

Punishment of persons setting on foot certain expeditions.

SEC. 5. *And be it further enacted and declared,* That if any person shall within the territory or jurisdiction of the United States begin or set on foot or provide or prepare the means for any military expedition or enterprise to be carried on from thence against the territory or dominions of any foreign prince or state with whom the United States are at peace, every such person so offending shall upon conviction be adjudged guilty of a high misdemeanor, and shall suffer fine and imprisonment at the discretion of the court in which the conviction shall be had, so as that such fine shall not exceed three thousand dollars nor the term of imprisonment be more than three years.

District courts to take cognizance of certain captures.

SEC. 6. *And be it further enacted and declared,* That the district courts shall take cognizance of complaints by whomsoever instituted, in cases of captures made within the waters of the United States, or within a marine league of the coasts or shores thereof.

Power of the President of the United States herein.

SEC. 7. *And be it further enacted and declared,* That in every case in which a vessel shall be fitted out and armed, or attempted so to be fitted out or armed, or in which the force of any vessel of war, cruiser or other armed vessel, shall be increased or augmented, or in which any military expedition or enterprise shall be begun or set on foot contrary to the prohibitions and provisions of this act; and in every case of the capture of a ship or vessel within the jurisdiction or protection of the United States as above defined, and in every case in which any process issuing out of any court of the United States, shall be disobeyed or resisted by any person or persons having the custody of any vessel of war, cruiser or other armed vessel of any foreign prince or state, or of the subjects or citizens of such prince or state, in every such case it shall be lawful for the President of the United States, or such other person as he shall have empowered for that purpose, to employ such part of the land or naval forces of the United States or of the militia thereof as shall be judged necessary for the purpose of taking possession of, and detaining any such ship or vessel, with her prize or prizes if any, in order to the execution of the prohibitions and penalties of this act, and to the restoring such prize or prizes, in the cases in which restoration shall have been adjudged, and also for the purpose of preventing the carrying on of any such expedition or enterprise from the territories of the United States against the territories or dominions of a foreign prince or state, with whom the United States are at peace.

SEC. 8. *And be it further enacted and declared,* That it shall be lawful for the President of the United States, or such other person as he shall have empowered for that purpose, to employ such part of the land or naval forces of the United States or of the militia thereof, as shall be necessary to compel any foreign ship or vessel to depart the United States, in all cases in which, by the laws of nations or the treaties of the United States, they ought not to remain within the United States.

Prosecution of treason not to be impaired.

SEC. 9. *And be it further enacted,* That nothing in the foregoing act shall be construed to prevent the prosecution or punishment of treason, or any piracy defined by a treaty or other law of the United States.

Continued by act of 1800, ch. 35.

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, and no longer.

APPROVED, June 5, 1794.

STATUTE I.

June 5, 1794.

CHAP. LI.—*An Act laying certain duties upon Snuff and Refined Sugar.*

Act of March 3, 1795, ch. 43.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That from and after the thirtieth day of September next, there be levied, collected and paid, upon all snuff, which, after that day, shall be manufactured for

sale, within the United States, at any manufactory, for every pound of snuff, eight cents.

SEC. 2. *And be it further enacted,* That from and after the said thirtieth day of September next, there be levied, collected and paid, upon all sugar which shall be refined within the United States, a duty of two cents per pound.

SEC. 3. *And be it further enacted,* That the duties aforesaid shall be levied, collected and accounted for, by the same officers as are provided by the act, intituled "An act repealing, after the last day of June next, the duties heretofore laid upon distilled spirits imported from abroad, and laying others in their stead, and also upon spirits distilled within the United States, and for appropriating the same;" subject to the superintendance and control of the department of the treasury, according to the respective authorities and duties of the officers thereof.

