

the duties on the importation of goods, wares and merchandise into the United States.

No forfeiture to be incurred where the forms of documents are substantially complied with:—

They may be varied by additions.

Repeal of the former acts.

1790, ch. 35.

SEC. 111. *And be it further enacted*, That in cases where the forms of official documents, as prescribed by this act, shall be substantially complied with and observed, according to the true spirit, meaning and intent thereof, no penalty or forfeiture shall be incurred by a deviation therefrom; and the officers of the department of the treasury, according to their respective powers and duties, shall and may from time to time prescribe additions to the said forms, for the purpose of adapting the same to any alterations which may be made to the rates of duties on the importation of goods, wares and merchandise, and on the tonnage of ships and vessels, and for the better collection and payment of the said duties:—*Provided however*, that it shall not be competent for the said officers to prescribe any form or regulations incompatible with or contravening the special provisions of this act.

SEC. 112. *And be it further enacted*, That from and after the thirtieth day of June next ensuing, the act of Congress passed on the fourth day of August in the year one thousand seven hundred and ninety, entitled “An act to provide more effectually for the collection of the duties on goods, wares and merchandise imported into the United States, and on the tonnage of ships and vessels,” and also all other acts or parts of acts, coming within the purview of this act, shall be repealed and thenceforth cease to operate, except as to the continuance of the officers appointed in pursuance of the said act or parts of acts; except also as to the recovery and receipt of such duties on goods, wares and merchandise, and on the tonnage of ships or vessels, as shall have accrued; and as to the payment of drawbacks, bounties and allowances upon the exportation of goods, wares and merchandise, and as to the recovery and distribution of fines, penalties and forfeitures, which shall have been incurred before and on the said day; subject nevertheless, in respect to the collection of duties, to the alterations contained and expressed in the present act.

APPROVED, March 2, 1799.

STATUTE III.

March 2, 1799.

CHAP. XXIII.—*An Act to establish the compensations of the officers employed in the collection of the duties on imports and tonnage, and for other purposes.*(a)

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That

(a) The acts which have been passed relating to the compensation of officers of the customs, which are obsolete, have been: An act to provide more effectually for the collection of the duties imposed by law on goods, wares, and merchandise, imported into the United States, and on the tonnage of ships and vessels, August 4, 1790, chap. 35, sec. 52, 53, 54; an act making further provisions relative to the revenue cutters, May 6, 1796, chap. 22, sec. 1, 2; an act in addition to an act entitled, “An act supplementary to the act entitled, ‘An act to provide more effectually for the collection of duties on goods, wares, and merchandise, imported into the United States, and on the tonnage of ships and vessels,’” May 27, 1796, chap. 35, sec. 3; an act relative to the compensation and duties of certain officers employed in the collection of imposts and tonnage, March 3, 1797, chap. 9; an act establishing an annual salary for the surveyor of Gloucester, July 14, 1798, chap. 73; an act to increase the compensation allowed by law to inspectors, measurers, weighers, and gaugers, employed in the collection of the customs, April 26, 1816, chap. 95; an act respecting the compensation of the collectors therein mentioned, March 3, 1817, chap. 49; an act further to establish the compensation of officers of the customs, and to alter certain collection districts, and for other purposes, May 7, 1822, chap. 107, sec. 6, 7, 8, 9, 10, 12, 13, 15, 16, 18, 19.

The acts providing for the compensation to collectors and other officers of the customs in force, are: An act to establish the compensation of the officers employed in the collection of the duties on imports and tonnage, and for other purposes, March 2, 1799, chap. 23; an act supplementary to an act entitled, “An act to establish the compensation of the officers employed in the collection of the duties on imports and tonnage, and for other purposes,” May 10, 1800; an act providing for the accommodation of persons concerned in certain fisheries therein mentioned, March 16, 1802, chap. 11, sec. 3; an act to amend “an act to establish the compensation of the officers employed in the collection of the duties on imports and tonnage, and for other purposes,” April 30, 1802, chap. 37; an act relative to the compensation of cer-

