

And to make returns accordingly.

Which of these are to be opened and inspected.

In case of a vote under the constitution of the U. States, as it now stands, and one according to the amendment proposed, lists of the electors to be given to the electors, and one of these lists forwarded.

#### STATUTE I.

March 27, 1804.

Act of April 14, 1792, ch. 24.

Act of Feb. 28, 1803, ch. 9.

Repeal of part of a former act. Act of March 3, 1817, ch. 40.

Powers of attorney for the transfer of stock and receipt of interest, in other respects formal, not to be affected by the want of consular certificates.

#### STATUTE I.

March 27, 1804.

Act of Dec. 31, 1792, ch. 1.

No ship or vessel to be registered as a vessel of the U. States, if owned by persons residing in foreign countries a certain length of time.

provisions of the act to which this act is a supplement; and they shall likewise vote for one person as President, and for one person as Vice President, in conformity with the above-mentioned amendment of the constitution; and in other respects act in conformity with the provisions of the first section of this act. But those certificates only, of votes given for President and Vice President of the United States, shall be opened by the president of the Senate, for the purpose of being counted, which shall contain the list or lists of votes given in conformity with the constitution, as in force on the day fixed by law for the meeting of the electors, by whom the said votes shall have been given.

SEC. 3. *And be it further enacted*, That whenever, by the provisions of the second section of this act, it shall be the duty of the electors for any state, to vote in conformity, both with the constitution, and of the proposed amendment thereto, the executive authority of such state shall cause six lists of the names of the electors for the state, to be made and certified, and to be delivered to the said electors, on or before the day fixed by law for them to meet and vote for President and Vice President; and the said electors shall enclose one of the said lists in each of the certificates by them made and sealed, in conformity with the provisions of this act, and of the act to which this is a supplement.

APPROVED, March 26, 1804.

CHAP. LI.—*An Act to repeal a part of the act intituled "An act supplementary to the act concerning Consuls and Vice Consuls, and for the further protection of American seamen."*

*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, intituled "An act supplementary to the act concerning consuls and vice consuls, and for the further protection of American seamen," passed the twenty-eighth of February, one thousand eight hundred and three, be, and the same is hereby repealed.

SEC. 2. *And be it further enacted*, That all powers of attorney for the transfer of any stock of the United States, or for the receipt of interest thereon, executed in a foreign country, since the thirtieth day of June one thousand eight hundred and three, according to the forms in use at the treasury of the United States prior to the said thirtieth day of June, one thousand eight hundred and three, shall be valid to all intents and purposes: any provision in the aforesaid section hereby repealed to the contrary notwithstanding.

APPROVED, March 27, 1804.

CHAP. LII.—*An Act to amend the act intituled "An act concerning the registering and recording of ships and vessels."*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That no ship or vessel shall be entitled to be registered as a ship or vessel of the United States, or if registered, to the benefits thereof, if owned in whole or in part by any person naturalized in the United States, and residing for more than one year in the country from which he originated, or for more than two years in any foreign country, unless such person be in the capacity of a consul or other public agent of the United States: (a) *Provided*, that

(a) A naturalized citizen, who in time of peace, returns to his native country for the purposes of trade, but with the intention of returning again to his adopted country, continuing in the former country a year after the commencement of hostilities, for the purpose of winding up his business, engaging in no new commercial transactions with the enemy, and then returning to his adopted country, has gained a domicile in his native country, and his goods are subject to capture and condemnation. The Frances, S Cranch, 335; 3 Cond. Rep. 154. See also the Dos Hermanos, 2 Wheat. 76; 4 Cond. Rep. 39.

nothing herein contained shall be construed to prevent the registering anew of any ship or vessel before registered, in case of a *bona fide* sale thereof to any citizen or citizens resident in the United States: *And provided also*, that satisfactory proof of the citizenship of the person on whose account a vessel may be purchased, shall be first exhibited to the collector, before a new register shall be granted for such vessel.

SEC. 2. *And be it further enacted*, That the proviso in the act, intituled "An act in addition to an act, intituled An act concerning the registering and recording of ships and vessels," passed the twenty-seventh of June, one thousand seven hundred and ninety-seven, shall be taken and deemed to extend to the executors or administrators of the owner or owners of vessels, in the said proviso described.

APPROVED, March 27, 1804.

Any ship or vessel before registered, &c.

Satisfactory proof of the citizenship of the purchaser to be first exhibited to the collector.

Proviso in a former act extended to the representatives of a deceased owner of a ship.

Act of June 27, 1797, ch. 5.

STATUTE I.

March 27, 1804.

CHAP. LIII.—*An Act supplementary to the act, intituled "An act providing for a Naval Peace Establishment, and for other purposes."*

*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 is hereby authorized to attach to the navy yard at Washington, and to the frigates and other vessels laid up in ordinary in the Eastern Branch, a captain of the navy, who shall have the general care and superintendence of the same; and shall perform the duties of agent to the navy department, and shall be entitled to receive for his services, the pay and emoluments of a captain commanding a squadron on separate service.<sup>(a)</sup> And the President of the United States is hereby further authorized to attach permanently to the said navy yard and vessels, one other commissioned officer of the navy, who shall receive for his services, the pay and emoluments of a captain commanding a twenty gun ship, one surgeon and one surgeon's mate of the navy, who shall be severally allowed for their services, the same pay, rations and emoluments, as are allowed to a surgeon and to a surgeon's mate in the army of the United States; one sailing master, one head carpenter, one plumber, one head block maker, one head cooper, two boatswains, two gunners, one sail maker, one store keeper, one purser, one clerk of the yard, and also, such seamen and marines, as in the opinion of the President shall be deemed necessary: *Provided*, that the number of seamen or marines, shall not at any time be greater than what is at present authorized by the act to which this is a supplement.

SEC. 2. *And be it further enacted*, That that part of the act to which this is a supplement, which attaches to each frigate laid up in ordinary, one sailing master, one boatswain, one gunner, one carpenter, and one cook, one serjeant or corporal of marines and eight marines, and to the large frigates twelve, and to the small frigates ten seamen, and which declares that the sailing master shall have the care of the ship, and shall execute such duties of a purser as may be necessary, shall be, and hereby is repealed.

APPROVED, March 27, 1804.

A captain of the navy to be attached to the navy yard and vessels in ordinary at Washington. His duties, pay and emoluments.

Who else are to be attached to the navy yard and vessels in ordinary at Washington.

Proviso.

Repeal of a part of a former act.

STATUTE I.

March 27, 1804.

CHAP. LIV.—*An Act supplementary to the act, intituled "An act concerning the City of Washington."*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the several compensa-

<sup>(a)</sup> The act of March 27, 1804, by which the President of the United States was authorized to attach to the navy yard at Washington, a captain in the navy, for the performance of certain duties, was correctly construed by the navy department until 1829, allowing to the defendant commissions on sums paid by him as special agent of the navy department in making the disbursements. *United States v. M'Daniel*, 7 Peters, 1.