SEC. 4. *And be it further enacted,* That every manufacturer of snuff, who shall be such previous to, and on the thirtieth day of September next, shall, on the said day; and every manufacturer of snuff who shall be, and become such, after the said day, shall, twenty days, at the least, previous to commencing the business or trade of manufacturing snuff for sale, make true and exact entry and report in writing, at the office of inspection, which shall be nearest to the house or building where he or she shall carry on, or intend to carry on, the business or trade aforesaid, of every house or building where such business or trade shall be by him or her carried on, or intended so to be, and of every mill, specifying the number of mortars to each, which he or she shall have or keep therein, for the performing of any process, operation, matter or thing in or about the manufacturing of snuff, and shall also give bond in the sum of five thousand dollars, with condition, that he or she shall, and will, from day to day, enter in a book, or on a paper to be kept for that purpose, all snuff, which he or she shall manufacture, or cause to be manufactured, and of the quantities, from day to day, by him or her sent out, or caused to be sent out of the house or building, where the same shall have been manufactured; and shall and will, on the first day of January, April, July and October, in each year, render a just and true account of all the snuff which he or she shall have manufactured or made, and sent out, or caused or procured to be manufactured or made and sent out, first from the time of his or her entry and report aforesaid, until the day which shall first ensue, of the days abovementioned for the rendering of such account, and thenceforth, successively, from the time when such account ought to have been, and up to which it shall have been last rendered, until the day next thereafter, of the days abovementioned for the rendering of such account; producing therewith the original book or paper whereon the entries, from day to day to be made, as aforesaid, have been made, and shall, at the time of rendering each account, pay or secure the duties, which, by this act, ought to be paid upon the snuff, in the said account mentioned and stated: And if any such manufacturer shall omit to make any such entry or report, or to give any such bond as is herein before directed, he or she shall forfeit and lose every mill, together with the mortars and other utensils thereto belonging, which he or she shall have or keep, for the performing of any process, matter or thing, in or about the manufacturing of snuff, and shall also forfeit and pay the sum of five hundred dollars, to be recovered with costs of suit.

SEC. 5. *And be it further enacted,* That every refiner of sugar, who shall be such, immediately before, and on the thirtieth day of September next, shall, on the said day, and every refiner of sugar, who shall be, and become such, after the said day, shall, twenty days, at the least, previous to commencing the business of refining sugar, make true and exact entry and report in writing, at the office of inspection, which

Duties on snuff after 30th September.

On refined sugars.

By whom collected.

1791, ch. 15.

Duty of manufacturers of snuff herein.

Forfeiture on neglect thereof.

Duty of sugar refiners.

Duty of sugar
refiners.

shall be nearest to the house or building where he or she shall carry on, or intend to carry on, the said business, of every house or building, where such business shall be by him or her carried on, or intended so to be, and of every pan or boiler, together with the capacity of each, which he shall have, or employ, for the purpose of refining sugar, and shall also give bond in the sum of five thousand dollars, with condition, that he or she shall and will enter or cause to be entered, in a book or paper to be kept for that purpose, all sugar which he or she shall refine, or cause to be refined, and of the quantities, from day to day, by him or her sent out or caused to be sent out, of the house or building where the same shall have been refined, and shall, on the first day of January, April, July and October, in each year, render a just and true account of all the refined sugar, which he or she shall have sent out, or caused or procured to be sent out, from the first time of his or her entry and report aforesaid, until the day, which shall first ensue, of the days above mentioned, for the rendering of such account; and thenceforth, successively, from the time when such account ought to have been, and up to which it shall have been last rendered, until the day next thereafter of the days above mentioned for the rendering of such account, producing and showing therewith, the original book or paper, whereon the entries, from day to day, to be made, as aforesaid, have been made; and he or she shall, at the time of rendering each account, pay or secure the duties, which by this act ought to be paid upon the refined sugar in the said account mentioned. And if any such refiner shall omit to make any such entry or report, he or she shall forfeit and lose every pan or boiler, which he or she shall have, and use, for the purpose of refining sugar, and shall also forfeit the sum of five hundred dollars, to be recovered with costs of suit.

Forfeiture on
neglect thereof.

Manufacturers
of snuff annually
to make oath,
&c.

Of quantity
manufactured.

Refiners of
sugar to make
oath annually,
&c.

Persons swear-
ing falsely
deemed guilty
of wilful per-
jury.

Manufacturers
of snuff and re-
finers of sugar
when to report
engines, &c.

Forfeiture of
snuff and sugar
on neglecting to
pay duties.

SEC. 6. *And be it further enacted,* That every such manufacturer of snuff shall, yearly, being thereunto required by an officer of inspection, make oath or affirmation, according to the best of his or her knowledge and belief, that the accounts, which have been by him or her rendered of the quantities of snuff by him or her manufactured or made, and sent out, or caused or procured to be manufactured or made, and sent out, have been and are just and true.

SEC. 7. *And be it further enacted,* That every refiner of sugar shall, yearly, being thereunto required by an officer of inspection, make oath or affirmation, according to the best of his or her knowledge and belief, that the accounts, which have been by him or her rendered, of the quantities of refined sugar by him or her sent out of the house or building, where the same shall have been manufactured, or procured or caused so to be sent out, have been just and true.