every collector, naval officer and surveyor, employed in the collection of the duties on imports and tonnage, shall, within three months after he enters upon the execution of his office, give bond, with one or more sufficient sureties, to be approved of by the comptroller of the treasury of the United States, and payable to the said United States, with condition for the true and faithful discharge of the duties of his office according to law, that is to say:—the collector of Philadelphia and New York, in the sum of sixty thousand dollars, each; the collector of Boston and Charlestown, forty thousand dollars; the collectors of Baltimore and Charleston, thirty thousand dollars, each; the collector of Norfolk and Portsmouth, fifteen thousand dollars; the collectors of Portsmouth, in New Hampshire, of Salem and Beverly, Wilmington (in the state of Delaware) Annapolis, Georgetown (in Maryland), Bermuda Hundred and City Point, Alexandria, Wilmington, Newbern and Edenton, in the state of North Carolina, Newport and Providence, in the state of Rhode Island and Providence Plantations, ten thousand dollars, each; the collectors of Newburyport, Gloucester, Marblehead, Plymouth, Nantucket, Portland and Falmouth, New London, New Haven, Fairfield, Perth Amboy, Yorktown, Dumfries, Washington, Cambden, Georgetown (South Carolina), Beaufort and Savannah, five thousand dollars, each; the collectors of Hudson, Middletown and Waldoborough, four thousand dollars, each; and all the other collectors in the sum of two thousand dollars each; the naval officers of the ports of Boston and Charlestown, New York, Philadelphia, Baltimore, Charleston, ten thousand dollars, each; and all other naval officers, in the sum of two thousand dollars, each; the surveyors of the ports of Boston and Charlestown, New York, Philadelphia, Baltimore and Charleston, five thousand dollars, each; and all the other surveyors, in the sum of one thousand dollars, each:—

Collectors, naval officers and surveyors to give bond.

Which bonds shall be filed in the office of the said comptroller, and be, by him, severally, put in suit for the benefit of the United States, upon any breach of the condition thereof.

And all bonds to be hereafter given, shall be of the form following; to wit:

Know all men by these presents, that we are held and firmly bound unto the United States of America, in the full and just sum of _____ dollars, money of the United States; to which payment, well and truly to be made, we bind ourselves, jointly and severally, our joint and several heirs, executors and administrators, firmly by these presents, sealed with our seals, and dated this _____ day of _____ one thousand _____

Form of the bond.

The condition of the foregoing obligation is such, that, whereas the President of the United States hath, pursuant to law, appointed the said _____ to the office of _____ in the state of _____

Now therefore if the said _____ has truly and faithfully executed and discharged, and shall continue truly and faithfully to execute and discharge all the duties of the said office, according to law; then the

tain officers of the customs, and to provide for the appointing a surveyor in the districts therein mentioned, March 27, 1804, chap. 58; an act to annex a part of the state of New Jersey to the collection district of New York, &c., March 2, 1811, chap. 33, sec. 1, 9; an act to allow a salary to the collectors of the districts of Nantucket and Pensacola, and to abolish the office of surveyor of the district of Pensacola, May 26, 1824; an act to regulate the foreign and coasting trade on the northern, northeastern, and northwestern frontiers of the United States, and for other purposes, March 2, 1831, chap. 54, sec. 4; an act to amend an act entitled, "An act to annex part of the state of New Jersey to the collection district of New York, &c.," June 30, 1834, chap. 28; an act making appropriations for the civil and diplomatic expenses of the government for the year one thousand eight hundred and thirty-five, March 3, 1835, chap. 28, sec. 3; an act in addition to an act entitled, "An act making appropriations in part for the support of government for the year one thousand eight hundred and thirty-six," and for other purposes, July 4, 1836, chap. 353, sec. 3; an act making appropriations for the civil and diplomatic expenses of the government for the year one thousand eight hundred and thirty-seven, March 3, 1837, chap. 31, sec. 2; an act to secure the payment of certain commissions on duty bonds, to collectors of the customs, June 12, 1838, chap. 98.

above obligation to be void and of none effect, otherwise it shall abide and remain in full force and virtue.

Sealed and delivered }
in the presence of }

Provided, that in cases where bonds have been already given, according to the directions aforesaid, new bonds shall not be required.

Fees of the
collectors, na-
val officers and
surveyors.

