

the United States.

Sections through which the canal passes reserved until, &c.

The state may use necessary adjacent materials without waste.

the United States, or persons in their service, passing through the same.

SEC. 2. *And be it further enacted,* That every section of land through which said canal route may pass, shall be, and the same is hereby, reserved from future sale, until hereafter specially directed by law: and the said state is hereby authorized and permitted, without waste, to use any materials on the public lands adjacent to said canal, that may be necessary for its construction.

APPROVED, March 30, 1822.

STATUTE I.

March 30, 1822.

Vessels having Spanish registers on the 10th July, 1821, belonging wholly to resident citizens or to inhabitants on the 10th July, 1821, the master being a citizen or inhabitant, may be registered, &c. and then deemed a ship or vessel of the United States, &c.

Proviso: as to collectors varying forms of oaths of registry, &c.

Proviso: former register, &c. to be first surrendered, and oath of allegiance taken.

Form of the oath.

Inhabitants on July 10, 1821, taking the oath, &c., entitled to own ships, &c.

For 12 years from the 22d of May, 1821, Spanish vessels

CHAP. XV.—*An Act concerning the commerce and navigation of Florida. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That any ship or vessel possessed of, and sailing under, a Spanish register, on the tenth day of July, one thousand eight hundred and twenty-one, belonging, and continuing to belong, wholly to a citizen or citizens of the United States then residing within the territories ceded to the United States by the treaty of the twenty-second of February, one thousand eight hundred and nineteen, between the United States and the King of Spain, the ratifications of which were exchanged on the twenty-second of February, one thousand eight hundred and twenty-one, or to any person or persons being, on the said tenth day of July, an inhabitant or inhabitants of the said ceded territory, and who continue to reside therein, and of which the master is a citizen of the United States, or an inhabitant as aforesaid, may be registered, enrolled, and licensed, in the manner prescribed by law; and being so registered, enrolled, and licensed, shall be denominated and deemed a ship or vessel of the United States, and entitled to the same privileges and benefits: *Provided,* That it shall be lawful for the collector to whom application shall be made for a certificate of registry, enrolment, or license, by any citizen or inhabitant as aforesaid, to make such variations in the forms of the oaths, certificates, and licenses, as shall render them applicable to the cases herein intended to be provided for: *And provided also,* That every such inhabitant, applying as aforesaid, shall, prior to his being entitled to receive such certificate of registry, enrolment, or license, deposit, with the collector, the register and other papers under which such ship or vessel had been navigated; and also take and subscribe, before the collector, (who is hereby authorized to administer the same,) the following oath: "*I, A B, do swear (or affirm) that I will be faithful and bear true allegiance to the United States of America, and that I do entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state, or sovereignty whatever, and particularly to the King of Spain.*"

SEC. 2. *And be it further enacted,* That the inhabitants of said ceded territory, who were residents thereof on the said tenth day of July, and who shall take the said oath, and who continue to reside therein, or citizens of the United States resident therein, shall be entitled to all the benefits and privileges of owning ships or vessels of the United States, to all intents and purposes, as if they were resident citizens of the United States.

SEC. 3. *And be it further enacted,* That during the term of twelve years, to commence three months after the twenty-second day of February, one thousand eight hundred and twenty-one, being the day of the exchange of the ratifications of said treaty, Spanish ships or vessels, coming

(a) See notes of the acts of Congress relating to the territory of Florida, Act of March 30, 1822, ch. 13.

laden only with the productions of Spanish growth or manufacture, directly from the ports of Spain or her colonies, shall be admitted into the ports of Pensacola and St. Augustine, in the said ceded territory, in the same manner as ships and vessels of the United States, and without paying any other or higher duties on their cargoes than by law now are, or shall at the time be made payable by citizens of the United States, on similar articles imported into said Pensacola or St. Augustine, in ships and vessels of the United States, from any of the ports or places of Spain or her colonies, and without paying any higher tonnage duty than by law now is, or at the time shall be, laid on any ship or vessel of the United States, coming from any port or place of Spain or any of her colonies, to said ports of Pensacola or St. Augustine.

APPROVED, March 30, 1822.

laden with Spanish productions, and from Spanish ports, entitled to entry as American vessels under like circumstances.

STATUTE I.

March 30, 1822.

CHAP. XVI.—*An Act supplemental to an act, entitled "An act authorizing the disposal of certain lots of public ground in the city of New Orleans and town of Mobile."*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the corporation of the city of New Orleans be, and are hereby, authorized to appropriate so much of the lot of ground on which Fort St. Charles formerly stood, as may be necessary for continuing Esplanade street to the Mississippi river; and, also, to sell and convey that portion of the said ground which lies below said street; the proceeds of such sale shall be applied to the purchase of the ground necessary for the opening of Victory street, and the public walk and Elysian fields, and to such other purpose as the said corporation may deem expedient.

APPROVED, March 30, 1822.

Act of April 20, 1818, ch. 115.

Corporation of New Orleans may sell so much of the ground on which Fort Charles stood, as may be necessary for continuing Esplanade street.

STATUTE I.

March 30, 1822.

CHAP. XVIII.—*An Act to amend the laws now in force as to the issuing of original writs and final process in the circuit courts of the United States within the state of Tennessee. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That in each and every case where a citizen of any one of the United States shall wish to commence a suit in the circuit court of the United States, for either the district of east or of west Tennessee, against two or more citizens of the state of Tennessee, some of whom reside in east and some in west Tennessee, it shall and may be lawful for such citizen to cause the clerk of the circuit court in which he may elect to commence his suit, to issue duplicate writs; one directed to the marshal of east, and the other to the marshal of west, Tennessee; which writs it shall be the duty of the respective marshals to execute and return, and when returned they shall be docketed and proceeded in to judgment as one case only.

SEC. 2. *And be it further enacted,* That in each and every case where a judgment has been recovered, or may be hereafter recovered, in either of said circuit courts, it shall and may be lawful for the plaintiff in any such action, to cause his writ of fieri facias, alias fieri facias, or other process of execution, to be directed and delivered to the marshal of either east or west Tennessee, at his election; and it shall be the duty of such marshal to whom the same may be directed, to do execution thereof, in the same manner, and under the same penalties, that he would be if the judgment had been rendered in the court of the district of which he is marshal.

APPROVED, March 30, 1822.

Act of May 8, 1792, ch. 36.

Act of March 3, 1797, ch. 27.

Act of May 19, 1828, ch. 68.

Duplicate writs may be issued, from the circuit courts where defendants reside, in East and West Tennessee, &c.

Where judgment has been recovered in either circuit court, the plaintiff may issue his execution, and the marshal of either East or West Tennessee must do the execution thereof, &c.

(a) See notes to the act of September 29, 1789, ch. 21, vol. i. 93, for the decisions of the courts of the United States in relation to process.