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## LAW OF THE UNITED STATES. AN ACT

*More effectually to protect the commerce and coasts of the United States.*

WHEREAS armed vessels sailing under authority or pretence of authority from the republic of France, have committed depredations on the commerce of the United States, and have recently captured the vessels and property of citizens thereof, on and near the coasts, in violation of the law of nations, and treaties between the United States and the French nation. Therefore:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall be lawful for the President of the United States, and he is hereby authorized to instruct and direct the commanders of the armed vessels belonging to the United States to seize, take and bring into any port of the United States, to be proceeded against according to the law of nations, any such armed vessel which shall have committed or which shall be found hovering on the coast of the U. States, for the purpose of committing depredations on the vessels belonging to citizens thereof; and also to retake any ship or vessel, of any citizen or citizens of the U. States, which may have been captured by any such armed vessel.

Approved, May 28, 1798, JOHN ADAMS,  
President of the United States.

## AN ACT

*Authorizing the President of the United States to raise a Provisional Army.*

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he is hereby authorized, in the event of a declaration of war against the United States, or of actual invasion of their territory, by a foreign power, or of imminent danger of such invasion discovered in his opinion to exist, before the next session of Congress, to cause to be enlisted, and to call into actual service, a number of troops, not exceeding ten thousand non-commissioned officers, musicians and privates, to be enlisted for a term not exceeding three years; each of whom shall be entitled to receive a bounty of ten dollars, one half on enlisting, and the other half on joining the corps to which he may belong.

Sec. 2. *And be it further enacted,* That the President be, and he is hereby authorized to organize, with a suitable number of Major-Generals, and conformably to the military establishment of the United States, the said troops into corps of artillery, cavalry and infantry, as the exigencies of the service may require; and in the recess of the Senate, alone to appoint the commissioned officers. The appointment of the field-officers to be submitted to the advice and consent of the Senate, at their next subsequent meeting. The commissioned officers and non-commissioned officers, musicians and privates, raised in pursuance of this act, shall be subject to the rules and articles of war, and regulations for the government of the army, and he entitled the same pay, clothing, rations, forage and all other emoluments, bounty excepted, and in case of wounds or disability received in service, to the same compensations, as the troops of the United States are by law entitled.

Sec. 3. *And be it further enacted,* That in addition to the aforesaid number of troops, the President is hereby empowered, at any time within three years after the passing of this act, if in his opinion the public interest shall require, to accept of any company or companies of volunteers, either of artillery, cavalry, or infantry, who may associate and offer themselves for the service, who shall be armed, clothed and equipped at their own expence, & whose commissioned officers the President is hereby authorized to appoint; who shall be liable to be called upon to do military duty at any time the President shall judge proper, within two years after he shall accept the same; and when called into actual service, and while remaining in the same, shall be under the same rules and regulations, and shall be entitled to the same pay, rations, forage, and emoluments of every kind, excepting bounty and clothing, as the other troops to be raised by this act.

Sec. 4. *And be it further enacted,* That in case any such volunteer, while in actual service, and in the line of his duty, sustains any damage, by injury done to his horse, arms or equipage, or by loss of the same, without any fault or negligence on his part, a reasonable sum, to be ascertained in such manner as the President shall direct, shall be allowed for each and every such damage or loss.

Sec. 5. *And be it further enacted,* That whenever the President shall deem it expedient, he is hereby empowered to appoint, by & with the advice & consent of the Senate, a commander of the army which may

be raised by virtue of this act, and who being commissioned as Lieutenant-General may be authorized to command the armies of the United States, and shall be entitled to the following pay and emoluments, viz. two hundred and fifty dollars monthly pay, fifty dollars monthly allowance for forage, when the same shall not be provided by the United States, and forty rations per day, or money in lieu thereof at the current price, such number of aids not exceeding four, & Secretaries not exceeding two, as he may judge proper, each to have the rank, pay & emoluments of a Lieut. Colonel.

Sec. 6. *And be it further enacted,* That whenever the President shall deem it expedient he is hereby empowered, by and with the advice and consent of the Senate, to appoint an Inspector-General, with the rank of Major-General and the Major-Generals and Inspector-General shall each be entitled to the following pay and emoluments, viz. one hundred and sixty-six dollars monthly pay, twenty dollars monthly allowance for forage, when the same is not provided by the United States, and fifteen rations per day, or money in lieu thereof, at the current price; and shall be and they are hereby authorized to appoint two aids, each of whom shall have the rank, pay and emoluments of a Major. And at the time aforesaid, the President is further empowered, by and with the advice and consent of the Senate, to appoint an Adjutant-General, who shall have the rank, pay and emoluments of a Brigadier-General. And the President is hereby authorized alone to appoint, from time to time, when he shall judge proper, Assistant-Inspectors to every separate portion of the army, consisting of one or more divisions, who shall be Deputy-Adjutant-Generals thereof respectively, and who shall be taken from the line of the army, and allowed, in addition to their pay, eight dollars per month; and likewise to appoint Inspectors & Sub-inspectors to each brigade and corps of every description, at his discretion, taking them from the line of the army, and they shall each receive, while acting in said capacity, an additional pay of six dollars per month.

