

ized to issue permits for such purpose pursuant to such rules and regulations as he may prescribe. The Secretary of Transportation is authorized to prescribe such rules and regulations as he may deem necessary or appropriate to carry out the purposes and provisions of this section. Section 57109 of title 46 shall not apply with respect to vessels chartered to Government agencies or departments or to private operators or otherwise used or disposed of under sections 196 to 198 of this title. Existing laws covering the inspection of steam vessels are made applicable to vessels documented under this section only to such extent and upon such conditions as may be required by regulations of the Secretary of the department in which the Coast Guard is operating: *Provided*, That in determining to what extent those laws should be made applicable, due consideration shall be given to the primary purpose of transporting commodities essential to the national defense.

(d) Reconditioning of vessels

The Secretary of Transportation without regard to the provisions of section 5 of title 41 may repair, reconstruct, or recondition any vessels to be utilized under sections 196 to 198 of this title. The Secretary of Transportation and any other Government department or agency by which any vessel is acquired or chartered, or to which any vessel is transferred or made available under sections 196 to 198 of this title may, with the aid of any funds available and without regard to the provisions of said section 5 of title 41, repair, reconstruct, or recondition any such vessels to meet the needs of the services intended, or provide facilities for such repair, reconstruction, or reconditioning. The Secretary of Transportation may operate or charter for operation any vessel to be utilized under sections 196 to 198 of this title to private operators, citizens of the United States, or to any department or agency of the United States Government, without regard to the provisions of chapter 575 of title 46, and any department or agency of the United States Government is authorized to enter into such charters.

(e) Effective period

In case of any voyage of a vessel documented under the provisions of this section begun before the date of termination of an effective period of section 196 of this title, but is completed after such date, the provisions of this section shall continue in effect with respect to such vessel until such voyage is completed.

(f) "Documented" defined

When used in sections 196 to 198 of this title, the term "documented" means "registered", "enrolled and licensed", or "licensed".

(Aug. 9, 1954, ch. 659, §3, 68 Stat. 675; Pub. L. 89-670, §6(b)(1), (2), Oct. 15, 1966, 80 Stat. 938; Pub. L. 97-31, §12(152), Aug. 6, 1981, 95 Stat. 167.)

CODIFICATION

"Section 57109 of title 46" substituted in subsec. (c) for "The second paragraph of section 9 of the Shipping Act, 1916, as amended," and "chapter 575 of title 46" substituted in subsec. (d) for "title VII of the Merchant Marine Act, 1936" on authority of Pub. L. 109-304, §18(c), Oct. 6, 2006, 120 Stat. 1709, which Act enacted section 57109 and chapter 575 of Title 46, Shipping.

AMENDMENTS

1981—Subsecs. (a), (c), (d). Pub. L. 97-31 substituted references to Secretary of Transportation for references to Secretary of Commerce wherever appearing.

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

"Secretary of the department in which the Coast Guard is operating" substituted in subsec. (a) for "Secretary of the Treasury" pursuant to section 6(b)(1), (2) of Pub. L. 89-670, which transferred Coast Guard to Department of Transportation and transferred to and vested in Secretary of Transportation functions, powers, and duties, relating to Coast Guard, of Secretary of the Treasury and of all other officers and offices of Department of the Treasury, and which provided that notwithstanding such transfer Coast Guard shall operate as part of Navy in time of war or when President directs as provided in section 3 of Title 14, Coast Guard. See section 108 of Title 49, Transportation.

DELEGATION OF FUNCTIONS

For delegation to Secretary of the Treasury of authority vested in President by subsec. (a) of this section, see Ex. Ord. No. 10289, eff. Sept. 17, 1951, 16 F.R. 9499, set out as a note under section 301 of Title 3, The President.

