

# ACTS OF THE TWENTIETH CONGRESS

OF THE

## UNITED STATES,

*Passed at the first session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the third day of December, 1827, and ended on the twenty-sixth day of May, 1828.*

JOHN QUINCY ADAMS, President; J. C. CALHOUN, Vice President of the United States and President of the Senate; NATHANIEL MACON, President of the Senate, pro tempore; ANDREW STEVENSON, Speaker of the House of Representatives.

### STATUTE I.

Jan. 3, 1828.

[Obsolete.]

Appropriations.  
Act of Feb.  
12, 1828, ch. 6.

Compensation to senators and representatives.

Expenses of fire-wood, &c.

Sums appropriated to be paid from the treasury.

CHAP. I.—*An Act making partial appropriations for the support of government during the year one thousand eight hundred and twenty-eight.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums be, and the same are hereby, respectively, appropriated towards the support of government for the year one thousand eight hundred and twenty-eight, viz:

For compensation granted by law to the members of the Senate and House of Representatives of the United States and their officers, four hundred and seventy-one thousand eight hundred dollars.

For the expenses of fire-wood, stationery, printing, and all other contingent expenses of the two houses of Congress, one hundred and six thousand two hundred and three dollars.

SEC. 2. *And be it further enacted,* That the sums herein appropriated, shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, January 3, 1828.

### STATUTE I.

Jan. 25, 1828.

No money appropriated to be paid to persons in arrears to the United States.

Proviso.

CHAP. II.—*An Act to prevent defalcations on the part of the disbursing agents of the government, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That no money hereafter appropriated shall be paid to any person, for his compensation, who is in arrears to the United States, until such person shall have accounted for, and paid into the treasury, all sums for which he may be liable: *Provided,* That nothing herein contained shall be construed to extend to balances arising solely from the depreciation of treasury notes received by such person, to be expended in the public service; but in all cases where the pay or salary of any person is withheld, in pursuance of this act, it shall be the duty of the accounting officers, if demanded by the party, his agent or attorney, to report forthwith to the agent of the Treasury

Department, the balance due; and it shall be the duty of the said agent, within sixty days thereafter, to order suit to be commenced against such delinquent and his sureties.

APPROVED, January 25, 1828.

STATUTE I.

CHAP. IV.—*An Act making appropriations for the payment of the revolutionary and other pensioners of the United States.*

Feb. 12, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums be, and they are hereby, respectively, appropriated towards the military service of the year one thousand eight hundred and twenty-eight, and for the objects following; that is to say:

[Obsolete.]  
Sums appropriated for the year 1828.

For the pensions of the revolutionary pensioners of the United States, in addition to an unexpended balance of former appropriations, of five hundred and sixty-four thousand dollars, two hundred and thirty-six thousand dollars.

Pensions to revolutionary pensioners.

For the invalid and half-pay pensioners, in addition to a balance of one hundred and forty-one thousand dollars of former appropriations, one hundred and sixty thousand and ninety-five dollars.

Invalid and half pay pensioners.

APPROVED, February 12, 1828.

STATUTE I.

CHAP. VI.—*An Act making appropriations for the support of government for the year one thousand eight hundred and twenty-eight.*

Feb. 12, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums be, and the same are hereby, respectively appropriated, for the service of the year one thousand eight hundred and twenty-eight; that is to say:

[Obsolete.]  
Sums appropriated.

For compensation to the President of the United States, twenty-five thousand dollars.

President.

For compensation to the Vice President of the United States, five thousand dollars.

Vice President.

For compensation to the Secretary of State, six thousand dollars.

Secretary of State.

For compensation to the clerks in the Department of State, per act of twentieth April, one thousand eight hundred and eighteen, fifteen thousand nine hundred dollars.

Clerks.  
1818, ch. 87.

For compensation to one machinist in the patent office, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, seven hundred dollars.

Machinist patent office.  
1824, ch. 157

For compensation to the messengers in the Department of State, including the messenger in the patent office, in full of all allowances, one thousand four hundred and fifty dollars.

Messengers.

For the incidental and contingent expenses of the Department of State, including the expenses of printing and distributing the laws, and for extra copying of papers, twenty-seven thousand five hundred and fifty dollars.

Incidental and contingent expenses, &c.

For compensation to clerks in said department, by virtue of the act of second March, one thousand eight hundred and twenty-seven, four thousand four hundred dollars.

Clerks.  
March 2, 1827, ch. 50.

For compensation to the Secretary of the Treasury, six thousand dollars.

Secretary of the Treasury.

For compensation to the clerks in the office of the Secretary of the Treasury, per act of twentieth April, one thousand eight hundred and eighteen, ten thousand four hundred dollars.

Clerks.  
1818, ch. 87.

For compensation to one clerk in said office, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, one thousand one

Clerks.  
1824, ch. 157.

- 1827, ch. 50. hundred and fifty dollars; and, also, for one clerk, per act of second of March, one thousand eight hundred and twenty-seven, one thousand four hundred dollars.
- Messengers. For compensation to the messengers in said office, and assistant, in full of all allowances, one thousand and fifty dollars.
- First comptroller. For compensation to the first comptroller of the treasury, three thousand five hundred dollars.
- Clerks. For compensation to the clerks in the office of the first comptroller, 1818, ch. 87. per act of twentieth of April, one thousand eight hundred and eighteen, seventeen thousand eight hundred and fifty dollars; and also for additional salary of one clerk, per act of second of March, one thousand eight hundred and twenty-seven, two hundred dollars.
- 1827, ch. 50.
- Messengers. For compensation to the messengers in said office, in full of all allowances, one thousand and fifty dollars.
- Second comptroller. For compensation to the second comptroller of the treasury, three thousand dollars.
- Clerks. For compensation to the clerks in the office of the second comptroller, 1818, ch. 87. per act of twentieth of April, one thousand eight hundred and eighteen, nine thousand seven hundred and fifty dollars.
- Messenger. For compensation to the messenger in said office, in full of all allowances, seven hundred dollars.
- First auditor. For compensation to the first auditor of the treasury, three thousand dollars.
- Clerks. For compensation to the clerks in the office of the first auditor, per act of twentieth of April, one thousand eight hundred and eighteen, thirteen thousand two hundred dollars.
- 1818, ch. 87.
- Messenger. For compensation to the messenger in said office, in full of all allowances, seven hundred dollars.
- Second auditor. For compensation to the second auditor of the treasury, three thousand dollars.
- 1818, ch. 87.
- Clerks. For compensation to the clerks in the office of the second auditor, per act of twentieth of April, one thousand eight hundred and eighteen, sixteen thousand two hundred dollars.
- Messenger. For compensation to the messenger in said office, in full of all allowances, seven hundred dollars.
- Third auditor. For compensation to the third auditor of the treasury, three thousand dollars.
- Clerks. For compensation to the clerks in the office of the third auditor, per act of twentieth of April, one thousand eight hundred and eighteen, twenty thousand nine hundred dollars.
- 1818, ch. 87.
- Messenger. For compensation to the messenger in said office, and assistant, in full of all allowances, one thousand and fifty dollars.
- Fourth auditor. For compensation to the fourth auditor of the treasury, three thousand dollars.
- 1818, ch. 87.
- Clerks. For compensation to the clerks in the office of the fourth auditor, per act of twentieth April, one thousand eight hundred and eighteen, fifteen thousand and fifty dollars.
- Two additional clerks. For compensation to two additional clerks, employed per act of second March, one thousand eight hundred and twenty-seven, two thousand dollars.
- 1827, ch. 50.
- Messenger. For compensation to the messenger in said office, in full of all allowances, seven hundred dollars.
- Fifth auditor. For compensation to the fifth auditor of the treasury, three thousand dollars.
- Clerks. For compensation to the clerks in the office of the fifth auditor, per act of twentieth April, one thousand eight hundred and eighteen, ten thousand five hundred dollars.
- 1818, ch. 87.
- Clerks. For compensation to the clerks in said office, per act of twenty-sixth 1824, ch. 157. of May, one thousand eight hundred and twenty-four, three thousand

seven hundred dollars ; and, also, for additional salary of one clerk, per act of second March, one thousand eight hundred and twenty-seven, two hundred dollars.

1827, ch. 50.

For compensation to the messenger in said office, in full of all allowances, seven hundred dollars.

Messenger.

For compensation to the treasurer of the United States, three thousand dollars.

Treasurer.

For compensation to the clerks in the office of the treasurer of the United States, per act of twentieth April, one thousand eight hundred and eighteen, five thousand two hundred and fifty dollars.

Clerks.  
1818, ch. 87.

For compensation to the clerks in said office, per act of twenty-sixth May, one thousand eight hundred and twenty-four, one thousand two hundred dollars.

Clerks.  
1824, ch. 157.

For compensation to the messenger in said office, in full of all allowances, seven hundred dollars.

Messenger.

For compensation to the register of the treasury, three thousand dollars.

Register.

For compensation to the clerks in the office of the register of the treasury, per act of the twentieth April, one thousand eight hundred and eighteen, twenty-two thousand three hundred and fifty dollars ; and, also, for additional salary of four clerks, per act of second March, one thousand eight hundred and twenty-seven, eight hundred dollars.

Clerks.  
1818, ch. 87.  
1827, ch. 50.

For compensation to the messengers in said office, including the allowance for stamping ships' registers, in full of all allowances, one thousand one hundred and fifty dollars.

Messengers.

For compensation to the commissioner of the general land office, three thousand dollars.

Commissioner of general land office.

For compensation to the clerks in the general land office, per act of second March, one thousand eight hundred and twenty-seven, nineteen thousand four hundred and fifty dollars.

Clerks.  
1827, ch. 50.

For compensation to the messengers in said office, in full of all allowances, one thousand and fifty dollars.

Messengers.

For compensation to the secretary of the commissioners of the sinking fund, two hundred and fifty dollars.

Secretary to sinking fund.

For allowances to the person employed in transmitting passports and sea letters ; for expenses of translating foreign languages in the office of the Secretary of the Treasury ; for stationery, fuel, printing, books, and all other incidental and contingent expenses in the Treasury Department and the several offices therein, including the expenses of stating and printing the public accounts for the year one thousand eight hundred and twenty-eight, and for advertising notices in relation to the reimbursement of certain portions of the public debt, thirty-four thousand five hundred and fifty dollars.

Translating and contingent expenses.

For allowance to the superintendent and four watchmen, employed for the security of the state and treasury buildings : and for the repairs of engines, hose, and buckets, one thousand nine hundred dollars.

Allowance to the superintendent and four watchmen.

For compensation to the Secretary of War, six thousand dollars.

Secretary of War.

For compensation to the clerks in the office of the Secretary of War, per act of twentieth April, one thousand eight hundred and eighteen, twenty-two thousand six hundred dollars.

Clerks.  
1818, ch. 87.

For one clerk in the bureau of Indian affairs, per act of second March, one thousand eight hundred and twenty-seven, one thousand dollars.

Clerks in the bureau of Indian affairs.  
1827, ch. 50.

For compensation to the messengers in said office, in full of all allowances, one thousand and fifty dollars.

Messengers.  
Contingent expenses.

For contingent expenses of the office of the Secretary of War, three thousand dollars.

For books, maps, and plans, for the War Department, one thousand dollars.

Books, &c.

For compensation to the clerks in the office of the paymaster general,

Clerks in the

office of the  
paymaster gen-  
eral.

Messenger.

Contingent  
expenses.  
Clerks in office  
of commissary  
general.

1824, ch. 157.  
Messenger.

Contingent  
expenses.

Adjutant gen-  
eral's clerks.

1818, ch. 87.

1827, ch. 50.

Contingent  
expenses.

Clerks of com-  
missary general  
of subsistence.

1824, ch. 157.

1827, ch. 50.

Contingent  
expenses.

Clerks of  
chief engineer.

1824, ch. 157.

1827, ch. 50.

Contingent  
expenses.

Clerks of the  
ordnance.

1818, ch. 87.

Contingent  
expenses.

Surgeon gen-  
eral's clerks.

1824, ch. 157.

Contingent  
expenses.

Quartermaster  
general's clerks.

Contingent ex-  
penses.

Secretary of  
the Navy.

Clerks.

1818, ch. 87.

Clerks.

1824, ch. 157.

1827, ch. 50.

Messengers.

Contingent  
expenses.

Commissioners  
of navy board.

Secretary of  
navy board.

Clerks.

per act of the twentieth of April, one thousand eight hundred and eigh-  
teen, three thousand nine hundred dollars.

For compensation to the messenger in the said office, in full of all allow-  
ances, seven hundred dollars.

For contingent expenses of said office, three hundred dollars.

For compensation to the clerks in the office of the commissary gen-  
eral of purchases, per act of twenty-sixth of May, one thousand eight  
hundred and twenty-four, three thousand five hundred dollars.

For compensation to the messenger in said office, in full of all allow-  
ances, seven hundred dollars.

For contingent expenses of said office, eight hundred and thirty dol-  
lars.

For compensation to the clerks in the office of the adjutant general,  
per act of twentieth of April, one thousand eight hundred and eighteen,  
two thousand one hundred and fifty dollars; and one clerk, per act of  
second March one thousand eight hundred and twenty-seven, eight hun-  
dred dollars.

For contingent expenses of said office, one thousand dollars.

For compensation to the clerks in the office of the commissary general  
of subsistence, per act of twenty-sixth of May, one thousand eight hun-  
dred and twenty-four, two thousand one hundred and fifty dollars, and  
one clerk, per act of second March, one thousand eight hundred and  
twenty-seven, eight hundred dollars.

For contingent expenses of said office, including printing advertise-  
ments, two thousand six hundred dollars.

For compensation to the clerks in the office of the chief engineer,  
per act of twenty-sixth of May, one thousand eight hundred and twenty-  
four, two thousand one hundred and fifty dollars; and one additional  
clerk, per act of second March, one thousand eight hundred and twenty-  
seven, eight hundred dollars.

For contingent expenses of said office, one thousand dollars.

For compensation to the clerks in the ordnance office, per act of  
twentieth April, one thousand eight hundred and eighteen, two thousand  
nine hundred and fifty dollars.

For contingent expenses of said office, eight hundred dollars.

For compensation to the clerk in the office of the surgeon general,  
per act of the twenty-sixth of May, one thousand eight hundred and  
twenty-four, one thousand one hundred and fifty dollars.

For contingent expenses of said office, two hundred and four dollars.

For compensation to the clerks in the office of the quartermaster  
general, two thousand one hundred and fifty dollars.

For contingent expenses of said office, six hundred and thirty-one  
dollars.

For compensation to the Secretary of the Navy, six thousand dollars.

For compensation to the clerks in the office of the Secretary of the  
Navy, per act of the twentieth of April, one thousand eight hundred and  
eighteen, eight thousand two hundred dollars.

For compensation to the clerk in said office, per act of twenty-sixth of  
May, one thousand eight hundred and twenty-four, one thousand dollars;  
and also one clerk, per act of the second March, one thousand eight  
hundred and twenty-seven, one thousand dollars.

For compensation to the messengers in said office, in full of all allow-  
ances, one thousand and fifty dollars.

For contingent expenses of said office, three thousand dollars.

For compensation to the commissioners of the navy board, ten thou-  
sand five hundred dollars.

For compensation to the secretary to the commissioners of the navy  
board, two thousand dollars.

For compensation to the clerks in the office of the commissioners of

the navy board, per act of the twentieth April, one thousand eight hundred and eighteen, three thousand five hundred and fifty dollars; and for additional pay to one clerk, per act of second March, one thousand eight hundred and twenty-seven, two hundred dollars.

For compensation to the clerks and draftsmen in said office, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, four thousand dollars.

For compensation to the messenger in said office, in full of all allowances, seven hundred dollars.

For contingent expenses of said office, one thousand eight hundred dollars.

For allowance to the superintendent and four watchmen, employed for the security of the war and navy buildings, and for the incidental and contingent expenses, including oil, fuel, candles, and labour, two thousand one hundred and fifty dollars.

For compensation to the Postmaster General, six thousand dollars.

For deficiency in the appropriation of one thousand eight hundred and twenty-seven, two thousand dollars.

For compensation to the two assistant postmasters general, five thousand dollars.

For compensation to the clerks in the office of the Postmaster General, per act of the twentieth of April, one thousand eight hundred and eighteen, twenty-two thousand seven hundred dollars.

For compensation to the clerks in said office, per act of the twenty-sixth of May, one thousand eight hundred and twenty-four, five thousand six hundred dollars; and for clerks, per act of second March, one thousand eight hundred and twenty-seven, six thousand four hundred dollars.

For compensation to the messengers in said office, in full of all allowances, one thousand and fifty dollars; and also, for one additional assistant messenger, three hundred and fifty dollars.

For contingent expenses of said office, five thousand dollars.

For compensation to the surveyor general in Ohio, Indiana, and Michigan, two thousand dollars.

For compensation to the clerks in the office of said surveyor, two thousand one hundred dollars.

For compensation to the surveyor south of Tennessee, two thousand dollars.

For compensation to the clerks in the office of said surveyor, one thousand seven hundred dollars.

For compensation to the surveyor in Illinois, Missouri, and Arkansas, two thousand dollars.

For compensation to the clerks in the office of said surveyor, two thousand dollars.

For compensation to the surveyor in Alabama, two thousand dollars.

For compensation to the clerks in the office of said surveyor, one thousand five hundred dollars.

For compensation to the surveyor in Florida, two thousand dollars.

For compensation to the clerks in the office of said surveyor, two thousand dollars.

For surveying the public lands of the United States, thirty-three thousand dollars, in addition to an unexpended balance of fifty-four thousand two hundred and forty dollars and forty-three cents.

For compensation to the commissioner of the public buildings in Washington city, two thousand dollars.

For compensation to the officers and clerk of the mint, nine thousand six hundred dollars.

For compensation to the persons employed in the different operations of the mint, nine thousand five hundred dollars.

For incidental and contingent expenses and repairs; cost of machinery;

1818, ch. 87.

Additional clerk, &c. 1827, ch. 50.

