

and permissions granted, by virtue of the preceding section, shall be duly entered on books, to be kept for that purpose by the registers, recorders, and marshals aforesaid, respectively; and they shall be entitled to receive, from the party, for each application, fifty cents, and for each permission, one dollar.

SEC. 3. *And be it further enacted*, That this act shall continue and be in force for the term of one year, any law to the contrary notwithstanding.

APPROVED, March 25, 1816.

Applications and permission to be entered on books, &c. Fees, &c.

Limitation of this act to the 25th March, 1817.

STATUTE I.

April 2, 1816.

CHAP. XXXIX.—*An Act to limit the right of appeal from the Circuit Court of the United States for the District of Columbia.*(a)

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That no cause shall hereafter be removed from the Circuit Court of the United States for the District of Columbia to the Supreme Court of the United States, by appeal or writ of error, unless the matter in dispute in such cause shall be of the value of one thousand dollars or upwards, exclusive of costs.

SEC. 2. *Provided always, and be it further enacted*, That when any person or persons, body politic or corporate, shall think him, her, or themselves, aggrieved by any final judgment, order, or decree, of the said Circuit Court, where the matter in dispute, exclusive of costs, shall be of the value of one hundred dollars, and of less value than one thousand dollars, and shall have prayed an appeal, or shall desire to sue out a writ of error to the Supreme Court of the United States, such person or persons, body politic or corporate, may exhibit a petition, in writing, accompanied by a copy of the proceedings complained of, and an assignment of the errors relied on, to any judge of the said Supreme Court, who, if he should be of opinion that such errors, or any of them, involve questions of law of such extensive interest and operation as to render the final decision of them by the said Supreme Court desirable, may thereupon, at his discretion, and upon the terms and conditions prescribed by law, by his order, to be directed to the clerk of the county in which the proceedings shall have been had, direct such appeal to be allowed, or writ of error to be issued; which shall be done accordingly.

SEC. 3. *And be it further enacted*, That when any appeal or writ of error shall have been directed in the manner prescribed by the second section of this act, and the order of the judge of the Supreme Court aforesaid thereon shall have been filed in the office of the clerk of the proper county, within thirty days after the end of the term at which the judgment, order, or decree, to be affected by such writ of error or appeal, shall have been rendered or made, such writ of error or appeal shall operate as a supersedeas of all proceedings under such judgment, order, or decree.

APPROVED, April 2, 1816.

No appeal unless the matter in dispute is of the value of \$1,000, &c.

Appeals may be allowed in particular and important cases where the matter in dispute is \$100 in value on petition to a judge of the Supreme Court, &c.

When appeals on petition, &c. have been directed, and the order of the judge has been filed, &c. the writ of error is to operate as a supersedeas.

STATUTE I.

April 9, 1816.

CHAP. XL.—*An Act to authorize the payment for property lost, captured, or destroyed by the enemy, while in the military service of the United States, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That any volunteer, or

[Obsolete.]

Act of March 3, 1817, ch. 110.

(a) No appeal or writ of error lies, in a criminal case, from the judgment of the Circuit Court of the District of Columbia to the Supreme Court of the United States. The appellate jurisdiction given by the act of Congress, is confined to civil cases. *United States v. Moore*, 3 Cranch, 159; 1 Cond. Rep. 480.

Act of March 3, 1825, ch. 67.

Act of April 20, 1818, ch. 119.

Horses killed in battle, or dying from wounds, or from failure of forage, &c. to be paid for.

Horses lost by the owner being dismounted, or detached, &c. by order, &c. or by the rider's being killed, &c. to be paid for.

Horses, mules, oxen, wagons, carts, boats, sleighs, or harness, lost in military service, except, &c. to be paid for.

Persons who furnished themselves with arms, &c. and have sustained damage by their capture, &c. to be paid the value of them.

Property impressed, &c., and destroyed, lost or consumed, to be paid for, deducting, &c.

No compensation where the owner, &c., has received satisfaction, &c.

Persons claiming compensation to release all claims against the person who impressed, &c.

Where the owner of the property has recovered from individuals, the latter to be entitled to the compensation.

At the rate of 40 cents per day for each horse furnished themselves by officers of volunteer cavalry, &c.

drafted militiaman, whether of cavalry, mounted riflemen, or infantry, who, in the late war between the United States and Great Britain, has sustained damage by the loss of any horse which has been killed in battle, or which has died in consequence of a wound therein received, or in consequence of failure on the part of the United States, to furnish such horse with sufficient forage, while in the military service of the United States, shall be allowed and paid the value thereof.

SEC. 2. *And be it further enacted*, That any person, whether of cavalry, mounted militia, or volunteers, who, in the late war aforesaid, has sustained damage by the loss of a horse, in consequence of the owner being dismounted, or separated and detached from the same, by order of the commanding officer, or in consequence of the rider being killed or wounded in battle, shall be allowed and paid the value of such horse at the time he was received into public service.