SEC. 2. *And be it further enacted*, That from and after the last day of March next, and in lieu of the fees and emoluments heretofore established, there shall be allowed and paid for the use of the collectors, naval officers and surveyors, appointed and to be appointed in pursuance of law, the fees following; that is to say; to each collector for every entrance of any ship or vessel of one hundred tons burthen and upwards, two dollars and an half; for every clearance of any ship or vessel of one hundred tons burthen and upwards, two dollars and an half; for every entrance of any ship or vessel under the burthen of one hundred tons, one dollar and an half; for every clearance of any ship or vessel under one hundred tons burthen, one dollar and an half; for every post entry two dollars; for every permit to land goods, twenty cents; for every bond taken officially, forty cents; for every permit to load goods for exportation, which are entitled to drawback, thirty cents; for every debenture or other official certificate, twenty cents; for every bill of health, twenty cents; for every official document, (registers excepted) required by any merchant, owner or master of any ship or vessel not before enumerated, twenty cents; and where a naval officer is appointed to the same port, the said fees shall be equally divided between the collector and the said naval officer, the latter paying one third of the expense of the necessary stationery, and of the rent of an office to be provided by the collector, at the place assigned for his residence, and as conveniently as may be for the trade of the district,—except the expense of fuel, office rent and necessary stationery for the collectors of the districts of Salem and Beverly, Boston and Charlestown, the cities of New York, Philadelphia and Charleston, the towns of Baltimore, Norfolk and Portsmouth, which shall be paid three fourths by the said collectors, and the other fourth by the respective naval officers in those districts; and all fees shall, at the option of the collector, be either received by him or by the naval officer, the party receiving to account monthly with the other for his proportion or share thereof: *Provided*, that all fees arising on the exportation of any goods, wares or merchandise on which drawbacks are allowed, shall be equally shared among the collector, naval officer and surveyor, where there are such officers at the port where the fees are paid, to be accounted for monthly, by the collector or naval officer who shall receive the same; and where there is no naval officer, such fees shall be divided equally between the collector and the surveyor, who may have been concerned in attending to such exportation, and the surveyors shall pay their proportion of the expenses of stationery and printing. To each surveyor, for the admeasurement and certifying the same, of every ship or vessel of one hundred tons and under, one cent per ton; for the admeasurement of every ship or vessel above one hundred tons and not exceeding two hundred tons, one hundred and fifty cents; for the admeasurement of every ship or vessel above two hundred tons, two hundred cents; for all other services by this act to be performed by such surveyor, on board any ship or vessel of one hundred tons or upwards, having on board goods, wares or merchandise subject to duty, three dollars; for the like services on board any ship or vessel of less than one hundred tons burthen, having on board goods, wares or merchandise subject to duty, one and an half dollar; on all vessels not having on board goods, wares or merchandise subject to duty, two thirds of a dollar. All which fees shall be paid by the master or owner of the ship or vessel in which the said services shall be performed, to the surveyor by

whom they shall be performed, if performed by one only, for his sole benefit,—but if performed by more than one, to him who shall have the first agency, to be divided in equal parts between him and the other or others by whom the said services shall also be performed. To each inspector there shall be allowed, for every day he shall be actually employed in aid of the customs, a sum not exceeding two dollars; and for every other person that the collector may find it necessary and expedient to employ, as occasional inspectors, or in any other way in aid of the revenue, a like sum, whilst actually so employed, not exceeding two dollars for every day so employed, to be paid by the collector out of the revenue, and charged to the United States: *Provided*, that the services performed by occasional inspectors, shall be particularly detailed in the accounts to be transmitted to the treasury, and certified as to the necessity as well as performance of such services, by the naval officer or surveyor of the district, if any such officers there are: to the measurers, weighers or gaugers, respectively, to be paid monthly by the collector out of the revenue, and charged to the United States, for the measurement of every one hundred bushels of grain, thirty cents; for the measurement of every one hundred bushels of salt, according to the weight established by law for the payment of duties thereon, fifty cents; for the measurement of every one hundred bushels of coal, sixty cents; for the weighing of every one hundred and twelve pounds, and marking every cask, box or package, weighing more than two hundred pounds each, except sugar, coffee, pepper, pimento and indigo, in bales, bags, mats, canisters or seroons, with the weight in durable characters, in the districts of Pennsylvania, New York, Boston and Charlestown, and Baltimore, one cent and a quarter; in the district of Norfolk, one cent and a half; and in the other districts, two cents; for the gauging and marking every cask, to be marked in durable characters, with his own name, and the quantity, eight cents; for computing the contents of and marking cases containing distilled spirits and wines, three cents per case; for actually counting the number of bottles of cider, beer, ale, perry or porter contained in any cask, or other package or packages, one cent per dozen; and in proportion for any greater or lesser quantity; and the allowances aforesaid shall be deemed to include a compensation for making returns of the goods or merchandise weighed, gauged and measured, specifying the quality as well as quantity; and there shall be allowed to the surveyors or inspectors of the revenue for ports, the sum of one cent and one half for every certificate to accompany foreign distilled spirits, and two cents and one half for every certificate to accompany wines and teas, issued within their ports respectively; and to the deputies of the inspectors aforesaid, the sum of two cents and one half for every cask, or package, of foreign distilled spirits, wines or teas, by them marked and returned to their respective principals, and for gauging wines, whereon the duties are payable according to the value thereof six cents for every cask actually gauged. There shall moreover be allowed to the several officers hereafter mentioned, the following allowances and per centage: To the collectors of the district of New York, one quarter per cent.; to the collector of the district of Boston and Charlestown, and to the collector of the districts of Baltimore and Philadelphia one half per cent.; to the collectors of the district of Charleston, Salem and Norfolk, seven eighths of one per cent.; to the collectors of the districts of Alexandria and Savannah, one per cent.; to the collectors of the district of Newburyport, one and one quarter per cent.; to the collectors of the districts of Portsmouth, Portland, Newport, Providence, and New Haven, one and one half per cent.; to the collectors of the districts of Georgetown, (in Maryland) and Marblehead, two and one half per cent.; to the collectors of the districts of New London, Biddeford, Bath, and Wiscasset, two

