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STATE PAPERS.

An ACT for the preservation of peace and maintenance of the authority of the United States, in the ports, harbors, and waters under their jurisdiction.

Sect. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That whensoever any treason, felony, misprision of treason, or of felony, misdemeanor, breach of the peace or of the revenue laws of the U. S. shall hereafter be commited within the juirsdiction of the U. S. & shall be cognizable by or under their authority, if the person committing the same shall be on board of any foreign armed vessel in any port or harbor of the United States, or in the waters within their jurisdiction, it shall be the duty of any justice of any court of the United States, upon satisfactory proof thereof to him made, to issue his warrant, specifying the nature of the offence, and directed to a marshal, commanding him to take the body of the offender, and bring him before the said judge or justice, to be dealt with according to law. And if the said judge or justice shall deem the ordinary *posse comitatus* insufficient to insure the execution of the said warrant, he shall immediately issue his order, directed to any officer having command of militia, or any officer having command of regular troops, or of armed vessels of the United States, in the vicinity, requiring him to aid the said marshal, with all the force under his command, or such part as may be necessary, in executing the warrant aforesaid. And the said marshal, conforming himself in all things to the instructions which he shall receive from the president of the United States, or from any other person authorized by the president, shall first demand the surrender of the person charged with the offence; and if delivery be not made, or if the marshal be obstructed in attempting to make the demand, he shall use all the means in his power, by force and arms, to arrest the offender, and all others who are with him, giving him aid and countenance in evading the arrest, and he shall convey the said offender, and all others arrested as aforesaid, and deliver them to the civil authority, to be dealt with according to law. If death ensue to the person arrested, or to any of those giving him aid and countenance, it shall be jussified, but if to the marshal, or to any of those supporting him in the discharge of his duty, the persons engaged in resisting the civil authority shall be deemed and adjudged guilty of wilful murder, and shall suffer death.

Sect. 2. *And be it further enacted,* That whensoever after the passage of this act, any felony, misprision of felony, misdemeanor, or breach of the peace, shall be committed within the body of a county in any one of the United States, and any process of law shall be issued under the authority of the state, for the purpose of arresting the offender; if the said offender shall be on board of any foreign armed vessel, in any port or harbor of the United States, and within the jurisdiction of the state where the offence was committed, it shall be lawful for the governor or other supreme executive officer of the state, in which the said offence shall have been committed, and also for any judge or justice of any court of the United States, or of the supreme or superior judicial court of any state or territory, or any mayor, or intendant of any corporation or borough, upon due proof thereof, and upon his being satisfied that the ordinary *posse comitatus* is insufficient to insure the execution of the said process, to issue his order, directed to any officer having command of regular troops, or armed vessels of the United States, in the vicinity, requiring him to aid the officer charged with the execution of the process, with all the force under his command, or such part thereof as may be necessary, in arresting the offender, and all those giving aid and countenance in resisting the civil authority. And if the said offender shall flee to any place beyond the jurisdiction of the state and within the exclusive jurisdiction of the United States, the officer charged with the execution of the said process, shall be, and he is hereby authorised to pursue the said offender into such place, taking with him if necessary, the said armed force, and there arrest him, in virtue of the said process. And if the said offender shall flee to and be on board of any armed vessel, being in any place beyond the jurisdiction of the state, and within the exclusive jurisdiction of the United States, the officer charged with the execution of the said process shall first demand the delivery of the said offender, of and from the person or persons having charge and command of the said foreign armed vessel declaring the authority and cause for which the demand is made; and if the said offender be not delivered according to the said demand, or if the officer charged with the execution of the process, be obstructed in attempting to make the demand, then he shall use all the means in his power, by force and arms, to enter on board of the said foreign armed vessel, there to search for and arrest the said offender, and all those who are with him, giving him aid and countenance, in preventing and resisting the execution of the said process, and the officer charged with the execution of the said process, shall convey the said offender & deliver him over to the civil authority of the state, to be dealt with according to law; and all those arrested for being concerned in resisting the execution of the process, shall be delivered over to the civil authority of the United States, and shall be punished in the same manner as if they had been concerned knowingly and wilfully obstructing, resisting or opposing any officer of the United States, in serving or attempting to serve any warrant or other legal or judicial writ issued under the authority of U.S But if any of those concerned in making the arrest be killed, in a place within the exclusive jurisdiction of the United States, those engaged in resisting the civil authority, shall be adjudged guilty of wilful murder, and shall suffer death: And if the person charged with the offence, or any of those concerned with him in resisting, be killed at a place under the exclusive jurisdiction of the United [illegible] shall be justified.

