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Terms of the Star

ARE TWO DOLLARS AND FIFTY CENTS per annum, payable half yearly IN ADVANCE: No paper can be discontinued until the same is paid for.

ADVERTISEMENTS,

ARE inserted *three weeks* for *ONE DOLLAR*, and continued *weekly*, for *TWENTY-FIVE CENTS* per square.

Law of the United States.

(BY AUTHORITY.)

AN ACT

To enforce and make more effectual An act, entitled, "An act laying an embargo on all ships and vessels, in the ports and harbors of the United States," and the several acts supplementary thereto.

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That if any person or persons shall put, place, or load on board any ship, vessel, boat or water craft, or in any cart, waggon, sled, or other carriage or vehicle, with or without wheels, any specie, goods, wares or merchandize, with intent to export, transport or convey the same without the United States or the territories thereof, to any foreign place, kingdom or country, or with intent to convey the same on board any foreign ship or vessel within or without the limits of the United States, or with the intent in any other manner to evade the acts to which this act is a supplement, all such specie, goods, wares and merchandize, and also the ship, vessel, boat, water craft, cart, waggon, sled, or other carriage or vehicle, on board, or in which the same may be put, placed or loaded as aforesaid, shall be forfeited, and the person or persons so putting, placing or loading the same as aforesaid, and also the aiders and abettors therein, shall upon conviction, be adjudged guilty of a high misdemeanor, and fined a sum, by the court before which the conviction is had, equal to four times the value of such specie, goods, wares and merchandize. *Provided however*, That this section shall not be construed to extend to any person or persons, not being the owner or owners of such specie, goods, wares or merchandize, who shall first inform and make complaint to the collector of the district of any such offence committed within the same district; and any informer or informers not being the owner or owners as aforesaid, upon conviction of the offenders, shall be entitled to one half of the fine aforesaid, when the same shall be received by the United States, and shall be entitled to a certificate for that purpose from the court before whom the conviction shall be had.

SEC. 2. *And be it further enacted*, That it shall not be lawful to put on board any ship, vessel, or boat of any description whatever, any specie or goods, wares or merchandize, either of domestic or foreign growth, produce or manufacture, and the same is hereby prohibited unless a permit particularly stating the articles thus to be laden shall have been previously obtained from the collector of the district in which such ship, vessel or boat may then be, or from a revenue officer specially authorized by the collector to grant such permits; nor unless the lading shall be made under the inspection of the proper revenue officers, nor unless the owner or owners, consignee or factor of such ship, vessel or boat shall, with the master, have given bond with one or more sureties to the United States in a sum six times the value of the vessel and cargo, that the vessel shall not leave the port without a clearance, nor shall, when leaving the port, proceed to a foreign port or place, nor shall put any article on board of any other vessel; and that the whole cargo shall be relanded either in the port where the vessel may then be, or in such other port of the United States as shall be designated in the clearance. And it shall be lawful for the collectors of the customs to refuse permission to put any cargo on board any such ship, vessel, or boat, whenever in their opinion there is an intention to violate the embargo, or whenever they shall have received instructions to that effect by direction of the President of the United States: *Provided*, that nothing contained in this section shall be construed to extend to any ship, vessel, or boat, uniformly employed in the navigation only of bays, sounds, rivers and lakes, within the jurisdiction of the United States, which shall have obtained a general permission, agreeably to the provisions in the fourth section of this act.

SEC. 3. *And be it further enacted*, That the owner or owners, consignee or factor, of any ship, vessel, or boat, as described in the preceding section, which may, at the time when notice of this act shall be received at the several custom-houses respectively, be laden in whole or in part, shall, on notice given by the collector, either discharge such cargo or give bond for the same, in the manner, and on the conditions mentioned in the preceding section; and if the cargo shall not be discharged within ten days or the bond given within three days after such notice, the ship, vessel, or boat and cargo shall be wholly forfeited: But the collectors are hereby authorised to order or to cause the cargoes, of such vessels to be discharged for the same causes as they may refuse permission to put any cargo on board of vessels not yet laden in whole or in part. And they are likewise authorised in the meanwhile, and until the cargoes shall have been discharged, or bonds given, as the case may be, to take possession of such vessels, and to take such other measures as may be necessary to prevent their departure.