SEC. 8. *And be it further enacted,* That if any person shall knowingly, and with design, falsely swear or affirm, touching any of the matters herein before required to be verified by oath or affirmation, he or she shall be deemed guilty of wilful and corrupt perjury.

SEC. 9. *And be it further enacted,* That every manufacturer of snuff and every refiner of sugar, shall, at each time of rendering an account, as herein before required, make a true and particular report of the engines, implements and utensils, of the several descriptions herein before mentioned, which he or she, at any time since that of rendering his or her last account, hath used or kept, and shall then have, use, or keep, for carrying on his or her trade or business, on pain of forfeiting, for each and every neglect or omission, all such engines, implements and utensils, together with the sum of five hundred dollars, to be recovered with costs of suit.

SEC. 10. *And be it further enacted,* That all snuff and refined sugar, which shall have been manufactured or made within the United States in manner aforesaid, after the said thirtieth day of September next, whereof

the duties aforesaid have not been duly paid or secured, according to the true intent and meaning of this act, shall, upon default being made in the paying or securing of the said duties, be forfeited, and shall and may be seized, as forfeited, by any officer of the inspection or of the customs.

SEC. 11. *And be it further enacted*, That it shall be lawful for every such manufacturer of snuff, or refiner of sugar, at his or her option, either to pay, upon the rendering of his or her account as aforesaid, the duties, which shall thereby appear to be due and payable, with a deduction or abatement of six per cent. for prompt payment, or to give bond, with one or more sureties to the satisfaction of the officer of inspection, to whom such account shall be rendered, for the payment of the said duties, at the expiration of nine months thereafter: *Provided*, That no person, whose bond for any of the said duties shall remain unpaid, beyond the term allowed for the payment thereof, shall be entitled to future credit for any of the said duties, so long as such bond shall remain unpaid.

How the duties may be paid.

SEC. 12. *And be it further enacted*, That from and after the said thirtieth day of September next, there shall be levied, collected and paid (in addition to the duties now payable thereupon) upon all manufactured tobacco or snuff, and upon all refined sugar, which, after the said day, shall be imported into the United States, from any foreign port or place, the following rates and duties, to wit:

Duties on imported snuff, tobacco and refined sugar.

Upon tobacco, four cents per pound:

Upon snuff, twelve cents per pound:

Upon refined sugar, four cents per pound:

Which duties shall be collected in the same manner, by the same officers, under the like regulations, and subject to the like pains, penalties and forfeitures, as now are collected the duties heretofore laid upon the said articles, respectively; the act and acts concerning which are hereby declared to be, and shall be in as full force, for the collection of the additional duties hereby laid, as if the said act and acts were herein particularly recited and repeated.

By whom collected.

SEC. 13. *And be it further enacted*, That from and after the thirty-first day of December next, no refined loaf or lump sugar shall be imported into the United States, from any foreign port or place, except in ships or vessels of the burthen of one hundred and twenty tons and upwards, and in casks or packages containing, each, not less than six hundred pounds, on pain of forfeiting the said ships, or vessels, and the loaf and lump sugar imported therein, except in such casks or packages, as aforesaid.

After 31st December how and in what vessels refined sugar shall be imported.

SEC. 14. *And be it further enacted*, That from and after the thirtieth day of September next, no drawback of the duties upon any manufactured tobacco, or snuff or refined sugar, which shall have been imported into the United States, from any foreign port or place, shall be allowed, but the duties hereby laid upon snuff manufactured within the United States, and sugar refined within the same, shall and may be drawn back upon all such of the said snuff manufactured within the United States, and upon all such of the said sugar, refined within the United States, after the said thirtieth day of September next, which, after the said day, shall be exported from the United States, to any foreign port or place: And adding to the drawback upon sugar so exported, three cents per pound, on account of duties paid upon the importation of raw sugar. *Provided*, That no drawback shall be allowed on the exportation of either of the said articles in any instance, where the same shall amount to less than twelve dollars.

After 30th September no drawback allowed on manufactured or refined sugar imported.

Allowance on said articles exported.

SEC. 15. *And be it further enacted*, That in order to entitle the exporter or exporters to the benefit of the said allowances, he, she, or they shall, previous to the putting or lading any of the said snuff or refined

Notice to be given by exporters.