Clerks and draftsmen. 1824, ch. 157.

Messenger.

Contingent expenses.

Superintendent and four watchmen, &c.

Postmaster General. Deficiency in appropriation for 1827.

Two assistant P. M. General. Clerks. 1818, ch. 87.

Clerks. 1824, ch. 157.

1827, ch. 50.

Messengers.

Contingent expenses.

Surveyor general in Ohio, &c. Clerks.

Surveyor south of Tennessee. Clerks.

Surveyor in Illinois, &c.

Clerks.

Surveyor in Alabama. Clerks.

Surveyor in Florida. Clerks.

Surveying public lands.

Commissioner public buildings.

Officers and clerk of mint.

Persons employed, in the mint.

Incidental and contingent expenses, &c.

for allowance for wastage in gold and silver coinage of the mint; and for the occasional employment of an assistant engraver, the unexpended balance heretofore appropriated to these objects, amounting to twelve thousand seven hundred and eighty-two dollars and thirty-five cents.

Governor, &c. of the Michigan territory.

For compensation to the governor, judges, and secretary of the Michigan territory, seven thousand eight hundred dollars.

Contingent expenses.

For the contingent expenses of the Michigan territory, three hundred and fifty dollars.

Compensation, &c. to the legislative council, &c.

For compensation and mileage to the members of the legislative council, and printing the laws, and the contingent and incidental expenses of said council; and for deficiency of the appropriation for the year eighteen hundred and twenty-seven, seven thousand one hundred and thirty-five dollars.

Governor, &c. of the Arkansas territory.

For compensation to the governor, judges, and secretary of the Arkansas territory, including additional compensation to the judges, to the twenty-sixth day of May, one thousand eight hundred and twenty-eight, nine thousand dollars.

Contingent expenses.

For contingent expenses of the Arkansas territory, three hundred and fifty dollars.

Governor, &c. of the Florida territory.

For compensation to the governor, judges, and secretary of the Florida territory, eight thousand five hundred dollars.

Contingent expenses.

For the contingent expenses of the Florida territory, three hundred and fifty dollars.

Compensation, &c. of the legislative council, &c.

For compensation and mileage to the members of the legislative council, and printing the laws, and the contingent and incidental expenses of said council, six thousand six hundred and sixty-three dollars.

Chief justice, &c. of the United States.

For compensation to the chief justice, the associate judges, and district judges of the United States, including the chief justice and associate judges of the District of Columbia; and, also, for additional compensation to the district judge of the district of Missouri, to the twenty-sixth of May, eighteen hundred and twenty-eight, seventy-nine thousand two hundred dollars.

Reporter of decisions of Supreme Court.

For compensation to the reporter of the decisions of the Supreme Court, for the present year, one thousand dollars.

Attorney general.

For compensation to the attorney general of the United States, three thousand five hundred dollars.

Clerk.

For compensation to the clerk in the office of the attorney general, eight hundred dollars.

Sundry district attorneys and marshals.

For compensation to sundry district attorneys and marshals, as granted by law, including those in the several territories, ten thousand nine hundred dollars.

Expenses of the Supreme, &c. Courts of the United States.

For defraying the expenses of the Supreme, circuit, and district courts of the United States, including the District of Columbia, and of jurors and witnesses, in aid of the funds arising from fines, penalties, and forfeitures, and for defraying the expenses of prosecutions for offences against the United States, and for the safe keeping of prisoners, one hundred and fifty thousand dollars.

Payment of pensions.

For the payment of sundry pensions granted by the late and present governments, two thousand and fifty dollars.

Maintenance of lighthouses, &c.

For the support and maintenance of lighthouses, floating-lights, beacons, buoys, and stakeages including the purchase of oil, keepers' salaries, repairs, and improvements, and contingent expenses, one hundred and sixty-six thousand four hundred and forty-four dollars.

Completing a lighthouse on Baker's Island.

For completing a lighthouse on Baker's Island, near Mount Desert, in Maine; being the amount of an appropriation for that object, carried to the surplus fund on the thirty-first day of December last, one thousand three hundred dollars.

Six buoys in the Vineyard Sound.

For placing six buoys in the Vineyard Sound, in addition to the appropriation already made, fifty dollars.

For building a lighthouse on Cove Point, instead of Cedar Point, as heretofore ordered, in Maryland, being the amount of an appropriation for that object carried to the surplus fund on the thirty-first day of December last, five thousand six hundred and eighty-five dollars.

For the erection of two lighthouses on Cape Elizabeth, in Maine, in addition to the appropriation of three thousand dollars made by act of second March, one thousand eight hundred and twenty-seven, four thousand five hundred dollars.

For placing three buoys on the bar at the entrance of St. Augustine harbour in Florida, in addition to the appropriation of one hundred and twenty dollars, made by act of second March, one thousand eight hundred and twenty-seven, two hundred and eighty dollars.

For placing three buoys in St. Mark's harbour, in Florida, in addition to the appropriation of one hundred and twenty dollars made by the act of second of March, one thousand eight hundred and twenty-seven, two hundred and eighty dollars.

For stationery and books for the offices of commissioners of loans, one thousand six hundred dollars.

For the salaries of the keepers of the public archives in Florida, one thousand dollars.

For the discharge of such miscellaneous claims of the United States, not otherwise provided for, as shall be ascertained and admitted in due course of settlement at the treasury, twelve thousand dollars.

For the salaries of the ministers to London, Paris, St. Petersburg, Madrid, Mexico, and Colombia; for the salary of chargés des affaires at Stockholm, the Netherlands, Lisbon, Guatemala, Brazil, Buenos Ayres, Peru and Chili; for outfit of a minister to London, of the chargés des affaires at Chili and Brazil, and to cover an outfit to the present chargé d'affaires at Colombia; for the salaries of the secretaries of legation, and for contingent expenses of all the missions abroad, including one hundred thousand dollars, which is the unexpended balance of appropriation applicable to the aforesaid objects, one hundred and forty-nine thousand dollars.

For the salaries of the agents of claims at London and Paris, four thousand dollars.

For the relief and protection of distressed American seamen in foreign countries, twenty-five thousand dollars, including an unexpended appropriation of sixteen thousand dollars.

For registers for ships and vessels, and lists of crews, four thousand dollars.

For expense of bringing the votes for President and Vice President of the United States to the seat of government, six thousand five hundred dollars.

SEC. 2. *And be it further enacted*, That the several sums hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be directed to pass to the credit of the Postmaster General, the sum of twelve thousand six hundred and twenty-eight dollars and twenty-four cents, being the sum actually expended during the years one thousand eight hundred and twenty-five, one thousand eight hundred and twenty-six, and one thousand eight hundred and twenty-seven, for extra clerk hire in the department of the general post-office, for repairs of the buildings of that department, and for contingencies.

APPROVED, February 12, 1828.

Lighthouse on Cove Point.

Two lighthouses on Cape Elizabeth. 1827, ch. 47.

Three buoys at the entrance of St. Augustine harbour. 1827, ch. 47.

Three buoys in St. Mark's harbour. 1827, ch. 47.

Stationery, &c.

Salaries.

Discharge of miscellaneous claims.

Salaries of the ministers to London, &c., and chargés d'affaires at Stockholm, &c.

Agents of claims, London and Paris.

Relief, &c., of distressed American seamen.

Registers for ships, &c.

Expenses of bringing the votes for President, &c.

To be paid from the treasury.

Secretary of the Treasury to pass to the credit of the Postmaster General.



## STATUTE I.

March 10, 1828.

[Obsolete.]

Act of March  
17, 1800, ch. 15.  
continued in  
force until  
March 3, 1838.

CHAP. XV.—*An Act to revive and continue in force "An act declaring the assent of Congress to a certain act of Maryland."*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the act passed the seventeenth day of March, in the year one thousand eight hundred, entitled "An act declaring the assent of Congress to certain acts of the states of Maryland and Georgia," and which, by subsequent acts, has been revived and continued in force, until the third day of March, one thousand eight hundred and twenty-eight, be, and the same so far as relates to the act of Maryland, hereby is revived and continued in force, until the third day of March, one thousand eight hundred and thirty-eight: *Provided,* That nothing herein contained, shall authorize the demand of a duty on tonnage on vessels propelled by steam, employed in the transportation of passengers.

Proviso.

APPROVED, March 10, 1828.

## STATUTE I.

March 10, 1828.

District  
courts for the  
North Carolina  
district, after  
the passing of  
this act, to be  
held, &c.

CHAP. XVI.—*An Act to alter the time of holding the district courts of the United States in the district of North Carolina.*(a)

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the district courts of the United States for the district of North Carolina shall, after the passing of this act, commence and be holden on the following days: that is to say: at Edenton, in, and for, the district of Albemarle, on the third Monday of April and October; at Newbern, in, and for, the district of Pamlico, on the fourth Monday of April and October; and at Wilmington, in, and for, the district of Cape Fear, or Clarendon, on the first Monday after the fourth Monday of April and October, in each and every year.

All suits to  
be proceeded  
with, in the  
same manner as  
if no change  
had taken place.

SEC. 2. *And be it further enacted,* That all suits, actions, writs, process, and other proceedings, commenced, or to commence, or which shall now be pending, in any of the said district courts, shall be returnable to, heard, tried, and proceeded with, in the said district courts, in the same manner as if the time for holding thereof had not been changed.

APPROVED, March 10, 1828.

## STATUTE I.

March 19, 1828.

[Obsolete.]

Appropriations  
for the  
navy for 1828.

CHAP. XVII.—*An Act making appropriations for the support of the Navy of the United States, for the year eighteen hundred and twenty-eight.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, for defraying the expenses of the navy for the year one thousand eight hundred and twenty-eight, the following sums be, and the same are hereby, respectively appropriated:

For pay and  
subsistence of  
officers, &c.

For the pay and subsistence of the officers, and pay of the seamen, other than those at navy yards, shore stations and in ordinary, one million one hundred and seventy-six thousand three hundred and twelve dollars.

Pay of officers,  
& pay of  
seamen, &c.

For pay and subsistence and allowances of officers, and pay of seamen, &c. at navy yards, shore stations, hospitals, and in ordinary, one hundred and eighty-five thousand and thirty-two dollars.

Pay, &c., of  
naval constructors,  
&c.

For pay of superintendents, naval constructors, and all the civil establishment at the several yards and stations, fifty-nine thousand one hundred and two dollars.

Provisions.

For provisions, five hundred and five thousand dollars.

(a) District Court in North Carolina, vol. i. 73, vol. ii. 413, 471, 675.

For repairs of vessels in ordinary, and for wear and tear of vessels in commission, four hundred and seventy-five thousand dollars.

For medicines, surgical instruments and hospital stores, twenty-seven thousand dollars.

For ordnance and ordnance stores, fifty thousand dollars.

For repairs and improvements of navy yards, one hundred and five thousand dollars.

For arrearages prior to first of January, one thousand eight hundred and twenty-eight, fifteen thousand dollars.

For completing the construction and equipment of the sloops of war, authorized by act of Congress of third March, one thousand eight hundred and twenty-five, two hundred and one thousand three hundred and fifty dollars.

For defraying the expenses that may accrue during the year one thousand eight hundred and twenty-eight, for the following purposes, to wit: For freight and transportation of materials and stores of every description; for wharfage and dockage; storage and rent; travelling expenses of officers and transportation of seamen; house rent and chamber money, fuel and candles to officers other than those attached to navy yards and shore stations, and for officers in sick quarters where there is no hospital; for commissions, clerk hire, office rent, stationery, and fuel to the navy agents; for premiums and incidental expenses of recruiting; for apprehending deserters; for compensation to judge advocates; for per diem allowance to persons attending courts martial and courts of inquiry, and to officers engaged on extra service beyond the limits of their stations; for printing and stationery of every description, and for books, maps, charts, nautical and mathematical instruments, chronometers, models and drawings; for purchase and repair of steam and fire engines, and for machinery; for purchase and maintenance of oxen and horses, and for carts, wheels and workmen's tools of every description; for postage of letters on public service; for pilotage; for cabin furniture of vessels in commission; for taxes on navy yards and public property; for assistance rendered to public vessels in distress; for incidental labour at navy yards, not applicable to any other appropriation; for coal and other fuel for forges, founderies, and steam-engines; for candles, oil and fuel for vessels in commission and in ordinary; for repairs of magazines and powder houses; for preparing moulds for ships to be built; and for no other object or purpose whatever, two hundred and forty thousand dollars.

For contingent expenses for objects arising in the year one thousand eight hundred and twenty-eight, and not hereinbefore enumerated, five thousand dollars.

For pay and subsistence of the marine corps, one hundred and twenty-two thousand three hundred and seventy-six dollars.

For clothing for the same, twenty-eight thousand seven hundred and sixty-five dollars.

For fuel for the same, twelve thousand one hundred and ninety-six dollars.

For contingent expenses, thirteen thousand five hundred dollars.

For additional contingencies not enumerated for the same, five hundred dollars.

For military stores for the same; that is to say; for keeping the arms in repair, armorer's pay and armorer's tools, and ordnance stores, three thousand dollars.

For medicines, hospital stores and instruments for the use of the officers and marines on shore, two thousand three hundred and sixty-nine dollars.

For the compensation of Colonel Samuel Miller, for certain extra services relative to the accounts of R. M. Desha, one hundred and twenty-one dollars and twenty cents.

Repairs of vessels.

Medicines, &c.

Ordnance, &c.

Repairs, &c., of navy yards.

Arrearages prior to Jan. 1st, 1828.

For the sloops of war authorized by act of 1825, ch. 101.

For defraying certain expenses during the year 1828.

Wharfage, &c.

Travelling expenses of officers, &c.

For premiums, &c.

For printing, &c.

For taxes on navy yards, and public property, &c.

For candles, oil, &c.

Contingent expenses arising in 1828.

Pay, &c., of marine corps.

Clothing for same.

Fuel for the same.

Contingent expenses.

Additional contingencies.

Military stores for same.

Medicines, &c., for officers, &c., on shore.

Compensation to Col. Samuel Miller.

For the following items which have been carried to the surplus fund on the first of January, eighteen hundred and twenty-eight, viz :

For contingent expenses prior to 1824.

For contingent expenses for 1824.

For contingent expenses for 1825.

Contingent expenses not enumerated.

Navy yards.

Navy yard at Pensacola.

Swords, &c.

Five schooners.

For building barges.

A sum not exceeding 10,000 dollars appropriated, &c.

For contingent expenses prior to one thousand eight hundred and twenty-four, eight hundred and forty-two dollars, thirty-four cents.

For contingent expenses for one thousand eight hundred and twenty-four, two thousand eight hundred and ninety-three dollars, four cents.

For contingent expenses for one thousand eight hundred and twenty-five, seven hundred and eighty-four dollars, twenty-eight cents.

For contingent expenses for one thousand eight hundred and twenty-five, not enumerated, two hundred and forty dollars, eight cents.

For navy yards, five thousand dollars.

For navy yard at Pensacola, three hundred dollars thirty-seven cents.

For swords and medals, five hundred and seventy-nine dollars, sixty-two cents.

For five schooners, fifty-eight dollars thirty-three cents.

For building barges, sixty-seven dollars sixteen cents.

SEC. 2. *And be it further enacted*, That the aforesaid sums be paid out of any money in the treasury not otherwise appropriated.

SEC. 3. *And be it further enacted*, That there be, and hereby is, appropriated, for the purchase of such lands as the President of the United States may think necessary and proper to provide live oak and other timber for the use of the navy of the United States, a sum not exceeding ten thousand dollars, to be paid out of the moneys appropriated for the gradual improvement of the navy of the United States, by the first section of the act, entitled "An act for the gradual improvement of the navy of the United States, approved the third day of March, one thousand eight hundred and twenty-seven."

APPROVED, March 19, 1828.

1827, ch. 94.

STATUTE I.

March 19, 1828.

[Obsolete.] Sums appropriated for fortifications.

CHAP. XVIII.—*An Act making appropriations for certain fortifications of the United States, for the year one thousand eight hundred and twenty-eight.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following sums be, and the same are hereby, appropriated; to wit: for fortifications, to each specifically, as follows:

Forts.

For fort Adams, eighty thousand dollars. For fort Hamilton, sixty thousand dollars. For fort Monroe, one hundred thousand dollars. For fort Calhoun, eighty thousand dollars. For fort Macon, at Bogue point, fifty-two thousand five hundred dollars. For fort at Mobile point, eighty thousand dollars. For fort Jackson, eighty-eight thousand five hundred dollars. For repairs and contingencies, fifteen thousand dollars. For fortifications at Pensacola, fifty thousand dollars. For fortifications at Charleston, twenty-five thousand dollars. For fortifications at Savannah, twenty-five thousand dollars. For fort at Oak Island, North Carolina, sixty thousand dollars. For preservation of islands in Boston harbour, two thousand dollars.

Preservation of islands in Boston harbour. To be paid from the treasury.

SEC. 2. *And be it further enacted*, That the several sums, hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 19, 1828.

STATUTE I.

March 19, 1828.

Every person, &c., comprised

CHAP. XIX.—*An Act granting the right of preference in the purchase of public lands, to certain settlers in the St. Helena land district, in the state of Louisiana.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That every person, his or her

legal representatives, comprised in the list of actual settlers reported to the commissioner of the general land office, by the register for the district of St. Helena, in the state of Louisiana, under the authority of the act of Congress, entitled "An act for adjusting the claims to land, and establishing land offices, in the district east of the island of New Orleans," approved the third day of March, one thousand eight hundred and nineteen, or who did actually inhabit and cultivate a tract of land in said district on the third day of March, one thousand eight hundred and nineteen, not rightfully claimed by any other person, by virtue of any written evidence of claim, legally derived from either the French, British, or Spanish government, or granted as a donation by virtue of any act of Congress heretofore passed, shall be entitled to a right of preference, on becoming the purchaser, from the United States, of such tract of land, at the same price for which other public lands are sold at private sale: *Provided*, That such tract of land shall not contain more than one quarter section, to be located by sectional lines; and that the same shall be entered with the register of the land office in said district, within two years, or before, if the same shall be offered at public sale.