Sect. 3. *And be it further enacted,* That if any commanding officer of militia, or regular troops or armed vessels of the United States, shall refuse to obey the requisition authorized by this act, he shall forfeit a sum not exceeding five thousand dollars, to be recovered by conviction upon indictment before any court of competent jurisdiction.

Sect. 4. And in order to prevent insults to the authority of the laws, whereby the peace of the United States with foreign nations may be in danger, *Be it further enacted,* That it shall be lawful for the president of the United States, either to permit or interdict, at his discretion, the entrance of the harbors and waters under the jurisdiction of the United States, to all armed vessels, belonging to any foreign nation, and by force repel and remove them from the same, except when they shall be forced in by distress, by the dangers of the sea, by being pursued by any enemy, or when charged with dispatches or business from the government to which they belong; in which cases, as well as in all others when they shall be permitted to enter, the commanding officer shall immediately report his vessel to the collector of the district, stating the object or causes of his entering the harbor or waters, shall take such a position therein as shall be assigned him by such collector, and shall conform himself, his vessel and crew to such regulations respecting health, repairs, supplies, stay, intercourse, and departure, as shall be signified to him by the said collector, under the authority and directions of the president of the United States, and not conforming thereto, shall be required to depart from the United States.

Sect. 5. And whereas the commanders of certain British armed vessels have committed repeated acts of insubordination to the laws, violence to the persons, and trespasses on the property of the citizens within the ports and harbors of the United States, and by continued acts of outrage and agression, have forfeited all claims to hospitality; and when required by the president of the United States, in pursuance of the authority given him by law, immediately to depart from the harbors and waters of the United States, have in open defiance of the laws and government thereof refused to depart, and in violation of the laws of nations have maintained themselves in hostile array, within the harbors and waters under the jurisdiction of the United States, and against the dignity of the same: Therefore, *Be it further enacted,* That no British armed vessel shall be admitted to enter the harbors and waters under the jurisdiction of the United States, but every British armed vessel is hereby interdicted, except when they shall ee forced in by distress, by the dangers of the sea, or when charged with dispatches or business from their government, or coming as a public packet for the conveyance of letters, in which case the commanding officer shall conform to the provisions contained in the fourth section of this act; and not conforming thereto shall be required to depart from the United States: *Provided,* That it shall be lawful for the president of the United States, whenever he may deem it expedient, by proclamation to remove this interdiction of all British armed vessels.

Sect. 6. *And be it further enacted,* That if any armed vessel whatsoever, interdicted by any of the provisions of this act, or by proclamation of the president of the United States, issued under the authority thereof, shall, contrary to the true intent thereof, enter any of the harbors or waters under the jurisdiction of the United States, or be found therein, or if the commander of any armed vessel, admitted into any of the said harbors or waters, shall refuse or fail to comply with the regulations signified to him by the collector of the district as aforesaid, it shall be the duty of the collector, immediately to require, in writing, the commander of any such armed vessel to depart with his veesel, from the waters and jurisdiction of the United States, conformably to the provisions of this act. And if, after such requisition to depart, the commander of such armed vessel shall, in defiance thereof, fail, or refuse so to do, and with his vessel wilfully remain within, or return to any of the harbors or waters within the jurisdiction of the United States, every such vessel shall be deemed to have made an hostile invasion of the territory of the United States, and while remaining in the harbors or waters under the jurisdiction of the United States, shall be proceeded against as a vessel of an enemy, and may be seized, taken and bro't into any port of the United States, with her apparel, guns, and appurtenances, and with the goods and effects on board the same shall, conformably to the laws of nations be liable to forfeiture and condemnation, and may be libelled and proceeded against in the district court of the United States, for the district into which the same may be brought and the forfeiture of every such armed vessel, goods and effects so seized, taken and condemned, shall accrue wholly to the captors, and the proceeds thereof shall be distributed in the same manner as prize money. And the said captors shall be entitled to receive the same bounty as is provided in the seventh section of the "Act for the better government of the navy of the United States," passed the twenty-third day of April, one thousand eight hundred; and the president of the United States is hereby authorized and required to instruct the commanders of the armed vessels of the United States to subdue, seize and take by force, or otherwise, every such interdicted armed vessel which shall be found violating the territory of the United States as aforesaid.