CHAPTER 13—INSURRECTION

- | | |
|-------------|---|
| Sec. | |
| 201 to 204. | Repealed. |
| 205. | Suspension of commercial intercourse with State in insurrection. |
| 206. | Suspension of commercial intercourse with part of State in insurrection. |
| 207. | Persons affected by suspension of commercial intercourse. |
| 208. | Licensing or permitting commercial intercourse with State or region in insurrection. |
| 209. | Repealed. |
| 210. | Penalties for unauthorized trading, etc.; jurisdiction of prosecutions. |
| 211. | Investigations to detect and prevent frauds and abuses. |
| 212. | Confiscation of property employed to aid insurrection. |
| 213. | Jurisdiction of confiscation proceedings. |
| 214. | Repealed. |
| 215. | Institution of confiscation proceedings. |
| 216. | Preventing transportation of goods to aid insurrection. |
| 217. | Trading in captured or abandoned property. |
| 218. | Repealed. |
| 219. | Removal of customhouse and detention of vessels thereat. |
| 220. | Enforcement of section 219. |
| 221. | Closing ports of entry; forfeiture of vessels seeking to enter closed port. |
| 222. | Transferred. |
| 223. | Forfeiture of vessels owned by citizens of insurrectionary States. |
| 224. | Refusing clearance to vessels with suspected cargoes; forfeiture for departing without clearance. |
| 225. | Bond to deliver cargo at destination named in clearance. |
| 226. | Protection of liens on condemned vessels. |

§§ 201 to 204. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641

Section 201, R.S. §5297, provided for Federal aid for State Governments in case of an insurrection in any State. See section 331 of Title 10, Armed Forces.

Section 202, R.S. §5298, related to use of military and naval forces to enforce authority of Federal Government. See section 332 of Title 10.

Section 203, R.S. §5299, related to denial by State of equal protection of laws and authorized the President to take measures for the suppression of any insurrection, domestic violence, or combinations. See section 333 of Title 10.

Section 204, R.S. §5300, authorized the President to issue a proclamation commanding insurgents to disperse. See section 334 of Title 10.

§ 205. Suspension of commercial intercourse with State in insurrection

Whenever the President, in pursuance of the provisions of this chapter, has called forth the militia to suppress combinations against the laws of the United States, and to cause the laws to be duly executed, and the insurgents shall have failed to disperse by the time directed by the President, and when the insurgents claim to act under the authority of any State or States, and such claim is not disclaimed or repudiated by the persons exercising the functions of government in such State or States, or in the part or parts thereof in which such combination exists, and such insurrection is not suppressed by such State or States, or whenever the inhabitants of any State or part thereof are at any time found by the President to be in insurrection against the United States, the President may, by proclamation, declare that the inhabitants of such State, or of any section or part thereof where such insurrection exists, are in a state of insurrection against the United States; and thereupon all commercial intercourse by and between the same and the citizens thereof and the citizens of the rest of the United States shall cease and be unlawful so long as such condition of hostility shall continue; and all goods and chattels, wares and merchandise, coming from such State or section into the other parts of the United States, or proceeding from other parts of the United States to such State or section, by land or water, shall, together with the vessel or vehicle conveying the same, or conveying persons to or from such State or section, be forfeited to the United States.

(R.S. §5301.)

CODIFICATION

R.S. §5301 derived from acts July 13, 1861, ch. 3, §5, 12 Stat. 257; July 31, 1861, ch. 32, 12 Stat. 284.

§ 206. Suspension of commercial intercourse with part of State in insurrection

Whenever any part of a State not declared to be in insurrection is under the control of insurgents, or is in dangerous proximity to places under their control, all commercial intercourse therein and therewith shall be subject to the prohibitions and conditions of section 205 of this title for such time and to such extent as shall become necessary to protect the public interests, and be directed by the Secretary of the Treasury, with the approval of the President.

(R.S. §5302.)

CODIFICATION

R.S. §5302 derived from act July 2, 1864, ch. 225, §5, 13 Stat. 376.

§ 207. Persons affected by suspension of commercial intercourse

The provisions of this chapter in relation to commercial intercourse shall apply to all commercial intercourse by and between persons residing or being within districts within the lines of national military occupation in the States or parts of States declared in insurrection, whether with each other or with persons residing or being within districts declared in insurrection and not within those lines; and all persons within the United States, not native or naturalized citizens thereof, shall be subject to the same prohibitions, in all commercial intercourse with inhabitants of States or parts of States declared in insurrection, as citizens of States not declared to be in insurrection.

