

THE NEUTRALITY LAW.

Provisions of the Act of 1818—Penalties for Infraction.

We give below the full text of the Neutrality Law, passed by Congress in 1818, under the terms of which the President's Proclamation against the Fenians was issued:

CHAP. 83. An Act in addition to the "Act for the punishment of certain crimes against the United States," and to repeal the acts therein mentioned.

SEC. 1. *Be it enacted, &c.,* That if any citizen of the United States shall, within the territory or jurisdiction thereof, accept and exercise a commission to serve a foreign prince, state, colony, district or people in war, by land, or by sea, against any prince, state, colony, district or people with whom the United States are at peace, the person so offending shall be deemed guilty of a high misdemeanor, and shall be fined not more than two thousand dollars, and shall be imprisoned not exceeding three years.

SEC. 2. That if any person shall, within the territory or jurisdiction of the United States, enlist or enter himself, or hire or retain another person to enlist or enter himself, or to go beyond the limits or jurisdiction of the United States with intent to be enlisted or entered in the service of any foreign prince, state, colony, district or people as a soldier, or as a marine or seaman, on board of any vessel of war, letter-of-marque, or privateer, every person so offending shall be deemed guilty of a high misdemeanor, and shall be fined not exceeding \$1,000, and be imprisoned not exceeding three years; provided, that this act shall not be construed to extend to any subject or citizen of any foreign prince, state, colony, district, or people, who shall transiently be within the United States, and shall, on board of any vessel of war, letter-of-marque, or privateer, which, at the time of its arrival within the United States, was fitted and equipped as such, enlist or enter himself, or hire or retain another subject or citizen of the same foreign prince, state, colony, district or people, who is transiently within the United States, to enlist or enter himself to serve such foreign prince, state, colony, district, or people, on board such vessel of war, letter-of-marque, or privateer, if the United States shall then be at peace with such foreign prince, state, colony, district, or people.

SEC. 3. That if any person shall, within the limits of the United States, fit out and arm, or procure to be fitted out and armed, or shall knowingly be concerned in the furnishing, fitting out or arming, of any ship or vessel, with intent that such ship or vessel shall be employed in the service of any foreign prince or state, or of any colony, district or people, to cruise or commit hostilities against the subjects, citizens or property of any foreign prince or state, or of any colony, district or people, with whom the United States are at peace, or shall issue or deliver a commission within the territory and jurisdiction of the United States, for any ship or vessel, to the intent that she may be employed as aforesaid, every person so offending shall be deemed guilty of a high misdemeanor, and shall be fined not more than \$10,000, and imprisoned not more than three years; and every such ship or vessel, with her tackle, apparel and furniture, together with all materials, arms, ammunition and stores which may have been procured for the building and equipment thereof, shall be forfeited; one half to the use of the informer, and the other half to the United States.

SEC. 4. That if any citizen or citizens of the United States shall, without the limits thereof, fit out and arm, or procure to be fitted out and armed, or shall knowingly aid or be concerned in the furnishing, fitting out, or arming, any private ship or vessel of war, or privateer, with intent that such ship or vessel shall be employed to cruise or commit hostilities upon the citizens of the United States, or their property, or shall take the command of, or enter on board of any ship or vessel, for the intent aforesaid, or shall purchase any interest in any such ship or vessel, with a view to share in the profits thereof, such a person, so offending, shall be deemed guilty of a high misdemeanor, and fined not more than \$10,000 and imprisoned not more than ten years; and the trial for such offence, if committed without the limits of the United States, shall be in the district in which the offender shall be apprehended or first brought.

SEC. 5. That if any person shall, within the territory or jurisdiction of the United States, increase or augment, or procure to be increased or augmented, or shall knowingly be concerned in increasing or augmenting the force of any ship of war or cruiser or armed vessel, in the service of any foreign Prince or State, or of any colony, district or people, or belonging to the subjects or citizens of any such Prince or State, colony, district or people, the same being at war with any foreign Prince or State, or of any colony, district or people, with whom the United States are at peace, by adding to the number of guns of such vessel, or by changing those on board of her for guns of a larger calibre, or by addition thereto of any equipment solely applicable to war, every person so offending shall be deemed guilty of a high misdemeanor, and shall be fined not more than \$1,000, and be imprisoned not more than one year.