Sect. 7. *And be it further enacted,* That all pacific intercourse with any interdicted foreign armed vessel, the officers or crew thereof, is hereby forbidden, and if any person shall afford any aid to such armed vessel, either in repairing her, or in furnishing her, her officers or crew, with supplies of any kind, or in any manner whatsoever, or if any pilot shall assist in navigating the said armed vessel, contrary to this prohibition, unless for the purpose of carrying her beyond the limits and jurisdiction of the United States, the person or persons so offending, shall be liable to be bound to their good behavior, and shall also forfeit and pay a sum not exceeding two thousand dollars, to be recovered upon indictment or information in any court of competent jurisdiction, in which last case the said forfeiture shall accrue in equal portions to the United States and the informer.

Sect. 8. *And be it further enacted.* That it shall be lawful for the [illegible] of the United States, or such other person as he shall have empowered for that purpose, to employ such part of the land forces of the United States, or the militia thereof, as he shall deem necessary, to compel the departure of any interdicted foreign armed vessel; and the said land forces and militia are hereby authorised, in execution of orders from the president of the United States, to seize, subdue and bring in for forfeiture and condemnation, or to burn, sink or destroy such interdicted foreign armed vessel as the emergency of the case may require; and the president of the United states is hereby further authorised to refuse permissinon to any vessel belong to the same nation or to its citizens or subjects, to make entry or unload so long as the said interdicted armed vessel shall remain in the harbors or waters of the United States, in defiance of the public authority.

Sect 9. *And be it further enacted.* That whenever any collector, conformably to the provisions of this act, shall have required in writing, the commander of any foreign armed vessel to depart, and the said commander shall fail, or refuse so to do, and remain in hostile array in defiance of the laws and government of the United States, It shall be the duty of such collector within three days to publish in one or more newspapers, his requisition to the said commander, and the neglect or refusal of the said commander to comply therewith; whereupon it shall be lawful for any persons, in any manner whatsoever, whilst such armed vessel shall so remain within the jurisdiction of the U. States, to burn, sink, or destroy every such armed vessel and a bounty of five hundred dollars shall be paid by the United States, to such person or persons, for every gun carried by such armed vessel so burnt, sunk or destroyed, when the same shall be effected otherwise than by the armed vessels of the United States.

Sec. 10. *And be it further enacted,* That if, while any interdicted foreign armed vessel shall so remain within the waters and jurisdiction of the U. States in defiance of their laws and authority, any of her officers or crew shall land and be found on shore in any place within the jurisdiction of the United States, they shall be arrested and imprisoned at the discretion of the president of the United States.

Sec. 11. *And be it further enacted.* That whensoever any officer of an armed vessel commissioned by any foreign power, shall on the high seas commit any trespass or tort, or any spoliations on board any vessel of the United States, or any unlawful interruption or vexation of trading vessels, actually coming to or going from the U.S. it shall be lawful for the President of the U. States, on satisfactory proofs of the facts, by proclamation, to interdict the entrance of the said officer, and of any armed vessel by him commanded within the limits of the United States; and if at any time after such proclamation made, he shall be found within the limits of the United States, he shall be liable therefor to be arrested, indicted and punished by fine and imprisonment in any court in the United States, having competent jurisdiction, and it shall be a part of the sentence, that he shall within such time after the payment of his fine, and the expiration of his term of imprisonment as the court shall direct, leave the United States never to return. And if he shall return within the limits of the United States, after the passing of such sentence, or be found therein after the period limited by the court as aforesaid, he shall again be liable to be indicted, fined and imprisoned, at the discretion of the court. *Provided always* That if the said officer shall also have committed any other offence, made punisable by this act, he shall be liable to prosecution and punishment, the provisions of this section to the contrary not withstanding.

