officers.

Limitation of emoluments of collectors of Boston, New York, Philadelphia, Baltimore, Charleston, Savannah, and New Orleans. Naval officers. Surveyors.

Limitation of the emoluments of other collectors, naval officers, and surveyors.

The preceding provisions not to extend to fines, forfeitures, &c.

Collectors, naval officers, and surveyors, to render an account of emoluments, &c.

Officers and surveyors to render a list of clerks employed by them, their compensation, and an account of sums paid for stationery, &c.

In the ports of Boston, &c., no person to be an inspector who holds any other office in the collection of the customs.

Salary to deputy collector, &c.

(a) The act of Congress of May 7, 1822, ch. 107, sec. 10, provides that whenever the emoluments of certain collectors of the customs shall exceed three thousand dollars in any one year, &c. the excess shall in every such case be paid into the treasury of the United States. The defendant was collector of the port of Gloucester, and was removed from office July 29, 1829. From January first in the same year, to the day of his removal, he received for salary, fees and commissions, \$3457 83; the excess of this over \$3000, after deducting certain legal expenses, he paid into the treasury of the United States. Held, that all the fees and commissions received by the collector are to be deemed to be received for his own use, until they exceed the maximum amount of \$3000; that the defendant was therefore absolutely entitled, in his own right to the fees and emoluments of office, not exceeding \$3000, received during the seven months preceding his removal, although he did not continue in office a whole year from January first; and that the year of his successor in office commenced on the day of his appointment, and ended with the same day in the succeeding year.

The United States in error v. William Pearce, Jun., and another, 2 Sumner's C. C. R. 575.

thousand five hundred dollars, nor any other such deputy more than one thousand dollars, in any one year, for any services he may perform for the United States in any office or capacity.

No account for compensation to be allowed until he has certified, on oath or affirmation, that he has performed the services and received the full sum charged, &c.

SEC. 16. *And be it further enacted*, That no account for the compensation for services of any clerk, or other person employed in any duties in relation to the collection of the revenue, shall be allowed, until such clerk or other person shall have certified, on oath or affirmation, that the same services have been performed, that he has received the full sum therein charged, to his own use and benefit, and that he has not paid, deposited, or assigned, nor contracted to pay, deposit, or assign, any part of such compensation to the use of any other person, nor in any way, directly or indirectly, paid or given, nor contracted to pay or give, any reward or compensation for his office or employment, or the emoluments thereof.

If any person employed in the collection of the revenue accepts any fee, &c. not allowed by law, for any service performed, &c. he is to be removed from office, pay a fine, &c.

SEC. 17. *And be it further enacted*, That if any person employed in any duties in relation to the collection of the revenue, shall accept or receive any fee, reward, or compensation, other than that allowed by law, for any service he may perform for any person, in making any entry or clearance, or preparing any papers to be used or kept in the customhouse, such person shall be removed from office, and shall, moreover, on conviction thereof, pay a fine, not exceeding five hundred dollars.

No collector, &c. to receive more than 400 dollars annually, exclusive, &c.

SEC. 18. *And be it further enacted*, That no collector, surveyor, or naval officer, shall ever receive more than four hundred dollars annually, exclusive of his compensation as collector, surveyor, or naval officer, and the fines and forfeitures allowed by law, for any services he may perform for the United States in any other office or capacity.

Collector of Cape Vincent.

This act in force from 30th June, 1822.

SEC. 19. *And be it further enacted*, That the salary of the collector of the district of Cape Vincent shall commence from the time of his appointment.

SEC. 20. *And be it further enacted*, That this act shall be in force from and after the thirtieth day of June next.

APPROVED, May 7, 1822.

STATUTE I.

May 7, 1822.

CHAP. CVIII.—*An Act vesting in the commissioners of the counties of Wood and Sandusky, the right to certain lots in the towns of Perrysburg and Croghansville, in the state of Ohio, for county purposes.*

Unsold town lots, &c. in Perrysburg, &c.

Unsold town lots, &c. in Croghansville, &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the right to all the unsold town lots and out-lots in the town of Perrysburg be, and the same is hereby, vested in the commissioners of Wood county, in the state of Ohio; and the right to all the unsold town lots and out-lots in the town of Croghansville be, and the same is hereby, vested in the commissioners of Sandusky county, in said state; on condition that said commissioners shall permanently locate the seat of justice for their respective counties at said towns; and that the net proceeds of the sales of so many of said lots as are necessary to be retained for the purpose of erecting public buildings thereon, be applied to the erection and improvement of the public buildings and squares in said towns respectively.

APPROVED, May 7, 1822.

STATUTE I.

May 7, 1822.

CHAP. CXII.—*An Act authorizing the payment of certain certificates.*

So much of the act of

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of an act, entitled "An act making further provisions for the support of public