To officers of inspection.

sugar on board of any ship or vessel for exportation, give six hours' notice at the least to the proper office, of inspection of the port from which the said snuff or sugar shall be intended to be exported, of his, her, or their intention to export the same, and of the number of packages containing the same, and the respective marks thereof, and the place or places where deposited, and of the place to which, and ship or vessel in which, they or either of them shall be so intended to be exported. Whereupon, it shall be the duty of the said officer to inspect, by himself or deputy, the packages so notified for exportation, and the same, after such inspection, shall be laden on board the same ship or vessel, of which notice shall have been given, and in the presence of the same officer or his deputy, who shall have inspected the same; which officer, after the same shall have been so laden on board, shall certify to the collector of the district the quantity and particulars of the article or articles so laden for exportation.

Under what restrictions said allowance to be made.

SEC. 16. *Provided nevertheless, and be it further enacted*, That the said allowance shall not be made, unless the said exporter or exporters shall make oath or affirmation, that the said snuff or sugar so noticed for exportation and laden on board such ship or vessel, are truly intended to be exported to the place, whereof notice shall have been given, and are not intended to be reloaded within the United States, and that he or she doth verily believe that the duties thereupon charged by this act, have been duly paid or secured to be paid; and shall also give bond to the collector, with two sureties one of whom shall be the master, or other person having the command or charge of the ship or vessel, in which the said snuff or sugar shall be intended to be exported; the other, such sufficient person as shall be approved by the said collector, in the full value in the judgment of the said collector, of the said snuff or sugar so intended to be exported, with condition that the said snuff or sugar (the dangers of the seas and enemies excepted) shall be really and truly exported to, and landed in some port or place without the limits of the United States, and that the said snuff or sugar shall not be unshipped from on board of the said ship or vessel whereupon the same shall have been laden for exportation, within the said limits, or any ports or harbors of the United States, or reloaded in any other part of the same (shipwreck or other unavoidable accident excepted).

When said allowance shall be paid.

SEC. 17. *Provided also, and be it further enacted*, That the said allowance shall not be paid until nine months after the said snuff or sugar shall have been so exported: *And provided also*, That whenever the owner of any ship or vessel, on board of which, any such snuff or sugar are laden for exportation, shall make known to the collector previous to the departure of such ship or vessel, from the port where such snuff or sugar are laden, that such ship or vessel is not going to proceed on the voyage intended, or the voyage is altered, it shall be lawful for the collector to grant a permit for reloading the same.

Duty of exporters herein.

SEC. 18. *And be it further enacted*, That if any of the said snuff or sugar, after the same shall have been shipped for exportation, shall be unshipped for any purpose whatever, either within the limits of any part of the United States, or within four leagues of the coast thereof, or shall be reloaded within the United States, from on board the ship or vessel, wherein the same shall have been laden for exportation, unless the voyage shall not be proceeded on, or shall be altered as aforesaid, or unless in case of necessity or distress to save the ship and goods from perishing, which shall be immediately made known to the principal officer of the customs, residing at the port nearest to which such ship or vessel shall be, at the time such necessity or distress shall arise, then not only the snuff or sugar so unshipped, together with the casks, vessels and cases containing the same, but also the ship or vessel, in, or on board which, the same shall have been so shipped or laden, together with

the guns, furniture, ammunition, tackle and apparel, and also the ship, vessel or boat, into which the said snuff or sugar shall be unshipped or put, after the unshipping thereof, together with her guns, furniture, ammunition, tackle and apparel, shall be forfeited, and may be seized by any officer of the customs or of inspection.

Forfeiture on neglect thereof.

SEC. 19. *And be it further enacted*, That the bonds to be given, as aforesaid, shall, and may be discharged, by producing, within one year from the respective dates thereof (if the same shall be shipped to any part of Europe or America, and within two years, if shipped to any part of Asia or Africa; and if the delivery of the snuff or sugar, in respect to which the same shall have been given, be at any place, where a consul or other agent of the United States resides) a certificate of such consul or agent, or if there be no consul or agent, then a certificate of any two known and reputable American merchants residing at the said place; and if there be not two such merchants residing at the said place, then a certificate of any other two reputable merchants, testifying the delivery of the said snuff or sugar, at the said place. Which certificate shall, in each case, be confirmed by the oath or affirmation of the master and mate, or other like officer of the vessel, in which the said snuff or sugar shall have been exported; and when such certificate shall be from any other than a consul or agent, or merchants of the United States, it shall be a part of the said oath or affirmation, that there were not, upon diligent enquiry, to be found two merchants of the United States at the said place: *Provided always*, That in case of death, the oath or affirmation of the party dying, shall not be deemed necessary: *And provided further*, That the said oath or affirmation, taken before the chief civil magistrate of the place, of the said delivery, and certified under his hand and seal, shall be of the same validity, as if taken before a person qualified to administer oaths within the United States; or such bonds shall and may be discharged, upon proof that the snuff or sugar, so exported, were taken by enemies, or perished in the sea, or destroyed by fire: The examination and proof of the same, being left to the judgment of the collector of the customs, naval officer, and chief officer of inspection, or any two of them, of the place from which such snuff or sugar shall have been exported. And in cases where the certificates herein directed cannot be obtained, the exporter or exporters of such snuff or sugar shall nevertheless be permitted to offer such other proof as to the delivery of the said snuff or sugar, without the limits of the United States, as he or they may have; and if the same shall be deemed sufficient by the said collector, he shall allow the same, except when the drawback to be allowed shall amount to one hundred dollars or upwards: In all which cases, the proofs aforesaid shall be referred to the Comptroller of the Treasury, whose decision thereon shall be final.