Sec. 7. *And be it further enacted,* That in case the President shall judge the employment of a Quartermaster-General, Physician-General, and Paymaster-General, or either of them essential to the public interest, he is hereby authorized, by and with the advice and consent of the Senate, to appoint the same accordingly, who shall be entitled to the rank, pay and emoluments which follow, viz. Qr. master-General, the rank, pay and emoluments of a Lieutenant-Colonel; Physician-General and Paymaster-General each the pay and emoluments of a Lieut. Colonel. *Provided,* That in case the President shall judge it expedient to appoint a commander of the army, an Inspector-General, Adjutant-General, Quartermaster-General, Physician-General, and Paymaster-General, or either of them in the recess of the Senate, he is hereby authorized to make any or all of said appointments and grant commissions thereon, which shall expire at the end of next session of the Senate thereafter.

Sec. 8. *And be it further enacted,* That the laws of the United States, respecting the regulations & emoluments of recruiting officers; punishment of persons who shall procure or entice a soldier to desert, or shall purchase his arms, uniform clothing, or any part thereof; and the punishment of every commanding officer of any ship or vessel who shall receive on board his ship or vessel as one of his crew, knowing him to have deserted, or otherwise carry away any soldier or refuse to deliver him up to the orders of his commanding officers; and the law respecting the oath or affirmation to be taken by officers, non-commissioned officers, musicians and Privates; and respecting the inflicting of conditions in the enlistments; and all other laws respecting the military establishment of the United States, excepting in such cases where different and specific regulations are made by this act, shall be in force and apply to all persons, matters and things within the intent and meaning of this act, in the same manner, as they would, were they would, were they inserted at large in the same.

Sec. 9. *And be it further enacted,* That the commander of the army, inspector-general, adjutant-general, quartermaster-general, physician-general and paymaster-general, and the general, field and commissioned officers who may be appointed by virtue of this act, shall respectively continue in commission during such term only as the President shall judge requisite for the public service, and that it shall be lawful for the President to discharge the whole or any part of the troops, which may be raised or accepted under authority of this act, whenever he shall judge the measure consistent with the public safety.

Sec. 10. *And be it further enacted,* That no commissioned or staff-officer, who shall be appointed by virtue of this act, shall be entitled to receive pay or emol-

ument until he shall be called into actual service, nor for any longer time than he shall continue therein. *Provided,* nothing in this section shall be construed to prevent captains and subalterns from receiving pay and emoluments while employed in the recruiting service. *And provided also,* That no enlistment shall take place by virtue of this act after three years from the passing thereof.

Sec. 11. *And be it further enacted,* That it shall be lawful for the President of the United States, at his discretion, upon the request of any militia corps established by law, in any state disposed to inform themselves in the use of artillery, or of the Executive of any state, in behalf of such corps, to suffer to be loaned to them, such pieces, not exceeding two to any one corps of the field artillery of the United States, as may be most conveniently spared; to be taken, removed and returned, at the expense of the party requesting: who are to be accountable for the same, and to give receipts accordingly.

Sec. 12. *And be it further enacted,* That the President of the United States shall be, and he is hereby authorized, when under his orders, any portion of the militia, or any volunteer corps, shall be called forth and engaged in the actual service of the United States, to suffer to be loaned, at the request of the executive of the state from which such militia shall be called forth, or of such volunteer corps appearing to be unavoidably deficient, a supply of field artillery, arms and accoutrements from the arsenals of the United States, as the case may require; proper receipts and security being given to be accountable to return the same, the accidents of the service excepted.

Sec. 13. *And be it further enacted,* That the President of the United States shall be, and he is hereby authorized to cause to be purchased and procured a quantity of caps, swords or sabres, and pistols with holsters, not exceeding what may be sufficient for four thousand cavalry, and to be deposited in the parts of the United States, where he shall deem it most convenient for the supply of any corps of cavalry which shall be called into the actual service of the United States, and which the President of the United States may loan upon the terms and the like receipts, to be accountable as herein before provided. *And for this purpose, & towards defraying the expences which may be necessarily incurred before the next session of Congress, in executing the other purposes of this act, a sum not exceeding two hundred thousand dollars, shall be, and is hereby appropriated, and shall and may be paid at the Treasury, under the orders of the President of the United States, out of any money not already appropriated.*

Sec. 14. *And be it further enacted,* That the private soldiers who are and who shall be enlisted and employed in the service of the United States, shall be, and they are hereby exempted, during their term of service, from all personal arrests, for any debt or contract. And whenever any soldier shall be arrested, whether by meane process, or in execution, contrary to the intent hereof, it shall be the duty of the judge of the district court; of the district court in which the arrest shall happen, and of any justice of the supreme court of the United States, and of any court or judge of a state, who, by the laws of such state, are authorized to issue writs of habeas corpus, respectively, on application by any officer of the corps in which such soldier shall be engaged, to grant a writ of habeas corpus returnable before himself; and upon due hearing examination, in a summary manner, to discharge the soldier from such arrest, taking common bail, if required, in any case upon meane process, and commit him to the applicant or some other officer of the same corps.

Approved, May 28, 1798.

JOHN ADAMS,  
President of the United States.

## PRIVATE SALE.

THE subscriber offers for sale, a certain Plantation or Tract of Land situate in Chatham county, on Meadow-Creek, the waters of Rocky River, containing 900 acres, be the same more or less; most of it good tobacco land. On the premises are a good square log dwelling house with a shed, a good kitchen, a well finished double barn with stables, and other buildings—a garden paled; two thriving young apple and peach orchards, besides a variety of other fruit trees—about 100 acres of cleared land all under good fence, 50 acres of it lately cleared; it lies on the public road that leads from Hillsborough to Anson court-house; it is a good place for a store or tavern; about two miles from Wilcock's iron works.—Cash and likely young Negroes will be taken in payment, and a reasonable credit will be given for part. For further information, apply to the subscriber, &c.  
HENRY BAGLEY.