SEC. 6. That if any person shall, within the territory or jurisdiction of the United States, begin to set on foot, or provide or prepare the means for any military expedition or enterprise, to be carried on from thence against the territory or dominions of any foreign Prince or State, or of any colony, district or people with whom the United States are at peace, every person so offending shall be deemed guilty of a high misdemeanor, and shall be fined not exceeding \$2,000, and imprisoned not more than three years.

SEC. 7. That the District Court shall take cognizance of complaints, by whomsoever instituted, in cases of captures made within the waters of the United States, or within a marine league of the coasts or shores thereof.

SEC. 8. That in every case in which a vessel shall be fitted out and armed, or attempted to be fitted out and armed, or in which the force of any vessel of war, cruiser or other armed vessel shall be increased or augmented, or in which any military expedition or enterprise shall be begun or set on foot, contrary to the provisions and prohibitions of this act; and in every case of the capture of a ship or vessel within the jurisdiction or protection of the United States, as before defined, and in every case in which any process issuing out of any Court of the United States shall be disobeyed or resisted by any person or persons having the custody of any vessel of war, cruiser or other armed vessel of any foreign prince or state, or of any colony, district or people, or of any subjects or citizens of any foreign prince or state, or of any colony, district or people; in every such case it shall be lawful for the President of the United States, or such other person as he shall have empowered for that purpose, to employ such part of the land or naval forces of the United States, or of the militia thereof, for the purpose of taking possession of, and detaining, any such ship or vessel, with her prize or prizes, if any, in order to the execution of the prohibitions and penalties of this act, and to the restoring of prize or prizes in the cases in which restoration shall have been adjudged, and also for the purpose of preventing the carrying on of any such expedition or enterprise from the territories or jurisdiction of the United States against the territories or domains of any foreign Prince or State, or of any colony, district, or people, with whom the United States are at peace.

SEC. 9. That it shall be lawful for the President of the United States, or such person as he shall empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia thereof, as shall be necessary to compel any foreign ship or vessel to depart the United States, in all cases in which, by the laws of nations or the treaties of the United States, they ought not to remain within the United States.

SEC. 10. That the owners or consignees of every armed ship or vessel sailing out of the ports of the United States, belonging wholly or in part to citizens thereof, shall enter in bond to the United States, with sufficient sureties, prior to clearing out the same, in double the amount of the value of the vessel and cargo on board, including her armament, that the said ship or vessel shall not be employed by such owners to cruise or commit hostilities against the subjects, citizens, or property, of any foreign prince or State, or of any colony, district, or people, with whom the United States are at peace.

SEC. 11. That the Collectors of the Customs be, and they are hereby, respectively, authorized and required to detain any vessel manifestly built for warlike purposes, and about to depart the United States, of which the cargo shall principally consist of arms and munitions of war, when the number shipped on board, or other circumstances, shall render it probable that such vessel is intended to be employed by the owner or owners to cruise or commit hostilities upon the subjects, citizens or property of any foreign Prince or State, or of any colony, district, or people, with whom the United States are at peace, until the decision of the President be had thereon, or until the owner or owners shall give such bond and security as is required of the owners of armed ships by the preceding section of this act.

SEC. 12. That the act passed on the 5th day of June, 1794, entitled "An act in addition to the 'Act for the punishment of certain crimes against the United States,' continued in force, for a limited time, by the act of the 2d of March, 1797, and perpetuated by the act passed on the 24th of April, 1800, and the act passed on the 14th day of June, 1797, entitled 'An act to prevent citizens of the United States from privateering against nations in amity with, or against the citizens of, the United States,' and the act passed the 3d day of March, 1817, entitled 'An act more effectually to preserve the neutral relations of the United States,' be, and the same are hereby, severally, repealed; *Provided, nevertheless,* That persons having heretofore offended against any of the acts aforesaid, may be prosecuted, convicted and punished, as if the same were not repealed; and no forfeiture heretofore incurred by a violation of any of the acts aforesaid shall be affected by such repeal.

SEC. 13. That nothing in the foregoing act shall be construed to prevent the prosecution or punishment of treason, or any piracy defined by the laws of the United States. (Approved April 20, 1818.)