APPROVED, March 19, 1828.

in the list of actual settlers, reported to the commissioner of the general land office, under act of March 3d, 1819, ch. 99, shall be entitled to the right of preference, on becoming the purchaser from the United States, of such tract of land.

Proviso.

STATUTE I.

CHAP. XXI.—*An Act making appropriations for the military service of the United States, for the year one thousand eight hundred and twenty-eight.*

March 21, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums be, and the same are hereby, respectively appropriated for the military service of the United States, for the year one thousand eight hundred and twenty-eight, to wit:

[Obsolete.]

Appropriation for military service for the year 1828.

For pay to the army and subsistence of officers, including the military academy, one million and fifty-six thousand three hundred and six dollars and seventy-five cents.

Pay, &c., of officers and the military academy.

For subsistence, in addition to an unexpended balance in the treasury, on the thirty-first of December, one thousand eight hundred and twenty-seven, of sixty-five thousand dollars, two hundred and eighteen thousand dollars.

For subsistence.

For forage for officers, forty thousand one hundred and twenty-eight dollars.

For forage for officers.

For clothing for servants of officers of the army, and of the military academy, and twenty supernumerary second lieutenants, graduates of the military academy, nineteen thousand seven hundred and seventy dollars.

For clothing for servants of officers, &c.

For the recruiting service, in addition to an unexpended balance in the treasury on thirty-first day of December, one thousand eight hundred and twenty-seven, of thirteen thousand six hundred dollars, twenty-two thousand six hundred and seventy-four dollars.

For the recruiting service.

For the contingent expenses of the recruiting service, in addition to an unexpended balance of three thousand three hundred dollars, in the treasury on the thirty-first of December, eighteen hundred and twenty-seven, fourteen thousand eight hundred and thirty-seven dollars.

For the contingent expenses of the recruiting service.

For arrearages of the year eighteen hundred and twenty-seven, being the difference between the amount appropriated by Congress for the pay and subsistence of the captains and subalterns, and that allowed by the act of the second of March, eighteen hundred and twenty-seven, thirty-eight thousand and seventy-seven dollars and eight cents.

For arrearages of the year 1827. 1827, ch. 29.

For the purchasing department, in addition to materials on hand, amounting to forty thousand dollars, viz: for clothing for the army, camp equipage, cooking utensils, and hospital furniture, one hundred and seventy-eight thousand three hundred and seventy-seven dollars and forty-nine cents.

For the purchasing department.

For the purchase of woollens for the year 1828.

Medical and hospital department.

Quartermaster general's department.

Arrearages in the same.

For quartermaster general's department, viz: barracks for two additional companies and quarters for the graduates from West Point.

Fuel, stationery, transportation, &c., repairs, and for improving barracks, &c.

Board of visitors.

Contingencies. Arrearages.

National armories.

Ordnance department.

Arsenals. Arsenal at Augusta, in Maine.

To be paid from treasury.

Secretary of War authorized and required to establish, &c., the pay of the militia, &c., called into actual service in Illinois and Michigan under act of Jan. 2, 1795, ch. 9.

Appropriation.

Part of appropriation for the relief of Colonel Wm. Lawrence, &c., carried to the surplus fund, re-appropriated.

1816, ch. 23.

For the purchase of woollens during the year one thousand eight hundred and twenty-eight, in advance for the year one thousand eight hundred and twenty-nine, twenty thousand dollars.

For the medical and hospital department, twenty-five thousand five hundred dollars.

For the quartermaster general's department, three hundred and forty-three thousand dollars.

For arrearages in the quartermaster general's department, forty-two thousand dollars.

For quartermaster general's department, viz: barracks for two additional companies, and quarters for the graduates from West Point, ordered to join the infantry school of practice, and to complete store-houses and hospitals, engine and hose, fire buckets, barrack quarters, defences, &c. for four companies at Prairie du Chien: to complete quarters, barracks, hospital and store-houses at fort St. Philip: to complete the buildings and enclose the grounds with pickets, at the establishment near Savannah: for engine and hose complete for fortress Monroe, and for fire buckets, forty-four thousand two hundred and thirty dollars and eighty-four cents.

For fuel, stationery, transportation, &c.; repairs, and for improving barracks, erecting new buildings, procuring articles for the mathematical, drawing, chemical, and mineralogical departments, and for the library and contingencies, for the military academy at West Point, excluding the items for quartermaster's clerk, adjutant's clerk, and quartermaster's sergeant, thirty-two thousand two hundred and thirty-four dollars and fifty-eight cents.

For defraying the expenses of the board of visitors, one thousand five hundred dollars.

For contingencies of the army, ten thousand dollars.

For arrearages prior to the first of July, one thousand eight hundred and fifteen, ten thousand dollars.

For national armories, three hundred and sixty thousand dollars.

For current expenses of the ordnance service, sixty-five thousand dollars.

For arsenals, fifty-seven thousand three hundred dollars.

For completing the arsenal at Augusta, in Maine, thirty thousand dollars.

SEC. 2. *And be it further enacted*, That the several sums, hereby appropriated, be paid out of any money in the treasury not otherwise appropriated.

SEC. 3. *And be it further enacted*, That the Secretary of War be authorized and required to settle, adjust, and pay, in conformity with the provisions of the act of the second of January, one thousand seven hundred and ninety-five, regulating the pay of the militia, when called into actual service, the claims of the militia and Indians of the state of Illinois, and territory of Michigan, called out by competent authority, or received into service by any general or field officer of the United States, on the occasion of the recent Indian disturbances, and that the expenses of transportation, supplies, materials, ferrriage, and work incident to the expedition, shall be settled, according to the justice of the claim, and with strict regard to the law and usage heretofore established for the settlement of such claims; and that the sum of forty thousand dollars be appropriated for the aforesaid objects, to be paid out of any money in the treasury not otherwise appropriated.

SEC. 4. *And be it further enacted*, That the sum of five hundred and fourteen dollars and twenty-one cents, being part of an appropriation made by the act of fifth of March, one thousand eight hundred and sixteen, for the relief of Lieutenant Colonel William Lawrence and others, and which was carried to the surplus fund on the thirty-first day of December, one thousand eight hundred and twenty-six, be, and the same is hereby, re-appropriated.

SEC. 5. *And be it further enacted*, That the unexpended balances of appropriations for the following objects be, and the same are hereby, re-appropriated, to wit :

For balances due certain states on account of militia in the service of the United States during the late war, sixty-eight thousand eight hundred and eighty-five dollars and seventy cents.

For a road from Little Rock to Cantonment Gibson, five thousand five hundred and fifty-eight dollars and twenty-six cents.

For extinguishing the Creek title to lands in Georgia, four thousand nine hundred and eighty-nine dollars and fifty-seven cents.

For claims against the Osages, by citizens of the United States, eight hundred and thirty-four dollars and fifty cents.

APPROVED, March 21, 1828.

Unexpended balances of appropriations re-appropriated.

For balances due certain states, &c.

Road from Little Rock, &c.

Extinguishing the Creek title.

Claims against the Osages.

STATUTE I.

CHAP. XXII.—*An Act to revive and continue in force the several acts making provision for the extinguishment of the debt due to the United States by the purchasers of the public lands.* (a)

March 21, 1828.

[Expired.]

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the act, entitled "An act

Act of May 18, 1824, ch. 88, and expla-

(a) *Acts which have been passed for the relief of purchasers of public lands :*

An act to extend the time for making payment for the public lands of the United States, March 2, 1809, ch. 26.

An act to extend the time for making payment for the public lands of the United States in certain cases, April 30, 1810, ch. 36.

An act allowing further time for completing the payments on certain lands held by right of pre-emption in the Mississippi territory, December 12, 1811, ch. 6.

An act directing the terms on which lands sold at public sale, and that revert for failure in payment, shall be again sold, January 14, 1812, ch. 15.

An act giving further time to the purchasers of public lands north-west of the river Ohio, to complete their payments, April 23, 1812, ch. 64.

An act supplementary to the act entitled "An act giving further time to the purchasers of public lands north-west of the river Ohio, to complete their payments," July 6, 1812, ch. 134.

An act giving further time to the purchasers of public lands to complete their payments, March 3, 1813, ch. 43.

An act giving further time to the purchasers of public lands, to complete their payments, February 19, 1814, ch. 14.

An act giving further time to purchasers of public lands, to complete their payments, February 4, 1815, ch. 34.

An act for the relief of certain purchasers of public lands in the Mississippi territory, April 24, 1816, ch. 75.

An act to suspend for a limited time the sale or forfeiture of lands for failure in completing the payment thereon, April 18, 1818, ch. 75.

An act to suspend for a limited time the sale or forfeiture of lands for failure in completing the payment thereon, March 3, 1819, ch. 74.

An act further to suspend, for a limited time, the sale or forfeiture of lands for failure in completing the payment thereon, March 30, 1820, ch. 28.

An act for the relief of the purchasers of public lands prior to the first day of July, eighteen hundred and twenty, March 2, 1821, ch. 12.

An act supplementary to the act entitled "An act for the relief of the purchasers of public lands prior to the 1st day of July, one thousand eight hundred and twenty," April 20, 1822, ch. 30.

An act further to extend the provisions of the act entitled "An act supplementary to an act, entitled 'An act for the relief of the purchasers of public lands prior to the first of July, one thousand eight hundred and twenty,'" March 3, 1823, ch. 57.

An act to provide for the extinguishment of the debt due the United States by the purchasers of public lands, May 18, 1824, ch. 88.

An act explanatory of an act entitled "An act to provide for the extinguishment of the debt due to the United States by the purchasers of public lands," approved on the eighteenth day of May, one thousand eight hundred and twenty-four, May 26, 1824, ch. 176.

An act making further provision for the extinguishment of the debt due to the United States, by the purchasers of public lands, May 4, 1826, ch. 34.

An act for the relief of purchasers of the public lands, that have reverted for non-payment of the purchase money, May 23, 1828, ch. 71.

An act to amend an act entitled "An act for the relief of purchasers of the public lands that have reverted for non-payment of the purchase money," passed the twenty-third of May, one thousand eight hundred and twenty-eight, July 9, 1832, ch. 181.

natory act of May 26, 1824, ch. 176, an act making further provision for the extinguishment of the debt due to the United States by the purchasers of public lands, continued until July 4, 1829, 1826, ch. 34.

The provisions of this act extended to all lands.

to provide for the extinguishment of the debt due to the United States by the purchasers of public lands," approved May the eighteenth, one thousand eight hundred and twenty-four, and the act, entitled "An act explanatory of an act to provide for the extinguishment of the debt due to the United States by the purchasers of public lands," approved May the twenty-sixth, one thousand eight hundred and twenty-four; and also the act, entitled "An act making further provision for the extinguishment of the debt due to the United States by the purchasers of public lands," approved May the fourth, one thousand eight hundred and twenty-six, be, and the same are hereby, revived and continued in force until the fourth day of July, one thousand eight hundred and twenty-nine.

SEC. 2. *And be it further enacted*, That the provisions of this act be, and the same are hereby, extended to all lands on which a further credit has not been taken, and which, having become forfeited to the United States since the first of July, one thousand eight hundred and twenty, remain unsold.

APPROVED, March 21, 1828.

STATUTE I.

April 3, 1828.

[Obsolete.]

Six hundred copies of the statistical tables, to be published by Waterston and Van Zandt, to be purchased, &c. 1500 dollars appropriated.

CHAP. XXIII.—*An Act authorizing a subscription for the statistical tables prepared by George Waterston and Nicholas B. Van Zandt.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary for the Department of State be, and he is hereby, authorized and directed to subscribe for, and receive, for the use and disposal of Congress, six hundred copies of the statistical tables proposed to be published by George Waterston and Nicholas B. Van Zandt, of the city of Washington.

SEC. 2. *And be it further enacted*, That the sum of fifteen hundred dollars shall be, and hereby is, appropriated, to defray the cost of the said subscription; to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, April 3, 1828.

STATUTE I.

April 17, 1828.

Claims purporting to be confirmed, &c., or recommended for confirmation, under the act of May 11, 1820, ch. 185, confirmed.

Claims purporting to be confirmed, or recommended for confirmation under the act of Feb. 21, 1823, ch. 10, confirmed.

CHAP. XXVIII.—*An Act to confirm certain claims to lands in the territory of Michigan.*(a)

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the claims purporting to be confirmed, or recommended for confirmation, by the commissioners appointed to carry into effect the "Act to revive the powers of the commissioners for ascertaining and deciding on claims to lands in, and for settling the claims to lands at, Green Bay and Prairie du Chien, in the territory of Michigan," passed on the eleventh day of May, one thousand eight hundred and twenty, which are contained in volumes two, four, and five, be, and the same are, confirmed.

SEC. 2. *And be it further enacted*, That the claims purporting to be confirmed, or recommended for confirmation, by the commissioners appointed to carry into effect "An act to revive and continue in force certain acts for the adjustment of land claims in the territory of Michigan," passed the twenty-first of February, one thousand eight hundred and twenty-three, which are contained in volumes one, three, six, eight, and nine, of said reports, be, and the same are hereby, confirmed.

(a) Notes of the acts which have been passed relating to the sales of lands in the territory of Michigan, vol. ii. 437.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury, under the direction of the President of the United States, be, and he is hereby, authorized and required, as soon as may be, to adopt such measures as may be necessary, to give full effect to the reports of the commissioners which are enumerated in the first and second sections of this act: *Provided*, That this act shall not be so construed as to prejudice the rights of third persons, or to impose any obligation, on the part of the United States, to make payment, or give other lands, to any claimant who may be deprived of his possessions by operation of law; nor shall the confirmations made by this act be so construed as to extend further than to a relinquishment, by the United States, of all interest in, and to, said lands, nor to any lands occupied by the United States for military purposes.

Secretary of the Treasury authorized, &c. to give full effect to the reports of the commissioners enumerated in the 1st and 2d sections of this act.  
 Proviso.

SEC. 4. *And be it further enacted*, That it shall be the duty of the register of the land office at Detroit, to issue patent certificates, in the forms usual in similar cases, to claimants whose claims are confirmed by this act, upon which certificates, if legally and properly obtained, patents shall be granted by the commissioner of the general land office.

Register of the land office at Detroit, to issue certificates to claimants.

SEC. 5. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized and required to pay to John J. Deming, of Detroit, the sum of thirty dollars, which shall be in full for his services in preparing and publishing maps for the use of the commissioners aforesaid.

Secretary of the Treasury to pay John J. Deming 30 dollars.

SEC. 6. *And be it further enacted*, That, for surveying the donation rights or back concessions in said territory, heretofore made under the above-mentioned acts of Congress, and not paid for, and also for such surveys as may be necessary to carry into effect the provisions of this act, there shall be paid, out of any money in the treasury not otherwise appropriated, the same compensation per mile as is allowed by the tenth section of the act of the eighth of February, one thousand eight hundred and twenty-seven, entitled "An act to provide for the confirmation and settlement of private land claims in East Florida, and for other purposes," any thing in any act to the contrary notwithstanding.

Same compensation per mile, as is allowed by the 10th section of the act of Feb. 8, 1827, ch. 9, to be paid for surveying the donation rights or back concessions in said territory.

APPROVED, April 17, 1828.

STATUTE I.

April 17, 1828.

CHAP. XXIX.—*An Act providing for the appointment of an additional judge of the superior court for the territory of Arkansas, and for other purposes. (a)*

*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 of America, by and with the advice and consent of the Senate, to appoint and commission an additional judge of the superior court for the territory of Arkansas, who shall reside in said territory, and hold his commission for the term of four years.

An additional judge of the superior court to be appointed for the territory of Arkansas.

SEC. 2. *And be it further enacted*, That, when said judge shall have been commissioned, the legislature of the territory of Arkansas shall be authorized to organize the counties of said territory into four judicial districts, and to assign to each of the four judges of the superior court of the territory of Arkansas one of said circuits or districts, and to require

Legislature of Arkansas authorized to organize the counties of said territory into

(a) *Acts relating to the courts in Arkansas:*

An act to extend the jurisdiction of the district court of the United States, in the district of Arkansas, March 1, 1837, ch. 16.

An act supplementary to the act entitled "An act to amend the judicial system of the United States, March 3, 1837, ch. 34, sec. 2.

An act to amend the act of the third of March, 1837, entitled "An act supplementary to the act entitled 'An act to amend the judicial system of the United States,'" and for other purposes, March 3, 1839, ch. 81.

An act supplementary to the act entitled "An act to regulate trade and intercourse with the Indian tribes and to preserve peace on the frontiers," passed thirtieth June, one thousand eight hundred and thirty-four, June 17, 1844, ch. 103.



four judicial districts, &c.

Additional duties.

A clerk in each county of their respective districts.

Compensation of said clerks.

Appeal.

Salary as the other judges.

Writs of error, &c., to be made to the Supreme Court of the United States.

Act of the legislature, in relation to the courts of said territory, confirmed.

Acts coming within the purview of this act repealed.

said judges to hold circuit or district courts in each county of their respective districts, at such place and time as the legislature aforesaid may appoint and designate.

SEC. 3. *And be it further enacted*, That, in addition to holding district or circuit courts, as aforesaid, the judges aforesaid shall hold two terms annually, of the superior court, at the seat of government in said territory; and the legislature aforesaid shall be authorized, in all cases, except when the United States is a party, to fix the respective jurisdictions of the district and superior court. The United States' cases shall be tried in the superior court, in the manner that said cases are now tried.

SEC. 4. *And be it further enacted*, That the judges aforesaid shall be authorized to nominate and appoint, and the governor to commission, a clerk in each county of their respective districts, in such manner, with such powers, and for such term of time, as the legislature aforesaid may designate; but in no county shall the clerk of the superior court be appointed the clerk of the circuit court; and the compensation of said clerks, except in United States' cases, shall be fixed by the legislature aforesaid.