SEC. 3. *And be it further enacted*, That any person who, in the late war aforesaid, has sustained damage by the loss, capture, or destruction, by an enemy, of any horse, mule, ox, wagon, cart, boat, sleigh, or harness, while such property was in the military service of the United States, either by impressment or contract, except in cases where the risk to which the property would be exposed was agreed to be incurred by the owner, if it shall appear that such loss, capture, or destruction, was without any fault or negligence on the part of the owner; and any person, who, during the time aforesaid, has sustained damage by the death of any such horse, mule, or ox, in consequence of failure on the part of the United States to furnish the same with sufficient forage, while in the service aforesaid, shall be allowed and paid the value thereof.

SEC. 4. *And be it further enacted*, That any person who, in the time aforesaid, has acted in the military service of the United States as a volunteer or drafted militiaman, and who has furnished himself with arms and military accoutrements, and has sustained damage by the capture or destruction of the same, without any fault or negligence on his part, shall be allowed and paid the value thereof.

SEC. 5. *And be it further enacted*, That where any property has been impressed, or taken by public authority, for the use or subsistence of the army, during the late war, and the same shall have been destroyed, lost, or consumed, the owner of such property shall be paid the value thereof, deducting therefrom the amount which has been paid, or may be claimed, for the use and risk for the same, while in the service aforesaid.

SEC. 6. *And be it further enacted*, That nothing in this act contained shall be so construed as to enable the owner of any such property, or his legal representatives, to receive compensation for such loss or damage as above mentioned, where the owner of such property, or his legal representatives, may have recovered or received satisfaction for such loss from the persons who may have taken or impressed such property into the public service; and that every person claiming such compensation shall, at the time of receiving the same, release all claims he may have against the officer or person who may have impressed, taken, or used, such property in the public service; and that, in all cases where the owner of such property, or his legal representative, may have recovered and received satisfaction for such loss or injury, from the person who shall so have taken such property into the public service, the said officer or person, who shall so have paid such loss or damage, shall be entitled to receive the compensation provided by this act for such loss or damage.

SEC. 7. *And be it further enacted*, That the accountant of the War Department, in adjusting and settling the accounts of the different paymasters, is hereby authorized to allow to the officers of volunteer cavalry, who furnished their own horses while in the public service, at the rate of forty cents per day for each horse so furnished, which any such

officer was entitled by law to keep in such service, agreeably to the rank of such officer.

SEC. 8. *And be it further enacted*, That when any officer, non-commissioned officer, or private, in the cavalry service, as aforesaid, having lost the horse or horses, which may have been taken by him into the said service, has received from the United States another horse or horses, in lieu, or in part payment, for the horse or horses so previously lost as aforesaid, such officer, non-commissioned officer, or private, shall be entitled to receive the allowance of forty cents per day, for the use and risk of the horse on which he may have been so remounted.

SEC. 9. *And be it further enacted*, That any person who, in the time aforesaid, has sustained damage by the destruction of his or her house or building by the enemy, while the same was occupied as a military deposite, under the authority of an officer or agent of the United States, shall be allowed and paid the amount of such damage: *Provided*, It shall appear that such occupation was the cause of its destruction.

SEC. 10. *And be it further enacted*, That the loss or destruction, as aforesaid, as well as the value, of such property shall be ascertained by the best evidence which the nature of the case will admit of, and which may be in the power of the party to produce; and the amount thereof, when established and ascertained, according to the provisions of this act, shall be paid to the sufferer or sufferers, out of any money in the treasury, not otherwise appropriated.

SEC. 11. *And be it further enacted*, That for the more speedy execution of the provisions of this act, the President of the United States, by and with the advice and consent of the Senate, is hereby authorized to appoint one commissioner, whose duty it shall be to decide upon all cases arising under this act; and who, in the discharge of his duties, shall be subject to such rules and regulations as shall be prescribed by the President of the United States. Such commissioner shall receive, as compensation for his services, at the rate of two thousand dollars per annum, for the time he shall be actually employed, which shall not exceed two years, to be computed from and after the passage of this act. All official communications to and from the commissioner appointed under this act, shall be free of postage.

