

of any such loan or loans, according to the terms and conditions to be fixed as aforesaid.

SEC. 11. *And be it further enacted*, That the powers, by the first and second sections of this act vested in the President of the United States, shall cease at the expiration of the session of Congress next ensuing the present, unless they shall be, by some future law, continued in force for a longer time.

APPROVED, March 2, 1799.

Limitation of the powers given in the first and second sections.

STATUTE III.

CHAP. XXXII.—*An Act providing for the security of Bail in certain cases.*

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 in all cases where a defendant, who hath procured bail to respond the judgment in a suit brought against him in any of the courts of the United States, shall afterwards be arrested in any district of the United States, other than that in which the first suit was brought, and shall be committed to a gaol, the use of which shall have been ceded to the United States for the custody of prisoners, it shall be lawful for and the duty of any judge of the court, in which the suit is depending, wherein such defendant had so procured bail as aforesaid, at the request and for the indemnification of the bail, to order and direct that such defendant be held in the gaol to which he shall have been committed a prisoner, in the custody of the marshal, within whose district such gaol is, and upon the said order duly authenticated, being delivered to the said marshal, it shall be his duty to receive such prisoner into his custody, and him safely to keep, and the marshal shall thereupon be chargeable, as in other cases, for an escape. And the said marshal thereupon shall make a certificate, under his hand and seal, of such commitment, and transmit the same to the court from which such order issued; and shall also, if required, make a duplicate thereof, and deliver the same to such bail, his or their agent or attorney, and upon the said certificate being returned to the court which made the said order, it shall be lawful for the said court or any judge thereof, to direct that an exoneretur be entered upon the bail piece where special bail shall have been found, or otherwise to discharge such bail, and such bail shall thereupon accordingly be discharged.

If a defendant giving bail in one district committed in another, the bail may be discharged.

Resolution of Sept. 23, 1789. Ante, p. 96.

Duty of the marshal.

SEC. 2. *And be it further enacted*, That the marshal or his deputy, serving such order as aforesaid, shall therefor receive the same fees and allowances as for the service of an original process commitment thereon to the gaol and the return thereof.

His fees.

SEC. 3. *And be it further enacted*, That in every case of commitment as aforesaid, by virtue of such order as aforesaid, the person so committed shall, unless sooner discharged by law, be holden in gaol until final judgment shall be rendered in the suit in which he procured bail as aforesaid, and sixty days thereafter, if such judgment shall be rendered against him, that he may be charged in execution, which may be directed to and served by the marshal in whose custody he is: *Provided always*, that nothing in this act contained shall affect any case wherein bail has been already given.

Defendant to be held until judgment in the first suit, &c.

This act not to affect bail already given.

APPROVED, March 2, 1799.

STATUTE III.

March 2, 1799.

[Obsolete.]

CHAP. XXXIII.—*An Act to grant an additional compensation, for the year one thousand seven hundred and ninety-nine, to certain officers of the Senate and House of Representatives of the United States.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there be allowed to the secretary of the Senate and to the clerk of the House of Repre-

sentatives, each two hundred dollars; and that the sum of one hundred dollars be, and the same is hereby allowed to each of the principal and engrossing clerks in the office of the secretary of the Senate and of the clerk of the House of Representatives, and a like sum to the serjeant-at-arms of the House of Representatives, and to each of the doorkeepers and assistant doorkeepers of the two Houses of Congress, in addition to the compensations heretofore established by law, for the said officers, respectively; and that the aforesaid sums be paid out of any monies in the treasury of the United States, not otherwise appropriated.

APPROVED, March 2, 1799.

STATUTE III.

March 2, 1799.

CHAP. XXXIV.—*An Act to authorize the sale of certain lands between the Great and Little Miami rivers in the territory of the United States northwest of the Ohio; and for giving a pre-emption to certain purchasers and settlers.*

Act of March 3, 1801, ch. 19.

Contractors with John C. Symmes to have a right of pre-emption, on making certain payments.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any person or persons, who before the first day of April, in the year one thousand seven hundred and ninety-seven, had made any contract or contracts, in writing, with John Cleves Symmes, for the purchase of lands between the Great and Little Miami rivers, which are not comprehended in his patent, dated the thirtieth day of September, one thousand seven hundred and ninety-four, shall be entitled to a preference, in purchasing of the United States, all the lands so contracted for, at the price of two dollars an acre, to be paid to the treasurer of the United States, as follows: one third part of the purchase money, on or before the first day of September next; one other third part in one year from the said first day of September; and the remaining third part in two years from the said first day of September; which two last payments shall be secured in the manner pointed out and directed by the act, intituled "An act for providing for the sale of the lands of the United States in the territory northwest of the river Ohio, and above the mouth of Kentucky river." And that upon each payment, the same evidences of purchase and title shall be given to the purchasers, respectively, as to purchasers under the said recited act.

Ante, p. 266.

1796, ch. 20.

Notice to be given by purchasers.

SEC. 2. *And be it further enacted,* That each and every person claiming the benefit of this act, shall, on or before the first day of September next, give notice, in writing, to the Secretary of the Treasury, or to the Surveyor General, that they claim the right of pre-emption, by this act offered, and do assent to the terms of sale established by this act. And if any person shall neglect to give the said notice, or shall fail in making the first payment, as before directed, all right of pre-emption shall cease, and become void; and the lands shall be surveyed and sold agreeably to the directions of the before recited act.

Right of pre-emption may be lost, &c.

The lands to be surveyed.

SEC. 3. *And be it further enacted,* That the Surveyor General shall, as soon as may be, after the receipt of the notice aforesaid, lay off and survey the said lands, agreeably to the directions of the said recited act, unless the said lands have been heretofore surveyed and laid off by the said contractors or settlers; in which case, the Surveyor General shall survey the outlines of such tract or tracts, so as to ascertain the contents, and shall cause the same to be recorded and deposited, as in and by the said recited act is directed for the plats and surveys made under that act.

Purchasers may be credited with the expense of surveying.

SEC. 4. *And be it further enacted,* That it may be lawful for the Secretary of the Treasury to credit the said purchasers with such reasonable sum or sums of money as have been expended in surveying the said land; provided the same does not exceed the sums allowed by the United States to their own surveyors for the like services.