SEC. 4. *And be it further enacted*, That the collectors of the customs be and they are hereby authorised to grant, under such general instructions as the president of the United States may give to that effect, a general permission to ships, vessels, or boats, whose employment has uniformly been confined to the navigation of bays, sounds, rivers, or lakes within the jurisdiction of the United States, when it can be done without danger of the embargo being violated, to take on board at any time such articles of domestic or foreign growth as may be designated in such general permission or permissions, bond with one or more sureties being previously given to the United States by the owner, owners, consignee, or factors of such ship, vessel, or boat, and by the master hereof, in an amount equal to three hundred dollars for each ton of the said vessel, that such vessel shall not, during the time limited in the condition of the bond, depart from any district of the United States without having previously obtained a clearance, nor until the master or commander shall have delivered to the collector or surveyor of the port of departure a manifest of the whole cargo on board, that the said vessel shall not during the time above mentioned, proceed to any other port than that mentioned in her clearance; or put any article on board of any other vessel, or be employed in any foreign trade; and that on every voyage or trip the whole of the cargo shall be landed in a port of the United States within the bay, sound, rivers or lakes to which the navigation of such vessel is confined.

SEC. 5. *And be it further enacted*, That if any ship, vessel, or boat, not having received a general permission, and a general bond not having been first given in the manner provided for in the next preceding section, shall take on board any specie, or any goods, wares, or merchandize, either of foreign or domestic growth, produce, or manufacture, contrary to the provisions of the second section of this act, such ship, vessel, or boat, together with the specie and goods, wares, or merchandize, shall be wholly forfeited; and the owner or owners, agent, freighter, or factors, master or commander of such ship, vessel, or boat, shall moreover severally forfeit and pay a sum equal to the value of the ship, vessel, or boat, and of the cargo put on board the same.

SEC. 6. *And be it further enacted*, That the person or persons whose names do or may appear as owner or owners of any ship or vessel, either on the certificate of registry, enrollment or licence of any such ship or vessel, or if neither registered or licenced, on the last clearance or custom house document issued before the passing of this act, for such ship or vessel, shall be reputed as the true owner or owners of such ship or vessel, and be liable to the payment of all penalties which may be incurred by the owners of such ship or vessel, by reason of any violation of any of the provisions of this act, or of the act laying an embargo on all ships and vessels in the ports and harbours of the United States, or of any of the acts supplementary thereto, by such ship or vessel: *Provided always*, That nothing in this section contained, shall be construed, to release any other person or persons from the payment of any penalty incurred by virtue of any of the acts aforesaid. And in case of any new register or licence being granted, during the continuance of the said acts, or in case of the sale of any ship or vessel neither registered or licenced, a bond with one or more sureties to the United States shall, previous to the granting any such new register or licence, or to recognizing the sale of such vessel not registered or licenced, be required by the collector, in an amount equal to three hundred dollars for each ton of such ship or vessel, that such ship or vessel, shall not, during the continuance of the acts laying an embargo on all ships and vessels in the ports and harbours of the United States, contravene or infringe any of the provisions of the said acts: *Provided*, That nothing herein contained, shall be construed to extend to the owner or owners of any ship or vessel who shall have made a bona fide sale of such ships or vessel, in any port or harbour of the United States, before notice of this act at such port or harbour, respectively; nor to the owner or owners of any ship or vessel, in any foreign port or place, who shall have made a bona fide sale thereof, before notice of this act: *And provided also*, That such bond shall not release the owners and master of such ship or vessel, or any other person from the obligation of giving every other bond required by this act or by any of the acts aforesaid.

