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SATURDAY, APRIL 6, 1793.

[Whole No. 411.]



LAW OF THE UNION.

SECOND
CONGRESS OF THE UNITED STATES,
AT THE SECOND SESSION,
Begun and held at the City of Philadelphia,
in the State of Pennsylvania, on Monday
the fifth of November, one thousand
seven hundred and ninety-two.

An ACT for enrolling and licensing ships or vessels to be employed in the coasting trade and fisheries, and for regulating the same.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled; That ships or vessels, enrolled by virtue of "An act for registering and clearing vessels, regulating the coasting trade, and for other purposes," and those of twenty tons and upwards, which shall be enrolled after the last day of May next, in pursuance of this act, and having a licence in force, or if less than twenty tons, not being enrolled, shall have a licence in force, as is hereinafter required, and no others shall be deemed ships or vessels of the United States, entitled to the privileges of ships or vessels employed in the coasting trade or fisheries.

And be it further enacted, That from and after the first day of May next, in order for the enrolment of any ship or vessel, she shall possess the same qualifications, and the same requisites, in all respects, as shall be complied with, as are made necessary for registering ships or vessels by the act, intituled "An act concerning the registering and recording of ships or vessels," and the same duties and authorities are hereby given and imposed on all officers, respectively, in relation to such enrolments, and the same proceedings shall be had, in similar cases, touching such enrolments; and the ships or vessels so enrolled, with the master, or owner or owners thereof, shall be subject to the same requisites, as are in those respects provided for vessels registered by virtue of the aforesaid act; and the record of which enrolment shall be made, and an abstract or copy thereof granted, as nearly as may be, in the form following: "Enrolment in conformity to an act of the Congress of the United States of America, intituled, "An act for enrolling and licensing ships or vessels, to be employed in the coasting trade and fisheries, and for regulating the same," (inserting here the name of the person, with his occupation and place of abode, by whom the oath or affirmation is to be made) having taken and subscribed the oath (or affirmation) required by this act, and having sworn (or affirmed) that he (or she, and if more than one owner, adding the words "together with," and the name or names, occupation or occupations, place or places of abode, of the owner or owners) is, (or are) a citizen (or citizens) of the United States, and sole owner (or owners) of the ship or vessel, called the [inserting here her name] of [inserting here the name of the port to which she may belong] whereof [inserting here the name of the master] is at present master, and is a citizen of the United States, and that the said ship or vessel was [inserting here when and where built] and [inserting here the name and office, if any, of the person by whom she shall have been surveyed, or admeasured] having certified that the said ship or vessel has [inserting here the number of decks] and [inserting here the number of masts] and that her length is [inserting here the number of feet] her breadth [inserting here the number of feet] her depth [inserting here the number of feet] and that she measures [inserting here her number of tons] that she is (describing here the particular kind of vessel, whether ship, brigantine, snow, schooner, sloop, or whatever else, together with her built, and specifying whether she has any or no gallery or head) and the said (naming the owner, or the master, or other person acting in behalf of the owner or owners, by whom the certificate of admeasurement shall have been countersigned) having agreed to the description and admeasurement above specified, and sufficient security having been given, according to the said act, the said ship or vessel has been duly enrolled, at the port of (naming the port where enrolled)— Given under my hand and seal, at (naming the said port) this (inserting the particular day) day of (naming the month) in the year (specifying the number of the year, in words at length.)"

And be it further enacted, That it shall and may be lawful for the collectors of the fe-

veral districts, to enrol and licence any ship or vessel, that may be registered, upon such registry being given up, or to register any ship or vessel, that may be enrolled, upon such enrolment and licence being given up. And when any ship or vessel shall be in any other district, than the one to which she belongs, the collector of such district, on the application of the master or commander thereof, and upon his taking an oath or affirmation, that, according to his best knowledge and belief, the property remains, as expressed in the register or enrolment proposed to be given up, and upon his giving the bonds required for granting registers, shall make the exchanges aforesaid; but in every such case, the collector, to whom the register, or enrolment and licence may be given up, shall transmit the same to the register of the treasury; and the register, or enrolment and licence, granted in lieu thereof, shall within ten days after the arrival of such ship or vessel within the district to which she belongs, be delivered to the collector of the said district, and be by him cancelled. And if the said master or commander shall neglect to deliver the said register or enrolment and licence, within the time aforesaid, he shall forfeit one hundred dollars.

