

liver 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.)

#### **Editorial Notes**

##### 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Section 218 of this title, referred to in text, was repealed by Pub.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.

#### **Executive Documents**

##### 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.

(R.S. § 5316.)

#### **Editorial Notes**

##### CODIFICATION

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

#### **Executive Documents**

##### 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 Appen-

dix 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 218<sup>1</sup> 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.)

#### **Editorial Notes**

##### 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.

#### **Executive Documents**

##### 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**

#### **Editorial Notes**

##### CODIFICATION

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

<sup>1</sup> See References in Text note below.

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.)

#### **Editorial Notes**

##### 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.)

#### **Editorial Notes**

##### 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.)

#### **Editorial Notes**

##### CODIFICATION

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

#### **Executive Documents**

##### 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.)

#### **Editorial Notes**

##### 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 20301 et seq. of Title 52, Voting and Elections.

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.

#### **Statutory Notes and Related Subsidiaries**

##### 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.