SEC. 5. *And be it further enacted*, That, when any party to a suit is aggrieved by a decision of a judge holding a district court, except in criminal cases, the party aggrieved shall be at liberty, by appeal, writ of error, or *certiorari*, to remove said suit to the superior court of said territory, for further trial; and the case thus brought up shall be tried by the judges, or any two of them other than the judge who made the decision in the district court.

SEC. 6. *And be it further enacted*, That the additional judge hereby authorized to be appointed shall receive the same salary now allowed by law to the judges of the superior court for the territory of Arkansas.

SEC. 7. *And be it further enacted*, That writs of error and appeal from the final decision of the superior court for the territory of Arkansas, shall be made to the Supreme Court of the United States, in the manner, and under the same regulations, as from the circuit courts of the United States, when the amount in controversy, to be ascertained by oath or affirmation of either party, shall exceed one thousand dollars.

SEC. 8. *And be it further enacted*, That the act of the legislature of the territory of Arkansas, passed at the last session of the legislature of said territory, in relation to the courts of said territory, so far as the provisions of said act are not inconsistent with and repugnant to this act, be, and the same is hereby, affirmed until said legislature may alter or modify the same.

SEC. 9. *And be it further enacted*, That all acts coming within the purview of this act be, and the same are hereby, repealed; and that this act shall take effect, and be in force, from and after its passage.

APPROVED, April 17, 1828.

#### STATUTE I.

April 17, 1828.

CHAP. XXX.—*An Act authorizing the President of the United States to appoint certain agents therein mentioned.* (a)

An agent or agents, to be employed in prosecuting the designation, &c., of the line forming the north-eastern

*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, by and with the advice and consent of the Senate, to appoint such agent or agents as may be usefully employed in prosecuting the designation and settlement of the line forming the north-eastern boundary of the United States and bring-

(a) An act to provide for carrying into effect the treaty between the United States and Great Britain, concluded at Washington on the ninth day of August, one thousand eight hundred and forty-two, March 3, 1843, ch. 89.

ing the existing controversy with Great Britain relating thereto to a speedy termination.

APPROVED, April 17, 1828.

boundary of the United States, &c.

STATUTE I.

CHAP. XXXI.—*An Act explanatory of "An act to grant a certain quantity of land to the state of Ohio for the purpose of making a road from Columbus to Sandusky."*

April 17, 1828.

[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, in lieu of the lands appropriated by the act approved on the third of March, one thousand eight hundred and twenty-seven, there shall be granted to the state of Ohio, for the purposes designated in the said act, forty-nine sections of land, to be located in the Delaware land district, in the following manner, to wit: every alternate section, through which the road may run, and the section next adjoining thereto, on the west, so far as the said sections remain unsold, and, if any part of the said sections shall have been disposed of, then a quantity equal thereto, shall be selected under the direction of the commissioner of the general land office, from the vacant lands in the sections adjoining on the west of those appropriated.

Forty-nine sections of land to be located in the Delaware land district in lieu of lands designated in the act of March 3, 1827, ch. 93.

Act of Dec. 12, 1811, ch. 8.

APPROVED, April 17, 1828.

STATUTE I.

CHAP. XXXIX.—*An Act to extend the time allowed for the redemption of land sold for direct taxes in certain cases.*(a)

April 28, 1828.

[Expired.]

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the time allowed for the redemption of lands which have been, or may be, sold for the non-payment of taxes under the several acts passed on the second of August, one thousand eight hundred and thirteen; the ninth day of January, one thousand eight hundred and fifteen; and the fifth day of March, one thousand eight hundred and sixteen, for laying and collecting a direct tax within the United States, so far as the same have been purchased for, or on behalf of, the United States, be revived, and be extended for the further term of three years, from and after the expiration of the present session of Congress: *Provided, also,* That on such redemption, interest shall be paid at the rate of twenty per centum on the taxes aforesaid, and on the additions of twenty per centum, chargeable thereon; and the right of redemption shall enure, as well as to the heirs and assignees of the land so purchased, on behalf of the United States, as to the originals thereof.

Time allowed for the redemption of lands which have been sold for the non-payment of taxes, under acts of Aug. 2, 1813, ch. 37, Jan. 9, 1815, ch. 21, and March 5, 1816, ch. 24, revived and extended for three years.

Proviso.

APPROVED, April 28, 1828.

(a) *Acts extending the time for the sales of land for direct taxes:*

- An act supplementary to the several acts relating to direct taxes, April 20, 1818, ch. 83, sec. 3, 4.
- An act extending the time allowed for the redemption of land sold for direct taxes, in certain cases, May 11, 1820, ch. 88.
- An act reviving and extending the time allowed for the redemption of land sold for direct taxes, in certain cases, Feb. 4, 1822, ch. 4.
- An act extending the time allowed for the redemption of land sold for direct taxes, in certain cases, March 3, 1823, ch. 47.
- An act to extend the time allowed for the redemption of land sold for direct taxes, in certain cases, May 16, 1826, ch. 69.
- An act extending the time allowed for the redemption of land sold for direct taxes, in certain cases, April 28, 1828, ch. 39.

## STATUTE I.

April 28, 1828.

CHAP. XL.—*An Act extending the limits of certain land offices in Indiana, and for other purposes.*

Lands lying east of the second principal meridian and north of the southern boundary of fort Wayne district, attached to the land district.

Second principal meridian to be extended to the northern boundary.  
Proviso.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all the lands in the state of Indiana, to which the Indian title is extinguished, which lies east of the line dividing the first and second ranges east of the second principal meridian, and north of the southern boundary of the Fort Wayne district, shall be attached to the land district, the land office of which is established at Fort Wayne; and that all the lands to which the Indian title is extinguished in said state, and which may lie west of the line dividing the first and second ranges east of the second principal meridian, shall be attached to the land district, the land office of which is established at Crawfordsville.

SEC. 2. *And be it further enacted,* That the surveyor general shall cause the second principal meridian to be extended to the northern boundary of the state of Indiana: *Provided,* The assent of the Indians be obtained to the running and marking that portion of the meridian line which may lie within the lands not ceded to the United States.

APPROVED, April 28, 1828.

## STATUTE I.

April 28, 1828.

CHAP. XLI.—*An Act in addition to the act, entitled "An act to provide for the sale of lands, conveyed to the United States, in certain cases, and for other purposes," passed the twenty-sixth day of May, eighteen hundred and twenty-four.*

Act of May 26, 1824, ch. 172.

In all cases where lands have been sold, or conveyed to, or for, the United States, for forts, &c., not used, &c., to be sold.

The President authorized to procure the assent of the legislature of any state within which any purchase of land has been made for the erection of forts, &c.

Where lands have been conveyed for the United States, to individuals, a release of their interest to be obtained.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That in all cases where lands have been, or shall hereafter be, conveyed to, or for, the United States, for forts, arsenals, dockyards, lighthouses, or any like purpose, or in payment of debts due the United States, which shall not be used, or necessary for the purposes for which they were purchased, or other authorized purpose, it shall be lawful for the President of the United States to cause the same to be sold for the best price to be obtained, and to convey the same to the purchaser by grant or otherwise.

SEC. 2. *And be it further enacted,* That the President of the United States be authorized to procure the assent of the legislature of any state, within which any purchase of land has been made, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings, without such consent having been obtained; and also to obtain exclusive legislation over any such tract as is provided for in the sixteenth clause of the eighth section of the first article of the constitution; and that he be authorized to procure the like consent and exclusive legislation as to all future purchases of land for either of those purposes.

SEC. 3. *And be it further enacted,* That the President of the United States, in all cases where lands have been conveyed for the United States to individuals or officers, be authorized to obtain from the person or persons to whom the conveyance has been made, a release of their interest to the United States.

APPROVED, April 28, 1828.

## STATUTE I.

April 28, 1828.

CHAP. XLII.—*An Act authorizing the legislative council of Florida to meet in October instead of December; and repealing the proviso in the sixth section of the act, entitled "An act to amend an act, for the establishment of a territorial government in Florida, and for other purposes," approved March the third, one thousand eight hundred and twenty-three.*

Act of March 3, 1823, ch. 28.  
Sessions of the legislative council.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the legislative council of

the territory of Florida shall begin its next session on the second Monday in October instead of December, and annually thereafter on the same day in the said month of October.

SEC. 2. *And be it further enacted*, That the proviso in the sixth section of the act, entitled "An act for the establishment of a territorial government in Florida, and for other purposes," approved March the third, one thousand eight hundred and twenty-three, be, and the same is hereby, repealed: *Provided*, That nothing herein contained shall be construed as approving any act or acts heretofore passed by the legislative council of the territory of Florida.

Proviso in the 6th section of the act of March 3, 1823, ch. 23, repealed.

Proviso.

SEC. 3. *And be it further enacted*, That it shall be the duty of the governor and legislative council, at the next session of said council, to divide said territory into thirteen election districts, in such manner as to give to each the same number of qualified electors, as nearly as conveniently may be, and to secure to each district an equal representation; and the said governor and council shall have power, from time to time, to alter and regulate the several districts in such manner as the increasing population of the territory may require.

Division of the territory into thirteen election districts.

SEC. 4. *And be it further enacted*, That the judges of the superior courts in said territory shall have power to order extra terms of said courts, or to adjourn them to any other time and place when the public interest may require it, and when, from sickness or other cause, the judges cannot hold the regular terms, giving due notice of the same: and it shall also be lawful for the said judges to hold courts in either of the districts, when the judge of the district is absent, or prevented from attending by sickness or other cause.

Judges of the superior courts to have power to order extra terms of said courts, &c.

APPROVED, April 28, 1828.

STATUTE I.

CHAP. XLIV.—*An Act making a supplementary appropriation for the military service of the year one thousand eight hundred and twenty-eight.*

May 2, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That there is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, the sum of one hundred thousand dollars, for the armament of fortifications.

[Obsolete.]  
100,000 dollars appropriated for the armament of fortifications.

SEC. 2. *And be it further enacted*, That the quartermaster general be, and he is hereby, authorized to apply the sum of eighteen hundred dollars of the money heretofore appropriated for the quartermaster's department, to the confirmation and completion of the purchase of thirty acres of land, near the city of Savannah, in Georgia; which purchase was conditionally made by Lieutenant C. A. Waite, for the purpose of erecting barracks for the United States.

Quartermaster general authorized to apply 1800 dollars of the money heretofore appropriated, &c.

APPROVED, May 2, 1828.

STATUTE I.

CHAP. XLV.—*An Act making appropriations for the public buildings, and for other purposes.*

May 2, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following sums of money be, and the same hereby are appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the following purposes; that is to say—

[Obsolete.]  
Sums appropriated.

For completing the work remaining to be done, on and about the public buildings, fifty-six thousand four hundred dollars and eight cents.

For completing work, &c.

For a building lot, &c., for a jail at Alexandria.

For completing penitentiary, District of Columbia.

For a building near the Navy Department.

For an entrance, &c. into the Capitol.

Commissioner of public buildings to cause an engine house to be built.

After March 4, 1829, office of architect of the Capitol to cease and determine, &c.

Regulations of the city of Washington for the preservation of the public peace, &c., extended to the Capitol and Capitol square, whenever application be made by the presiding officer of either house of Congress, or the commissioner of the public buildings, &c.

A reasonable compensation to be paid the necessary assistants of the commissioner, &c.

For the cost of a building lot, and other expenditures for the jail at Alexandria, one thousand six hundred and ninety-nine dollars and sixteen cents.

For the completion of the penitentiary in the District of Columbia, twenty-two thousand three hundred and eighty-seven dollars and ninety-seven cents.

For defraying the expense of a building, near the Navy Department, twelve hundred and sixty-one dollars and eighteen cents.

For an entrance and door way into the Capitol, from the top of the terrace on the western front, three thousand one hundred and twenty-one dollars and ten cents.

SEC. 2. *And be it further enacted*, That the commissioner of the public buildings be, and he hereby is, authorized and empowered to be caused to be built, an engine house, for the accommodation of the Franklin Engine Company, under suitable conditions, to secure the faithful performance of the work, and to procure an hydraulion engine and the requisite appurtenances of the same; and that the sum of three thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, to defray the expense of the same.

SEC. 3. *And be it further enacted*, That, from and after the fourth day of March, one thousand eight hundred and twenty-nine, the office of architect of the Capitol shall cease and determine; and that the said architect shall, on said day, deliver up to the commissioner of the public buildings all the books, plans, accounts, vouchers, and all other papers and things belonging to his office: and the said commissioner shall take charge of, and superintend the public buildings, and perform such other duties as may be required of him by law; and that the said commissioner be required to reside near the Capitol.

SEC. 4. *And be it further enacted*, That the regulations of the city of Washington, for the preservation of the public peace and order, be extended to the Capitol and Capitol square, whenever the application of the same shall be requested by the presiding officer of either house of Congress, or the commissioner of the public buildings; and that it shall be the duty of the commissioner of the public buildings to obey such rules and regulations as may, from time to time, be prescribed, jointly, by the presiding officers of the two houses of Congress, for the care, preservation, orderly keeping, and police of all such portions of the Capitol, its appurtenances, and the enclosures about it, and the public buildings and property in its immediate vicinity, as are not in the exclusive use and occupation of either house of Congress; that it shall also be his duty to obey such rules and regulations as may be, from time to time, prescribed by the presiding officer of either house of Congress; for the care, preservation, orderly keeping, and police of those portions of the Capitol and its appurtenances, which are in the exclusive use and occupation of either house of Congress respectively; and that it shall also be his duty to obey such rules and regulations as may, from time to time, be prescribed by the President of the United States, for the care, preservation, orderly keeping, and police of the other public buildings and public property, in the city of Washington; and the commissioner and his assistants are hereby authorized and empowered to use all necessary and proper means for the discharge of the aforesaid duties; and the necessary assistants of the commissioner shall receive a reasonable compensation for their services, to be allowed by the presiding officers of the two houses of Congress; one moiety of the said sums to be paid out of the contingent fund of the Senate, and the other moiety of the same to be paid out of the contingent fund of the House of Representatives.

APPROVED, May 2, 1828.

STATUTE I.

CHAP. XLVI.—*An Act to authorize the purchase and distribution of the seventh volume of the Laws of the United States. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary for the Department of State be, and he is hereby, authorized and directed to subscribe for, and receive, for the use and disposal of Congress, five hundred and fifty copies of the seventh volume of the Laws of the United States, to contain an index to the same, to be well bound; and cause to be distributed, one copy thereof to the President of the United States, one copy to the Vice President of the United States, one copy to each of the heads of departments, to the attorney general of the United States, to each of the Senators and Representatives, and to each delegate of territories of the twentieth Congress; fifteen copies to the Secretary of the Senate, for the use of the Senate, and thirty copies to the clerk of the House of Representatives, for the use of that House; one copy to each branch of the legislature of each state and territory; and one copy to each of the executives of the several states and territories; and cause the residue to be deposited in the library of Congress.

SEC. 2. *And be it further enacted,* That for the purpose aforesaid, the sum of two thousand two hundred dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 9, 1828.

May 9, 1828.

[Obsolete.]  
Secretary of state authorized, &c., to subscribe for, &c., for use and disposal of Congress, 550 copies of the seventh volume of the laws of the United States.

2200 dollars appropriated.

STATUTE I.

CHAP. XLVII.—*An Act making appropriations for the Indian department, for the year one thousand eight hundred and twenty-eight.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums be, and the same are hereby, appropriated, to wit:

For pay of the superintendent of Indian affairs at St. Louis, and the several Indian agents, as authorized by law, thirty-one thousand dollars.

For the pay of sub-agents as established by law, fifteen thousand one hundred dollars.

May 9, 1828.

[Obsolete.]  
Sums appropriated.

Superintendent of Indian affairs.  
Sub-agents.

(a) *Acts which have been passed authorizing the publication of the laws of the United States:*

An act for the more general promulgation of the laws of the United States, March 3, 1795, ch. 50.

An act to amend the act, entitled "An act for the more general promulgation of the laws of the United States," Dec. 21, 1796, ch. 1.

An act in addition to an act entitled "An act for the more general promulgation of the laws of the United States," March 2, 1799, ch. 30.

An act to provide for the more extensive distribution of the laws of the United States, March 27, 1804, ch. 60.

An act for the disposal of certain copies of the laws of the United States, Jan. 2, 1805, ch. 3.

An act authorizing a subscription for the laws of the United States, and for the distribution thereof, April 18, 1814, ch. 69.

An act to authorize the publication of the laws of the United States, within the territories of the United States, Nov. 21, 1814, ch. 6.

An act to provide for the publication of the laws of the United States, and for other purposes, April 20, 1818, ch. 80.

An act to amend the act, entitled "An act to provide for the publication of the laws of the United States, and for other purposes," May 11, 1820, ch. 92.

An act to authorize the purchase of a number of copies of the sixth volume of the laws of the United States, March 3, 1823, ch. 67.

An act to authorize the purchase and distribution of the seventh volume of the laws of the United States, May 9, 1828, ch. 46.

An act to provide for the purchase and distribution of certain copies of the digest of the laws of the United States by Thomas F. Gordon, Feb. 24, 1829, ch. 18.

By the act making appropriations for the support of government, March 18, 1830, ch. 33, seven hundred and fifty dollars were appropriated "for completing the sets of the laws on hand in the Department of State."

Regulation of the publication of the laws of the United States in newspapers, Act of August 26, 1842, ch. 202, sec. 21.

A resolution to authorize the attorney general to contract for copies of a proposed edition of the laws of the United States, March 3, 1845.

Presents to Indians.

For presents to Indians, as authorized by act of one thousand eight hundred and two, fifteen thousand dollars.

Houses for sub-agents, &c.

For houses for sub-agents, interpreters, and blacksmiths, at Peoria and Iowa sub-agencies; expenses of emigrating Indians; claims of Delawares, for horses taken by white men; holding councils for settlement of differences among Indian tribes, &c. within the superintendency of General Clark, as estimated for by him, fourteen thousand three hundred and twenty-four dollars.

Expenses of intercourse with the Indians within the Michigan territory, &c.

