

the late war, shall be continued and paid by the United States from the fourth day of March last, for the space of one year, under such regulations as the President of the United States may direct.

APPROVED, July 16, 1790.

STATUTE II.

July 16, 1790.

CPAP. XXVIII.—*An Act for establishing the temporary and permanent seat of the Government of the United States.*

Act of March 3, 1791, ch. 17.

District on the Potomac accepted for permanent seat of government, and state laws, when to cease therein.

President to appoint commissioners for locating the same;

1802, ch. 41.

who may purchase or accept grants of land; and, prior to Dec. 1800, provide buildings, for the accommodation of Congress.

Expense thereof, how to be defrayed.

Prior to first Monday in Dec. next, seat of government to be removed to Philadelphia, and so remain until the year 1800.

In December, 1800, seat of government to be removed to district accepted by this act.

Act of May 6, 1796, chap. 21.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That a district of territory, not exceeding ten miles square, to be located as hereafter directed on the river Potomac, at some place between the mouths of the Eastern Branch and Connogochegue, be, and the same is hereby accepted for the permanent seat of the government of the United States. *Provided nevertheless,* That the operation of the laws of the state within such district shall not be affected by this acceptance, until the time fixed for the removal of the government thereto, and until Congress shall otherwise by law provide.

SEC. 2. *And be it further enacted,* That the President of the United States be authorized to appoint, and by supplying vacancies happening from refusals to act or other causes, to keep in appointment as long as may be necessary, three commissioners, who, or any two of whom, shall, under the direction of the President, survey, and by proper metes and bounds define and limit a district of territory, under the limitations above mentioned; and the district so defined, limited and located, shall be deemed the district accepted by this act, for the permanent seat of the government of the United States.

SEC. 3. *And be it [further] enacted,* That the said commissioners, or any two of them, shall have power to purchase or accept such quantity of land on the eastern side of the said river, within the said district, as the President shall deem proper for the use of the United States, and according to such plans as the President shall approve, the said commissioners, or any two of them, shall, prior to the first Monday in December, in the year one thousand eight hundred, provide suitable buildings for the accommodation of Congress, and of the President, and for the public offices of the government of the United States.

SEC. 4. *And be it [further] enacted,* That for defraying the expense of such purchases and buildings, the President of the United States be authorized and requested to accept grants of money.

SEC. 5. *And be it [further] enacted,* That prior to the first Monday in December next, all offices attached to the seat of the government of the United States, shall be removed to, and until the said first Monday in December, in the year one thousand eight hundred, shall remain at the city of Philadelphia, in the state of Pennsylvania, at which place the session of Congress next ensuing the present shall be held.

SEC. 6. *And be it [further] enacted,* That on the said first Monday in December, in the year one thousand eight hundred, the seat of the government of the United States shall, by virtue of this act, be transferred to the district and place aforesaid. And all offices attached to the said seat of government, shall accordingly be removed thereto by their respective holders, and shall, after the said day, cease to be exercised elsewhere; and that the necessary expense of such removal shall be defrayed out of the duties on imposts and tonnage, of which a sufficient sum is hereby appropriated.

APPROVED, July 16, 1790.

CHAP. XXIX.—*An Act for the government and regulation of Seamen in the merchants service.*STATUTE 31.
July 20, 1790.

SECTION 1. *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 December next, every master or commander of any ship or vessel bound from a port in the United States to any foreign port, or of any ship or vessel of the burthen of fifty tons or upwards, bound from a port in one state to a port in any other than an adjoining state, shall, before he proceed on such voyage, make an agreement in writing or in print, with every seaman or mariner on board such ship or vessel (except such as shall be apprentice or servant to himself or owners) declaring the voyage or voyages, term or terms of time, for which such seaman or mariner shall be shipped. (a) And if any master or commander of such ship or vessel shall carry out any seaman or mariner (except apprentices or servants as aforesaid) without such contract or agreement being first made and signed by the seamen and mariners, such master or commander shall pay to every such seaman or mariner the highest price or wages which shall have been given at the port or place where such seaman or mariner shall have been shipped, for a similar voyage, within three months next before the time of such shipping: *Provided* such seaman or mariner shall perform such voyage: or if not, then for such time as he shall continue to do duty on board such ship or vessel; and shall moreover forfeit twenty dollars for every such seaman or mariner, one half to the use of the person prosecuting for the same, the other half to the use of the United States: and such seaman or mariner, not having signed such contract, shall not be bound by the regulations, nor subject to the penalties and forfeitures contained in this act.

SEC. 2. *And be it [further] enacted,* That at the foot of every such contract, there shall be a memorandum in writing, of the day and the hour on which such seaman or mariner, who shall so ship and subscribe, shall render themselves on board, to begin the voyage agreed upon. And if any such seaman or mariner shall neglect to render himself on board the ship or vessel, for which he has shipped, at the time mentioned in such memorandum, and if the master, commander, or other officer of the ship or vessel, shall, on the day on which such neglect happened, make an entry in the log-book of such ship or vessel, of the name of such seaman or mariner, and shall in like manner note the time that he so neglected to render himself (after the time appointed); every such seaman or mariner shall forfeit for every hour which he shall so neglect to render himself, one day's pay, according to the rate of wages agreed upon, to be deducted out of his wages. (b) And if

Master and seamen to execute a shipping agreement.

1792, ch. 24.
1796, ch. 33.
1798, ch. 77.
1799, ch. 38.

Exception as to apprentices, &c.

1802, ch. 51.
1805, ch. 23.

Penalties on the master for omission; the highest rate of wages at the place of shipping.

Proviso, as to performance of the voyage by the seaman.

1813, ch. 42.
1814, ch. 8.

Memorandum at the foot of the articles.

Penalty for a seaman neglecting to render himself on board at the time agreed upon.

(a) It seems that no stipulation contrary to the maritime law, to the injury of the seamen, will be allowed to stand, unless an adequate compensation be given to the seamen. *Harden v. Gordon et al.*, 2 Mason's C. C. R. 541. *The Lady Waterstoff*, 1 Adm. Decisions, 214.

The crew of a ship who have signed articles for the voyage under a particular master, without any clause providing for the change of master, are not discharged from the articles by the dismissal of the master by reason of sickness or any other reasonable cause, and the appointment of a new master. They are bound to obey the new master. *The United States v. Ruggles*, 5 Mason's C. C. R. 192.

If the shipping articles are to the final port of discharge, the voyage is not ended until the cargo is wholly unladen. The owner may order the vessel from port to port, until the whole cargo is discharged. *The United States v. Barker*, 5 Mason's C. C. R. 404.

In the shipping articles used in the United States, though wages are designated by the month, yet the contract is entire for the voyage. 1 Adm. Decisions, 142.

A seaman shipped for the voyage, without signing the articles, must be paid the highest rate of wages at the port within three months, and be subject to all the forfeitures imposed and fixed by the maritime law existing before the act of Congress. *The Regulus*, 1 Admiralty Decisions, 215.

The shipping articles must declare, explicitly, the ports at which the voyage is to commence and terminate. *Magee v. The Moss*, Gilpin's Rep. 219.

(b) To justify the forfeiture of a seaman's wages for absence, under the provisions of the act of 1790, the entry in the log-book is indispensable. *Wood v. The Nimrod*, Gilpin's Rep. 86, 212. *Brower v. The Maiden*, Gilpin's Rep. 296.

To receive mariners on board after desertion, is a waiver or pardon of the forfeitures incurred previously. 1 Adm. Decisions, 163.