(R.S. §5303.)

CODIFICATION

R.S. §5303 derived from act July 2, 1864, ch. 225, §4, 13 Stat. 376.

§ 208. Licensing or permitting commercial intercourse with State or region in insurrection

The President may, in his discretion, license and permit commercial intercourse with any part of such State or section, the inhabitants of which are so declared in a state of insurrection, so far as may be necessary to authorize supplying the necessities of loyal persons residing in insurrectionary States, within the lines of actual occupation by the military forces of the United States, as indicated by published order of the commanding general of the department or district so occupied; and, also, so far as may be necessary to authorize persons residing within such lines to bring or send to market in the loyal States any products which they shall have produced with their own labor or the labor of freedmen, or others employed and paid by them, pursuant to rules relating thereto, which may be established under proper authority. And no goods, wares, or merchandise shall be taken into a State declared in insurrection, or transported therein, except to and from such places and to such monthly amounts as shall have been previously agreed upon, in writing, by the commanding general of the department in which such places are situated, and an officer designated by the Secretary of the Treasury for that purpose. Such commercial intercourse shall be in such articles and for such time and by such persons as the President, in his discretion, may think most conducive to the public interest; and, so far as by him licensed, shall be conducted and carried on only in pursuance of rules and regulations prescribed by the Secretary of the Treasury.

(R.S. §5304.)

CODIFICATION

R.S. §5304 derived from acts July 13, 1861, ch. 3, §5, 12 Stat. 257; July 2, 1864, ch. 225, §9, 13 Stat. 377.

§ 209. Repealed. Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 632

Section, R.S. §5305, related to appointment of officers to carry into effect licenses to trade in State or region in an insurrection.

§ 210. Penalties for unauthorized trading, etc.; jurisdiction of prosecutions

Every officer of the United States, civil, military, or naval, and every sutler, soldier, marine, or other person, who takes, or causes to be taken into a State declared to be in insurrection, or to any other point to be thence taken into such State, or who transports or sells, or otherwise disposes of therein, any goods, wares, or merchandise whatsoever, except in pursuance of license and authority of the President, as provided in this chapter, or who makes any false statement or representation upon which license and authority is granted for such transportation, sale, or other disposition, or who, under any license or authority obtained, willfully and knowingly transports, sells, or otherwise disposes of any other goods, wares, or merchandise than such as are in good faith so licensed and authorized, or who willfully and knowingly transports, sells, or disposes of the same, or any portion thereof, in violation of the terms of such license or authority, or of any rule or regulation prescribed by the Secretary of the Treasury concerning the same, or who is guilty of any act of embezzlement, of willful misappropriation of public or private money or property, of keeping false accounts, or of willfully making any false returns, shall be deemed guilty of a misdemeanor, and shall be fined not more than \$5,000, and imprisoned in the penitentiary not more than three years. Violations of this section shall be cognizable before any court, civil or military, competent to try the same.

(R.S. § 5306.)

CODIFICATION

R.S. § 5306 derived from act July 2, 1864, ch. 225, § 10, 13 Stat. 377.

§ 211. Investigations to detect and prevent frauds and abuses

It shall be the duty of the Secretary of the Treasury, from time to time, to institute such investigations as may be necessary to detect and prevent frauds and abuses in any trade or transactions which may be licensed between inhabitants of loyal States and of States in insurrection. And the agents making such investigations shall have power to compel the attendance of witnesses, and to make examinations on oath.

(R.S. § 5307.)

CODIFICATION

R.S. § 5307 derived from act July 2, 1864, ch. 225, § 10, 13 Stat. 377.

