

## STATUTE II.

March 3, 1819.

CHAP. LXXXVIII. — *An Act authorizing the sale of certain military sites.*

The Secretary of War, under direction of the President, authorized to sell certain useless military sites.

The Secretary on payment to make a deed in fee.

Jurisdiction of the United States to cease.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of War be, and he is hereby, authorized, under the direction of the President of the United States, to cause to be sold such military sites, belonging to the United States, as may have been found, or become useless for military purposes. And the Secretary of War is hereby authorized, on the payment of the consideration agreed for, into the treasury of the United States, to make, execute, and deliver, all needful instruments, conveying and transferring the same in fee; and the jurisdiction, which had been specially ceded, for military purposes, to the United States, by a state, over such site or sites, shall thereafter cease.*

APPROVED, March 3, 1819.

## STATUTE II.

March 3, 1819.

CHAP. LXXXIX. — *An Act in addition to, and alteration of an act, entitled "An act laying a duty on imported salt, granting a bounty on pickled fish exported, and allowances to certain vessels employed in the fisheries." (a)*

Act of July 29, 1813, ch. 35.

Owners of boats and vessels qualified to carry on the cod fishery, and employed four months at sea to be allowed—

Act of May 26, 1824, ch. 152.

If more than 5, and not exceeding 30 tons, &c.

If above 30 tons, &c.

If above 30, with a crew of 10, &c.

Proviso: allowance for one season not to exceed 360 dolls.

Parts of the act amended, contrary, &c. repealed.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the passing of this act, there shall be paid, on the last day of December, annually, to the owner of every fishing boat or vessel, or his agent, by the collector of the district where such boat or vessel may belong, that shall be qualified, agreeably to law, for carrying on the bank and other cod fisheries, and that shall actually have been employed therein, at sea, for the term of four months at least, of the fishing season next preceding, which season is accounted to be from the last day of February to the last day of November in every year, for each and every ton of such boats or vessels, burden according to her admeasurement as licensed or enrolled, if of more than five tons, and not exceeding thirty tons, three dollars and fifty cents; if above thirty tons, four dollars; and if above thirty tons, and having had a crew of not less than ten persons, and having been actually employed in the cod fishery, at sea, for the term of three and one half months, at the least, but less than four months, of the season aforesaid, three dollars and fifty cents: *Provided*, That the allowance aforesaid, on any one vessel, for one season, shall not exceed three hundred and sixty dollars.*

SEC. 2. *And be it further enacted, That such parts of the fifth and sixth sections of the act hereby amended, as are contrary to the provisions of this act, be, and the same are hereby repealed.*

APPROVED, March 3, 1819.

(a) Although penal statutes are to be construed strictly, yet all the provisions thereof must be taken together, and interpreted according to the import of the words, and not by the mere division into sections, so as to give effect to the objects and intent of the statute. All statutes relating to the same subject matter are to be interpreted together, and such a construction is to be given to them as will avoid the mischief and promote the objects and policy contemplated by the statutes. The schooner *Harriet*, Boynton and others, claimants, 1 Story's C. C. R. 251.

The fifth and sixth sections of the act of July 29, 1813, and the act of March 3, 1819, relating to the bounty upon all vessels and boats employed in the bank and other cod fisheries as shall be employed at sea for the term of four months, include within their terms all vessels engaged in the cod fisheries, without limitation or specification as to the length of their fares, or the nature of their fisheries. *Ibid.*

A vessel is "at sea" within the intent of the acts of 1813 and 1819, when she is without the limits of any ports or harbours on the seacoast. *Ibid.*

Where a vessel was enrolled and licensed for the fisheries, and without an oath having been taken by all the owners to the ownership, as prescribed by the statutes of 1813 and 1819, and fraud and deceit were charged in procuring the bounty allowed by law to such vessels, it was held that it must be satisfactorily proved on the part of the United States, that the omission by the owners, who did not take the oath, was through fraud and deceit, and not through mistake, in order to render the vessel liable to forfeiture. *Ibid.*

Where a certificate made by the agent of the owner, of the particular time of sailing and returning of the vessel engaged in the cod fisheries, was discovered to be incorrect and false, after the bounty was received, it was held, that if the incorrectness and falsity were by mistake, there was no forfeiture under the acts of 1813 and 1819; but if by fraud and deceit, there was. *Ibid.*