

sixth condition of the fifth section of the act, intituled "An act to amend the act, intituled An act providing for the sale of the lands of the United States northwest of the Ohio, and above the mouth of Kentucky river," be, and the same is hereby suspended until the first day of October next, in favour of such purchasers of lands under the said act, who shall exhibit satisfactory proof to the register and receiver of public monies in the respective districts where they reside, that they were actual settlers on the land so purchased, at the time of passing this act.

APPROVED, April 15, 1806.

tion of the 5th section in a former act suspended.

1800, ch. 55.

In favour of actual settlers.

STATUTE I.

CHAP. XXIX.—*An Act to prohibit the importation of certain goods, wares and merchandise.*

April 18, 1806.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the fifteenth day of November next, it shall not be lawful to import into the United States, or the territories thereof, from any port or place situated in Great Britain or Ireland, or in any of the colonies or dependencies of Great Britain, any goods, wares or merchandise, of the following description, that is to say:

Act of March 1, 1809, ch. 24.

Act of June 28, 1809, ch. 9.

Importation of certain articles from G. Britain and its dependencies interdicted.

All articles of which leather is the material of chief value.

All articles of which silk is the material of chief value.

All articles of which hemp or flax is the material of chief value.

All articles of which tin or brass is the material of chief value, tin in sheets excepted; woollen cloths whose invoice prices shall exceed five shillings sterling per square yard; woollen hosiery of all kinds; window glass, and all other manufactures of glass; silver and plated wares; paper of every description; nails and spikes; hats; clothing ready made; millinery of all kinds; playing cards; beer, ale and porter; and pictures and prints.

Articles prohibited.

Nor shall it be lawful to import into the United States, or the territories thereof, from any foreign port or place whatever, any of the above-mentioned goods, wares or merchandise, being of the growth, produce or manufacture of Great Britain or Ireland, or any of the colonies or dependencies of Great Britain: *Provided however,* that no articles which shall within fifteen months after the passing of this act, be imported from any place beyond the Cape of Good Hope, on board any vessel cleared out before the passing of this act, from any port within the United States or the territories thereof, for the said Cape of Good Hope, or any place beyond the same, shall be subject to the prohibition aforesaid.

Being of the produce or manufacture of G. Britain, &c.

Proviso as to goods imported from beyond the Cape of Good Hope.

SEC. 2. *And be it further enacted,* That whenever any article or articles, the importation of which is prohibited by this act, shall, after the said fifteenth day of November next, be imported into the United States, or the territories thereof, contrary to the true intent and meaning of this act, or shall, after the said fifteenth day of November next, be put on board any ship or vessel, boat, raft or carriage, with intention of importing the same into the United States, or the territories thereof, all such articles, as well as all other articles on board the same ship or vessel, boat, raft or carriage, belonging to the owner of such prohibited articles, shall be forfeited, and the owner thereof shall moreover forfeit and pay treble the value of such articles.

Prohibited articles if imported into the U. States contrary to this act, to be forfeited, together with all other goods imported in the same vessel, and belonging to the same owner.

SEC. 3. *And be it further enacted,* That if any article or articles, the importation of which is prohibited by this act, shall, after the said fifteenth day of November next, be put on board any ship or vessel, boat, raft or carriage, with intention to import the same into the United States, or the territories thereof, contrary to the true intent and meaning of this act, and with the knowledge of the owner or master of such ship or vessel, boat, raft or carriage, such ship or vessel, boat, raft or carriage,

The ship or vessel in which such prohibited articles shall be imported or shipped with the knowledge of the owner, to be also forfeited;

and treble the value of the goods to be likewise recovered.

The like penalties as are usual to be incurred in case of the omission of the interdicted goods in the permits or manifests of vessels arriving in the U. States.

Powers of search now confined to the custom-house officers in other cases extended to them in those under this act.

Penalties upon persons buying goods prohibited by this act.

Addition to custom-house oath of the captains or masters of vessels.

Addition to the oath of importers, &c.

Penalties and forfeitures now to be sued for and recovered.
1799, ch. 22.

shall be forfeited, and the owner and master thereof shall moreover each forfeit and pay treble the value of such articles.

SEC. 4. *And be it further enacted*, That if any article or articles, the importation of which is prohibited by this act, and which shall nevertheless be on board any ship or vessel, boat, raft or carriage, arriving after the said fifteenth day of November next, in the United States, or the territories thereof, shall be omitted in the manifest, report or entry of the master, or the person having the charge or command of such ship or vessel, boat, raft or carriage, or shall be omitted in the entry of the goods owned by the owner, or consigned to the consignee of such articles, or shall be imported, or landed, or attempted to be imported or landed, without a permit, the same penalties, fines and forfeitures shall be incurred, and may be recovered, as in the case of similar omission or omissions, landing, importation, or attempt to land or import, in relation to articles liable to duties on their importation into the United States.

SEC. 5. *And be it further enacted*, That every collector, naval officer, surveyor, or other officer of the customs, shall have the like power and authority to seize goods, wares and merchandise imported contrary to the intent and meaning of this act, to keep the same in custody until it shall have been ascertained whether the same have been forfeited, or not, and to enter any ship or vessel, dwelling-house, store, building or other place, for the purpose of searching for and seizing any such goods, wares and merchandise, which he or they now have by law, in relation to goods, wares and merchandise subject to duty; and if any person or persons shall conceal or buy any goods, wares or merchandise, knowing them to be liable to seizure by this act, such person or persons shall, on conviction thereof, forfeit and pay a sum double the amount or value of the goods, wares and merchandise so concealed or purchased.