For additional expense arising out of the recently extended intercourse with the Indians within the Michigan territory, and the establishment of a new sub-agency therein, for the Chippewas, high up Lake Superior, at La Point, or Michael's Island, as recommended by Governor Cass, five thousand dollars.

Additional expenses for the removal of the Quapaws, &c.

For additional expense at the Red river agency, on account of the removal of the Quapaws, and attaching them to that agency, agreeably to the late treaty with them, one thousand three hundred dollars.

Treaty with the Creek nation.

For expenses attending Indian agency established under the late treaty with the Creek nation, and an act of Congress of twentieth May, one thousand eight hundred and twenty-six, four thousand five hundred dollars.

Act of May 20, 1826, ch. 110,

For aiding emigration of the Creek Indians.

For aiding the emigration of the Creek Indians, providing for them for the period of twelve months after their emigration, and for rendering them such assistance as the President of the United States may think proper, in their agricultural operations, for the purpose of carrying into effect the provisions of the existing treaty with the Creek nation of Indians, having relation to the aforesaid objects, fifty thousand dollars.

For carrying into effect articles of agreement and cession entered into on April 24, 1802, between the United States and the state of Georgia.

And the sum of fifty thousand dollars be, and the same is hereby, appropriated, to enable the President of the United States to carry into effect the articles of agreement and cession, entered into on the twenty-fourth of April, one thousand eight hundred and two, between the United States and the state of Georgia, which sum of money, or so much thereof as may be necessary, shall be applied under the direction of the President of the United States, to the extinguishment of the claims of the Cherokee Indians, to all the lands which they occupy within the limits of said state.

Indian department.

For contingencies of Indian department, ninety-five thousand dollars.

Refunding to the state of North Carolina the amount expended by her, in extinguishing the title of certain Indians.

For refunding to the state of North Carolina the amount expended by her in extinguishing the title of certain Indians of the Cherokee tribe, to reservations of land within the limits of said state, granted to them in fee simple, by treaties with the United States, in the years one thousand eight hundred and seventeen, and one thousand eight hundred and nineteen, the sum of twenty-two thousand dollars.

Sums appropriated, to be paid from the treasury.

SEC. 2. *And be it further enacted*, That the several sums hereby appropriated, be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 9, 1828.

#### STATUTE I.

May 9, 1828.

CHAP. XLVIII.—*An Act to authorize a railroad within the District of Columbia.*

Assent of Congress given to the constructing a railroad.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the assent of Congress to the constructing a railroad by a company incorporated by the legislature of Maryland, from Baltimore to the city of Washington, be and the same is hereby given to the extent that Congress has jurisdiction of the soil over which it may pass; conceding to said company to exact such tolls, and to enjoy such benefits and privileges, as the act of incorporation of the state of Maryland gives to said corporation within the limits of the state of Maryland: *Provided*, In the location of the road it shall not

Proviso.

be lawful for said company to pass through any of the reserved squares or open spaces of the city without the consent of Congress.

APPROVED, May 9, 1828.

STATUTE I.

CHAP. XLIX.—*An Act regulating commercial intercourse with the islands of Martinique and Guadaloupe. (a)*

May 9, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all French vessels coming directly from the islands of Martinique and Guadaloupe, and laden with articles, the growth or manufacture of either of said islands, and which are permitted to be exported therefrom in American vessels, may be admitted into the ports of the United States on payment of no higher duties on tonnage, or on their cargoes, as aforesaid, than are imposed on American vessels, and on like cargoes imported in American vessels: *Provided,* That if the President of the United States shall, at any time, receive satisfactory information that the privileges allowed to American vessels and their cargoes at said islands, by the French ordinance of February fifth, one thousand eight hundred and twenty-six, have been revoked or annulled, he is hereby authorized, by proclamation, to suspend the operation of this act, and withhold all privileges allowed under it.

[Obsolete.]  
French vessels coming directly from the islands of Martinique and Guadaloupe, and laden with articles, the growth, &c., of either of said islands, admitted into the ports of the United States, on certain conditions.  
Proviso.

APPROVED, May 9, 1828.

STATUTE I.

CHAP. LII.—*An Act supplementary to "An act to provide for the adjustment of claims of persons entitled to indemnification, under the first article of the treaty of Ghent, and for the distribution among such claimants, of the sum paid, and to be paid by the Government of Great Britain, under a convention between the United States and his Britannic Majesty, concluded at London, on the thirteenth of November, one thousand eight hundred and twenty-six," passed on the second day of March, one thousand eight hundred and twenty-seven.*

May 15, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the eighth section of the aforesaid act shall be, and the same is hereby, repealed.

SEC. 2. *And be it further enacted,* That the commission created by the said act, shall not continue after the first day of September next.

APPROVED, May 15, 1828.

Act of March 2, 1827, ch. 36.  
Eighth section repealed.  
Commission not to continue after Sept. 1, 1828.

STATUTE I.

CHAP. LIII.—*An Act for the relief of certain surviving officers and soldiers of the army of the revolution.*

May 15, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That each of the surviving officers of the army of the Revolution in the continental line, who was entitled to half pay by the resolve of October twenty-first, seventeen hundred and eighty, be authorized to receive, out of any money in the treasury not otherwise appropriated, the amount of his full pay in said line, according to his rank in the line, to begin on the third day of March, one thousand eight hundred and twenty-six, and to continue during his natural life: *Provided,* That, under this act, no officer shall be entitled to receive a larger sum than the full pay of a captain in said line.

Each of the surviving officers of the revolutionary army in the continental line, to receive pay according to his rank in the line.

Proviso.

SEC. 2. *And be it further enacted,* That whenever any of said officers has received money of the United States, as a pensioner, since the third day of March, one thousand eight hundred and twenty-six, aforesaid,

Money received since March 3, 1826, to be deducted.

(a) See notes to act of Jan. 7, 1824, ch. 4.



said, the sum so received shall be deducted from what said officer would otherwise be entitled to, under the first section of this act; and every pension to which said officer is now entitled shall cease after the passage of this act.

Every surviving non-commissioned officer, &c., who enlisted in said line during the war, and continued in its service until its termination, to receive full pay. Proviso.

How to be paid.

SEC. 3. *And be it further enacted*, That every surviving non-commissioned officer, musician, or private, in said army, who enlisted therein for and during the war, and continued in service until its termination, and thereby became entitled to receive a reward of eighty dollars, under a resolve of Congress, passed May fifteenth, seventeen hundred and seventy-eight, shall be entitled to receive his full monthly pay in said service, out of any money in the treasury not otherwise appropriated; to begin on the third day of March, one thousand eight hundred and twenty-six, and to continue during his natural life: *Provided*: That no non-commissioned officer, musician or private in said army, who is now on the pension list of the United States, shall be entitled to the benefits of this act.

SEC. 4. *And be it further enacted*, That the pay allowed by this act, shall, under the direction of the Secretary of the Treasury, be paid to the officer or soldier entitled thereto, or to their authorized attorney, at such places and days as said secretary may direct; and that no foreign officer shall be entitled to said pay, nor shall any officer or soldier receive the same, until he furnish to said secretary satisfactory evidence that he is entitled to the same in conformity to the provisions of this act; and the pay allowed by this act shall not, in any way, be transferable or liable to attachment, levy, or seizure, by any legal process whatever, but shall inure wholly to the personal benefit of the officer or soldier entitled to the same by this act.

said pay as accrued by the provisions of this act before March 3, 1828, to be paid to officers, &c.

SEC. 5. *And be it further enacted*, That so much of said pay, as accrued by the provisions of this act, before the third day of March, eighteen hundred and twenty-eight, shall be paid to the officers and soldiers entitled to the same, as soon as may be, in the manner and under the provisions before mentioned; and the pay which shall accrue after said day, shall be paid semi-annually, in like manner, and under the same provisions.

APPROVED, May 15, 1828.

#### STATUTE I.

May 19, 1828.

[Repealed.]

After Sept. 1, 1828, there shall be levied the following duties:

On iron, in bars, or bolts, not manufactured.

On bar and bolt iron, made wholly, or in part, by rolling. Proviso.

On iron in pigs.

#### CHAP. LV.—*An Act in alteration of the several acts imposing duties on imports.*(a)

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, from and after the first day of September, one thousand eight hundred and twenty-eight, in lieu of the duties now imposed by law, on the importation of the articles hereinafter mentioned, there shall be levied, collected, and paid, the following duties; that is to say:

*First.* On iron in bars or bolts, not manufactured, in whole or in part, by rolling, one cent per pound.

*Second.* On bar and bolt iron, made wholly, or in part, by rolling, thirty-seven dollars per ton: *Provided*, That all iron in slabs, blooms, loops, or other form, less finished than iron in bars or bolts, except pigs or cast iron, shall be rated as rolled iron in bars or bolts, and pay a duty accordingly.

*Third.* On iron, in pigs, sixty-two and one half cents per one hundred and twelve pounds.

(a) An act to alter and amend the several acts imposing duties on imports, July 14, 1832, ch. 227.

An act to modify the act of the fourteenth of July, 1832, and other acts imposing duties on imports, March 2, 1833, ch. 55.

An act to provide revenue from imports, and to change and modify the laws imposing duties on imports, and for other purposes, Aug. 30, 1842, ch. 270.

*Fourth.* On iron or steel wire, not exceeding number fourteen, six cents per pound, and over number fourteen, ten cents per pound. On iron, or steel wire.

*Fifth.* On round iron, or brazier's rods, of three sixteenths to eight sixteenths of an inch diameter, inclusive; and on iron in nail or spike rods, slit or rolled; and on iron in sheets, and hoop iron and on iron slit or rolled for band iron, scroll iron, or casement rods, three and one half cents per pound. On round iron, or brazier's rods.

*Sixth.* On axes, adzes, drawing knives, cutting knives, sickels, or reaping hooks, scythes, spades, shovels, squares, of iron or steel, bridle bits of all descriptions, steelyards and scale beams, socket chisels, vices, and screws of iron for wood, called wood screws, ten per cent ad valorem, in addition to the present rates of duty. On axes, adzes, &c.

*Seventh.* On steel, one dollar and fifty cents per one hundred and twelve pounds. On steel.

*Eighth.* On lead, in pigs, bars, or sheets, three cents per pound; on leaden shot, four cents per pound; on red or white lead, dry or ground in oil, five cents per pound; on litharge, orange mineral, lead manufactured into pipes, and sugar of lead, five cents per pound. On lead, in pigs or sheets.

SEC. 2. *And be it further enacted,* That, from and after the thirtieth day of June, one thousand eight hundred and twenty-eight, there shall be levied, collected, and paid, on the importation of the articles hereinafter mentioned, the following duties, in lieu of those now imposed by law. After June 30, 1828, there be collected, &c. the following duties:

*First.* On wool unmanufactured, four cents per pound; and also, in addition thereto, forty per cent. ad valorem, until the thirtieth day of June, one thousand eight hundred and twenty-nine; from which time an additional ad valorem duty of five per cent. shall be imposed, annually until the whole of said ad valorem duty shall amount to fifty per cent. And all wool imported on the skin, shall be estimated as to weight and value, and shall pay the same rate of duty as other imported wool. On wool unmanufactured. Wool imported.

*Second.* On manufactures of wool, or of which wool shall be a component part, (except carpetings, blankets, worsted stuff goods, bombazines, hosiery, mits, gloves, caps, and bindings,) the actual value of which, at the place whence imported, shall not exceed fifty cents the square yard, shall be deemed to have cost fifty cents the square yard and be charged thereon with a duty of forty per centum ad valorem, until the thirtieth day of June, eighteen hundred and twenty-nine, and from that time a duty of forty-five per centum ad valorem: *Provided,* That on all manufactures of wool, except flannels and baizes, the actual value of which, at the place whence imported, shall not exceed thirty-three and one third cents per square yard, shall pay fourteen cents per square yard. On manufactures of wool, or of which wool shall be a component part, except carpetings, &c.   
 Proviso: on all manufactures of wool, except, &c.

*Third.* On all manufactures of wool, or of which wool shall be a component part, except as aforesaid, the actual value of which, at the place whence imported, shall exceed fifty cents the square yard, and shall not exceed one dollar the square yard, shall be deemed to have cost one dollar the square yard, and be charged thereon with a duty of forty per centum ad valorem, until the thirtieth day of June, eighteen hundred and twenty-nine, and from that time a duty of forty-five per centum ad valorem. On all manufactures of wool, or of which wool shall be a component part, except as aforesaid, to exceed fifty cents the square yard.

*Fourth.* On all manufactures of wool, or of which wool shall be a component part, except as aforesaid, the actual value of which, at the place whence imported, shall exceed one dollar the square yard, and shall not exceed two dollars and fifty cents the square yard, shall be deemed to have cost two dollars and fifty cents the square yard, and be charged with a duty thereon of forty per centum ad valorem, until the thirtieth day of June, eighteen hundred and twenty-nine, and from that time a duty of forty-five per centum ad valorem. On all manufactures of wool, or of which wool shall be a component part, except as aforesaid, not to exceed 2 dollars and 50 cents the square yard, shall be deemed, &c.

*Fifth.* All manufactures of wool, or of which wool shall be a component part, except as aforesaid, the actual value of which, at the place

- Fifth. whence imported, shall exceed two dollars and fifty cents the square yard, and shall not exceed four dollars the square yard, shall be deemed to have cost, at the place whence imported, four dollars the square yard, and a duty of forty per cent. ad valorem, shall be levied, collected, and paid, on such valuation, until the thirtieth day of June, one thousand eight hundred and twenty-nine, and from that time a duty of forty-five per centum ad valorem.
- Sixth. *Sixth.* On all manufactures of wool, or of which wool shall be a component part, except as aforesaid, the actual value of which, at the place whence imported, shall exceed four dollars the square yard, there shall be levied, collected, and paid, a duty of forty-five per cent. ad valorem, until the thirtieth day of June, one thousand eight hundred and twenty-nine, and from that time a duty of fifty per centum ad valorem.
- Seventh. *Seventh.* On woollen blankets, hosiery, mits, gloves, and bindings, thirty-five per cent. ad valorem. On clothing ready made, fifty per centum ad valorem.
- Eighth. *Eighth.* On Brussels, Turkey and Wilton carpets and carpetings, seventy cents per square yard. On all venetian and ingrain [ingrain] carpets or carpeting, forty cents per square yard. On all other kinds of carpets and carpeting, of wool, flax, hemp, or cotton, or parts of either, thirty-two cents per square yard. On all patent printed or painted floor cloths, fifty cents per square yard. On oil cloth other than that usually denominated patent floor cloth, twenty-five cents per square yard. On furniture oil cloth, fifteen cents per square yard. On floor matting made of flags or other materials, fifteen cents per square yard.
- After June 30, 1828, there shall be collected, &c., on the importation of the following articles, certain duties.
- On unmanufactured hemp.
- SEC. 3. *And be it further enacted,* That from and after the thirtieth day of June, one thousand eight hundred and twenty-eight, there shall be levied, collected, and paid on the importation of the following articles, in lieu of the duty now imposed by law :
- First.* On unmanufactured hemp, forty-five dollars per ton, until the thirtieth day of June, one thousand eight hundred and twenty-nine, from which time, five dollars per ton in addition, per annum, until the duty shall amount to sixty dollars per ton. On cotton bagging, four and a half cents per square yard, until the thirtieth day of June, one thousand eight hundred and twenty-nine, and afterwards a duty of five cents per square yard.
- On unmanufactured flax.
- Second.* On unmanufactured flax, thirty-five dollars per ton, until the thirtieth day of June, one thousand eight hundred and twenty-nine, from which time an additional duty of five dollars per ton, per annum, until the duty shall amount to sixty dollars per ton.
- On sail duck.
- Third.* On sail duck, nine cents per square yard; and, in addition thereto, one half cent yearly, until the same shall amount to twelve and a half cents per square yard.
- On molasses.
- Fourth.* On molasses, ten cents per gallon.
- On all imported distilled liquors.
- Fifth.* On all imported distilled spirits, fifteen cents per gallon, in addition to the duty now imposed by law.
- On all manufactures of silk, &c.
- Sixth.* On all manufactures of silk, or of which silk shall be a component material, coming from beyond the Cape of Good Hope, a duty of thirty per centum ad valorem; the additional duty of five per centum to take effect from and after the thirtieth day of June, one thousand eight hundred and twenty-nine; and on all other manufactures of silk, or of which silk shall be a component material, twenty per centum ad valorem.
- On indigo.
- On indigo, an additional duty of five cents the pound, from the thirtieth day of June, one thousand eight hundred and twenty-nine, until the thirtieth day of June, one thousand eight hundred and thirty, and from that time an additional duty of ten cents each year, until the whole duty shall amount to fifty cents per pound.
- After June 30, 1828, no
- SEC. 4. *And be it further enacted,* That, from and after the thirtieth day of June, one thousand eight hundred and twenty-eight, no drawback of

duty shall be allowed on the exportation of any spirit, distilled in the United States, from molasses; no drawback shall be allowed on any quantity of sail duck, less than fifty bolts, exported in one ship or vessel, at any one time.

SEC. 5. *And be it further enacted*, That, from and after the thirtieth day of June, one thousand eight hundred and twenty-eight, there shall be levied, collected, and paid, in lieu of the duties now imposed by law, on window glass, of the sizes above ten inches by fifteen inches, five dollars for one hundred square feet: *Provided*, That all window glass imported in plates or sheets, uncut, shall be chargeable with the same rate of duty. On vials and bottles not exceeding the capacity of six ounces each, one dollar and seventy-five cents per groce.