And be it further enacted, That in order to the licensing of any ship or vessel for carrying on the coasting trade or fisheries, the husband, or managing owner, together with the master thereof, with one or more sureties to the satisfaction of the collector granting the same, shall become bound to pay to the United States, if such ship or vessel be of the burthen of five tons, and less than twenty tons, the sum of one hundred dollars; and if twenty tons, and not exceeding thirty tons, the sum of two hundred dollars; and if above thirty tons, and not exceeding sixty tons, the sum of five hundred dollars; and if above sixty tons, the sum of one thousand dollars. In case it shall appear, within two years from the date of the bond, that such ship or vessel has been employed in any trade, whereby the revenue of the United States has been defrauded during the time, the licence granted to such ship or vessel remained in force; and the master of such ship or vessel shall also swear, or affirm, that he is a citizen of the United States, and that such licence shall not be used for any other vessel, or for any other employment, than that for which it is specially granted, or in any trade or business, whereby the revenue of the United States may be defrauded; and if such ship or vessel be less than twenty tons burthen, the husband or managing owner shall swear or affirm, that she is wholly the property of a citizen or citizens of the United States; whereupon it shall be the duty of the collector of the district comprehending the port, whereto such ship or vessel may belong (the duty of six cents per ton being first paid) to grant a licence, in the form following: "Licence for carrying on the [here insert, coasting trade, whale fishery, or cod fishery, as the case may be.]

"In pursuance of an act of the Congress of the United States of America, intituled, "An act for enrolling and licensing ships or vessels to be employed in the coasting trade and fisheries, and for regulating the same," (inserting here the name of the husband or managing owner, with his occupation and place of abode, and the name of the master, with the place of his abode) having given bond, that the [insert here the description of the vessel, whether ship, brigantine, snow, schooner, sloop, or whatever else she may be] called the [insert here the vessel's name] whereof the said [naming the master] is master, burthen [insert here the number of tons, in words] tons, as appears by her enrolment, dated at (naming the district, day, month, and year, in words at length—but if she be less than twenty tons, insert, instead thereof—proof being had of her admeasurement) shall not be employed in any trade, while this licence shall continue in force, whereby the revenue of the United States shall be defrauded, and having also sworn (or affirmed) that this licence shall not be used for any other vessel, or for any other employment, than is herein specified, licence is hereby granted for the said (inserting here the description of the vessel) called the (inserting here the vessel's name) to be employed in carrying on the (inserting here, coasting trade, whale fishery, or cod fishery, as the case may be) for one year from the date hereof, and no longer: Given under my hand and seal, at (naming the said district) this (inserting the particular day) day of (naming the month) in the year (specifying the number of the year in words at length.)"

And be it further enacted, That no licence granted to any ship or vessel, shall be considered in force, any longer than such ship or vessel is owned, and of the description set forth in such licence, or for carrying on any other business or employment than that for which she is specially licensed, and if any ship or vessel be found with a forged or altered licence, or making use of a licence granted for any other ship or vessel, such ship or vessel, with her tackle, apparel, and the cargo found on board her, shall be forfeited.

