

power to cause said annuities to be commuted, from time to time, for such articles of goods, provisions, stock, cattle, implements of agriculture, the clearing and fencing of land, and the erection of buildings and other improvements, as, in his discretion, will conduce most to promote their comfort, civilization, and permanent welfare.

Third. All the benefits and privileges granted to said Indians shall be extended to and enjoyed by the mixed bloods belonging to or connected with the tribe, and who shall permanently reside on the ceded lands.

Fourth. The laws of the United States and the Territory of Minnesota shall be extended over the Chippewa territory in Minnesota whenever the same may be ceded, and the same shall cease to be "Indian country," except that the lands reserved to said Indians, or other property owned by them, shall be exempt from taxation and execution; and that the act passed thirtieth June, eighteen hundred and thirty-four, "to regulate trade and intercourse with the Indian tribes," etc., be inoperative over the said ceded territory, except the twentieth section, which prohibits the introduction and sale of spirituous liquors to Indians.

1834, ch. 161.

Fifth. The President shall have power to prescribe and enforce such rules and regulations, not inconsistent with the foregoing provisions, as he may deem necessary for the effectual execution of the purposes of this act, which said rules and regulations shall be annually reported to Congress.

SEC. 2. *And be it further enacted*, That, for the purpose of defraying the expenses of said negotiations, the sum of ten thousand dollars be, and the same is hereby, appropriated out of any money in the treasury not otherwise appropriated.

Appropriation.

APPROVED, December 19, 1854.

CHAP. X. — *An Act to authorize the issue of Patents to Lands in any State or Territory, in certain Cases.*

Dec. 22, 1854.

1854, ch. 201.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in case of any claim to land in any State or Territory which has heretofore been confirmed by law, and in which no provision is made by the confirmatory statute for the issue of patents, it shall and may be lawful, where surveys for the land have been or may hereafter be made, to issue patents for the claims so confirmed, upon the presentation to the Commissioner of the General Land-Office of plats of survey thereof, duly approved by the surveyor-general of any State or Territory, if the same be found correct by the said commissioner: *Provided*, That such patents shall only operate as a relinquishment of title on the part of the United States, and shall in no manner interfere with any valid adverse right, if such exist, to the same land, nor be construed to preclude a legal investigation and decision by the proper judicial tribunal between adverse claimants to the same land.

Patents to issue for all lands heretofore granted.

Effect of the patent.

APPROVED, December 22, 1854.

CHAP. XV. — *An Act to suppress the Circulation of Small Notes, as a Currency, in the District of Columbia.*

Dec. 27, 1854.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any person or persons, body politic or corporate, within the District of Columbia, shall make, emit, issue, utter, sign, draw, or endorse any bank note, promissory note, or any instrument of writing, for the payment or delivery of money, or other valuable thing, or of any thing purporting to be a valuable thing, of a less amount than five dollars, to be used as a paper currency, or as a circulating medium, either as money, or in lieu of money or of any other currency, every such person, and every member, officer, or agent of such

Penalty for issuing &c., bills for less than \$5.

body politic or corporate, concerned in, or assenting to, such making, emitting, issuing, uttering, signing, drawing, or endorsing, as aforesaid, for any of the purposes aforesaid, shall forfeit and pay the sum of ten dollars for each and every such bank note, promissory note, or instrument of writing so made, issued, emitted, uttered, signed, drawn, or endorsed, one half to the use of any person who shall sue therefor, and the other half to the county of Washington, District of Columbia. And, on the trial of any such cause, if the promissory note, bank note, or other instrument in question, be in part or in the whole printed or engraven, it shall be deemed sufficient evidence of an intention to put the same into circulation in violation of this act, unless the contrary be shown.

Printing any part of any bill, &c. to be evidence, &c.

Penalty for passing or offering to pass any bill for less than \$5.

SEC. 2. *And be it further enacted,* That it shall be unlawful for any person or persons, body politic or corporate, to pass, or offer to pass, within the District of Columbia, any bank note, promissory note, or any instrument in writing of a less denomination or amount than five dollars, either as money, or in lieu of money, or of any other currency; and any other person or persons, and every member, officer, or agent of such body politic or corporate, violating the provisions of this section, shall forfeit and pay a sum of not less than five, nor more than ten dollars, for every such offence, one half to the use of the person who shall sue therefor, and the other half to the use of the county of Washington, District of Columbia.

Penalty for not redeeming such notes.

SEC. 3. *And be it further enacted,* That any person or persons, body politic and corporate, holding any such bank note, promissory note, or instrument in writing, may present the same for payment to the person or persons, body politic or corporate, that made, emitted, issued, uttered, signed, drew, or endorsed the same; and if, upon such presentment, the person or persons, body politic or corporate, that made, emitted, issued, uttered, signed, drew, or endorsed the same, neglect or refuse to redeem the same in gold or silver, such party so neglecting or refusing shall forfeit and pay the sum of twenty dollars for each and every such bank note, promissory note, or instrument in writing so presented, and payment thereof neglected or refused, as aforesaid, to the use of the person or persons, body politic or corporate, holding and presenting the same as aforesaid.