SEC. 6. *And be it further enacted*, That from and after the thirtieth day of June, one thousand eight hundred and twenty-eight, there shall be levied, collected, and paid, in lieu of the duties now imposed by law, on all imported roofing slates, not exceeding twelve inches in length, by six inches in width, four dollars per ton; on all such slates exceeding twelve, and not exceeding fourteen inches in length, five dollars per ton; on all slates exceeding fourteen, and not exceeding sixteen inches in length, six dollars per ton; on all slates exceeding sixteen inches, and not exceeding eighteen inches in length, seven dollars per ton; on all slates exceeding eighteen, and not exceeding twenty inches in length, eight dollars per ton; on slates exceeding twenty inches and not exceeding twenty-four inches in length, nine dollars per ton; and on all slates exceeding twenty-four inches in length, ten dollars per ton. And that, in lieu of the present duties, there be levied, collected, and paid, a duty of thirty-three and a third per centum, ad valorem, on all imported ciphering slates.

SEC. 7. *And be it further enacted*, That all cotton cloths whatsoever, or cloths of which cotton shall be a component material, excepting nankeens, imported direct from China, the original cost of which, at the place whence imported, with the addition of twenty per cent. if imported from the Cape of Good Hope, or from any place beyond it, and of ten per cent. if imported from any other place, shall be less than thirty-five cents the square yard, shall, with such addition, be taken and deemed to have cost thirty-five cents the square yard, and charged with duty accordingly.

SEC. 8. *And be it further enacted*, That, in all cases where the duty which now is, or hereafter may be, imposed, on any goods, wares, or merchandises, imported into the United States, shall, by law, be regulated by, or be directed to be estimated or levied upon the value of the square yard, or of any other quantity or parcel thereof; and in all cases where there is or shall be imposed any ad valorem rate of duty on any goods, wares, or merchandises, imported into the United States, it shall be the duty of the collector within whose district the same shall be imported or entered, to cause the actual value thereof, at the time purchased, and place from which the same shall have been imported into the United States, to be appraised, estimated, and ascertained, and the number of such yards, parcels, or quantities, and such actual value of every of them, as the case may require: And it shall, in every such case, be the duty of the appraisers of the United States, and of every of them, and of every other person who shall act as such appraiser, by all the reasonable ways and means in his or their power, to ascertain, estimate, and appraise the true and actual value, any invoice or affidavit thereto, to the contrary notwithstanding, of the said goods, wares, and merchandise, at the time purchased, and place from whence the same shall have been imported into the United States, and the number of such yards, parcels, or quantities, and such actual value of every of them, as the case may require; and all such goods, wares, and merchandises, being manufactures of

drawback of duty shall be allowed on the exportation of any spirits, &c.

After June, 30, 1828, on window glasses of certain sizes.

Proviso: all window glass imported.

On all imported roofing slates.

On ciphering slates.

On cotton cloths, excepting nankeens, imported direct from China, &c.

In all cases where the duty now is, or hereafter may be, imposed on any goods, &c.

wool, or whereof wool shall be a component part, which shall be imported into the United States in an unfinished condition, shall, in every such appraisal, be taken, deemed, and estimated by the said appraisers, and every of them, and every person who shall act as such appraiser, to have been, at the time purchased, and place from whence the same were imported into the United States, of as great actual value as if the same had been entirely finished. And to the value of the said goods, wares, and merchandise, so ascertained, there shall, in all cases where the same are or shall be charged with an ad valorem duty, be added all charges, except insurance, and also twenty per centum on the said actual value and charges, if imported from the Cape of Good Hope, or any place beyond the same, or from beyond Cape Horn; or ten per centum if from any other place or country: and the said ad valorem rates of duty shall be estimated on such aggregate amount, any thing in any act to the contrary notwithstanding: *Provided*, That, in all cases where any goods, wares, or merchandise, subject to ad valorem duty, or whereon the duty is or shall be by law regulated by, or be directed to be estimated or levied upon the value of the square yard, or any other quantity or parcel thereof, shall have been imported into the United States from a country other than that in which the same were manufactured or produced, the appraisers shall value the same at the current value thereof, at the time of purchase before such last exportation to the United States, in the country where the same may have been originally manufactured or produced.

Appraisal-  
ment.

Proviso.

In cases where the actual value to be appraised of any goods, &c. imported into the United States, and subject to ad valorem duty.

Sec. 9. *And be it further enacted*, That, in all cases where the actual value to be appraised, estimated, and ascertained, as hereinbefore stated, of any goods, wares, or merchandise, imported into the United States, and subject to any ad valorem duty, or whereon the duty is regulated by, or directed to be imposed or levied on, the value of the square yard, or other parcel or quantity thereof, shall, by ten per centum, exceed the invoice value thereof, in addition to the duty imposed by law on the same, if they had been invoiced at their real value, as aforesaid, there shall be levied and collected, on the same goods, wares, and merchandise, fifty per centum of the duty so imposed on the same goods, wares, and merchandise, when fairly invoiced: *Provided, always*, That nothing in this section contained shall be construed to impose the said last-mentioned duty of fifty per centum, for a variance between the bona fide invoice of goods produced in the manner specified in the proviso to the eighth section of this act, and the current value of the said merchandise in the country where the same may have been originally manufactured or produced: *And, further*, That the penalty of fifty per centum, imposed by the thirteenth section of the act, entitled "An act supplementary to, and to amend the act, entitled 'An act to regulate the collection of duties on imports and tonnage, passed the second day of March, one thousand seven hundred and ninety-nine, and for other purposes,'" approved March first, one thousand eight hundred and twenty-three, shall not be deemed to apply or attach to any goods, wares, or merchandise, which shall be subject to the additional duty of fifty per centum, as aforesaid, imposed by this section of this act.

Proviso.

1799, ch. 22.  
1823, ch. 21.

Duty of the  
Secretary of the  
Treasury.

Sec. 10. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, under the direction of the President of the United States, from time to time, to establish such rules and regulations, not inconsistent with the laws of the United States, as the President of the United States shall think proper, to secure a just, faithful, and impartial appraisal of all goods, wares, and merchandise, as aforesaid, imported into the United States, and just and proper entries of such actual value thereof, and of the square yards, parcels, or other quantities thereof, as the case may require, and of such actual value of every of them: And it shall be the duty of the Secretary of the Treasury to report all such

rules and regulations, with the reasons therefor, to the then next session of Congress.

APPROVED, May 19, 1828.

STATUTE I.

May 19, 1828.

[Obsolete.]

CHAP. LVI.—*An Act making appropriations for the improvement of certain harbours, the completion of the Cumberland road to Zanesville, the securing the lighthouse on the Brandywine Shoal, and the making of surveys.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums be, and the same are hereby, appropriated, to wit :

For the completion of the Cumberland road, continued to Zanesville, in the state of Ohio, one hundred and seventy-five thousand dollars : (a) which said sum of money shall be replaced out of the fund reserved, for laying out and making roads, under the direction of Congress, by the several acts passed for the admission of the states of Ohio, Indiana, Illinois, and Missouri into the Union, on an equal footing with the original states.

Completion of Cumberland road, &c.

To complete the removal of obstructions at the mouth of Grand river, in the state of Ohio, nine thousand one hundred and thirty-five dollars and eleven cents.

Removal of obstructions from Grand river.

To complete the removal of obstructions at the mouth of Huron river, in the state of Ohio, four thousand four hundred and thirteen dollars and thirty-five cents.

Removal of obstructions from Huron river.

To complete the erection of piers, at the mouth of Dunkirk harbour, in the state of New York, six thousand dollars.

Piers at Dunkirk harbour.

To complete the construction of the road from Detroit to Maumee, five thousand nine hundred dollars.

A road from Detroit to Maumee.

To continue the road from Detroit to Chicago, as far as the boundary line of the state of Indiana, eight thousand dollars.

Road from Detroit to Chicago.

To pay a balance due the commissioners for laying out a road from Detroit to Saganaw river and bay, and a road from Detroit to Fort Gratiot, in the territory of Michigan, three hundred and two dollars and sixty-nine cents.

A balance due for laying out a road, &c.

To complete the building of two piers at the mouth of Oswego harbour, in the state of New York, authorized by an act of Congress, approved the twentieth [second] of March last, entitled "An act to authorize the improving of certain harbours, the building of piers, and for other purposes," nine thousand five hundred and eighty-three dollars and thirty-nine cents.(b)

Two piers at the mouth of Oswego harbour.  
Act of March 2, 1827, ch. 46.

For deepening the channel of entrance, into the harbour of Presque Isle, six thousand two hundred and twenty-three dollars and eighteen cents.

Deepening the channel near Presque Isle.

For completing the removal of obstructions at the mouth of Ashtabula creek, Ohio, two thousand four hundred and three dollars and fifty cents.

Removal of obstructions in Ashtabula creek, Ohio.

For completing the removal of obstructions at the mouth of Cunningham creek, Ohio, one thousand five hundred and seventeen dollars and seventy-six cents.

Removal of obstructions in Cunningham creek, Ohio.

For removing obstructions to the navigation of Kennebec river, at Lovejoy's Narrows, by removing the half tide and other rocks, in addition to the appropriation of last session, three thousand five hundred dollars.

Removing obstructions in Kennebec river.

For preserving and securing the lighthouse on the Brandywine Shoal, in the bay of Delaware, ten thousand dollars.

Lighthouse on Brandywine shoal.

For defraying the expenses incidental to making examinations and surveys, under the act of thirtieth April, one thousand eight hundred and

Incidental expenses, &c.

(a) Notes of the acts which have passed relating to the Cumberland road, vol. ii. 357.

(b) This act was passed on the 2d March, 1827.

Act of April 30, 1824, ch. 46.

Proviso.

Complete a pier at Buffalo.

To be paid out of any money in the treasury.

twenty-four, thirty thousand dollars: *Provided*, That this appropriation shall not be construed into a legislative sanction of any examination or survey which shall not be deemed of national importance, and within the provisions of the aforesaid act of the thirtieth April, one thousand eight hundred and twenty-four.

To complete a pier adjacent to a pier at Buffalo, in the state of New York, thirty-four thousand two hundred and six dollars.

SEC. 2. *And be it further enacted*, That the several sums, hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 19, 1828.

STATUTE I.

May 19, 1828.

CHAP. LVII.—*An Act for the punishment of contraventions of the fifth article of the treaty between the United States and Russia.*

Any one, a citizen of the United States or trading under their authority by virtue of 5th article of treaty with Russia, of April 17, 1824, not permitted to sell to the natives on the north-west coast of America, &c., spirituous liquors.

Superior jurisdiction extended to the superior and circuit courts, in each of the territorial districts, in criminal cases.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That if any one, being a citizen of the United States, or trading under their authority, shall, in contravention of the stipulations entered into by the United States with the Emperor of all the Russias, by the fifth article of the treaty, signed at St. Petersburg, on the seventeenth day of April, in the year of our Lord one thousand eight hundred and twenty-four, sell, or cause to be sold, to the natives of the country on the north-west coast of America, or any of the islands adjacent thereto, any spirituous liquors, fire arms, or other arms, powder or munitions of war of any kind, the person so offending shall be fined in a sum not less than fifty nor more than two hundred dollars, or imprisoned not less than thirty days, nor more than six months.

SEC. 2. *And be it further enacted*, That the superior courts in each of the territorial districts, and the circuit courts and other courts of the United States, of similar jurisdiction in criminal causes, in each district of the United States, in which any offender against this act shall be first apprehended or brought for trial, shall have, and are hereby invested with, full power and authority to hear, try and punish, all crimes, offences and misdemeanors, against this act; such courts proceeding therein in the same manner as if such crimes, offences and misdemeanors, had been committed within the bounds of their respective districts.

APPROVED, May 19, 1828.

STATUTE I.

May 19, 1828.

CHAP. LVIII.—*An Act to authorize the President of the United States to run and mark a line, dividing the territory of Arkansas from the state of Louisiana.* (a)

President of United States to cause to be run, &c., the line dividing the territory of Arkansas, from the state of Louisiana.

Commissioner to be appointed.

Proviso.

*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 of America be, and he is hereby, authorized, in conjunction with the constituted authorities of the state of Louisiana, to cause to be run, and distinctly marked, the line dividing the territory of Arkansas from the state of Louisiana; commencing on the right bank of the Mississippi river, at latitude thirty-three degrees north, and running due west on that parallel of latitude, to where a line running due north from latitude thirty-two degrees north, on the Sabine river, will intersect the same. And, for that purpose, he is hereby authorized, to appoint a commissioner, or surveyor, or both, as in his opinion may be necessary: *Provided*, The compensation to be allowed to the person or

(a) See notes of the acts relating to the territory afterwards the state of Arkansas, vol. iii. 493.

persons so to be appointed by the President of the United States, shall not exceed in amount the compensation allowed by the government of Louisiana to the person or persons appointed, on its part, for the same object.

SEC. 2. *And be it further enacted*, That the person or persons, so to be appointed by the President of the United States, with such as have been or shall be appointed for the same purpose, on the part of the state of Louisiana, after they, in conjunction, shall have run, and distinctly marked said line, shall make two fair drafts, or maps thereof, both of which shall be certified by them, and one of which shall be deposited in the office of the Secretary of State for the United States, and the other delivered to the governor of Louisiana.

SEC. 3. *And be it further enacted*, That, for the purpose of carrying this act into execution, the sum of one thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury, not otherwise appropriated.

APPROVED, May 19, 1828.

Person appointed to make two fair certified drafts, one of which shall be deposited in the Secretary of State's office, and the other with the governor of Louisiana.

1000 dollars appropriated.

STATUTE I.

CHAP. LIX.—*An Act concerning the orphans' court of Alexandria county, in the District of Columbia.*

May 19, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That in addition to the regular monthly sessions of the orphans' court of Alexandria county, in the district aforesaid, as now authorized by law, that the judge of the aforesaid court be, and he is hereby, authorized and empowered, to hold extra sessions thereof, whenever the public interest may require it.

Judge authorized to hold extra sessions.

SEC. 2. *And be it further enacted*, That in lieu of the per diem allowance of six dollars, as now established by law, that he be allowed a fixed salary of five hundred dollars per annum, payable in the same manner as heretofore the per diem allowance has been, any law to the contrary notwithstanding.

To receive in lieu of per diem allowance of six dollars, a fixed salary of 500 dollars per annum.

SEC. 3. *And be it further enacted*, That this law shall be in force from and after the passing of the same.

Law to be in force after the passing of the same.

APPROVED, May 19, 1828.

STATUTE I.

CHAP. LX.—*An Act to reduce the duty on Greek and Latin books, printed previous to the year one thousand seven hundred and seventy-five.*

May 19, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the act, entitled "An act to amend the several acts imposing duties on imports," passed twenty-second of May, one thousand eight hundred and twenty-four, shall not be construed to impose upon books printed in Greek and Latin, which the importer shall make it satisfactorily appear to the collector of the port at which the same shall be entered, were printed previous to the year one thousand seven hundred and seventy-five, a higher duty than four cents per volume.

Duty on Greek and Latin books printed previous to 1775, not to be imposed in certain cases. Act of May 22, 1824, ch. 136.

APPROVED, May 19, 1828.

STATUTE I.

CHAP. LXVII.—*An Act to continue the mint at the city of Philadelphia, and for other purposes. (a)*

May 19, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the act, entitled "An act

Act of March, 3, 1801, ch. 21.

(a) See notes of acts relating to the mint, and to coins of the United States, vol. i. 246.



concerning the mint," approved March the third, one thousand eight hundred and one, be, and the same hereby is, revived and continued in force and operation, until otherwise provided by law.

For purpose of securing a due conformity, the brass troy weight procured in 1827 shall be the standard troy pound.  
1792, ch. 16.

SEC. 2. *And be it further enacted*, That, for the purpose of securing a due conformity in weight of the coins of the United States, to the provisions of the ninth section of the act, passed the second of April, one thousand seven hundred and ninety-two, entitled "An act establishing a mint, and regulating the coins of the United States," the brass troy pound weight procured by the minister of the United States at London, in the year one thousand eight hundred and twenty-seven, for the use of the mint, and now in the custody of the director thereof, shall be the standard troy pound of the mint of the United States, conformably to which the coinage thereof shall be regulated.

A series of weights corresponding to the aforesaid troy pound weight, to be procured.

SEC. 3. *And be it further enacted*, That it shall be the duty of the director of the mint to procure, and safely to keep a series of standard weights, corresponding to the aforesaid troy pound, consisting of an one pound weight, and the requisite subdivisions and multiples thereof, from the hundredth part of a grain to twenty-five pounds; and that the troy weights ordinarily employed in the transactions of the mint, shall be regulated according to the above standards, at least once in every year, under his inspection; and their accuracy tested annually in the presence of the assay commissioners, on the day of the annual assay.

When silver bullion is found to require the operation of the test.

SEC. 4. *And be it further enacted*, That, when silver bullion, brought to the mint for coinage, is found to require the operation of the test, the expense of the materials employed in the process, together with a reasonable allowance for the wastage necessarily arising therefrom, to be determined by the melter and refiner of the mint, with the approbation of the director, shall be retained from such deposit, and accounted for by the treasurer of the mint to the treasury of the United States.

Silver bullion found to contain a proportion of gold.  
Proviso.

SEC. 5. *And be it further enacted*, That, when silver bullion, brought to the mint for coinage, shall be found to contain a proportion of gold, the separation thereof shall be effected at the expense of the party interested therein: *Provided, nevertheless*, That, when the proportion of gold is such that it cannot be separated advantageously, it shall be lawful, with the consent of the owner, or, in his absence, at the discretion of the director, to coin the same as an ordinary deposit of silver.

Director of the mint may employ the requisite number of clerks.

SEC. 6. *And be it further enacted*, That the director of the mint may employ the requisite number of clerks, at a compensation not exceeding in the whole the sum of seventeen hundred dollars, and such number of workmen and assistants as the business of the mint shall, from time to time, require.

Director of the mint to receive and cause to be assayed bullion not intended for coinage, &c.

SEC. 7. *And be it further enacted*, That it shall be lawful for the director of the mint to receive, and cause to be assayed, bullion not intended for coinage, and to cause certificates to be given of the fineness thereof by such officer as he shall designate for that purpose, at such rates of charge, to be paid by the owner of said bullion, and under such regulations, as the said director may, from time to time, establish.

Act of Jan. 18, 1837, ch. 3, sec. 14.

