

probable cause to believe are subject to duty or have been unlawfully introduced into the United States, he shall seize and secure the same for trial," be, and the same is hereby, revived and reënacted; and every such beast of burden, carriage, or vehicle, together with the teams or other motive power, and all the appurtenances used in conveying such goods, wares, or merchandise, shall be subject to seizure and forfeiture in like manner as is by law now provided in regard to such goods, wares, and merchandise; and all fines, penalties, and forfeitures recovered under this act, or in consequence of such seizures, shall be disposed of as is provided in other cases by the ninety-first section of the act entitled "An act to regulate the collection of duties on imports and tonnage," approved March second, seventeen hundred and ninety-nine; and the last proviso of said ninety-first section is hereby repealed.

1799, ch. 22,
§ 91.
Vol. i. p. 697.

Repeal.

Certain authority of collectors, &c., extended to inspectors of customs.

Vol. i. p. 677.

Persons interested in penalty may be witnesses.

SEC. 2. *And be it further enacted*, That the power and authority given to collectors, naval officers, and surveyors by the sixty-eighth section of the said last-mentioned act be, and the same are hereby, extended to inspectors of the customs; and any officer or other person entitled to or interested in a part or share of any fine, penalty, or forfeiture incurred under this or any other law of the United States, may be examined as a witness in any of the proceedings for the recovery of such fine, penalty, or forfeiture by either of the parties thereto, and such examination shall not deprive such witness of his or her share or interest in such fine, penalty, or forfeiture.

Search of buildings near boundary line of the United States.

SEC. 3. *And be it further enacted*, That in case any store, warehouse, or other building shall be upon or near the boundary line between the United States and any foreign country, and there is reason to believe that dutiable goods are deposited or have been placed therein or carried through or into the same without payment of duties, and in violation of law, and the collector, deputy collector, naval officer, or surveyor of customs, shall make oath before any magistrate competent to administer the same, that he has reason to believe, and does believe, that such offence has been therein committed, such officer shall have the right to search such building and the premises belonging thereto; and if any such goods shall be found therein, the same, together with such building, shall be seized, forfeited, and disposed of according to law, and the said building shall be forthwith taken down or removed. And any person or persons who shall have received or deposited in such building, or carried through the same, any goods, as aforesaid, or shall have aided therein, in violation of law, shall, upon due conviction before any court of competent jurisdiction, be punished by fine not exceeding ten thousand dollars, or by imprisonment not exceeding two years, or by both such fine and imprisonment.

Forfeiture.

Penalty for such smuggling.

Penalty for, increased.

1844, ch. 8, § 1.
Vol. v. p. 653.

SEC. 4. *And be it further enacted*, That the first section of the act of April second, eighteen hundred and forty-four, entitled "An act directing the disposition of certain unclaimed goods, wares, or merchandise, seized for being illegally imported into the United States," be so amended that in place of the word "one," wherever the same may be found in said section, the word "five" shall be inserted.

APPROVED, February 28, 1865.

Feb. 28, 1865.

CHAP. LXVIII. — *An Act making Appropriations for the Construction, Preservation, and Repairs of certain Fortifications and other Works of Defence, for the Year ending the thirtieth of June, eighteen hundred and sixty-six.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the construction, preservation, and repairs of certain fortifications and other works of defence for the year ending the thirtieth of June, eighteen hundred and sixty-six:

Appropriations for fortifications, &c.