Compensation
to inspectors.

Compensation
to the measur-
ers, weighers,
and gaugers.

Fees to the
surveyors or in-
spectors of the
revenue for
ports.

Additional
compensation
to certain col-
lectors and sur-
veyors.

per cent. ; and to the collectors of all other districts, three per cent. ; on all monies by them respectively received, on account of the duties arising on goods, wares and merchandise imported into the United States, and on the tonnage of ships and vessels. And in addition to the allowances above mentioned, there shall be allowed and paid annually, the sums following, to wit :—To the collectors of St. Mary's, Passamaquoddy, Vermont, Champlain, and to the collectors of the several districts comprising the northern and western boundaries of the United States, and the river Ohio, two hundred and fifty dollars each ; to the surveyors in the several districts comprising the northern and western boundaries of the United States, and the river Ohio, two hundred dollars each ; to the surveyor of Shell Castle or Beacon Island, one thousand dollars : To each of the collectors of the districts of Wilmington, in Delaware, Annapolis, Havre-de-Grace, Chester, in Maryland, Gloucester, South Quay, Yeocomico, Tappahannock, Newbern, Edenton, Camden, Wilmington (North Carolina) Nanjemoy, Ipswich, York, Washington and Bermuda Hundred, the sum of two hundred and fifty dollars ; to each of the collectors of the districts of Oxford, Vienna, Sagg Harbor, Nottingham, Hampton, Yorktown, Dumphries, Foley Landing, Cherrystone, Beaufort, Brunswick and Hardwich, the sum of two hundred dollars ; to each of the collectors of the districts of Perth Amboy, Portsmouth, Hudson, Plymouth, Barnstable, Nantucket, Edgartown, New Bedford, Dighton, Penobscot, Frenchman's Bay, Machias (Newport) Middletown, Fairfield, Burlington, Bridgetown, Great Egg Harbor, Little Egg Harbor, Snowhill, Georgetown (in South Carolina), Sunbury, Marblehead, New Haven and Georgetown (in Maryland), the sum of one hundred and fifty dollars ; to each of the collectors of Biddeford, Bath and Wiscasset, one hundred dollars ; to the naval officer of the district of Portsmouth, two hundred dollars ; to each of the naval officers of the districts of Newburyport, Salem, Newport, Providence, Wilmington (in North Carolina), and Savannah, the sum of one hundred and fifty dollars ; to each of the surveyors of Salem, Portsmouth, Newburyport, Gloucester, Bristol, Warren, East Greenwich, North Kingston, Saint Mary's, Suffolk, Smithfield, Richmond, Petersburg, Fredericksburgh, Wilmington, Beaufort and Swansborough, the sum of two hundred and fifty dollars ; to each of the surveyors of Newport, Providence, Thomastown, Beverly, New Haven, Middletown, Hartford, Saybrook, Albany, Hudson, Lewellensburgh, Portland, Pawkatuck, Patuxet, New London, Stonington, Town creek, Bermuda Hundred, West Point, Urbanna, Port Royal, Alexandria, Windsor, Hartford, Plymouth, Skewarky, Murfreesborough, Bennet's creek, Winton, Nixonton, Newbiggen creek, Pasquotank river, Indiantown, Currituck inlet, Savannah, and New Brunswick (in New Jersey), the sum of one hundred and fifty dollars ; to each of the surveyors of such ports of delivery as may be hereafter established by the President of the United States, and for whom other annual compensations are not hereby provided, a sum not exceeding two hundred and fifty dollars. And it shall be the duty of the respective collectors, naval officers and surveyors, to keep accurate accounts of all fees and official emoluments received by them, also, of all expenditures, particularizing their expenditures for rent, fuel, stationery and clerk hire, and to transmit annually, within forty days after the last day of December, an account, as aforesaid, verified on oath or affirmation, to the comptroller of the treasury, who shall, annually, lay an abstract of the same before Congress ; and if any collector, naval officer, or surveyor, shall omit or neglect to keep an account, as aforesaid, or to transmit the same, verified as aforesaid, he shall forfeit and pay a sum not exceeding five hundred dollars, for the use of the United States.

