

United States entitled to the benefit of the former act.

Act of Feb. 21, 1793, ch. 11.

Oath to be taken by such resident, that the invention or discovery hath not been used.

The legal representatives of a deceased inventor may obtain a patent.

Damages for breach of patent right.

To be recovered by action on the case in the circuit court.

Repeal of part of the former act.

Act of Feb. 21, 1793, ch. 11.

#### STATUTE I.

April 22, 1800.

[Repealed.]

Act of March 16, 1802, ch. 9.

singular the rights and privileges given, intended or provided to citizens of the United States, respecting patents for new inventions, discoveries, and improvements, by the act, intituled "An act to promote the progress of useful arts, and to repeal the act heretofore made for that purpose," shall be, and hereby are extended and given to all aliens who at the time of petitioning in the manner prescribed by the said act, shall have resided for two years within the United States, which privileges shall be obtained, used, and enjoyed, by such persons, in as full and ample manner, and under the same conditions, limitations and restrictions, as by the said act is provided and directed in the case of citizens of the United States.

*Provided always,* That every person petitioning for a patent for any invention, art or discovery, pursuant to this act, shall make oath or affirmation before some person duly authorized to administer oaths before such patent shall be granted, that such invention, art or discovery hath not, to the best of his or her knowledge or belief, been known or used either in this or any foreign country; and that every patent which shall be obtained pursuant to this act, for any invention, art or discovery, which it shall afterwards appear had been known or used previous to such application for a patent, shall be utterly void.

SEC. 2. *And be it further enacted,* That where any person hath made, or shall have made, any new invention, discovery or improvement, on account of which a patent might, by virtue of this or the above-mentioned act, be granted to such person, and shall die before any patent shall be granted therefor, the right of applying for and obtaining such patent, shall devolve on the legal representatives of such person in trust for the heirs at law of the deceased, in case he shall have died intestate; but if otherwise, then in trust for his devisees, in as full and ample manner, and under the same conditions, limitations and restrictions, as the same was held or might have been claimed or enjoyed by such person, in his or her lifetime; and when application for a patent shall be made by such legal representatives, the oath or affirmation, provided in the third section of the before-mentioned act, shall be so varied as to be applicable to them.

SEC. 3. *And be it further enacted,* That where any patent shall be, or shall have been granted pursuant to this or the above-mentioned act, and any person without the consent of the patentee, his or her executors, administrators or assigns first obtained in writing, shall make, devise, use, or sell the thing whereof the exclusive right is secured to the said patentee by such patent, such person so offending, shall forfeit and pay to the said patentee, his executors, administrators or assigns, a sum equal to three times the actual damage sustained by such patentee, his executors, administrators, or assigns, from or by reason of such offence, which sum shall and may be recovered, by action on the case founded on this and the above-mentioned act, in the circuit court of the United States, having jurisdiction thereof.

SEC. 4. *And be it further enacted,* That the fifth section of the above-mentioned act, intituled "An act to promote the progress of useful arts, and to repeal the act heretofore made for that purpose," shall be, and hereby is repealed.

APPROVED, April 17, 1800.

CHAP. XXVI.—*An Act to fix the compensation of the Paymaster-General, and Assistant to the Adjutant-General.*

SECTION I. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the paymaster-general of the army of the United States shall receive one hundred and twenty dollars per month, with the rations and forage of a major, in full compensation for his services and travelling expenses, to

be computed from the commencement of the time of his actual residence at the seat of government, any thing in the "Act for the better organizing of the troops of the United States, and for other purposes," to the contrary notwithstanding.

SEC. 2. *And be it further enacted*, That the pay of the assistant of the adjutant-general, in addition to his pay and other emoluments in the line of the army, shall be forty dollars per month, which shall be in full compensation for his extra services and travelling expenses, to be computed from the time of his entering upon actual service.

APPROVED, April 22, 1800.

STATUTE I.

CHAP. XXVII.—*An Act to continue in force the act intituled "An act to authorize the defence of the merchant vessels of the United States against French depredations."*

April 22, 1800.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the act passed on the twenty-fifth day of June, one thousand seven hundred and ninety-eight, intituled "An act to authorize the defence of the merchant vessels of the United States against French depredations," excepting such parts of the said act as relate to salvage in cases of recapture, shall continue and be in force for and during the term of one year, and from thence to the end of the next session of Congress thereafter, and no longer.

[Obsolete.]  
June 25, 1798,  
ch. 60.

APPROVED, April 22, 1800.

STATUTE I.

CHAP. XXVIII.—*An Act to continue in force, for a limited time, an act intituled "An act to prescribe the mode of taking evidence in cases of contested elections for members of the House of Representatives of the United States, and to compel the attendance of witnesses."*

April 22, 1800.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That an act passed on the twenty-third day of January, one thousand seven hundred and ninety-eight, intituled "An act to prescribe the mode of taking evidence in cases of contested elections for members of the House of Representatives of the United States, and to compel the attendance of witnesses," shall be and continue in force for the term of four years, and no longer.

Act of Jan.  
23, 1798, ch. 8.

APPROVED, April 22, 1800.

STATUTE I.

CHAP. XXIX.—*An Act fixing the rank and pay of the commanding officer of the Corps of Marines.*(a)

April 22, 1800.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That a lieutenant-colonel commandant shall be appointed to command the corps of marines, and shall be entitled to the same pay and emoluments as a lieutenant-colonel in the army of the United States; any thing in the act for the establishing and organizing a marine corps to the contrary notwithstanding; and that the office of major of the said corps shall thereafter be abolished.

Lieutenant-Colonel to be appointed.  
Act of July 11,  
1798, ch. 72.  
Act of March 3,  
1817, ch. 65.  
Office of Major of the corps abolished.

APPROVED, April 22, 1800.

STATUTE I.

CHAP. XXX.—*An Act supplementary to the Act to regulate trade and intercourse with the Indian Tribes, and to preserve peace on the Frontiers.*

April 22, 1800.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That from and after the pass-

Act of March  
30, 1802, ch. 12.

(a) Act of July 11, 1798, chap. 72; act of March 3, 1817, chap. 65.