§ 212. Confiscation of property employed to aid insurrection

Whenever during any insurrection against the Government of the United States, after the President shall have declared by proclamation that the laws of the United States are opposed, and the execution thereof obstructed, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the power vested in the marshals by law, any person, or his agent, attorney, or employee, purchases or acquires, sells or gives, any property

of whatsoever kind or description, with intent to use or employ the same, or suffers the same to be used or employed in aiding, abetting, or promoting such insurrection or resistance to the laws, or any person engaged therein; or being the owner of any such property, knowingly uses or employs, or consents to such use or employment of the same, all such property shall be lawful subject of prize and capture wherever found; and it shall be the duty of the President to cause the same to be seized, confiscated, and condemned.

(R.S. § 5308.)

CODIFICATION

R.S. § 5308 derived from act Aug. 6, 1861, ch. 60, § 1, 12 Stat. 319.

§ 213. Jurisdiction of confiscation proceedings

Such prizes and capture shall be condemned in the district court of the United States having jurisdiction of the amount, or in admiralty in any district in which the same may be seized, or into which they may be taken and proceedings first instituted.

(R.S. § 5309; Feb. 27, 1877, ch. 69, § 1, 19 Stat. 253; Mar. 3, 1911, ch. 231, § 291, 36 Stat. 1167.)

CODIFICATION

R.S. § 5309 derived from act Aug. 6, 1861, ch. 60, § 2, 12 Stat. 319.

Act Mar. 3, 1911, conferred the powers and duties of the former circuit courts upon the district courts.

AMENDMENTS

1877—Act Feb. 27, 1877, inserted “may” after “any district in which the same”.

§ 214. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641

Section, R.S. § 5310, provided that property taken on inland waters of the United States was not a maritime prize. See section 7651 of Title 10, Armed Forces.

§ 215. Institution of confiscation proceedings

The Attorney General, or the United States attorney for any judicial district in which such property may at the time be, may institute the proceedings of condemnation, and in such case they shall be wholly for the benefit of the United States; or any person may file an information with such attorney, in which case the proceedings shall be for the use of such informer and the United States in equal parts.

(R.S. § 5311; June 25, 1948, ch. 646, § 1, 62 Stat. 909.)

CODIFICATION

R.S. § 5311 derived from act Aug. 6, 1861, ch. 60, § 3, 12 Stat. 319.

CHANGE OF NAME

Act June 25, 1948, eff. Sept. 1, 1948, substituted “United States attorney” for “attorney of the United States”. See section 541 of Title 28, Judiciary and Judicial Procedure, and Historical and Revision Notes thereunder.

§ 216. Preventing transportation of goods to aid insurrection

The Secretary of the Treasury is authorized to prohibit and prevent the transportation in any

vessel, or upon any railroad, turnpike, or other road or means of transportation within the United States, of any property, whatever may be the ostensible destination of the same, in all cases where there are satisfactory reasons to believe that such property is intended for any place in the possession or under the control of insurgents against the United States, or that there is imminent danger that such property will fall into the possession or under the control of such insurgents; and he is further authorized, in all cases where he deems it expedient so to do, to require reasonable security to be given that property shall not be transported to any place under insurrectionary control, and shall not, in any way, be used to give aid or comfort to such insurgents; and he may establish all such general or special regulations as may be necessary or proper to carry into effect the purposes of this section; and if any property is transported in violation of this chapter, or of any regulation of the Secretary of the Treasury, established in pursuance thereof, or if any attempt shall be made so to transport any, it shall be forfeited.

(R.S. § 5312.)

CODIFICATION

R.S. § 5312 derived from act May 20, 1862, ch. 81, § 3, 12 Stat. 404.

§ 217. Trading in captured or abandoned property

All persons in the military or naval service of the United States are prohibited from buying or selling, trading, or in any way dealing in captured or abandoned property, whereby they shall receive or expect any profit, benefit, or advantage to themselves, or any other person, directly or indirectly connected with them; and it shall be the duty of such person whenever such property comes into his possession or custody, or within his control, to give notice thereof to some agent, appointed by virtue of this chapter, and to turn the same over to such agent without delay. Any officer of the United States, civil, military, or naval, or any sutler, soldier, or marine, or other person who shall violate any provision of this section, shall be deemed guilty of a misdemeanor, and shall be fined not more than \$5,000, and imprisoned in the penitentiary not more than three years. Violations of this section shall be cognizable before any court, civil or military, competent to try the same.