SEC. 7. *And be it further enacted*, That in all cases where either under this act, or under the act laying an embargo on all ships and vessels in the ports and harbours of the United States, or under any of the acts supplementary thereto, a bond has been or shall be given to the United States, with condition that certain goods, wares and merchandize or the cargo of a vessel shall be relanded in some port of the United States, the party or parties to such bond, shall within two months after the date of the same (unless in the case of a voyage from New-Orleans to an Atlantic port or from an Atlantic port to N. Orleans, in either of which cases, four months shall as heretofore be allowed.) produce to the collector of the port from which the vessel had been cleared with such goods, wares, merchandise or cargo, a certificate of the relanding of the same from the collector of the proper port; on failure whereof, the bond shall be put in suit; and in every such suit, as well as in every suit instituted on a bond given for a voyage from or to New-Orleans, judgment shall be given against the defendant or defendants, unless proof shall be given of such relanding, or of loss of the vessel at sea. But neither capture, distress, or any other accident whatever shall be pleaded or given in evidence in any such suit; Unless such capture shall be expressly proved to have been hostile, and such distress or accident occasioned by no negligence or deviation, nor unless such vessel shall have been from the commencement of the voyage wholly navigated by a master, mate or mates, mariners and crew, all of whom shall be citizens of the United States, nor unless such mate or mates, mariners and crew, shall all if living, (and the proof of their death shall lie on the defendant) be produced on the trial, and sworn as competent witnesses, nor unless such master, mate or mates, mariners and crew, shall have signed a shipping paper in due form of law, and a copy thereof designating specially the master, mate or mates, mariners and crew, and their permanent places of residence, shall have been lodged with the collector of the port, to whom the bond aforesaid shall have been given, before the commencement of the voyage, and subscribed and sworn to by the master before such collector; and any master who shall falsely, wilfully, and corruptly swear as to the facts contained in such copy, shall on conviction, suffer the pains and penalties of perjury. And in every suit instituted on a bond given as aforesaid, the defendants shall pay all costs, if they shall not within the limited time have produced the certificate of relanding to the collector of the proper port.

SEC. 8. *And be it further enacted*, That no registered or sealetter vessel, although in ballast, shall receive a clearance, or be permitted to depart from any port of the United States, unless the same bond shall have been previously given which is required from vessels licensed for the coasting trade, before they are allowed to depart. And if any such ship or vessel shall depart without bond having been given as aforesaid, the said ship or vessel shall be forfeited; and the owner, owners agent consignee, factor, and master or commander of such ship or vessel, as well as any other person concerned in such prohibited departure, shall be liable to the same penalties imposed by law in the case of vessels licensed for the coasting trade departing without bond having been given, or without clearance, as aforesaid.

SEC. 9. *And be it further enacted*, That the collectors of all the districts of the United States, shall, and they are hereby authorised to take into their custody specie or any articles of domestic growth, produce, or manufacture, found on board of any ship or vessel, boat or other water craft, when there is reason to believe that they are intended for exportation, or when in vessels, carts, waggons, sleighs, or any other carriage, or in any manner apparently on their way towards the territories of a foreign nation, of the vicinity thereof, or towards a place whence such articles are intended to be exported; and not to permit such articles to be removed until bond with sufficient sureties shall have been given for the landing or delivery of the same in some place of the United States whence, in the opinion of the collector there shall not be any danger of such articles being exported.

SEC. 10. *And be it further enacted*, That the powers given to the collectors, either by this or any other act respecting the embargo, to refuse permission to put any cargo on board any vessel, boat, or other water craft, to detain any vessel, or to take into their custody any articles for the purpose of preventing violations of the embargo, shall be exercised in conformity with such instructions as the president may give, and such general rules as he may prescribe for that purpose, made in pursuance of the powers aforesaid; which instructions and general rules the collectors shall be bound to obey: And if any action or suit be brought against any collector or other person acting under the directions of and in pursuance of this act, he may plead the general issue, and give this act he may plead the general issue, and give this act and the instructions and regulations of the president in evidence for his justification and defence. And any person aggrieved by the acts of any collector in either of the cases aforesaid, may file his petition before the district court of the district wherein the collector resides, stating the facts of his case, and thereupon, after due notice given to the district attorney and the collector, the said court may summarily hear and adjudge thereupon as law and justice may require, and the judgment of said court, and reason and facts whereon it is grounded, shall be filed among the records of said court; and if restoration of the property detained or taken in custody, or permission to load as aforesaid, shall be decreed, it shall be upon the party's giving such bond with sureties as is or shall be required to be taken in similar cases by the collector, and not otherwise; but if the said court shall adjudge against such petition, the collector shall be entitled to treble costs, which shall be taxed for him, and execution awarded accordingly by the court.