Sec. 12. *And be it further enacted,* That for the purpose of carrying this act into effect the president of the United States be, and he is hereby authorized and empowered to cause to be fitted out, officered, manned and employed, as soon as may be, all the frigates, and other armed vessels of the U. States, to be stationed at such ports and places on the sea coast as he may direct, & to cause to be engaged, in addition to those now in the service, any thing in any former act of congress to the contrary notwithstanding, so many petty officers, able seamen, ordinary seamen, and boys, as shall be necessary for the same, who shall not be engaged to serve for a period exceeding three years; but the president may discharge the same sooner, if, in his judgment, their services may be dispensed with: and, to satisfy the necessary expenditures to be incurred therein, a sum not exceeding one million of dollars shall be, and is hereby appropriated, and shall be paid out of any monies in the treasury not otherwise approprited.

Sec. 13. *And be it further enacted,* That the president of the United States shall be, and he hereby is authorized and required to give, as soon as may be, after the passage of this act, to the collectors of the respective districts, and to such other persons as he may think proper, the necessary instructions for carrying this act into effect, particularly marking out the line of conduct to be observed by the marshal, and the several collectors in performing the duties enjoined by this act.

Sect. 14. *And be it further enacted,* That if any person shall be sued for any thing done in pursuance of, or in obedience to this act, he may plead the general issue, and give this act in evidence, any thing in any law, custom, or usage, to the contrary notwithstanding.

Read the third time and passed the senate.

SAMUEL A. OTIS, Sec'ry.

December 2.

Letter from the Secretary of the Treasury, transmitting the annual statement of the district tonnage of the United States, on the thirty-first day of December, 1806; togegether with an explanatory letter to him from the register of the treasury thereon.

TREASURY DEPARTMENT,
23d, December, 1807.

SIR,

I HAVE the honor to transmit the annual statement of the district tonnage of the United States, on the 31st December, 1806, together with an explanatory letter of the register of the treasury.

It appears from those documents that the actual tonnage of the United States, on the 31st December, 1806, might be estimated at about 1,248,000 tons, viz:

Registered tonnage,	808,300	
Enrolled do	286,400	
Fishing do	66,300	
		1,161,000
Sea-letter vessels not noticed in former statements,		87,000
		1,248,000

I have the honor to be,
Very respectfully,
Sir,
Your most obedient serv't.
ALBERT GALLATIN.

The honorable the Speaker
of the house of representatives.

TREASURY DEPARTMENT,
Register's Office, 22d, Dec. 1807.

SIR,

I have the honor to transmit the annual statement to 31st December, 1806, of the district tonnage of the United States.

	Tons.	*95ths.*
The corrected registered tonnage is stated in the said abstract at	808,284	68
The enrolled & licensed at	340,539	59
The fishing vessels at	59,911	32
Amounting to, Tons,	1,208,735	64

The tonnage on which duties were collected during the same year, amounted as follows:

Registered tonnage paying duty on each vovage,	957,403	14
Enrolled and licensed tonnage, employed in the coasting trade, paying an annual duty,	286,401	83
Fishing vecsels the same,	66,351	31
	1,310,156	33
Note. Duties were also paid on tonnage owned by citizens of the U. States, engaged in foreign trade not registered, 86,602 12		
do. coasting trade 507 22		
	87,109	34
Total tonnage on which duties were collected.	1,397,265	67

The registered tonnage having been corrected according to the mode prescribed, for the government of the collectors of the several districts, and as stated in the communication made by the secretary of the treasury to congress the 27th Feb. 1802, is considered as the true amount, as near as may be, of that description of tonnage,	808,284	68
The enrolled and licensed tonnage is stated at the amount upon which the annual duty was collected in 1806, on that description of tonnage as being most correct, and may be considered nearly the true amount,	286,401	83
The fishing vessels the same,	66,351	31
The district tonnage of the U. S. on the 31st Dec. 1806, is stated at	1,161,037	87
Of the registered tonnage, amounting as above stated to 808,284 68, it has been ascertained that there were engaged in the whale fishery,	9,777	83
Enrolled and licensed tonnage also, in the whale fishery,	728	50
Amounting to *Tons,*	10,506	38

It appears by the collector's abstracts, that 126,093 29 95ths tons new vessels were built in the year 1806, where of 93,971 61 95ths tons were registered, and 32,121 63 95ths tons, were enrolled.