(R.S. § 5313.)

CODIFICATION

R.S. § 5313 derived from act July 2, 1864, ch. 225, § 10, 13 Stat. 377.

§ 218. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 632

Section, R.S. § 5314; act Mar. 2, 1929, ch. 510, § 1, 45 Stat. 1496, related to authority of President in collection of duties to change ports of entry in case of insurrection.

§ 219. Removal of customhouse and detention of vessels thereat

Whenever, at any port of entry, the duties on imports cannot, in the judgment of the Presi-

dent, be collected in the ordinary way, or by the course provided in section 218¹ of this title, by reason of the cause mentioned in said section, he may direct that the customhouse for the district be established in any secure place within the district, either on land or on board any vessel in the district, or at sea near the coast; and in such case the collector shall reside at such place, or on shipboard, as the case may be, and there detain all vessels and cargoes arriving within or approaching the district, until the duties imposed by law on such vessels and their cargoes are paid in cash. But if the owner or consignee of the cargo on board any vessel thus detained, or the master of the vessel, desires to enter a port of entry in any other district where no such obstructions to the execution of the laws exist, the master may be permitted so to change the destination of the vessel and cargo in his manifest; whereupon the collector shall deliver him a written permit to proceed to the port so designated. And the Secretary of the Treasury, with the approval of the President, shall make proper regulations for the enforcement on shipboard of such provisions of the laws regulating the assessment and collection of duties as in his judgment may be necessary and practicable.

(R.S. § 5315.)

REFERENCES IN TEXT

Section 218 of this title, referred to in text, was repealed by Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 632.

CODIFICATION

R.S. § 5315 derived from acts July 13, 1861, ch. 3, § 2, 12 Stat. 256; Mar. 3, 1875, ch. 136, § 2, 18 Stat. 469.

TRANSFER OF FUNCTIONS

All offices of collector of customs, comptroller of customs, surveyor of customs, and appraiser of merchandise of the Bureau of Customs of Department of the Treasury to which appointments were required to be made by President with advice and consent of Senate ordered abolished, with such offices to be terminated not later than Dec. 31, 1966, by Reorg. Plan No. 1, of 1965, eff. May 25, 1965, 30 F.R. 7035, 79 Stat. 1317, set out in the Appendix to Title 5, Government Organization and Employees. All functions of offices eliminated were already vested in Secretary of the Treasury by Reorg. Plan No. 26 of 1950, eff. July 31, 1950, 15 F.R. 4935, 64 Stat. 1280, set out in the Appendix to Title 5.

§ 220. Enforcement of section 219

It shall be unlawful to take any vessel or cargo detained under section 219 of this title from the custody of the proper officers of the customs, unless by process of some court of the United States; and in case of any attempt otherwise to take such vessel or cargo by any force, or combination, or assemblage of persons, too great to be overcome by the officers of the customs, the President, or such person as he shall have empowered for that purpose, may employ such part of the Army or Navy or militia of the United States, or such force of citizen volunteers as may be necessary, to prevent the removal of such vessel or cargo, and to protect the officers of the customs in retaining the custody thereof.

¹ See References in Text note below.

(R.S. § 5316.)

CODIFICATION

R.S. § 5316 derived from act July 12, 1861, ch. 3, § 3, 12 Stat. 256.

TRANSFER OF FUNCTIONS

All offices of collector of customs, comptroller of customs, surveyor of customs, and appraiser of merchandise of Bureau of Customs of Department of the Treasury to which appointments were required to be made by President with advice and consent of Senate ordered abolished, with such offices to be terminated not later than Dec. 31, 1966, by Reorg. Plan No. 1, of 1965, eff. May 25, 1965, 30 F.R. 7035, 79 Stat. 1317, set out in the Appendix to Title 5, Government Organization and Employees. All functions of offices eliminated were already vested in Secretary of the Treasury by Reorg. Plan No. 26 of 1950, eff. July 31, 1950, 15 F.R. 4935, 64 Stat. 1280, set out in the Appendix to Title 5.