SEC. 6. *And be it further enacted*, That the following additions shall be inserted to the oath or affirmation taken by the masters or persons having the charge or command of any ship or vessel arriving at any port of the United States, or the territories thereof, after the said fifteenth day of November next, viz: "I further swear (or affirm) that there are not to the best of my knowledge and belief on board (insert the denomination and name of the vessel) any goods, wares or merchandise, the importation of which into the United States, or the territories thereof, is prohibited by law. And I do further swear (or affirm) that if I shall hereafter discover or know of any such goods, wares or merchandise on board the said vessel, or which shall have been imported in the same, I will immediately, and without delay, make due report thereof to the collector of the port of this district."

SEC. 7. *And be it further enacted*, That the following addition be inserted after the said fifteenth day of November next, to the oath or affirmation taken by importers, consignees or agents, at the time of entering goods imported into the United States, or the territories thereof, viz: "I also swear (or affirm) that there are not to the best of my knowledge and belief amongst the said goods, wares and merchandise imported or consigned as aforesaid, any goods, wares or merchandise, the importation of which into the United States, or the territories thereof, is prohibited by law. And I do further swear (or affirm) that if I shall hereafter discover any such goods, wares or merchandise, amongst the said goods, wares and merchandise, imported or consigned as aforesaid, I will immediately, and without delay, report the same to the collector of this district."

SEC. 8. *And be it further enacted*, That all penalties and forfeitures arising under this act may be sued for and recovered, and shall be distributed and accounted for in the manner prescribed by the act, intitled "An act to regulate the collection of duties on imports and tonnage:"

and such penalties and forfeitures may be examined, mitigated or remitted in like manner, and under the like conditions, regulations and restrictions as are prescribed, authorized and directed by the act, intitled "An act to provide for mitigating or remitting the forfeitures, penalties and disabilities accruing in certain cases therein mentioned."

APPROVED, April 18, 1806.

1797, ch. 13.

STATUTE I.

CHAP. XXX.—*An Act supplementary to the act making provision for the payment of claims of citizens of the United States on the government of France.*

April 18, 1806.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury shall cause to be paid, at the treasury of the United States, the amount of certain claims of citizens of the United States against the government of France, arising from the Bordeaux embargo, in conformity with a certified list of liquidations, attested by the minister of the public treasury of France, and transmitted by the minister plenipotentiary of the United States, at Paris, to the said secretary; which payments shall be made for such sums, respectively, as are stated in the above-mentioned list of liquidations, to such persons, respectively, as the accounting officers of the treasury shall determine to be rightfully entitled to the same, and out of the monies heretofore appropriated for the purpose of discharging the claims of citizens of the United States against the government of France, the payment of which was assumed by the government of the United States, by virtue of the convention of the thirtieth of April, one thousand eight hundred and three.

APPROVED, April 18, 1806.

Claims of citizens of the U. States under the Bordeaux embargo to be paid at the treasury.

STATUTE I.

CHAP. XXXI.—*An Act to authorize the state of Tennessee to issue grants and perfect titles to certain lands therein described, and to settle the claims to the vacant and unappropriated lands within the same.*(a)

April 18, 1806.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of defining the limits of the vacant and unappropriated lands in the state of Tennessee, hereafter to be subject to the sole and entire disposition of the United States, the following line be, and hereby is established, to wit: beginning at the place where the eastern or main branch of Elk river shall intersect the southern boundary line of the state of Tennessee; from thence running due north, until said line shall intersect the northern or main branch of Duck river; thence down the waters of Duck river, to the military boundary line, as established by the seventh section of an act of the state of North Carolina, intitled "An act for the relief of the officers and soldiers of the continental line, and for other purposes;" (passed in the year one thousand seven hundred and eighty-three) thence with the military boundary line, west to the place where it intersects the Tennessee river; thence down the waters of the river Tennessee, to the place where the same intersects the northern boundary line of the state of Tennessee.

A line established for defining the limits of the vacant lands of the U. S. in Tennessee.

Courses thereof.

(a) The state of North Carolina, by her act of cession of the western lands, of 1789, recited in the act of Congress of April 2, 1790, chap. 6, vol. 1, page 106, accepting that cession, and by her act of 1803, chap. 3, ceding to Tennessee the right to issue grants, has parted with her right to issue grants for lands within the state of Tennessee, upon entries made before the cession. *Burton's lessee v. Williams*, et al., 3 Wheat. 529; 4 Cond. Rep. 315.

Under the cession act, ratified by the act of Congress, the United States held the domain of the vacant lands in Tennessee, subject to the right which North Carolina retained, of perfecting the inchoate titles created under her laws. *Ibid.*

But it seems that the holder of such a grant must resort to the equity jurisdiction of the United States for relief. *Ibid.*

After the cession of land by North Carolina to the United States, the former had no right to grant those lands to any grantee who had not an incipient title before the cession. *Polk's lessee v. Wendall*, 9 Cranch, 87; 3 Cond. Rep. 286.