SEC. 11. *And be it further enacted*, That it shall be lawful for the president of the United States, or such other person as he shall have empowered for that purpose, to employ such part of the land or naval forces or militia of the United States, or of the territories thereof as may be judged necessary, in conformity with the provisions of this and other acts respecting the embargo for the purpose of preventing the illegal departure of any ship or vessel, or of detaining, taking possession of, and keeping in custody any ship or vessel, or of taking into custody and guarding any specie or articles of domestic growth, produce, or manufacture, and also for the purpose of preventing and suppressing any armed or riotous assemblage of persons resisting the custom-house officers in the exercise of their duties, or in any manner opposing the execution of the laws laying an embargo, or otherwise violating or assisting and abetting violations of the same.

SEC. 12. *And be it further enacted*, That all penalties and forfeitures incurred by force of this act, unless herein before otherwise directed; and all penalties and forfeitures incurred by force of the act, entitled "an act laying an embargo on all ships and vessels in the ports and harbors of the United States," or by virtue of the several acts supplementary thereto, may be prosecuted, sued for, and recovered by action of debt, or by indictment or information, any law, usage, or custom to the contrary notwithstanding; and if recovered in consequence of any seizure made by the commander of any public armed vessel of the United States, shall be distributed according to the rules prescribed by the act, entitled "An act for the government of the navy of the United States," and if otherwise, shall be distributed, and accounted for in the manner prescribed by the act, entitled, "An act to regulate the collection of duties on imposts and tonnage," passed the second day of March, one thousand seven hundred and ninety nine, and may be mitigating or remitting in the manner prescribed by the act entitled an act to provide for mitigating or remitting forfeitures, penalties, & disabilities accruing in certain cases therein mentioned," passed the third day of March, one thousand seven hundred and ninety-seven, and made perpetual by an act passed the eleventh of February, one thousand eight hundred, and any officer or other person entitled to a part or share of any of the fines, penalties or forfeitures aforesaid, may, if necessary, be a witness on the trial therefor, but in such case he shall not receive any part or share of the said fine, penalty, or forfeiture, but the part or share to which he would otherwise be entitled shall revert to thd United States.

SEC. 13. *And be it further enacted*, That the president of the United States be, and he hereby is authorised to hire, arm and employ thirty vessels, not exceeding in tonnage one hundred and thirty tons each, belonging to citizens of the United States, and so many seamen as shall be necessary to man the same for immediate service, in enforcing the laws of the United States on the sea cost thereof, and to dismiss the same from service whenever he shall deem the same expedient. *Provided however*, That such hiring, arming and employment shall not be for a term exceeding one year. And the said ships or vessels when so hired and armed, shall be employed under the direction of the secretary of the treasury.

SEC. 14. *And be it further enacted*, That the powers given to the president of the United States by the seventh section of the act of March the twelfth, one thousand eight hundred and eight, to grant permission to citizens having property of value in places without the jurisdiction of the United States, to dispatch vessels for the same, shall henceforth cease.

SEC. 15. *And be it further enacted*, That this act shall be in force from and after the passing thereof, during the continuance of the act, entitled "An act laying an embargo on all ships and vessels in the ports and harbors of the United States," and no longer.

J. B. VARNUM, *Speaker of the House of Representatives.*

GEO: CLINTON, *Vice-President of the United States, and President of the Senate.*

January 9, 1809.

APPROVED,

TH: JEFFERSON.

For the Star.

To the Citizens of Maryland, and of the UNITED STATES.

After a time of prosperity, such as the people of these happy states have enjoyed, since the termination of the revolutionary war, an awful! an unexampled situation has befallen us,—one that calls for the combined wisdom of our greatest statesmen, and the undivided support of the whole body of people. The present crisis is the most momentous of any that has appeared since the framing of our government, or perhaps, more so than ever before happened, or ever will again happen. It is nothing more or less than this—either we must submit to be slaves, or determine to remain free at every hazard; for whatever may be said by British apologists, the remnant of refugee outcasts, assisted by British agents, pensioned to deceive us, and the disappointed ambitious, nothing less than one or the other alternative must be our lot. In examining the causes of our present gloomy situation, placed as it were, between scylla and charybdies, environed with difficulties on every side, I shall be under the necessity of recurring to past transactions, by many persons either forgotten or thrown out of view.

When we look round and behold this country which was a few years back, a wild and uncultivated desert, now inhabited by an enterprising and great body of people, rapidly increasing, surrounded by plenty, while we behold the rest of the world engaged in scenes of bloodshed and warfare—we are naturally led to bless the spirit of independenc, that wafted our forefathers from the shores