§ 221. Closing ports of entry; forfeiture of vessels seeking to enter closed port

Whenever, in any collection district, the duties on imports can not, in the judgment of the President, be collected in the ordinary way, nor in the manner provided by sections 218¹ to 220 of this title, by reason of the cause mentioned in section 218 of this title, the President may close the port of entry in that district; and shall in such case give notice thereof by proclamation. And thereupon all right of importation, warehousing, and other privileges incident to ports of entry shall cease and be discontinued at such port so closed until it is opened by the order of the President on the cessation of such obstructions. Every vessel from beyond the United States, or having on board any merchandise liable to duty, which attempts to enter any port which has been closed under this section, shall, with her tackle, apparel, furniture, and cargo, be forfeited.

(R.S. § 5317.)

REFERENCES IN TEXT

Section 218 of this title, referred to in text, was repealed by Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 632.

CODIFICATION

R.S. § 5317 derived from act July 12, 1861, ch. 3, § 4, 12 Stat. 256.

TRANSFER OF FUNCTIONS

All offices of collector of customs, comptroller of customs, surveyor of customs, and appraiser of merchandise of Bureau of Customs of Department of the Treasury to which appointments were required to be made by President with advice and consent of Senate ordered abolished, with such offices to be terminated not later than Dec. 31, 1966, by Reorg. Plan No. 1, of 1965, eff. May 25, 1965, 30 F.R. 7035, 79 Stat. 1317, set out in the Appendix to Title 5, Government Organization and Employees. All functions of offices eliminated were already vested in Secretary of the Treasury by Reorg. Plan No. 26 of 1950, eff. July 31, 1950, 15 F.R. 4935, 64 Stat. 1280, set out in the Appendix to Title 5.

§ 222. Transferred

CODIFICATION

Section, R.S. § 5318; act Jan. 28, 1915, ch. 20, § 1, 38 Stat. 800, related to use of auxiliary vessels to enforce

¹ See References in Text note below.

this chapter and was transferred to section 540 of Title 19, Customs Duties.

§ 223. Forfeiture of vessels owned by citizens of insurrectionary States

From and after fifteen days after the issuing of the proclamation, as provided in section 205 of this title, any vessel belonging in whole or in part to any citizen or inhabitant of such State or part of a State whose inhabitants are so declared in a state of insurrection, found at sea, or in any port of the rest of the United States, shall be forfeited.

(R.S. § 5319.)

CODIFICATION

R.S. § 5319 derived from act July 12, 1861, ch. 3, § 7, 12 Stat. 257.

§ 224. Refusing clearance to vessels with suspected cargoes; forfeiture for departing without clearance

The Secretary of the Treasury is authorized to refuse a clearance to any vessel or other vehicle laden with merchandise, destined for a foreign or domestic port, whenever he shall have satisfactory reason to believe that such merchandise, or any part thereof, whatever may be its ostensible destination, is intended for ports in possession or under control of insurgents against the United States; and if any vessel for which a clearance or permit has been refused by the Secretary of the Treasury, or by his order, shall depart or attempt to depart for a foreign or domestic port without being duly cleared or permitted, such vessel, with her tackle, apparel, furniture, and cargo, shall be forfeited.

(R.S. § 5320.)

CODIFICATION

R.S. § 5320 derived from act May 20, 1862, ch. 81, § 1, 12 Stat. 404.

§ 225. Bond to deliver cargo at destination named in clearance

Whenever a permit or clearance is granted for either a foreign or domestic port, it shall be lawful for the collector of the customs granting the same, if he deems it necessary, under the circumstances of the case, to require a bond to be executed by the master or the owner of the vessel, in a penalty equal to the value of the cargo, and with sureties to the satisfaction of such collector, that the cargo shall be delivered at the destination for which it is cleared or permitted, and that no part thereof shall be used in affording aid or comfort to any person or parties in insurrection against the authority of the United States.

(R.S. § 5321.)