SEC. 3. *And be it further enacted*, That the compensations of the commissioned officers of the revenue cutters, shall be as follows, to wit :

To certain naval officers and surveyors.

Collectors, &c. to keep accounts of their emoluments and expenditures, and transmit them to the Comptroller.

Compensation and subsistence

To a captain, or master, fifty dollars per month and the subsistence of a captain in the army of the United States; to a first lieutenant or mate, thirty-five dollars per month: to a second lieutenant or mate, thirty dollars per month; to a third lieutenant or mate, twenty-five dollars per month, and to every lieutenant or mate, the subsistence of a lieutenant in the army of the United States; and the pay of the non-commissioned officers, gunners and mariners employed in the said cutters, shall from time to time be established and varied by the President of the United States, not exceeding twenty dollars per month, with such rations as are or shall be allowed in the naval service of the United States.

of the officers of revenue cutters.

Pay and rations of the crew.

If a collector die or resign, how certain fees are to be distributed.

SEC. 4. *And be it further enacted*, That whenever a collector shall die or resign, the commissions to which he would have been entitled, on the receipt of all duties bonded by him, shall be equally divided between the collector resigning, or the legal representative of such deceased collector, and his successor in office, whose duty it shall be to collect the same, and for this purpose all the public or official books, papers and accounts of the collector resigning or deceased, shall be delivered over to such successor.

APPROVED, March 2, 1799.

STATUTE III.

CHAP. XXIV.—*An Act for the Government of the Navy of the United States.*(a)

March 2, 1799.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following rules and regulations be adopted and put in force, for the government of the navy of the United States.

Repealed 1800, ch. 33, sec. 11.

ARTICLE I. The commanders of all ships and vessels, belonging to the United States, are strictly required to show in themselves a good example of honour and virtue to their officers and men, and to be very vigilant in inspecting the behaviour of all such as are under them, and to discountenance and suppress all dissolute, immoral, and disorderly practices, and also such as are contrary to the rules of discipline and obedience, and to correct those who are guilty of the same, according to the usage of the sea service.

Duty of commanders.

2. The commanders of the ships of the United States, having on board chaplains, are to take care, that divine service be performed twice a day, and a sermon preached on Sundays, unless bad weather, or other extraordinary accidents prevent.

Divine service.

3. Any person who shall be guilty of profane swearing, or of drunkenness, if a seaman or marine, shall be put in irons until sober, and then flogged if the captain shall think proper—but if an officer, he shall forfeit two days pay, or incur such punishment as a court martial shall impose, and as the nature and degree of the offence shall deserve.

Swearing and drunkenness.

4. No commander, for any one offence, shall inflict any punishment upon a seaman or marine beyond twelve lashes upon his bare back with a cat of nine tails, and no other cat shall be made use of on board any ship of war, or other vessel belonging to the United States—if the fault shall deserve a greater punishment, he is to apply to the Secretary of the Navy, the commander in chief of the navy, or the commander of a squadron, in order to the trying of him by a court martial; and in the mean time he may put him under confinement.

Commanders not to inflict a greater punishment than twelve lashes :-

5. The commander is never by his own authority to discharge a commission or warrant officer, nor to punish or strike him, but he may suspend or confine him, and shall report the case to the Secretary of the

Nor to discharge commission or warrant officers, &c.

(a) The acts of Congress establishing rules and regulations for the government of the navy of the United States, have been: An act for the government of the navy of the United States, March 2, 1799, chap. 24 (obsolete); an act for the better government of the navy of the United States, April 23, 1800, chap. 33; an act authorizing a revision and extension of the rules and regulations of the naval service, May 19, 1832, chap. 80.