APPROVED, May 19, 1828.

#### STATUTE I.

May 19, 1828.

CHAP. LXVIII.—*An Act further to regulate processes in the courts of the United States. (a)*

Act of March 3, 1821, ch. 51.  
Forms of

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the forms of mesne pro-

(a) In addition to the notes of the decisions of the courts of the United States on the subject of process and proceeding in vol. i. 93, the following cases are referred to:

The legislature of a state cannot suspend process in the courts of the United States, as to its citizens. *Babcock v. Weston*, 1 Gallis. C. C. R. 168.

cess, except the style, and the forms and modes of proceeding in suits in the courts of the United States, held in those states admitted into the Union since the twenty-ninth day of September, in the year seventeen hundred and eighty-nine, in those of common law, shall be the same in mesne process, except the style, and the forms and modes of pro-

It is not a contempt of court to serve a person with a summons, while attending at the place where the court is held, as a party in a cause, or as a witness. It is a contempt of court to serve process, either of summons or capias, in the actual or constructive presence of the court. *Blight's Ex'rs v. Ashley*, 1 Peters' C. C. R. 41.

Attachments for the non-attendance of a witness, on a subpoena, must be served by the marshal of the court; although the persons against whom the process is issued, reside in a distant county. *United States v. Montgomery*, circuit court of the United States, 2 Dall. 33.

An attachment is the usual process to bring a party into court, where he has not made a true return: and if he is present in court, no such process is necessary; but the court may pass an order directing him, immediately, to answer interrogatories. *United States v. Greene*, 3 Mason's C. C. R. 482.

Attachments may issue out of the admiralty courts of the United States, against the goods or debts of an absent person, so as to make him a party to the suit. *Bouysson et al. v. Miller et al.*, *Bee's Adm. Decis.* 186.

The admiralty may issue process of attachment to compel an appearance in cases of maritime torts, as well as in cases of contract. *Manro v. Almeida*, 10 Wheat. 473; 6 Cond. Rep. 190.

An admiralty court has jurisdiction to proceed by attachment in rem for a tort. *The Candalero*, *Bee's Adm. Decis.* 60.

The process of attachment may issue whenever the defendant has concealed himself, or has absconded from the country, and the goods to be attached are within the jurisdiction of the court of admiralty. It may issue against his goods and chattels, and against his credits and effects, in the hands of third persons. *Manro v. Almeida*, 10 Wheat. 473; 6 Cond. Rep. 190.

It seems that an attachment cannot issue without an express order of the judge, but it may be issued simultaneously with the monition; and where the attachment issued in this manner, and in pursuance of the prayer of the libel, the Supreme Court will presume that it was regularly issued. *Ibid.*

The act for regulating processes in the courts of the United States, provides that the forms and modes of proceeding in courts of equity, and in those of admiralty and maritime jurisdiction, shall be according to the principles, rules and usages which belong to courts of equity, and to courts of admiralty, respectively, as contradistinguished from courts of common law, subject, however, to alterations by the courts, &c. This act has been generally understood to adopt the principles, rules and usages of the court of chancery of England. *Hinde v. Vattier*, 5 Peters, 398.

Process of foreign attachment cannot be properly issued by the circuit courts of the United States, in cases where the defendant is domiciled abroad, or not found within the district in which the process issues, so that it cannot be served upon him. *Toland v. Sprague*, 12 Peters, 300.

By the general provisions of the laws of the United States: 1. The circuit courts can issue no process beyond the limits of their districts. 2. Independently of positive legislation, the process can only be served upon persons within the same districts. 3. The acts of Congress adopting the state process, adopt the form and modes of service only, so far as the persons are rightfully within the reach of such process; and did not intend to enlarge the sphere of the jurisdiction of the circuit courts. 4. The right to attach property to compel the appearance of persons, can properly be used only in cases in which such persons are amenable to the process of the circuit court, in personam; that is, where they are inhabitants, or found within the United States; and not where they are aliens, or citizens resident abroad, at the commencement of the suit, and have no inhabitancy here. *Ibid.*

In the case of a person being amenable to process, in personam, an attachment against his property cannot be issued against him, except as a part of, or together with process to be served upon his person. *Ibid.*

The circuit and district courts of the United States cannot, either in suits at common law or equity, send their process into another district, except where specially authorized so to do, by some act of Congress. *Ex parte Graham*, 3 Wash. C. C. R. 456.

The marshal may have an attachment to enforce the payment of his fees of office, against suitors in the court. *Anonymous*, 2 Gallis. C. C. R. 101.

The court will not dictate to the marshal, what return he shall make to process in his hands. He must make his return at his peril, and any person injured by it, may have his legal remedy for such return. *Wortman v. Conyngham*, Peters' C. C. R. 241.

Congress has, by the constitution, exclusive authority to regulate proceedings in the courts of the United States; and the states have no authority to control those proceedings; except so far as the state process acts are adopted by Congress, or by the courts of the United States, under the authority of Congress. *Wayman v. Southard*, 10 Wheat. 1; 6 Cond. Rep. 1.

The 14th section of the judiciary act of 1789, ch. 20, authorizes the courts of the United States to issue writs of execution, as well as other writs. *Ibid.*

The 34th section of the judiciary act of 1789, ch. 20, does not apply to the process and practice of the courts. It merely furnishes a rule of decision, and is not intended to regulate the remedy. *Ibid.*

The process act of 1792, ch. 137, is the law which regulates executions issuing from the courts of the United States: and it adopts the practice of the supreme courts of the states, in 1789, as the rule for governing proceedings on such executions, subject to such alterations as the courts of the United States may make, but not subject to the alterations which have since taken place in the state laws and practice. *Ibid.*

The statutes of Kentucky concerning executions, which require the plaintiff to endorse on the execution, that bank notes of the Bank of Kentucky, or notes of the Bank of the Commonwealth of Kentucky, will be received in payment, and on his refusal, authorize the defendant to give a replevin bond for the debt, payable in two years, are not applicable to executions issued on judgments rendered by the courts of the United States. *Ibid.*

ceeding in suits  
in courts of  
United States  
admitted into  
the Union

each of the said states, respectively, as are now used in the highest court, of original and general jurisdiction of the same, in proceedings in equity, according to the principles, rules, and usages, which belong to courts of equity, and in those of admiralty and maritime jurisdiction, according to

The laws of the United States authorize the courts of the Union so to alter the form of the process of execution used in the supreme courts of the states in 1789, as to subject to execution, issuing out of the federal courts, lands and other property not thus subject by the state laws in force at that time. *Bank of the United States v. Halstead*, 10 Wheat. 51; 6 Cond. Rep. 22.

A subpoena duces tecum may issue to the President of the United States. 1 Burr's Trial, 183.

A party cannot be arrested in Pennsylvania, on an attachment from the circuit court in Rhode Island, for contempt, in not appearing in that court after a monition served upon him in Pennsylvania, to answer in a prize cause depending in the court in Rhode Island. *Ex parte Graham*, 3 Wash. C. C. R. 456.

A writ of error does not lie to an order of the court below to stay the proceedings finally, upon suggestion of the attorney of the United States, in a case to which the United States are not parties; but the court will award a mandamus nisi, in the nature of a procedendo. *Livingston v. Dorgenois*, 7 Cranch, 577; 2 Cond. Rep. 618.

The marshal of the District of Columbia is bound to serve a subpoena in chancery, as soon as he reasonably can; and he will, in case of neglect, be answerable to the plaintiff, who has, in consequence of such neglect, sustained any loss. *Kennedy v. Brent*, 6 Cranch, 187; 2 Cond. Rep. 345.

On a capias, in assumpsit against three, and one arrested, who gives bail, and non est inventus as to the others, if the party files his declaration and proceeds against the one arrested, he cannot afterwards bring in the others by alias capias, and make them parties to the suit. *United States v. Parker*, 2 Dall. 373.

An alias capias must be tested, as of the term to which the original writ was returned. *Ibid.*

A term cannot intervene between the teste and return of a writ of error. *Hamilton v. Moore*, 3 Dall. 371; 1 Cond. Rep. 168.

If the defendant below intermarries after the judgment, and before the service of the writ of error, the service of the citation upon the husband will be sufficient. *Fairfax's Ex'rs v. Fairfax*, 5 Cranch, 19; 2 Cond. Rep. 178.

There is no act of Congress which authorizes a circuit court to issue a compulsory process to the district court for the removal of a cause from that jurisdiction before a final judgment or decree is pronounced. If a certiorari should issue in such a case, the district court may and ought to refuse obedience to the writ: and after the cause is thus removed, either party may move for a procedendo, or pursue the cause in the district court, in like manner as if the record had not been removed. But, if instead of taking advantage of this irregularity, the defendant enter his appearance in the circuit court, take defence and plead to issue, it is too late after verdict to object to the irregularity. The cause will be considered as an original one in the circuit court, made so by consent of parties, even though no declaration de novo should be filed in the circuit court. *Patterson v. The United States*, 2 Wheat. 221; 4 Cond. Rep. 98.

Whenever, by the state laws in force in 1789, a capias might issue from a state court, the acts of 1789 and 1792, extending, in terms, to that species of writ, must be understood to have adopted its use permanently in the federal courts. *United States v. January*, 10 Wheat. 66. In a note.

At an early period after the organization of the federal courts, the rules of practice in force in the state courts, which were similar to the English practice, were adopted by the judges of the circuit court. A subsequent change in the practice of the state courts, will not authorize a departure from the rules adopted in the circuit court. *Anonymous*, Peters' C. C. R. 1.

Whenever, by the laws of the United States, a defendant is to be arrested, the process of arrest employed in the state, shall be pursued. 2 Burr's Trial, 481.

Upon executing a writ of inquiry, in Virginia, in an action of assumpsit upon a promissory note, it is necessary to produce a note, corresponding with that stated in the declaration; but it is not necessary to prove the note. *Sheehy v. Mandeville*, 7 Cranch, 208; 2 Cond. Rep. 476.

A party charged with a crime, even before indictment found, may have compulsory process for his witnesses. But his omitting to avail himself of this right is not such negligence as will deprive him of the benefit of having his cause postponed, if his witnesses be absent; but it will justify the court in imposing terms on him. *United States v. Moore*, Wallace's C. C. R. 23.

The process act of Congress, of 1828, was passed shortly after the decision of the Supreme Court of the United States, in the case of *Wayman v. Southard*, and the *Bank of the United States v. Halsted*, and was intended as a legislative sanction of the opinions of the court in those cases. The power given to the courts of the United States, by this act, to make rules and regulations on final process, so as to conform the same to the laws of the states on the same subject, extends to future legislation; and as well to the modes of proceedings on executions, as to the forms of writs. *Ross & King v. Duval et al.*, 13 Peters, 45.

All proceedings for attachments are on the civil side of the courts, and are to be entitled with the names of the parties, until an attachment issues; after which they are on the criminal side. *United States v. Wayne*, Wallace's C. C. R. 134.

The courts of chancery of the United States will, under circumstances, order a commission of rebellion, to be returnable forthwith. *Ibid.*

The judiciary act of 1789, ch. 20, does not contemplate compulsive process against any person in any district, unless he be an inhabitant of, or found within, the same district at the time of serving the writ. *Picquet v. Swan*, 5 Mason's C. C. R. 35.

The act of Massachusetts of 1797, ch. 50, prescribing the modes of serving process, does not apply to a case where the defendant has been an inhabitant, but at the time of the suit brought has his actual domicile in another state or country. *Ibid.*

Under the statute of Massachusetts of 1823, ch. 142, giving relief against fraud to secure attaching creditors, it is not necessary that the second attachment should be returnable to the same term of the

the principles, rules, and usages, which belong to courts of admiralty, as contradistinguished from courts of common law, except so far as may have been otherwise provided for by acts of Congress; subject, however, to such alterations and additions, as the said courts of the United States respectively shall, in their discretion, deem expedient, or to such regulations as the Supreme Court of the United States shall think proper, from time to time, by rules, to prescribe to any circuit or district court concerning the same.

since 29th Sept. 1829.

Subject, however, to such alterations, &c.

SEC. 2. *And be it further enacted*, That, in any one of the United States, where judgments are a lien upon the property of the defendant, and where, by the laws of such state, defendants are entitled in the courts thereof, to an imparlance of one term or more, defendants, in actions in the courts of the United States, holden in such state, shall be entitled to an imparlance of one term.

Where judgments are a lien upon the property of the defendant.

SEC. 3. *And be it further enacted*, That writs of execution and other final process issued on judgments and decrees, rendered in any of the courts of the United States, and the proceedings thereupon shall be the same, except their style, in each state, respectively, as are now used in the courts of such state, saving to the courts of the United States in those states, in which there are not courts of equity, with the ordinary equity jurisdiction, the power of prescribing the mode of executing their decrees in equity by rules of court: *Provided, however*, That it shall be in the power of the courts, if they see fit in their discretion, by rules of court, so far to alter final process in said courts as to conform the same to any change which may be adopted by the legislatures of the respective states for the state courts.

When writs of execution and other final process issued on judgments, &c., rendered in any of the courts of the United States, &c. Proviso.

court as the first attachment. Query, If the plaintiff must, in all cases under that act, sign and make oath to his petition to be admitted to defend against the first attachment, or if he is abroad, it may be done by his agent. *Lodge v. Lodge*, 5 Mason's C. C. R. 407.

Pennsylvania. Levy and condemnation, under an execution, keep a judgment alive, and preserve the lien without a scire facias. *United States v. The Mechanics' Bank, Gilpin's D. C. R. 54.*

Where there is a scire facias to revive a judgment, the defendant cannot avail himself of matters of defence which occurred previous to the original judgment. *United States v. Thompson, Gilpin's D. C. R. 622.*

Laws which relate to practice, process, or modes of proceeding before or after judgment, are exceptions to the 34th section of the judiciary act of 1789, as Congress have legislated on the subject. The Supreme Court of the United States have established the distinction to be this: State laws, which furnish the court a rule for forming a judgment, are binding on the federal courts, not laws for carrying that judgment into execution; that is governed by the acts of Congress, and the rules of practice adopted in pursuance thereto. *Thompson v. Phillips, Baldwin's C. C. R. 274.*

The act of the legislature of Ohio, of February, 1820, relative to proceedings against parties to promissory notes, by which all the parties to a note might be proceeded against in one suit, was a very wise and benevolent law, and its salutary effects produced its immediate adoption into the practice of the courts of the United States, and the suits have, in many instances, been prosecuted under it. *Fullerton v. The Bank of the United States*, 1 Peters, 604.

Although the act of the legislature of Ohio, regulating the mode of proceeding in actions on promissory notes, was passed after the making of the note upon which this action was brought, yet the circuit court of the United States for the district of Ohio, having incorporated the action under that statute, with all its incidents, into its course of practice, and having full power by law to adopt it, there does not appear any legal objection to its doing so, in the prosecution of the system under which it has always acted. *Yeaton v. Lenox*, 3 Peters, 123.

The process act of 1823 expressly adopts the mesne process, and modes of proceeding in suits at common law, then existing in the highest state court, under the state laws; which of course included all the regulations of the state laws as to bail, and exemptions of the party from arrest and imprisonment. In regard, also, to writs of execution, and other final process, and "the proceedings thereupon;" it adopts an equally comprehensive language, and declares they shall be the same as were then used in the courts of the state. *Beers v. Haughton*, 9 Peters, 329.

The circuit court of each district, sit within and for that district, and are bounded by its local limits. Whatever may be the extent of the jurisdiction of the circuit court over the subject matter of suits, in respect to persons and property, it can only be exercised within the limits of the district. Congress might have authorized civil process from any circuit court to have run into any state of the Union. It has not done so. It has not, in terms, authorized any civil process to run into any other district; with the single exception of subpoenas to witnesses within a limited distance. In regard to final process, there are two cases, and only two, in which writs of execution can now by law be served in any other district than that in which the judgment was rendered; one in favour of private persons in another district of the same state; and the other in favour of the United States, in any part of the United States. *Toland v. Sprague*, 12 Peters, 300.

Nothing in this act to be construed to extend to any court, &c.

SEC. 4. *And be it further enacted*, That nothing in this act contained shall be construed to extend to any court of the United States now established, or which may hereafter be established, in the state of Louisiana. (a)

APPROVED, May 19, 1828.

STATUTE I.

May 23, 1828.

CHAP. LXIX.—*An Act to authorize the building of lighthouses, and for other purposes.*

Secretary of the Treasury empowered to provide for building lighthouses, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, empowered to provide, by contract, for building lighthouses and light vessels, and erecting beacons, and placing buoys, on the following sites and shoals, to wit:

At Dice's Head.  
On Nobsque point.

In the state of Maine, a lighthouse at Dice's Head.

In the state of Massachusetts, a lighthouse on Nobsque point; one on the Point of Flats, at the entrance of Edgartown harbour; a lighthouse on Dumpling rock, south of the mouth of Aponeganset river.

On Nayat point, &c.

In the state of Rhode Island, a lighthouse on Nayat point; and two pyramids or spindles, to wit: one on a reef of rocks, under water, opposite to Pawtuxet, and one on a reef of rocks, opposite the Punham Rock, in the northern part of Narraganset bay.

Beacon light on Spindle Rock.

In the state of Connecticut, a beacon light on or near the Spindle Rock, at the mouth of Black Rock harbour.

Two lighthouses north of Kinder Hook, &c.

In the state of New York, two small lighthouses, to wit: one on the flats, two miles north of Kinder Hook, upper landing, called the Drowned Lands, and one on the point of the island on the west side of the channel, opposite the lower landing. A lighthouse at a proper site, at or near Portland, on Lake Erie.

Two lighthouses on Little Watt's Island, &c.

In the state of Maryland, two lighthouses; one on Little Watt's Island, at the south-eastern extremity of Tangier Sound; and the other on Clay Island, at the northernmost extremity of the same sound; and a beacon light, or a small lighthouse on Point Lookout, in the Chesapeake bay.

Lighthouse on Smith's point.