CODIFICATION

R.S. § 5321 derived from act May 20, 1862, ch. 81, § 2, 12 Stat. 404.

TRANSFER OF FUNCTIONS

All offices of collector of customs, comptroller of customs, surveyor of customs, and appraiser of merchandise of Bureau of Customs of Department of the Treasury to which appointments were required to be made by

President with advice and consent of Senate ordered abolished, with such offices to be terminated not later than December 31, 1966, by Reorg. Plan No. 1, of 1965, eff. May 25, 1965, 30 F.R. 7035, 79 Stat. 1317, set out in the Appendix to Title 5, Government Organization and Employees. All functions of offices eliminated were already vested in Secretary of the Treasury by Reorg. Plan No. 26 of 1950, eff. July 31, 1950, 15 F.R. 4935, 64 Stat. 1280, set out in the Appendix to Title 5.

§ 226. Protection of liens on condemned vessels

In all cases wherein any vessel, or other property, is condemned in any proceeding by virtue of any laws relating to insurrection or rebellion, the court rendering judgment of condemnation shall, notwithstanding such condemnation, and before awarding such vessel, or other property, or the proceeds thereof, to the United States, or to any informer, first provide for the payment, out of the proceeds of such vessel, or other property, of any bona fide claims which shall be filed by any loyal citizen of the United States, or of any foreign state or power at peace and amity with the United States, intervening in such proceeding, and which shall be duly established by evidence, as a valid claim against such vessel, or other property, under the laws of the United States or of any State thereof not declared to be in insurrection. No such claim shall be allowed in any case where the claimant has knowingly participated in the illegal use of such ship, vessel, or other property. This section shall extend to such claims only as might have been enforced specifically against such vessel, or other property, in any State not declared to be in insurrection, wherein such claim arose.

(R.S. § 5322.)

CODIFICATION

R.S. § 5322 derived from act Mar. 3, 1863, ch. 90, 12 Stat. 762.

CHAPTER 14—WARTIME VOTING BY LAND AND NAVAL FORCES

§§ 301 to 303. Repealed. Aug. 9, 1955, ch. 656, title III, § 307, 69 Stat. 589

Section 301, acts Sept. 16, 1942, ch. 561, title I, § 1, 56 Stat. 753; July 1, 1943, ch. 187, §§ 1, 5, 57 Stat. 371, granted absentee members of land or naval forces of the United States the right to vote in Presidential, Vice Presidential, and Congressional elections. See section 1973ff et seq. of Title 42, The Public Health and Welfare.

Section 302, act Sept. 16, 1942, ch. 561, title I, § 2, 56 Stat. 753, exempted persons in military service in time of war from paying poll taxes or other taxes as a condition of voting in any election for President, Vice President, electors for President or Vice President, or for Senator or Member of the House of Representatives.

Section 303, acts Sept. 16, 1942, ch. 561, title I, § 3, 56 Stat. 753; Apr. 1, 1944, ch. 150, 58 Stat. 136, provided for voting in accordance with State law.

ADDITIONAL REPEAL

Sections 301 to 303 were also repealed by act Aug. 10, 1956, ch. 1041, § 53, 70 Stat. 641.

§§ 304 to 315. Repealed. Apr. 1, 1944, ch. 150, 58 Stat. 136

Section 304, act Sept. 16, 1942, ch. 561, § 4, 56 Stat. 754, related to a public list of applicants.

Section 305, act Sept. 16, 1942, ch. 561, § 5, 56 Stat. 754, related to form of ballots and booklets.

Section 306, act Sept. 16, 1942, ch. 561, § 6, 56 Stat. 755, related to use of official envelopes.

Section 307, act Sept. 16, 1942, ch. 561, § 7, 56 Stat. 756, related to transmission of ballots.

Section 308, act Sept. 16, 1942, ch. 561, § 8, 56 Stat. 756, related to return of ballots.

Section 309, act Sept. 16, 1942, ch. 561, § 9, 56 Stat. 756, related to certification of votes.

Section 310, act Sept. 16, 1942, ch. 561, § 10, 56 Stat. 756, related to payment of expenses.

