under the authority of the United States, be entitled to the annual sum of one thousand dollars, in lieu of his present compensation, to commence on the first day of January next.

APPROVED, December 5, 1807.

STATUTE I.

CHAP. III.—*An Act to change the name of the district of Biddeford and Pepperelborough, in Massachusetts, to that of Saco.*

Dec. 15, 1807.

Act of March 2, 1799, ch. 22, sec. 2.

Name of Saco substituted for that of Biddeford, &c. &c.

Collector to reside at Saco.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the district, at present called the district of Biddeford and Pepperelborough, in Massachusetts, shall in future be called the district of Saco, and that the collector of the said district, be permitted to reside in Saco or Biddeford, and that all the provisions of the several acts of Congress, that relate to the district of Biddeford and Pepperelborough, shall be, and the same are hereby continued in full force, with respect to the district of Saco.

APPROVED, December 15, 1807.

STATUTE I.

CHAP. IV.—*An Act to appropriate money for the providing of an additional number of Gun Boats.*

Dec. 18, 1807.

[Obsolete.]

A number of gun boats to be built, equipped, &c. &c. at the discretion of the President.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he hereby is authorized and empowered to cause to be built, or purchased, armed and equipped, a number not exceeding one hundred and eighty-eight gun boats, for the better protection of the ports and harbors of the United States, and for such other purposes as in his opinion the public service may require.

SEC. 2. *And be it further enacted,* That a sum not exceeding eight hundred and fifty-two thousand five hundred dollars, be, and hereby is appropriated, for this purpose, out of any monies in the treasury not otherwise appropriated.

Specific appropriation.

APPROVED, December, 18, 1807.

STATUTE I.

CHAP. V.—*An Act laying an Embargo on all ships and vessels in the ports and harbors of the United States.*(a)

Dec. 22, 1807.

[Repealed.]

Act of Jan. 9, 1808, ch. 8.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an embargo be, and

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(a) Cases decided upon the embargo acts of December 22, 1807, chap. 5: January 9, 1808, chap. 8: March 12, 1808, chap. 33: April 25, 1808, chap. 66: and January 9, 1809, chap. 5:—

Where a vessel had been driven by stress of weather into a port, in the West Indies, while proceeding to Portland in Maine, and there detained by the government of the place, this was such a casualty as came within the exception of "dangers of the seas," in the condition of an embargo bond, dated 29th December, 1807, taken in pursuance of the act of Congress of December 22, 1807. United States *v.* Hall and Worth, 6 Cranch, 176; 2 Cond. Rep. 340.

Subsequent to the execution of this bond, on the 9th of January, 1808, Congress passed a supplement to the embargo law, by which other and additional penalties were imposed, and the circumstances under which the obligor in any embargo bond given under the act of 22d December, 1807, could obtain relief, were changed. The court said they would never consider the latter act as applying to previous facts, unless such construction should be unavoidable. *Ibid.*

In an action of debt for the penalty of an embargo bond, it is a good plea under the act of Congress of 12th March, 1808, sec. 3, that the party was prevented relanding the goods in the United States by unavoidable accidents. Durousseau *v.* The United States, 6 Cranch, 307; 2 Cond. Rep. 380.

It was no offence under the embargo laws, to take goods out of one vessel and put them in another in the port of Baltimore; unless it was with an intention to export them. 6 Cranch, 327.

The evidence of the necessity which will excuse a violation of the embargo laws, must be clear and certain. Brig James Wells *v.* The United States, 7 Cranch, 22; 2 Cond. Rep. 402.

The departure of a vessel from a wharf in a port, and proceeding a mile and an half therefrom, with the intention of proceeding to sea, is not a departure from the port within the meaning of the supplementary embargo act of January 9, 1808, if the vessel had not actually gone out of the port before seizure. Sloop Active *v.* The United States, 7 Cranch, 100; 2 Cond. Rep. 431.

A vessel which has proceeded to a foreign port, contrary to the embargo act of January 8, 1808, is