

judge of the district in which such invalid resides, or before some person specially authorized by commission from the said judge.

Secondly. The evidence relative to any claimant, must prove decisive disability to have been the effect of known wounds received while in the actual line of his duty, in the service of the United States, during the revolutionary war: that this evidence must be the affidavits of the commanding officer or surgeon of the ship, regiment, corps, or company in which such claimant served, or two other credible witnesses to the same effect, setting forth the time and place of such known wound.

Thirdly. Every claimant shall be examined on oath or affirmation, by some respectable physician or surgeon, to be authorized by commission from the said judge, who shall report in writing his opinion, upon oath or affirmation, of the nature of said disability, and in what degree it prevents the claimant from obtaining his livelihood.

Fourthly. Every claimant must produce evidence of his having continued in the service of the United States, to the conclusion of the war in seventeen hundred and eighty-three, or being left out of the service in consequence of his disability, or in consequence of some derangement of the army, and of the mode of life or employment he has since followed, and of the original existence and continuance of his disability.

Fifthly. Every claimant must show satisfactory cause to the said judge of the district, why he did not apply for a pension in conformity to laws heretofore passed, before the expiration of the limitation thereof.

SEC. 2. *And be it further enacted,* That the said judge of the district or person by him commissioned as aforesaid, shall give to each claimant a transcript of the evidence and proceedings had, respecting his claim; and shall also transmit a list of such claims, accompanied by the evidence herein directed, to the secretary of the department of war, in order that the same may be examined, and if correct, agreeably to the intent and meaning of this act, the said applicants are thenceforth to be placed on the pension list of the United States: *Provided*, that in no case a pension shall commence before the first day of January, eighteen hundred and three, except so far as to offset the commutation of half pay received by such officer, in which case the proper officer is to calculate the pension from the first day of January, seventeen hundred and eighty-four.

SEC. 3. *And be it further enacted,* That the pensions allowed by this act shall be estimated in the manner following, that is to say: a full pension to a commissioned officer shall be considered the one half of his monthly pay as by law established, and the proportions less than a full pension shall be the like proportions of half pay. And a full pension to a non-commissioned officer, private soldier, or seaman, shall be five dollars per month, and the proportions less than a full pension, shall be the like proportions of five dollars per month, but no pension of a commissioned officer shall be calculated at a higher rate than the half pay of a lieutenant-colonel.

SEC. 4. *And be it further enacted,* That the pensioners becoming such in virtue of this act, shall be paid in the same manner as invalid pensioners are paid, who have heretofore been placed on the pension list of the United States, under such restrictions and regulations, in all respects, as are prescribed by the laws of the United States, in such cases provided.

APPROVED, March 3, 1803.

Evidence, before whom to be taken.

Nature of the evidence.

Nature of the disability.

Requisite time of service.

Cause of deferring the application to be stated.

Copies of the evidence, &c. to be given to the claimants.

Who are to be placed on the pension list. *Provido.*

Estimation of the pensions.

Pensioners to be paid in the manner of former ones.

STATUTE II.

CHAP. XXXIX.—*An Act authorizing the transfer of the duties of Supervisor to any other office.*

March 3, 1803.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the

[Obsolete.]

Duties of supervisor to be

attached by the President to any other officer of the government.

Commissions to be allowed to the officer performing the duties of supervisor.

United States be, and he hereby is authorized to attach the duties of the office of supervisor in any district to any other officer of the government of the United States, within such district, who shall give bond for the performance of the duties imposed on him by this act, in the same manner and under the same penalties, as were heretofore provided in the case of supervisors.

SEC. 2. *And be it further enacted*, That for the discharge of the duties of supervisor, which may be thus attached to another office, by virtue of this act, there shall be allowed to the officer exercising the same, the commissions to which the supervisor is now entitled by law, together with such sum for clerk hire, not exceeding the allowance fixed by law for the supervisor, and such salary not exceeding two hundred and fifty dollars per annum, as the President of the United States shall deem a sufficient compensation.

APPROVED, March 3, 1803.

## STATUTE II.

March 3, 1803.

Act of 1802, ch. 31. Act of March 9, 1803, ch. 29.

The circuit court shall consist of the justice of the supreme court residing in the circuit, and the district judge where the court sits.

In the third circuit it shall consist of the senior associate justice, &c.

Appeals from final judgments when the value in dispute exceeds fifty dollars from the district court to the circuit court.

Appeals from the circuit court to the supreme court where the matter in dispute exceeds 2000 dollars.

Proceedings to be transmitted to the supreme court.

No new evidence to be received in the supreme court, except in admiralty and prize causes.

19th and 22d sections of the act of 24th Sept. 1789, ch. 20, so far as affected by this act, repealed.

CHAP. XL.—*An Act in addition to an act intituled "An act to amend the judicial system of the United States."*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the circuit court of the second circuit shall consist of the justice of the supreme court residing within the third circuit, and the district judge of the district where such court shall be holden.

In the third circuit, the said circuit court shall consist of the senior associate justice of the supreme court residing within the fifth circuit, and the district judge of the district where such court shall be holden.

SEC. 2. *And be it further enacted*, That from all final judgments or decrees in any of the district courts of the United States, an appeal, where the matter in dispute, exclusive of costs, shall exceed the sum or value of fifty dollars, shall be allowed to the circuit court next to be holden in the district where such final judgment or judgments, decree or decrees, may be rendered; and the circuit court or courts are hereby authorized and required to receive, hear and determine such appeal; and that from all final judgments or decrees rendered or to be rendered in any circuit court, or in any district court acting as a circuit court, in any cases of equity, of admiralty and maritime jurisdiction, and of prize or no prize, an appeal where the matter in dispute, exclusive of costs, shall exceed the sum or value of two thousand dollars, shall be allowed to the supreme court of the United States, and that upon such appeal, a transcript of the libel, bill, answer, depositions, and all other proceedings of what kind soever in the cause, shall be transmitted to the said supreme court; and that no new evidence shall be received in the said court, on the hearing of such appeal, except in admiralty and prize causes, and that such appeals shall be subject to the same rules, regulations and restrictions as are prescribed in law in case of writs of error; and that the said supreme court shall be, and hereby is authorized and required to receive, hear and determine such appeals. And that so much of the nineteenth and twenty-second sections of the act of Congress, intituled "An act to establish the judicial courts of the United States," passed on the twenty-fourth day of September, one thousand seven hundred and eighty-nine, as comes within the purview of this act, shall be and the same is hereby repealed.

APPROVED, March 3, 1803.