I have the honor to be, Sir,
With the greatest respect,
Your most obedient,
And most humble servant,
JOSEPH NOURSE, Reg.

Hon. ALBERT GALLATIN,
Secretary of the Treasury.

Recapitulation of the Tonnage of the U. States,
For 1806.

Registered Tonnage.

	Tons.	*95ths.*
The registered vessels which were employed in foreign trade, and the amount of registered tonnage of the U. S. at the close of the year 1806, was (a)	808,284	68
Enrolled and licensed tonnage:		
The enrolled vessels employed in the coasting trade at the close of the year 1806, was,	309,977	05
The licensed vessels under 20 tons employed in ditto, was,	30,562	54
		340,539 59
Fishing vessels.		
The enrolled vessels licensed for the whale fishery amounted to,	728	50
Ditto for the cod fishery,	50,353	20
The licensed vessels under 20 tons for ditto,	8,829	57
		59,911 32
Aggregate amount of tonnage at the close of the year 1806, was,		1,208,735 64

(a) The total amount of registered tonnage employed other than in the whale fishery, during the year 1806, was, 798,506 80

The amount employed in the whale fishery, 9,777 83

As above, *Tons,* 808,284 68

Treasury Department,
Register's office, 22d Dec. 1807.

I do hereby certify that the foregoing statement is a true extract from the quarterly abstracts of tonnage rendered by the collectors of the several districts of the United States, for 1806.

JOSEPH NOURSE, Register.

FEDERAL GAZETTE.

FRIDAY, JANUARY 1.

☞ The carrier's continued illness, compels us to solicit the indulgence of subscribers in the south west district.

Erratum. In the 2d line of the 7th section of the law for incorporating a Fire Insurance Company, published yeterday read five thousand shares.

The Editor of the *Federal Gazette and Baltimore Daily Advertiser,* presents, most respectfully, his compliments to each of his Patrons.

At the commencement of a new year, the Editor may be indulged in a practice, sanctioned by common usage, nay grown almost into a duty by the "precedent and custom" of many a wise and able predecessor. Indeed something more may be expected from us, at this time, than the mere compliments of the season.

A twelvemonth has now elapsed, since the Editor of this GAZETTE, animated by a just zeal in the high and honorable cause of *Federalism,* and with the ardour of youth, assumed the arduous duty of conducting a paper of established respectability and merit. Confident in his anticipation of candour and kind indulgence, when accident or want of skill might cause him to err, he doubted only his own ability to retain the high standing of the journal committed to his care. Ardent in his attachment to a noble cause—that cause in the furtherance of which the illustrious and the revered WASHINGTON spent a life of unequalled value—he with alacrity & conscienciously engaged to perform his duty to his patrons, to his country and to himself, relying on the catholic spirit of his friends for a continuation of their support, so long as he endeavored to merit it. He has not been disappointed; he is proud to acknowledge the acquisition of many respectable patrons during the year now passed. To the list of subscribers to this paper, on January last, pre eminently favored as it was, have been added, *over and above all resignations,* upwards of an hundred names. For this increase of patronage, (being more than in proportion to the increase of citizens) and for the continued support of former friends, the Editor feels truly grateful, and returns sincere thanks. And he is not less sensible of the numerous and increasing favors of his advertising friends. Holding equal pace with the widely extended circulation of the GAZETTE, as well as the increasing wealth and enterprize of this flourishing metropolis, the editor's advertising business has considerably exceeded that of any former year.

By the pleasing picture he has just drawn, and on which he can look with no small degree of pleasure, the Editor would not intimate that no cause of discontent has been given, or that the displeasure of none has been experienced by him. He well knows, that universal satisfaction never has, never can be given, even by the ablest and most industrious conductor of a Political and Commercial Journal. Such is the endless variety of tastes, the great contrariety of opinions, that no single system, no practicable line of conduct, can be always & to all acceptable.

The Editor may not only have given offence *(never intentionally)* in what may be called the mechanical part of his business—but he has so conducted himself as to have gained some *personal enemies.* Without descending to grope through the dark wind