

commissions following, to wit: Upon all duties collected from persons other than officers of the revenue, and upon all fines, a commission of four per centum; upon all duties received from officers of the revenue, or which are collected and duly accounted for by said officers, a commission of one per centum; and that the inspectors of surveys, not being also supervisors, shall, severally, be allowed upon all stamp duties, and upon all fines accruing thereupon, which shall be collected and accounted for by them, respectively, a commission of one and a half per centum. And the allowances aforesaid shall extend to the duties and fines which have been heretofore, or may be hereafter collected and accounted for, in manner aforesaid, in pursuance of the act, intituled "An act laying duties upon stamped vellum, parchment and paper," as well as to all duties and fines authorized by this act.

APPROVED, February 28, 1799.

Repealed by
act of April 6,
1802.

STATUTE III.

Feb. 28, 1799.

CHAP. XVIII.—*An Act concerning French Citizens that have been, or may be captured and brought into the United States.*

President authorized to send to the dominions of France captured French citizens.

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 to exchange or send away from the United States to the dominions of France, as he may deem proper and expedient, all French citizens that have been or may be captured and brought into the United States, in pursuance of the act, intituled "An act in addition to the act more effectually to protect the commerce and coasts of the United States."

Ante, p. 574.

APPROVED, February 28, 1799.

STATUTE III.

Feb. 28, 1799.

CHAP. XIX.—*An Act providing compensation for the Marshals, Clerks, Attornies, Jurors and Witnesses in the Courts of the United States, and to repeal certain parts of the acts therein mentioned; and for other purposes.*(a)

1813, ch. 14.
To the marshals.

SECTION 1. *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, the compensation to the several officers herein after mentioned, shall be as follows, to wit: to the marshals of the several districts of the United States, for the service of any writ, warrant, attachment or process issuing out of any courts of the United States, two dollars—and in case there be more than one person named in the said writ, warrant, attachment or process, then two dollars for each person so named; for his travel out in serving each writ, warrant, attachment or process aforesaid, five cents per mile, to be computed from the place of service to the court where the writ or process shall be returned; and if more persons than one are named therein, the travel shall be computed from the court to the place of service which shall be the most remote, adding thereto, the extra travel which shall be necessary to serve it on the other; for each bail bond, fifty cents; for actually summoning witnesses or appraisers, each fifty cents; for every commitment or discharge of a prisoner, fifty cents; for every proclamation in the admiralty, thirty cents; for sales of vessels, or other property, and for receiving and paying the money, for any sum under five hundred dollars, two and one half per cent; for any larger sum, one and one quarter per cent, upon the excess; for summoning each grand and other jury, four dollars: *Provided,* that in no case shall the fees for summoning jurors to any one court, exceed fifty dollars; and in those states where jurors, by the laws of the state, are drawn by constables, or other officers of

(a) An act concerning suits and costs in the courts of the United States, July 22, 1813, chap. 14.

corporate towns or places, by lot, the marshal shall receive for the use of the officers employed in summoning the jurors and returning the venire, the sum of two dollars, and for his own trouble in distributing the venire, the sum of two dollars; for attending the supreme or circuit court, five dollars per day; (a) and for attending the district court, where such court has the powers and cognizance of a circuit court, five dollars per day; and for attending the district courts in other cases, four dollars per day, and at the rate of ten cents per mile, for his travel from the place of his abode to either of the said courts—for all other services, not herein enumerated, except as shall be hereafter provided, such fees and compensations as are allowed in the supreme court of the state where such services are rendered: And the annual sum of two hundred dollars as a full compensation for all extra services, shall be allowed to each marshal for the districts of Tennessee, Kentucky, New Hampshire, Vermont, and Maine.

1803, ch. 7,
sec. 5.

SEC. 2. *And be it further enacted,* That when a deputy marshal, who shall be duly appointed by the marshal of any district, shall reside and be more than twenty miles from the place where the district judge of such district shall reside and be, the oath of office required of such deputy, before he enters on the discharge thereof, may be administered and taken by and before any judge or justice of any state court within the same district, or before any justice of the peace, having authority therein, and being certified by him, to the said district judge, shall be as effectual as if administered or taken before such district judge.

Manner of deputy marshal's taking the oath of office, when he resides at a distance from the district judge.

SEC. 3. *And be it further enacted,* That the compensation to the clerk of the supreme court of the United States, shall be as follows, to wit: for his attendance in court, ten dollars per day, and for his other services, double the fees of the clerk of the supreme court of the state in which the supreme court of the United States shall be holden. To the clerks of circuit and district courts in each state, respectively, the same fees as are allowed in the supreme court of the said state, with an addition thereto of one third of said fees, and five dollars per day for his attendance at any circuit or district court, and at the rate of ten cents per mile for his travel from the place of his abode to either of said courts; and in case a clerk of a court of the United States perform any duty which is not performed by the clerks of the state, and for which the laws of the state make no provision, the court in which such service shall be performed, shall make a reasonable compensation therefor. And in all cases of admiralty jurisdiction, the clerk of the district court shall be allowed the same fees as are prescribed by the second section of an act, passed the first day of March, one thousand seven hundred and ninety-three, intituled "An act to ascertain the fees in admiralty proceedings in the district courts of the United States; and for other purposes."