How penalties shall be recovered.

SEC. 4. *And be it further enacted,* That each and every forfeiture, under the foregoing provisions of this act, shall be recovered in an action of debt, before any justice of the peace in the District of Columbia, in the name of any person who shall sue therefor, and jurisdiction is hereby expressly given to each and every justice of the peace in the District of Columbia to try and adjudicate each and every such case.

Contracts of which any currency forbidden by this act forms any of the consideration, made void.

SEC. 5. *And be it further enacted,* That all contracts, whether written or verbal, hereafter made, to pay or deliver money or any valuable thing, or thing purporting to be a valuable thing, the consideration whereof may be, either wholly or in part, any paper currency or circulating medium under five dollars, or other paper or currency prohibited by this act, shall be deemed and held to be illegal and void; and the person or persons suing on such contract shall have no remedy in any court of law or equity; and, in any suit brought on such contract, it shall be competent for the defendant, under the general issue, or any appropriate special plea, to offer evidence of the nature or of the consideration of the contract so sued on; and, on the defendant's making oath that he or she has not evidence sufficient to prove the nature or consideration of such contract, it shall be the duty of the court before which such suit may be brought, to require the plaintiff or plaintiffs, or either or any of them, to be sworn to testify the truth in regard to the transaction; and if the plaintiff or plaintiffs shall not be present at the trial, to compel the attendance of such plaintiff or plaintiffs as a witness or witnesses, and to postpone or continue the cause till such attendance can be procured; and if, after the

How in actions on such contracts the plaintiff may be compelled to testify.

whole evidence shall have been heard, it shall appear that the consideration, either wholly or in part, of the contract was such paper currency or circulating medium prohibited by this act, judgment shall be rendered for the defendant or defendants, and for costs against the plaintiff or plaintiffs.

SEC. 6. *And be it further enacted*, That if any merchant, hotelkeeper, shopkeeper, grocer, commission merchant, or insurance agent, any owner or driver of a hackney carriage, omnibus, cart, wagon, or dray, any huckster, butcher, auctioneer, livery-stable keeper, any owner or keeper of a billiard-table or ten-pin alley, any pawnbroker, any manager or agent of theatrical or other amusements, any hawkler or pedlar, transacting business under a license granted by the corporation of the city of Washington or of Georgetown, in the District of Columbia, or any other person or persons transacting business under such license, shall either receive or pay out any paper under the denomination of five dollars, or any other paper not payable in specie on demand, so prohibited as aforesaid, it shall be the duty of the attorney of the United States for the District of Columbia to sue out process in the nature of a *scire facias*, or to institute other suitable proceedings in the Circuit Court of the District of Columbia, against such offender or offenders, returnable to the said court immediately, if said court be then sitting, or to the next term of said court, if there be then a vacation of the terms of said court, requiring such offenders to show cause why his, her, or their license aforesaid, shall not be forfeited; and on proof exhibited to said court of such receiving or paying out of such prohibited paper as aforesaid, said court shall forfeit, annul, and vacate such license, and no other license for any purpose shall be granted to such offender or offenders until one year thereafter shall have passed and expired.

Process to annul the business of certain persons in case of their violating this act.

Duty of Attorney for District of Columbia.

SEC. 7. *And be it further enacted*, That it shall be the duty of the marshal of the District of Columbia, and of every constable of said district, to give information to some justice of the peace in said district, of every violation of this law which may come to his knowledge.

Marshal and constables to give information.

SEC. 8. *And be it further enacted*, That on the trial of any cause other than a criminal prosecution, under the provisions of this act, it shall be lawful for the court before whom such cause is pending, to cause to be brought before said court, and examined as a witness, any defendant to any such suit, his agent or employer, touching the matters and things in controversy, and to employ such process to effect the object aforesaid, as is usual in other cases.

Defendant may be called as a witness in prosecutions.

SEC. 9. *And be it further enacted*, That this act shall be in force from and after the first day of November next; and that so much and such parts of all former acts as may be repugnant to this act be and the same are hereby repealed.

Act to come into force Nov. 1, 1855.

APPROVED, December 27, 1854.

CHAP. XVIII. — *An Act vesting the Title of the United States to certain Land in the City of Cincinnati.*

Dec. 29, 1854.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the title and interest of the United States to the unsold land (if any there be) in fractional section number eleven, in fractional township number four, in fractional range number one, of John Cleve Symme's purchase of lands, within the now State of Ohio, be, and the same hereby is, vested in the corporate authorities of the city of Cincinnati, and their successors in office, and in any other occupants of the same, in severalty, upon payment to the Commissioner of the General Land-Office of the minimum price of land subject to entry: *Provided*, That nothing in this act shall be so construed as to

Title of the United States to unsold land section 11, township 4, range 1, in John C. Symme's purchase, vested in Cincinnati, and other occupants.