Section 311, act Sept. 16, 1942, ch. 561, § 11, 56 Stat. 757, related to utilization of services of local agencies.

Section 312, act Sept. 16, 1942, ch. 561, § 12, 56 Stat. 757, related to voting under State law.

Section 313, act Sept. 16, 1942, ch. 561, § 13, 56 Stat. 757, related to primary elections.

Section 314, act Sept. 16, 1942, ch. 561, § 14, 56 Stat. 757, related to offenses against elective franchise.

Section 315, act Sept. 16, 1942, ch. 561, § 15, 56 Stat. 757, related to formality of compliance.

§§ 321 to 331. Repealed. Aug. 9, 1955, ch. 656, title III, § 307, 69 Stat. 589

Section 321, act Sept. 16, 1942, ch. 561, title II, § 201, as added Apr. 1, 1944, ch. 150, 58 Stat. 136; amended Apr. 19, 1946, ch. 142, 60 Stat. 96, related to State absentee voting legislation.

Section 322, act Sept. 16, 1942, ch. 561, title II, § 202, as added Apr. 1, 1944, ch. 150, 58 Stat. 137; amended Apr. 19, 1946, ch. 142, 60 Stat. 96, related to use of post cards.

Section 323, act Sept. 16, 1942, ch. 561, title II, § 203, as added Apr. 1, 1944, ch. 150, 58 Stat. 137; amended Apr. 19, 1946, ch. 142, 60 Stat. 97, related to distribution of ballots.

Section 324, act Sept. 16, 1942, ch. 561, title II, § 204, as added Apr. 1, 1944, ch. 150, 58 Stat. 138; amended Apr. 19, 1946, ch. 142, 60 Stat. 97; Sept. 29, 1950, ch. 1112, § 1, 64 Stat. 1082, provided for style and markings of envelopes, protective inserts, return envelopes, and size and weight of ballots and envelopes.

Section 325, act Sept. 16, 1942, ch. 561, title II, § 205, as added Apr. 1, 1944, ch. 150, 58 Stat. 138; amended Apr. 19, 1946, ch. 142, 60 Stat. 97, related to signature and oath of voter.

Section 326, act Sept. 16, 1942, ch. 561, title II, § 206, as added Apr. 1, 1944, ch. 150, 58 Stat. 139; amended Apr. 19, 1946, ch. 142, 60 Stat. 98, related to instructions for marking ballots.

Section 327, act Sept. 16, 1942, ch. 561, title II, § 207, as added Apr. 1, 1944, ch. 150, 58 Stat. 139; amended Apr. 19, 1946, ch. 142, 60 Stat. 99, related to extension of State's time limits.

Section 328, act Sept. 16, 1942, ch. 561, title II, § 208, as added Apr. 19, 1946, ch. 142, 60 Stat. 99, provided for notification of forthcoming elections by secretaries of states.

Section 329, act Sept. 16, 1942, ch. 561, title II, § 209, as added Apr. 19, 1946, ch. 142, 60 Stat. 99; amended Sept. 29, 1950, ch. 1111, 64 Stat. 1082, provided for cooperation with States, printing and transmitting of post cards, and content of post cards.

Section 330, act Sept. 16, 1942, ch. 561, title II, § 210, as added Apr. 19, 1946, ch. 142, 60 Stat. 101; amended July 26, 1947, ch. 343, title II, § 205(a), 61 Stat. 501, related to transmission of post cards.

Section 331, act Sept. 16, 1942, ch. 561, title II, § 211, as added Apr. 19, 1946, ch. 142, 60 Stat. 101; amended July 26, 1947, ch. 343, title II, § 205(a), 61 Stat. 501, related to distribution of information.

A prior section 331, act Sept. 16, 1942, ch. 561, title III, § 301, as added Apr. 1, 1944, ch. 150, 58 Stat. 140, related to establishment of United States War Ballot Commission and was repealed by act Apr. 19, 1946, ch. 142, 60 Stat. 96.

ADDITIONAL REPEAL

Sections 321 to 331 were also repealed by act Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641.