Compensation for the clerks of the courts of the United States.

1793, ch. 21.

SEC. 4. *And be it further enacted,* That the compensation to the attorneys of the respective districts of the United States, shall be as follows, to wit: for each day which any such attorney shall necessarily attend on business of the United States, during the session of any district or circuit court, five dollars; for travelling from the place of his abode to such court, ten cents per mile; and such fees in each state, respectively, as are allowed in the supreme court thereof; and in the district courts, his stated fees in the cases herein mentioned, shall be as follows, to wit: for drawing interrogatories, five dollars; for drawing and exhibiting libel, claim, or answer, six dollars; and for all other services in any one cause, six dollars. And the annual sum of two hundred dollars, as a full compensation for all extra services, shall be allowed and paid by the United

Compensation for the district attorneys.

(a) An act to lessen the compensation for marshals, clerks, and attorneys, in the cases therein mentioned, April 18, 1814, chap. 79; an act to repeal in part an act entitled, "An act to lessen the compensation of marshals clerks and attorneys, in cases therein mentioned," March 8, 1824, chap. 26.

States, to each district attorney for the districts of Maine, New Hampshire, Vermont, Rhode Island, Connecticut, New Jersey, Delaware, Virginia, North Carolina, Georgia, Kentucky and Tennessee.

Compensation to the attorney of the Virginia district in criminal cases.

SEC. 5. *And be it further enacted*, That for all services in criminal cases performed by the attorney for the district of Virginia, and for which no fees are allowed by law for similar services in the courts of that state, he shall be allowed such sum or sums as the court in which the same is rendered, shall consider a reasonable compensation therefor.

Compensation to jurors and witnesses.

SEC. 6. *And be it further enacted*, That the compensation to jurors and witnesses, in the courts of the United States, shall be as follows, to wit: to each grand and other juror, for each day he shall attend in court, one dollar and twenty-five cents; and for travelling, at the rate of five cents per mile, from their respective places of abode, to the place where the court is holden, and the like allowance for returning; to the witnesses summoned in any court of the United States, the same allowance as is above provided for jurors.

Criers and persons to attend the courts.

SEC. 7. *And be it further enacted*, That the respective courts of the United States shall appoint criers for their courts, to be allowed the sum of two dollars per day; and that the marshals be, and they are hereby authorized to appoint such a number of persons, not exceeding three, as the judges of their respective courts shall determine, to attend upon the grand and other jurors, and for other necessary purposes, who shall be allowed for their services, the sum of two dollars per day, to be paid by, and included in the accounts of the marshal, out of any money of the United States in his hands.

Informers to be alone liable for the fees to the clerks, &c.

SEC. 8. *And be it further enacted*, That if any informer on a penal statute, and to whom the penalty, or any part thereof, if recovered, is directed to accrue, shall discontinue his suit or prosecution, or shall be nonsuited in the same, or if, upon trial, judgment shall be rendered in favour of the defendant, unless such informer be an officer of the United States, he shall be alone liable to the clerks, marshals, and attorneys for the fees of such prosecution; but if such informer be an officer whose duty it is to commence such prosecution, and the court shall certify there was reasonable ground for the same, then the United States shall be responsible for such fees.

Exception.

Parts of former acts repealed.

SEC. 9. *And be it further enacted*, That the third section of an act, passed on the eighth day of May, one thousand seven hundred and ninety-two, intituled "An act for regulating process in the courts of the United States, and for providing compensations for the officers of said courts, and for jurors and witnesses," and the second section of an act passed on the first day of June, one thousand seven hundred and ninety-six, intituled "An act making an appropriation to satisfy certain demands attending the late insurrection, and to increase the compensations to jurors and witnesses in the courts of the United States," be, and they are hereby repealed.

1792, ch. 36.
1796, ch. 48.

APPROVED, February 28, 1799.

STATUTE III.

Feb. 28, 1799.

CHAP. XX.—*An Act to amend the act intituled "An act to provide for the valuation of lands and dwelling-houses, and the enumeration of slaves within the United States."*

1798, ch. 70.

Part of the former act repealed.

SECTION 1. *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, intituled "An act to provide for the valuation of lands and dwelling-houses, and the enumeration of slaves within the United States," as requires that the lists to be delivered in pursuance of the ninth section thereof, shall specify, in respect to dwelling-houses, "the number and dimensions of their windows," shall be, and hereby is repealed.