

hired and armed, shall be employed under the direction of the Secretary of the Treasury.

SEC. 14. *And be it further enacted*, That the powers given to the President of the United States by the seventh section of the act of March the twelfth, one thousand eight hundred and eight, to grant permission to citizens having property of value in places without the jurisdiction of the United States, to despatch vessels for the same, shall henceforth cease.

President no longer authorized to grant permissions to despatch vessels.
1808, ch. 33.

SEC. 15. *And be it further enacted*, That this act shall be in force from and after the passing thereof, during the continuance of the act, intituled "An act laying an embargo on all ships and vessels in the ports and harbors of the United States," and no longer.

Continuance of this act.
1807, ch. 5.

APPROVED, January 9, 1809.

STATUTE II.

CHAP. VI.—*An Act to revive and continue in force, for a further time, the first section of the act, intituled "An act further to protect the commerce and seamen of the United States, against the Barbary powers."*

Jan. 10, 1809.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the act, passed on the twenty-fifth day of March, one thousand eight hundred and four, intituled "An act further to protect the commerce and seamen of the United States, against the Barbary powers," as is contained in the first section of the said act, (and which was revived and continued in force, for the time therein mentioned, by an act, intituled "An act to revive and continue in force, for a further time, the first section of the act, intituled "An act further to protect the commerce and seamen of the United States, against the Barbary powers," passed the nineteenth day of January, one thousand eight hundred and eight,) be, and the same hereby is revived and continued in force, until the first day of January, one thousand eight hundred and ten: *Provided however*, that the additional duty laid by the said section shall be collected on all such goods, wares and merchandise, liable to pay the same, as shall have been imported previous to that day.

Act of March 26, 1804, ch. 46.

Act of Jan. 19, 1808, ch. 11.

Additional duty.

APPROVED, January 10, 1809.

STATUTE II.

CHAP. VIII.—*An Act authorizing the proprietors of squares and lots in the City of Washington, to have the same subdivided and admitted to record.*

Jan. 12, 1809.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the proprietor of any square or lot in the city of Washington shall deem it necessary to subdivide such square or lot into convenient building lots, pieces or portions for sale and occupancy, and alleys for their accommodation, he may cause a plat of the same to be made, on which shall be expressed the dimensions and length of all the lines of such portions as are necessary, for defining and laying off the same on the ground, and may certify such subdivision under his hand and seal, in the presence of two or more credible witnesses, upon the same plat, or on a paper or parchment attached thereto.

Proprietors of squares, &c. &c. may subdivide them.

SEC. 2. *And be it further enacted*, That at the request of the said proprietor, the surveyor of the city shall examine whether the lots, pieces or parcels into which any square or lot may be subdivided as aforesaid, agree in dimensions with the whole of the square or lot so intended to be subdivided, and whether the dimensions expressed on the plat of subdivision, be the true dimensions of the parts so expressed; and if upon such examination, he shall find the plat correct, he shall certify the same under his hand and seal, with such remarks as appear to him necessary

Subdivisions may be examined by the surveyor, and recorded.

for the further illustration thereof, and record the said plat, as examined, in a book or books, to be kept by him for that purpose.

Records of subdivisions to form evidence of the manner in which they were made.

SEC. 3. *And be it further enacted*, That when such subdivision of any square or lot shall be so certified, examined and recorded, the purchaser of any part thereof, or any person interested therein, may refer to the said plat and record for description, in the same manner as to squares and lots divided between the commissioners and original proprietors; and the ways, alleys or passages, laid out or expressed on such plat of subdivision, shall be and remain to the public, or subject to the uses declared by the person making such subdivision, at all times under the same police regulations as the alleys laid off by the commissioners on division with the proprietors.

Deficiency, or excess, how to be apportioned.

SEC. 4. *And be it further enacted*, That whenever the surveyor of the said city shall lay off any lot therein, or any of the parts into which a square or lot may be subdivided as aforesaid, he shall measure the whole of that front of the square on which such lot or part lies; and if, on such admeasurement, the whole front of the square exceeds or falls short of the aggregate of the fronts of the lots on that side of the square, as the same are recorded, he shall apportion such excess, or deficiency, among the lots or pieces on that front, agreeably to their respective dimensions. Whenever on such admeasurement, the wall of a house previously erected by any proprietor, shall appear to stand on the adjoining lot of any other person in part less than seven inches in width thereon, such wall shall be considered as standing altogether on the land of such proprietor, who shall pay to the owner of the lot on which the wall may stand, a reasonable price for the ground so occupied, to be decided by arbitrators or a jury, as the parties interested may agree; but if the wall of any house, already erected, cover seven inches or more in width of the adjoining lot, it shall be deemed a party wall, according to the regulations for building in said city, as promulgated by the President of the United States, and the ground so occupied, more than seven inches in width, shall be paid for as above. Which fact the surveyor shall ascertain and certify, and put on record at the request and expense of any person interested therein.