And be it further enacted, That after the last day of May next, every ship or vessel of twenty tons or upwards (other than such as are registered) found trading between district and district, or between different places in the same district, or carrying on the fishery, without being enrolled and licensed, or if less than twenty tons, and not less than five tons, without a licence, in manner as is provided by this act, such ship or vessel, if laden with goods, the growth, or manufacture of the United States only (distilled spirits excepted) or in ballast, shall pay the same fees and tonnage in every port of the United States, at which she may arrive, as ships or vessels not belonging to a citizen or citizens of the United States, and if she have on board any articles of foreign growth or manufacture, or distilled spirits, other than sea-stores, the ship or vessel, together with her tackle, apparel and furniture, and the lading found on board, shall be forfeited; Provided, however, if such or vessel be at sea, at the expiration of the time, for which the licence was given, and the master of such ship or vessel shall swear or affirm that such was the case, and shall also within forty-eight hours after his arrival deliver to the collector of the district in which he shall first arrive the licence which shall have expired, the forfeiture aforesaid shall not be incurred, nor shall the ship or vessel be liable to pay the fees and tonnage aforesaid.

And be it further enacted, That the collector of each district shall progressively number the licences by him granted, beginning anew at the commencement of each year, and shall make a record thereof in a book, to be by him kept for that purpose, and shall, once in three months, transmit to the Register of the Treasury, copies of the licences, which shall have been so granted by him; and also of such licences, as shall have been given up or returned to him, respectively, in pursuance of this act. And where any ship or vessel shall be licensed, or enrolled anew, or being licensed and enrolled, shall afterwards be registered, or being registered, shall afterwards be enrolled, or licensed, she shall, in every such case, be enrolled, licensed or registered by her former name.

And be it further enacted, That if any ship or vessel, licensed or licensed as aforesaid, shall proceed on a foreign voyage, without first giving up her enrolment and licence, to the collector of the district comprehending the port, from which she is about to proceed on such foreign voyage, and being duly registered by such collector, every such ship or vessel, together with her tackle, apparel and furniture, and the goods, wares and merchandize, so imported therein, shall be liable to seizure and forfeiture: Provided always, if the port, from which, such ship or vessel is about to proceed on such foreign voyage, be not within the district, where such ship or vessel is enrolled, the collector of such district shall give to the master of such ship or vessel a certificate, specifying that the enrolment and licence of such ship or vessel is received by him, and the time when it was so received; which certificate shall afterwards be delivered by the said master to the collector, who may have granted such enrolment and licence.

And be it further enacted, That the licence, granted to any ship or vessel, shall be given up to the collector of the district, who may have granted the same, within three days after the expiration of the time, for which it was granted, in case such ship or vessel be then within the district, or if he be absent at that time, within three days from her first arrival within the district afterwards, or if she be sold out of the district, within three days after the arrival of the master within any district, to the collector of such district taking his certificate therefor; and if the master thereof shall neglect, or refuse to deliver up the licence, as aforesaid, he shall forfeit fifty dollars; but if such licence shall have been previously given up to the collector of any other district, as authorized by this act, and certificate thereof under the hand of such collector, be produced by such master, or if such licence be lost, destroyed, or unintentionally mislaid, so that it cannot be found, and the master of such ship or vessel shall make and subscribe an oath or affirmation, that such licence is lost, destroyed, or unintentionally mislaid, as he verily believes, and that the same, if found, shall be delivered up, as is herein required, then the aforesaid penalty shall not be incurred. And if such licence shall be lost, destroyed, or unintentionally mislaid, as aforesaid, before the expiration of the time, for which it was granted, upon the like oath or affirmation being made and subscribed by the master of such ship or vessel, the said collector is hereby authorized and required, upon application being made therefor, to licence such ship or vessel anew.

And be it further enacted, That it shall and may be lawful for the owner or owners of any licensed ship or vessel, to return such licence to the collector who granted the same,

at any time within the year, for which it was granted, who shall thereupon cancel the same and shall licence such vessel anew, upon the application of the owner or owners, and upon the conditions herein before required, being complied with; and in case the term, for which the former licence was granted, shall not be expired, an abatement of the tonnage of six cents per ton shall be made, in the proportion of the time so unexpired.