Bonds to be given, how discharged.

Proceedings to be had for discharging bonds.

Proviso.

SEC. 20. *And be it further enacted*, That it shall be lawful to export, directly from any manufactory of snuff or of refined sugar, to any foreign port or place, any snuff or refined sugar, which shall have been manufactured at such manufactory, after the said thirtieth day of September next, free from duty: *Provided*, That the same proceedings be had, in all respects, in order thereto, which are herein before prescribed, in order to the obtaining the benefit of the drawbacks of the duties which have been paid, or secured, upon any snuff or sugar, exported to a foreign port or place.

When and in what manner snuff and sugar may be exported directly, &c.

SEC. 21. *And be it further enacted*, That all penalties and forfeitures, which shall be incurred, pursuant to this act, shall be divided and distributed, one half thereof to the use of the United States, and the other half thereof to the use of the person who, if an officer of inspection, shall first discover, or if not an officer of inspection, shall first give information of the cause, matter or thing, whereby any of the said penalties or forfeitures shall have been incurred.

Distribution of penalties, &c. under this act.

Limitation of
this act.

SEC. 22. *And be it further enacted*, That this act shall continue and be in force for the term of two years, and from thence till the end of the next session of Congress, and no longer.

APPROVED, June 5, 1794.

STATUTE I.

June 7, 1794.

CHAP. LII.—*An Act in addition to the "Act for making further and more effectual provision for the protection of the frontiers of the United States."*

[Obsolete.]
Allowance to
widows and or-
phans of officers
dying in service.
1792, ch. 9.
1802, ch. 9,
sec. 14, 15.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That if any commissioned officer in the troops of the United States shall, while in the service of the United States, die by reason of wounds received in actual service of the United States, and shall leave a widow, or if no widow, shall leave a child or children, under age, 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, for and during the term of five years: And 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 term, shall go to the child or children of such deceased officer, while 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.

Army how
paid in future.

SEC. 2. *And be it further enacted*, That the army be in future paid in such manner that the arrears shall at no time exceed two months.

President of
United States
may increase ra-
tions of certain
troops.

SEC. 3. *And be it further enacted*, That to such of the troops as are or may be employed on the frontiers, and under such special circumstances as in the opinion of the President of the United States, may require an augmentation of some parts of their rations, the President be authorized to direct such augmentation as he may judge necessary, not exceeding four ounces of beef, two ounces of flour and half a gill of rum or whiskey in addition to each ration, and half a pint of salt to one hundred rations.

APPROVED, June 7, 1794.

STATUTE I.

June 7, 1794.

CHAP. LIII.—*An Act for the remission of the duties on certain distilled spirits destroyed by fire.*

WHEREAS Jabez Rogers, junior, who had erected large works at Middlebury, in the state of Vermont, for distilling spirits from the produce of the country, has had the same twice destroyed by fire with a quantity of spirits therein, on which, by law, duties had become payable to the United States: *And whereas*, considering the equity of the case, said duties ought to be remitted; therefore,

Remission of
certain duties to
Jabez Rogers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the duties payable to the United States on all such distilled spirits, as shall be proved, to the satisfaction of the supervisor of the district of Vermont, to have been destroyed by fire in the distilleries lately burnt at Middlebury in the state of Vermont, be and are hereby remitted.

APPROVED, June 7, 1794.

STATUTE I.

June 7, 1794.

CHAP. LIV.—*An Act laying additional Duties on Goods, Wares and Merchandise imported into the United States.*

[Obsolete.]
1793, ch. 45.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That from and