For Fort Wayne, near Detroit, Michigan, seventy-five thousand dollars.	Fort Wayne.
For repairs of Fort Niagara, near Youngstown, New York, twenty-five thousand dollars.	Fort Niagara.
For Fort Ontario, Oswego, New York, fifty thousand dollars.	Fort Ontario.
For Fort Montgomery, at outlet of Lake Champlain, New York, fifty thousand dollars.	Fort Montgomery.
For Fort Knox, at narrows of Penobscot River, Maine, seventy-five thousand dollars.	Fort Knox.
For Fort Popham, Kennebec River, Maine, seventy-five thousand dollars.	Fort Popham.
For Fort Preble, Portland, Maine, seventy-five thousand dollars.	Fort Preble.
For Fort Scammel, Portland, Maine, fifty thousand dollars.	Fort Scammel.
For Fort Georges, on Hog Island Ledge, Portland, Maine, seventy-five thousand dollars.	Fort Georges.
For Fort Constitution, Portsmouth, New Hampshire, twenty-five thousand dollars.	Fort Constitution.
For Fort McClary, Portsmouth, New Hampshire, fifty thousand dollars.	Fort McClary.
For Fort Winthrop, Boston, Massachusetts, ten thousand dollars.	Fort Winthrop.
For Fort Independence, Boston, Massachusetts, five thousand dollars.	Fort Independence.
For Fort Warren, Boston, Massachusetts, ten thousand dollars.	Fort Warren.
For sea-wall of Great Brewster's Island, Boston harbor, Massachusetts, twenty thousand dollars.	Great Brewster.
For repair of sea-walls on Deer and on Lovell's Islands, Boston harbor, Massachusetts, three thousand dollars.	Deer and Lovell's Islands.
For permanent forts at New Bedford harbor, Massachusetts, fifty thousand dollars.	Forts at New Bedford harbor.
For Fort Adams, Newport, Rhode Island, fifty thousand dollars.	Fort Adams.
For Fort Hale, New Haven, Connecticut, fifty thousand dollars.	Fort Hale.
For Fort Schuyler, East River, New York, twenty-five thousand dollars.	Fort Schuyler.
For fort at Willet's Point, opposite Fort Schuyler, New York, fifty thousand dollars.	Fort at Willet's Point.
For repairs of Fort Hamilton, New York, twenty-five thousand dollars.	Fort Hamilton.
For fort on site of Fort Tompkins, Staten Island, New York, fifty thousand dollars.	Fort Tompkins.
For fort at Sandy Hook, New Jersey, fifty thousand dollars.	Fort at Sandy Hook.
For repairs of Fort Mifflin, near Philadelphia, twenty thousand dollars.	Fort Mifflin.
For repairs of Fort Washington, on Potomac River, twenty-five thousand dollars.	Fort Washington.
For Fort Monroe, Hampton Roads, Virginia, twenty-five thousand dollars.	Fort Monroe.
For Fort Clinch, Florida, fifty thousand dollars.	Fort Clinch.
For Fort Taylor, Key West, Florida, two hundred thousand dollars.	Fort Taylor.
For Fort Jefferson, Garden Key, Florida, one hundred thousand dollars.	Fort Jefferson.
For fort on Ship Island, coast of Mississippi, fifty thousand dollars.	Fort on Ship Island.
For fort at Fort Point, San Francisco Bay, California, one hundred and fifty thousand dollars.	Fort at Fort Point.
For fort at Alcatraz Island, San Francisco Bay, California, one hundred and fifty thousand dollars.	Fort at Alcatraz Island.
For additional defences at San Francisco, California, fifty thousand dollars.	Defences of San Francisco.
For defences of Washington, three hundred thousand dollars.	Defences of Washington.
For field works and field operations, one million dollars.	Field works, &c.
For bridge trains and equipage for armies in the field, three hundred thousand dollars.	Bridge trains, &c.
For tool and siege trains for armies in the field, five hundred thousand dollars.	Tool and siege trains.

Surveys for military defences.	For surveys for military defences, for purchase of campaign maps, three hundred thousand dollars.
Survey of lakes.	For survey of northern and northwestern lakes, including Lake Superior, one hundred and twenty-five thousand dollars.
Engraving and printing lake surveys.	For engraving and printing charts of lake surveys, fifteen thousand dollars.
Instruments.	For purchase and repair of instruments, twenty thousand dollars.
Fort Porter.	For repairing, equipping, and enlarging Fort Porter, at Buffalo, fifty thousand dollars.

APPROVED, February 28, 1865.

Feb. 28, 1865.

CHAP. LXIX. — *An Act relating to the Enrolment and License of certain Vessels.*

Enrolment and license of vessels in western rivers, &c., where may be made.	<p><i>Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,</i> That whenever it shall become necessary for the owner or owners of any vessel of the United States navigating the western rivers and the waters on the northern, northeastern, and northwestern frontiers of the United States otherwise than by sea, and being in a district other than that to which such vessel shall belong, to procure her enrolment and license, or license, or renewal thereof, the same proceedings may be had in the district in which said vessel then shall be, as are now, or shall then be required by law, on application for such enrolment and license, or license, or renewal thereof, as the case may be, in the district to which such vessel may belong, excepting the giving of bond and the enrolment and issuance of license; and the officer before whom such proceedings shall be had shall certify the same to the collector of the district to which such vessel shall belong, who shall thereupon, on the said owner or owners giving bond as required in other cases, duly enrol the said vessel and issue license in the same form as if the application had originally been made in his office; and either deliver the said license to said owner or owners, or forward it by mail to the officer who certified to him the preliminary proceedings, and who shall, in such case, deliver the said license to the owner or owners or master of the vessel: <i>Provided,</i> That this act shall not be construed so as in any respect to change existing laws, excepting in so far as it enable such owners to procure enrolment or license, or renewal thereof, without returning their vessels to their home ports or districts.</p>
Bond, &c.	
Proceedings.	
Proviso.	

APPROVED, February 28, 1865.

Feb. 28, 1865.

CHAP. LXX. — *An Act to amend an Act entitled "An Act to regulate the Admeasurement of Tonnage of Ships and Vessels of the United States," approved May sixth, eighteen hundred and sixty-four.*

1864, ch. 83. <i>Anta</i> , p. 69.	<p><i>Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,</i> That the act entitled "An act to regulate the admeasurement of tonnage of ships and vessels of the United States," approved May sixth, eighteen hundred and sixty-four, shall be so construed that no part of any ship or vessel shall be admeasured or registered for tonnage that is used for cabins or state-rooms, and constructed entirely above the first deck, which is not a deck to the hull.</p>
Cabins, &c., above deck not to be measured for tonnage	

APPROVED, February 28, 1865.

Feb. 28, 1865.

CHAP. LXXI. — *An Act concerning the Collection District of Salem and Beverly, in Massachusetts.*

Naval officer at Salem and Beverly, Mass.	<p><i>Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,</i> That the office of naval officer for the district of Salem and Beverly, in the State of Massachusetts, be, and the same is hereby, abolished.</p>
Surveyor, residence.	

SEC. 2. *And be it further enacted,* That the office of surveyor for said district, to reside at Beverly, be, and the same is hereby, abolished.