And be it further enacted, That every licensed ship or vessel shall have her name, and the port to which she belongs, painted on her stern, in the manner as is provided for registered ships or vessels, and if any licensed ship or vessel be found, without such painting, the owner or owners thereof shall pay twenty dollars.

And be it further enacted, That when the master of any licensed ship or vessel, ferry boats excepted, shall be changed, the new master, or, in case of his absence, the owner or one of the owners thereof, shall report such change to the collector residing at the port where the same may happen; if there be one, otherwise, to the collector residing at any port, where such ship or vessel may next arrive, who, upon the oath or affirmation of such new master, or in case of his absence, of the owner or one of the owners, that he is a citizen of the United States, and that such ship or vessel shall not, while such licence continues in force, be employed in any manner, whereby the revenue of the United States may be defrauded, shall endorse such change on the licence, with the name of the new master; and when any change shall happen, as aforesaid, and such change shall not be reported, and the endorsement made of such change, as is herein required, such ship or vessel, found carrying on the coasting trade or fisheries, shall be subject to pay the same fees and tonnage, as a vessel of the United States, having a register, and the said new master shall forfeit and pay the sum of ten dollars.

And be it further enacted, That it shall be lawful, at all times, for any officer concerned in the collection of the revenue, to inspect the enrolment or licence of any ship or vessel; and if the master of any ship or vessel shall not exhibit the same, when thereunto required by such officer, he shall pay one hundred dollars.

And be it further enacted, That the master or commander of every ship or vessel licensed for carrying on the coasting trade, destined from a district in one State, to a district in the same, or an adjoining State on the sea coast, or on a navigable river, having on board, either distilled spirits in casks exceeding five hundred gallons, wine in casks exceeding two hundred and fifty gallons, or in bottles exceeding one hundred dozens, sugar in casks or boxes exceeding three thousand pounds, tea in chests or boxes exceeding five hundred pounds, coffee in casks or bags exceeding one thousand pounds, or foreign merchandize in packages, as imported, exceeding in value four hundred dollars, or goods, wares or merchandize, consisting of such enumerated or other articles of foreign growth or manufacture, or of both, whose aggregate value exceeds eight hundred dollars, shall, previous to the departure of such ship or vessel, from the port where she may then be, make out and subscribe duplicate manifests of the whole of such cargo on board such ship or vessel, specifying in such manifests, the marks and numbers of every cask, bag, box, chest or package containing the same, with the name and place of residence of every shipper and consignee, and the quantity shipped by and to each, and if there be a collector or surveyor, residing at such port, or within five miles thereof, he shall deliver such manifests to the collector, if there be one, otherwise to the surveyor, before whom he shall swear or affirm, to the best of his knowledge and belief, that the goods therein contained were legally imported, and the duties thereupon paid or secured, or if spirits distilled within the United States, that the duties thereupon have been paid or secured, whereupon the said collector or surveyor shall certify the same on the said manifests, one of which he shall return to the said master, with a permit, specifying thereon, generally, the lading on board such ship or vessel, and authorizing him to proceed to the port of his destination. And if any ship or vessel, being laden and destined, as aforesaid, shall depart from the port where she may then be, without the master or commander having first made out and subscribed duplicate manifests of the lading on board such ship or vessel, and in case there be a collector or surveyor residing at such port, or within five miles thereof, without having previously delivered the same to the said collector or surveyor, and obtaining a permit, in manner as is herein required, such master or commander shall pay one hundred dollars.

And be it further enacted, That the master or commander of every ship or vessel licensed for carrying on the coasting trade, having on board, either distilled spirits in casks exceeding five hundred gallons, wine in casks exceeding two hundred and fifty gallons, or in bottles exceeding one hundred dozens, sugar in casks or boxes exceeding three thousand pounds, tea in chests or boxes exceeding five hundred pounds, coffee in casks or bags exceeding one thousand pounds, or foreign merchandize in packages, as imported, exceeding in value four hundred dollars,