SEC. 12. *And be it further enacted*, That the said commissioner, so to be appointed, before he enters upon the duties of his office, shall take the following oath, to wit: "I, A B, do solemnly swear, that I will well and truly, according to the best of my abilities, discharge the duties of commissioner under an act of Congress, entitled 'An act to authorize the payment for property lost, captured, or destroyed, by the enemy, while in the military service of the United States, and for other purposes;' so help me God." Upon which he shall proceed to appoint a clerk; and shall proceed, with all practicable despatch, to establish, under the direction, or with the assent, of the President of the United States, such rules, as well in regard to the receipt of applications of claimants to compensation for losses provided for by this act, as the species and degree of evidence, the manner in which such evidence shall be taken and authenticated, as shall, in his opinion, be the best calculated to attain the objects of this act; paying a due regard, in the establishment of such regulations, as well to the claims of individual justice as to the interest of the United States: which rules and regulations shall, upon his adoption, be published for eight weeks, successively, in the newspapers in the several states and territories in which the laws of the United States are published.

SEC. 13. *And be it further enacted*, That the said commissioner shall, in all cases in which the claim to compensation or indemnity shall exceed the sum of two hundred dollars, award a commission to some one or more discreet commissioner in the vicinity of where the witnesses are

40 cents per day for each horse on which officers or privates in the cavalry service, &c. may have been re-mounted by the United States after the loss of their own, &c.

Houses occupied as military depositories, &c., and destroyed by the enemy in consequence of such occupation to be paid for.

The loss, destruction and value of property, to be ascertained by the best evidence, &c.

The President, &c. to appoint a commissioner.

His duty.

2,000 dollars compensation to the commissioner, &c.

Official communications free of postage.

Commissioner to take an oath. Form of the oath.

The commissioner to appoint a clerk, and establish rules, &c.

Rules, &c. to be published in the newspapers.

Where the claim exceeds 200 dollars a commission is to be awarded,

&c. for examination of witnesses.

Adjudications of the commissioner to be entered in a book by the clerk.

Payments to be made upon certified copies of judgments, &c.

Claims barred unless presented within two years.

stated to reside, accompanied by interrogatories to be propounded to such witnesses, which said commission, when executed, shall be returned, together with the examinations to be taken in virtue thereof, by mail, free of postage, to the office of the said commissioner.

SEC. 14. *And be it further enacted*, That, in all adjudications of the said commissioner upon the claims above-mentioned, whether such judgment be in favour of, or adverse to, the claim of the applicant, the same shall be entered by his clerk in a book to be provided for that purpose: And when such judgment shall be in favour of such claim, shall entitle the claimant, or his legal representative, upon the production of a copy of such judgment, duly certified by the clerk of said commissioner, to payment of the amount thereof at the treasury of the United States.

SEC. 15. *And be it further enacted*, That no claim authorized by this act shall be allowed or paid, unless the same shall be exhibited within two years from the passing hereof.

APPROVED, April 9, 1816.

STATUTE I.

April 9, 1816.

CHAP. XLI.—*An Act to repeal the act, entitled "An act to provide additional revenues for defraying the expenses of government and maintaining the public credit, by laying duties on household furniture and on gold and silver watches."*

So much of the act of Jan. 18, 1815, as lays duties on household furniture, and on watches, &c. repealed.

Act of Jan. 18, 1815, ch. 23.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That so much of the act, entitled "An act to provide additional revenue for defraying the expenses of government and maintaining the public credit, by laying duties on household furniture and on gold and silver watches," as lays a duty on household furniture, and on watches kept for use, in the year one thousand eight hundred and sixteen, and in succeeding years, shall be, and the same is hereby, repealed.

APPROVED, April 9, 1816.

STATUTE I.

April 9, 1816.

CHAP. XLIII.—*An Act in addition to an act to regulate the Post-office establishment.*

[Repealed.]

1810, ch. 37.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, from and after the first day of May next, the following rates of postage be charged upon all letters and packets, (excepting such as are now excepted by law,) conveyed by the posts of the United States, viz:

Rates of postage after the 1st May, 1816.

For every letter composed of a single sheet of paper, conveyed not exceeding thirty miles, six cents; over thirty and not exceeding eighty, ten cents; over eighty and not exceeding one hundred and fifty, twelve and a half cents; over one hundred and fifty and not exceeding four hundred, eighteen and a half cents; over four hundred miles, twenty-five cents; and for every double letter, or letter composed of two pieces of paper, double those rates; and for every triple letter, or one composed of three pieces of paper, triple those rates; and for every packet composed of four or more pieces of paper, or one or more other articles, and weighing one ounce avoirdupois, quadruple those rates: and in that proportion for all greater weights: *Provided*, That no packet of letters conveyed by the water mails shall be charged with more than quadruple postage, unless the same shall contain more than four distinct letters.

Proviso.

Weight of packets restricted: evidence of lawful postage, &c.

No postmaster shall be obliged to receive, to be conveyed by the mail, any packet which shall weigh more than three pounds; and the postage marked on any letter or packet, and charged in the post bill which may accompany the same, shall be conclusive evidence, in favour of the postmaster who delivers the same, of the lawful postage thereon, unless such