

the order of the court to be proceeded against, &c.

Account of moneys to be given to the court, &c.

Proviso; as to there being no bank, &c.

refuse or neglect to obey the order of such court, for depositing the same as aforesaid, such clerk, or other officer, shall be forthwith proceeded against by attachment for contempt.

SEC. 5. *And be it further enacted*, That at each regular and stated session of said courts, the clerks thereof shall present an account to said court of all moneys remaining therein, or subject to the order thereof, stating particularly on account of what causes said moneys are deposited, which account, and the vouchers thereof, shall be filed in court: *Provided, nevertheless*, That if in any district there shall be no branch of the bank of the United States, nor any incorporated state bank, the courts may direct such moneys to be deposited, according to their discretion as heretofore.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

CHAP. CIX.—*An Act to continue in force an act, entitled "An act further to provide for the collection of duties on imports and tonnage," passed the third day of March, one thousand eight hundred and fifteen, and for other purposes.*

Act of 1815, ch. 94, continued in force, except as to §§ 5, and 6.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the act, entitled "An act further to provide for the collection of duties on imports and tonnage," passed the third day of March, one thousand eight hundred and fifteen, be, and the same is hereby, continued in force, excepting the sixth and eighth section thereof.

Collectors, naval officers, &c. empowered to remove causes from state to circuit courts, &c.

SEC. 2. *And be it further enacted*, That if any suit or prosecution be commenced in any state court against any collector, naval officer, surveyor, inspector, or any other officer, civil or military, or any other person aiding or assisting, agreeably to the provisions of the act hereby continued in force, or under colour thereof, for any thing done or omitted to be done, as an officer of the customs, by virtue of said act, or under colour thereof, and the defendant shall, at the time of entering his appearance in such state court, file a petition for the removal of the cause of trial at the next circuit court of the United States to be holden in the district where the suit is pending, and offer good and sufficient surety for his entering in such circuit court, on the first day of its session, copies of said process against him, and also for his there appearing at the court and entering special bail in the cause, if special bail was originally required therein, it shall then be the duty of the state court to accept the surety and proceed no further in the cause; and the bail that shall have been originally taken shall be discharged. And such copies being entered as aforesaid in such court of the United States, the cause shall then proceed in the same manner as if it had been brought there by original process, whatever may be the amount of the sum in dispute, or damages claimed, or whatever the citizenship of the parties, any former law to the contrary notwithstanding; and any attachment of the goods or estate of the defendant by the original process shall hold the goods or estate so attached to answer the final judgment, in the same manner as by the laws of such state they would have been holden to answer final judgment, had it been rendered by the court in which the suit was commenced: *Provided nevertheless*, That this act shall not be understood to apply to any prosecution for an offence involving corporal punishment.

Proviso; as to corporal punishment.

As to the delivery of manifests by steamboats to Canada on lake Champlain.

SEC. 3. *And be it further enacted*, That it shall be lawful hereafter for the master, or person having charge or command of any steamboat, on lake Champlain, when going from the United States into the province of Lower Canada, to deliver a manifest of the cargo on board, and take a clearance from the collector of the district through which any such boat shall last pass, when leaving the United States, without regard to the place from which any such boat shall have commenced her voyage, or where her

cargo shall have been taken on board, any law to the contrary notwithstanding.

SEC. 4. *And be it further enacted*, That when any goods, wares, or merchandise, shall hereafter be imported from the province of Lower Canada into the United States, in any steamboat on lake Champlain, and the said goods, wares, and merchandise, shall have been duly entered, the duties thereon paid, or secured, at the office of the collector of any district adjoining lake Champlain, it shall be lawful to land such goods, wares, or merchandise, in the same, or any other, district adjoining said lake Champlain, any law to the contrary notwithstanding.

As to landing goods brought in steamboats from Canada on lake Champlain.

SEC. 5. *And be it further enacted*, That in any action or prosecution against any person as aforesaid, it shall be lawful for such person to plead the general issue, and give this act, and any special matter in evidence. And if in any suit the plaintiff is non-suit, or judgment pass against him, the defendant shall recover double costs.

General issue, this act, &c. in evidence, &c.

SEC. 6. *And be it further enacted*, That this act shall continue in force for the term of four years, from and after the third day of March next, and no longer.

This act in force for four years, &c.

SEC. 7. *And be it further enacted*, That every collector of the customs shall have authority, with the approbation of the Secretary of the Treasury, to employ within his district such number of proper persons, as deputy collectors of the customs, as he shall judge necessary, who are hereby declared to be officers of the customs; and the said deputy collectors, before they enter on the duties of their offices, shall take and subscribe, before the collector appointing them, or before some magistrate within their respective districts, authorized by law to administer oaths, the following oath or affirmation, to wit: "I, _____, having been appointed deputy collector of the customs, within and for the district of _____, do solemnly, sincerely, and truly, swear (or affirm, as the case may be,) that I will diligently and faithfully execute the duties of the said office of deputy collector, and will use my best endeavours to prevent, and detect, frauds and violations against the laws of the United States: I further swear (or affirm) that I will support the constitution of the United States."

Collectors may employ deputies, &c.

Form of the oath to be taken by deputies.

APPROVED, March 3, 1817.

STATUTE II.

March 3, 1817.

CHAP. CX.—*An Act to amend the act "authorizing the payment for property lost, captured, or destroyed by the enemy, while in the military service of the United States, and for other purposes," passed the ninth of April, one thousand eight hundred and sixteen.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the ninth section of the act, entitled "An act authorizing the payment for property lost, captured, or destroyed by the enemy, while in the military service of the United States, and for other purposes," passed on the ninth of April, one thousand eight hundred and sixteen, shall be construed to extend only to houses or other buildings, occupied by an order of an officer or agent of the United States as a place of deposit for military or naval stores, or as barracks for the military forces of the United States; and that, in acting on all claims arising under the aforesaid ninth section, as well those whereon commissions are now returned, and remain undecided, as those on which commissions may be hereafter executed, it shall be the duty of the commissioner, appointed in virtue of the act aforesaid, carefully to examine and investigate the same, and to report the facts in such case to Congress as soon as may be, that such provision may be made for the relief of the respective claimants as shall be deemed just and proper.

Act of April 9, 1816, ch. 40.

Restriction as to ninth section of the act referred to.

Act of April 20, 1818, ch. 124.

Commissioner to investigate, &c. report facts to Congress, &c.

SEC. 2. *And be it further enacted*, That the said commissioner shall, in