Surveyor to examine the foundation or walls of houses, &c. &c.

SEC. 5. *And be it further enacted*, That it shall be the duty of the surveyor to attend, when requested, and examine the foundation or walls of any house to be erected, when the same shall be level with the street or surface of the ground, for the purpose of adjusting the line of the front of such building to the line of the street, and correctly placing the party wall on the line of division between that and the adjoining lot; and his certificate of the fact shall be admitted as evidence, and binding on the parties interested.

Fees to the surveyor.

SEC. 6. *And be it further enacted*, That the surveyor shall be authorized to receive from the persons for whom he shall perform the services required by this act, the fees following, that is to say: For examining the plat and calculations of any subdivision of a square or lot twelve and an half cents for each of the lots or portions into which it may be subdivided: *Provided*, that no more shall be paid for the lots in one square than one dollar and fifty cents; for examining any building and giving the certificate required by the fifth section of this act, and recording the same, one dollar and fifty cents; for recording any division or subdivision of any square or lots, for transcripts from records, and for searches in his office, the same fees that have heretofore been paid to the clerk of the county: *Provided*, that they do not in any case exceed the fee hereby allowed for examination.

Proviso.

Proviso.

Records of divisions, where to be kept.

SEC. 7. *And be it further enacted*, That all records of the division of squares and lots heretofore made between the public and original proprietors, or which are authorized by this act, shall be kept in the office of the surveyor of the city; and all transcripts therefrom, certified

by him, shall be evidence equally valid with certified transcripts from the keeper of the office for recording deeds for the conveyance of land in the county of Washington.

SEC. 8. *And be it further enacted*, That whenever the President of the United States shall deem it necessary to subdivide any square or lot belonging to the United States within the city of Washington, which may not have been reserved for public purposes, into convenient building lots, pieces or portions for sale and occupancy, and alleys for their accommodation, he may cause a plat to be made by the surveyor of the city in the manner prescribed in the first section of this act, which plat shall be recorded by the said surveyor, and the provisions of this act shall extend to the lots, pieces and parcels of ground contained in such plat as fully as to subdivisions made by individual proprietors.

SEC. 9. *And be it further enacted*, That the surveyor of the city of Washington, before entering upon the discharge of the duties required of him by this act, shall take an oath or affirmation before the mayor of the city of Washington, that he will faithfully and impartially perform the duties herein before required of him.

APPROVED, January 12, 1809.

CHAP. IX.—*An Act supplemental to an act intituled "An act for extending the terms of credit on revenue bonds in certain cases, and for other purposes."*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the payment of all bonds given, subsequent to the date of the act to which this act is a supplement, for duties on coffee, sugar, pepper, indigo, cocoa, and wine paying a duty of twenty-three cents per gallon, and which remain unpaid, or for the same articles which may arrive hereafter in any of the ports of the United States, and whilst the act intituled "An act laying an embargo on all ships and vessels in the ports and harbors of the United States," shall continue in force, may be suspended, subject however in all respects to the conditions and provisions made and provided in the act of the tenth of March, one thousand eight hundred and eight, to which this act is a supplement: *Provided*, that nothing herein contained shall be construed to extend to importations made in vessels despatched under permissions granted by the President of the United States in pursuance of powers in him vested by the seventh section of the act, intituled "An act in addition to the act intituled, An act supplementary to the act intituled, An act laying an embargo on all ships and vessels in the ports and harbors of the United States."*

SEC. 2. *And be it further enacted*, That if the amount of any bond given for the payment of duties on the importation of coffee, sugar, pepper, indigo, cocoa, or wine paying a duty of twenty-three cents per gallon, made subsequent to the passage of the act to which this is a supplement, and which bond would by virtue of this act have been entitled to an extension of credit, shall have been previously paid, the money so paid shall, by the proper collector, be refunded to the person or persons who shall have paid the same, or to his, her, or their agent or agents, on his or their giving a bond with sureties, in the same manner and on the same terms, conditions and restrictions, and on a compliance of the person or persons receiving the indulgence hereby granted, with all the provisions of the act to which this is a supplement.

APPROVED, January 12, 1809.

Public property may be subdivided by direction of the President.

STATUTE II.

Jan. 12, 1809.

[Obsolete.]
Payment of duties in certain cases suspended.

1807, ch. 5.

1808, ch. 30.

This act not to extend to vessels despatched under permission from the President of the U. States under the embargo acts.

Monies to be refunded.
In what cases.

*1808, ch. 33.

Conditions.