In the state of Virginia, a lighthouse on Smith's point, at the mouth of the Potomac, in the Chesapeake bay.

Light vessel to be substituted, &c.

In the state of North Carolina, a light vessel, to be substituted for the lighthouse heretofore directed to be built at the Point of Marsh, at the mouth of Neuse river.

Beacon lighthouse on Pamptico Sound, &c.

A beacon light, or small lighthouse, at a proper site on Pamptico point; and one at the south entrance of Roanoake marshes.

Lighthouse in Mobile bay, &c.

In the state of Alabama, a lighthouse at or near Choctaw point, in Mobile bay; and an iron spindle on Sand island, on the outer bar of Mobile bay.

Two lighthouses, one at Otter creek point, &c.

In the territory of Michigan, two lighthouses; one at Otter creek point, at the head of Lake Erie, and the other on the Island of Bois Blanc, near Michilimacinac.

Lighthouse, St. John's river.

In the territory of Florida, a lighthouse at the mouth of St. John's river.

Sums appropriated to be paid from the treasury.

SEC. 2. *And be it further enacted*, That the following sums of money be appropriated and paid out of any moneys in the treasury not otherwise appropriated, for the purpose of carrying the provisions of this act into effect, viz:

Lighthouse on Dice's Head.

For building a lighthouse on Dice's Head, five thousand dollars.

Lighthouse on Nobsque Rock, &c.

For the lighthouse on Nobsque point, three thousand dollars; and for the pier and lighthouse at the entrance of Edgartown harbour, five thousand five hundred dollars.

Lighthouse, Dumpling rock.

For a lighthouse on Dumpling rock, four thousand dollars.

(a) See an act to regulate the mode of practice in the courts of the United States in Louisiana, May 26, 1824, ch. 181, and notes to that act.

For a lighthouse on Nayat point, three thousand five hundred dollars; and for two pyramids or spindles, in Narraganset bay, two thousand dollars.

Lighthouse on Nayat point.

For a beacon-light on or near Spindle rock, at the mouth of Black Rock harbour, six thousand two hundred dollars.

Beacon-light on or near Spindle rock.

For two small lighthouses in Hudson river, eight thousand dollars.

Two lighthouses in Hudson river.

For a lighthouse at or near Portland, on Lake Erie, five thousand dollars; one thousand dollars for removing obstructions in order to make the light of the lighthouse at the mouth of Genessee river, on Lake Ontario, visible at a distance.

Lighthouse near Portland.

For erecting a tower and placing a bell thereon with machinery, near the lighthouse on Pool's Island, Chesapeake bay, two thousand eight hundred dollars.

A tower, &c., near the lighthouse on Pool's island, &c.

For the lighthouse on Little Watt's island, six thousand five hundred dollars; and for that on Clay island, six thousand five hundred dollars; and for a beacon-light, or small lighthouse, on Point Look Out, four thousand five hundred dollars.

Lighthouse on Little Watt's Island, &c.

For the lighthouse on Smith's point, seven thousand five hundred dollars.

On Smith's point.

For a beacon-light or lighthouse on Pamptico point, five thousand dollars; and for one at the entrance of Roanoke Marshes, five thousand dollars; for a light vessel, to be placed at or near the point of Marsh Shoal, at or near the mouth of Neuse river, six thousand five hundred dollars; this sum to be in addition to the sum already appropriated for building a lighthouse at the point of Marsh, at the mouth of the said river, for which lighthouse the light vessel is substituted.

Beacon-light or lighthouse on Pamptico point, &c.

1827, ch. 47.

For a lighthouse at Otter Creek point, five thousand dollars.

Otter Creek point.

For one on Bois Blanc, five thousand dollars.

On Bois Blanc. St. John's river.

For one at St. John's river, six thousand five hundred dollars; and for one on Choctaw point, six thousand five hundred dollars.

Four buoys in the Hudson river.

For placing four buoys in Hudson river, on the following sites: One on a reef of rocks opposite Van Wee's point; one on a reef of rocks north of Constitution point; one on a reef of rocks, the south point of Conner's Hook island; and one on a wreck of a vessel sunk in Haverstraw bay; three hundred dollars.

Two buoys near the Pea Patch in the river Delaware.

For placing two buoys near the channel, to the eastward of the Pea Patch, in the river Delaware, viz: one on the north-east point of the Pea Patch; and one on a small shoal in the passage, four hundred dollars.

Spindles, &c. Kennebec bay.

For spindles or monuments, and buoys, to render the navigation of Kennebec bay and river safe, fifteen hundred dollars.

For placing a buoy on Killpond bar, in Buzzard's bay, sixty dollars.

Buoy on Killpond bar.

For placing twenty buoys, at proper sites, in the river Teche, in the state of Louisiana, two thousand six hundred dollars.

Twenty buoys in Louisiana.

For an iron spindle on Sand Island, on the bar of Mobile bay, six hundred dollars.

Iron spindle on Sand Island.

For five buoys, in the channel, between Key West and the islands to the westward of it and the main, leading from the Gulf Stream to the bay of Mexico, seven hundred dollars.

Five buoys in the channel between Key West.

For two buoys at the mouth of St. John's river, territory of Florida, one hundred and sixty dollars.

Two buoys at the mouth of St. John's river.

SEC. 3. *And be it further enacted,* That the said secretary be empowered as aforesaid, and that the following sums be appropriated and paid as aforesaid, for the purposes hereafter designated, viz:

To build a lighthouse, at a proper site, near St. Mark's harbour, in Florida, the sum of six thousand dollars.

Lighthouse near St. Mark's harbour.

To build a lighthouse on a ledge of rocks, called the Whale's Back, in the harbour of Portsmouth, in the state of New Hampshire, eight thousand dollars, in addition to the former appropriation for that object.

Lighthouse at Portsmouth.

1827, ch. 47.

Lighthouse near the mouth of Duck creek.

Salaries of the respective keepers of lighthouses.

Proviso.

To build a lighthouse near the mouth of Duck creek, adjoining Delaware bay, the sum of four thousand dollars.

SEC. 4. *And be it further enacted*, That, from and after the passage of this act, the Secretary of the Treasury be, and he is hereby, authorized and empowered to regulate and fix the salaries of the respective keepers of lighthouses, in such manner as he shall deem just and proper: *Provided*, The whole sum allowed shall not exceed an average of four hundred dollars to each keeper.

Appropriation.

SEC. 5. *And be it further enacted*, That the sum of five thousand two hundred dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, in addition to the sums heretofore appropriated, to pay the salaries to the several keepers of the lighthouses within the United States; to be applied under the direction of the Secretary of the Treasury, in conformity to the authority in him vested by the third section of this act.

APPROVED, May 23, 1828.

#### STATUTE I.

May 23, 1828.

CHAP. LXX.—*An Act supplementary to the several acts providing for the settlement and confirmation of private land claims in Florida.* (a)

Act of May 8, 1822, ch. 129.  
Act of March 3, 1823, ch. 29.

The three claims to land in the district of West Florida, contained in the reports of the commissioners, numbered 4, 8, and 10, excluding from the latter the land contained in certificate, and in the plats A. and C., &c., confirmed.

No more than the quantity of acres contained in a league square shall be confirmed within the bounds of any one grant, &c.

All the decisions made by the register, &c., of the district of East Florida, as commissioners under act of Feb. 8, 1827, ch. 9, recommended for confirmation, confirmed.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the three claims to land in the district of West Florida, contained in the reports of the commissioners, and numbered four, [4] eight, [8] and ten, [10] excluding from the latter the land contained in certificate, and in the plats A. and C., and the claims contained in the reports of the commissioners of East Florida, and in the reports of the receiver and register, acting as such, made in pursuance of the several acts of Congress providing for the settlement of private land claims in Florida, and recommended for confirmation by said commissioners, and by the register and receiver, be, and the same are hereby, confirmed to the extent of the quantity contained in one league square, to be located by the claimants, or their agents, within the limits of such claims or surveys filed, as aforesaid, before the said commissioners, or receiver and register, which location shall be made within the bounds of the original grant, in quantities of not less than one section, and to be bounded by sectional lines.

SEC. 2. *And be it further enacted*, That no more than the quantity of acres contained in a league square, shall be confirmed within the bounds of any one grant: and no confirmation shall be effectual until all the parties in interest, under the original grant, shall file with the register and receiver of the district where the grant may be situated, a full and final release of all claim to the residue contained in the grant: and where there shall be any minors incapable of acting within said territory of Florida, a relinquishment by the legal guardian shall be sufficient; and thereafter the excess in said grants, respectively, shall be liable to be sold as other public lands of the United States.

SEC. 3. *And be it further enacted*, That all the decisions made by the register and receiver of the district of East Florida, acting *ex officio*, as commissioners, in pursuance of an act of Congress, approved the eighth of February, one thousand eight hundred and twenty-seven, authorizing them to ascertain and decide claims and titles to lands in the district aforesaid, and those recommended for confirmation under the quantity of three thousand five hundred acres, contained in the reports, abstracts, and opinions, of the said register and receiver, transmitted to the Secretary of the Treasury, according to law, and referred by him to Congress, on the twenty-ninth January, one thousand eight hundred and twenty-

(a) See notes of the decisions of the Supreme Court upon claims and titles to land in the territory of Florida, vol. iii. 709.

eight, be, and the same are hereby, confirmed. The confirmations authorized by this act shall operate only as a release of any claim had by the United States, and not to affect the interest of third persons.

SEC. 4. *And be it further enacted*, That the said register and receiver shall continue to examine and decide the remaining claims in East Florida, subject to the same limitations and in conformity with the provisions of the several acts of Congress, for the adjustment of private land claims in Florida, until the first Monday in December next, when they shall make a final report of all the claims, aforesaid, in said district, to the Secretary of the Treasury; and it shall never be lawful, after that time, for any of the claimants to exhibit any further evidence in support of said claims. And the said register and receiver, and clerk, shall receive the compensation provided in the act aforesaid, to be paid out of any money in the treasury not otherwise appropriated: *Provided*, That the extra compensation of one thousand dollars, each, which is hereby allowed to the register and receiver, for services under and by the provisions of this act, shall not be paid until a report of all the claims be made to the Secretary of the Treasury.

SEC. 5. *And be it further enacted*, That the proper accounting officers of the treasury be, and they are hereby, authorized to adjust and pay the accounts of the register and receiver, acting as commissioners, their contingent expenses, and the receiver the compensation heretofore allowed for bringing their reports to Washington, out of any money in the treasury not otherwise appropriated.

SEC. 6. *And be it further enacted*, That all claims to land within the territory of Florida, embraced by the treaty between Spain and the United States of the twenty-second of February, one thousand eight hundred and nineteen, which shall not be decided and finally settled under the foregoing provisions of this act, containing a greater quantity of land than the commissioners were authorized to decide, and above the amount confirmed by this act: and which have not been reported, as antedated or forged by said commissioners, or register and receiver acting as such, shall be received and adjudicated, by the judge of the superior court of the district within which the land lies, upon the petition of the claimant, according to the forms, rules, regulations, conditions, restrictions, and limitations prescribed to the district judge, and claimants in the state of Missouri, by act of Congress, approved May twenty-sixth, eighteen hundred and twenty-four, entitled "An act enabling the claimants to lands within the limits of the state of Missouri, and territory of Arkansas, to institute proceedings to try the validity of their claims:" *Provided*, That nothing in this section shall be construed to authorize said judges to take cognisance of any claim annulled by the said treaty, or the decree ratifying the same by the king of Spain, nor any claim not presented to the commissioners or register and receiver, in conformity to the several acts of Congress, providing for the settlement of private land claims in Florida.

SEC. 7. *And be it further enacted*, That it shall be lawful for the claimants to lands, as aforesaid, to take an appeal, as directed in the act aforesaid, from the decision of the judge of the district, to the Supreme Court of the United States, within four months after the decision shall be pronounced; and the said judges shall each be entitled to receive the extra compensation given to the district judge of Missouri, for the performance of the duties required by this act, out of any money in the treasury not otherwise appropriated.

SEC. 8. *And be it further enacted*, That so much of the said act, the provisions of which, so far as they are applicable, and are not altered by this act, are hereby extended to the territory of Florida, as subjects the claimants to the payment of costs in any case where the decision may be in favour of their claims, be, and the same is hereby, repealed; and

Register and receiver to examine and decide the remaining claims in East Florida, &c.

Proviso.

Accounting officers of the treasury to adjust, &c., the accounts of the register and receiver, &c.

Claims not decided and finally settled by the commissioners to be decided by the judge of the superior court of the district.

Act of May 26, 1824, ch. 173.

Proviso.

Claimant may appeal to the Supreme Court of the United States within four months after the decision shall be pronounced, &c.

Costs.



Repeal of certain provisions.

Attorney general of the United States, for the district in which the suits authorized by this act shall be instituted, in every case where the decision is against the United States, to make out and transmit to the attorney general a statement containing the facts of the case, &c.

The President of the United States to appoint a law agent, to superintend, &c.

Duty of the agent.

The President to appoint assistant counsel.

Claims to lands, &c., within the purview of this act, forever barred after the passage of this act, if, &c.

Decrees rendered by said district or Supreme Court United States to be conclusive, &c.

the costs shall abide the decision of the cause as in ordinary causes before the said court. And so much of the said act as requires the claimants to make adverse claimants parties to their suits, or to show the court what adverse claimants there may be to the land claimed of the United States, be also hereby repealed.

SEC. 9. *And be it further enacted*, That it shall be the duty of the attorney of the United States for the district in which the suits authorized by this act shall be instituted, in every case where the decision is against the United States, to make out and transmit to the attorney general of the United States, a statement, containing the facts of the case, and the points of law on which the same was decided: and it shall be the duty of the attorney general, in all cases where the claim exceeds one league square, and in all other cases, if he shall in such latter cases think the decision of the district judge is erroneous, to direct an appeal to be made to the Supreme Court of the United States, and to appear for the United States, and prosecute such appeal: which appeal in behalf of the United States may be granted at any time within six months after the rendition of the judgment appealed from, or at any time before the expiration of the term thereof, which may commence next after the expiration of said six months; and it shall be the further duty of the district attorney to observe the instruction given to him by the attorney general in that respect.

SEC. 10. *And be it further enacted*, That it shall be lawful for the President of the United States to appoint a law agent, whose special duty it shall be to superintend the interests of the United States in the premises, to continue him in place as long as the public interest requires his continuance; and to allow such pay to the agent as the President may think reasonable. It shall also be the duty of said agent to collect testimony in behalf of the United States, and to attend, on all occasions, when said claimants may take depositions; and no deposition so taken by them shall be read as evidence, unless said agent or district attorney shall have been notified, in writing, of the time and place of taking them, so long previous to said time as to afford to him an opportunity of being present.

SEC. 11. *And be it further enacted*, That it shall be lawful for the President to employ assistant counsel, if in his opinion the public interest shall require the same: and to allow to such counsel and the district attorney, such compensation as he may think reasonable.

SEC. 12. *And be it further enacted*, That any claims to lands, tenements, or hereditaments, within the purview of this act, which shall not be brought by petition before said court within one year from the passage of this act, or which, after being brought before said court, shall, on account of the neglect or delay of the claimant, not be prosecuted to a final decision within two years, shall be forever barred, both at law and in equity; and no other action at common law, or proceeding in equity, shall ever thereafter be sustained in any court whatever.

SEC. 13. *And be it further enacted*, That the decrees which may be rendered by said district, or the Supreme Court of the United States, shall be conclusive between the United States and the said claimants only, and shall not affect the interests of third persons.

APPROVED, May 23, 1828.

#### STATUTE I.

May 23, 1828.

CHAP. LXXI.—*An Act for the relief of purchasers of the public lands that have reverted for non-payment of the purchase money.* (a)

Where public lands have

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, in all cases where public

(a) See notes to the act of March 21, 1828, ch. 22.

lands have been purchased, on which a further credit has not been taken under the provisions of the act of the second of March, one thousand eight hundred and twenty-one, and have reverted, or are liable to revert, to the United States, for failure to pay the purchase money, or have been sold by the United States by reason of such failure to pay, and in all cases where one twentieth of the purchase money shall have been deposited and forfeited to the United States, it shall be the duty of the register of the land office, where the purchase or deposit was made, to issue, upon application, to the person, or persons, legally entitled to the benefit of the payments made previous to such reversion or sale, his, her, or their legal representatives, or assigns, a certificate for the amount so paid, and not refunded, which shall be received and credited as cash in payment of any public land that has been heretofore, or may hereafter be, sold by the United States, in the state or territory in which such original purchase or deposit was made.

been purchased, on which a further credit has not been taken under the provision of act of March 2, 1821, ch. 12, and have reverted, or are liable to revert, to the United States, for failure to pay the purchase money.

Fees.

Duty of the commissioner of the general land office to prescribe the form of such certificates.

Fees.

Certificates, when received in payment for lands, shall be entered in the books of the land office where received, and transmitted to the general land office.

Lands sold at New York or Pittsburg, &c.

Certificates not to be issued to any person, except, &c.

Where any tract of land returned as sold to the general land office shall have been paid for in forged or altered certificates.

SEC. 2. *And be it further enacted*, That it shall be the duty of the commissioner of the general land office to prescribe the form of such certificates, which shall, in every case, specify the tract or tracts of land so reverted or sold, the amount paid, date of payments, and by whom made; and it shall be the duty of the register issuing such certificates, to keep a record of the same, and to forward to the general land office, at the close of each month, an abstract of the certificates issued during the month; and for each certificate, the officer issuing the same shall be entitled to receive, from the applicant, the sum of fifty cents.

SEC. 3. *And be it further enacted*, That the said certificates, when received in payment for lands, shall be entered in the books of the land office, where received, and transmitted with the accounts of the receiver of the public moneys, to the general land office, in such manner as the commissioner of said office shall prescribe; and if, upon comparison of the original with the returns from the office whence any certificate issued, it shall appear to the satisfaction of the said commissioner, that such certificate has been issued and duly paid, according to the true intent and meaning of this act, the same shall be passed to the credit of the person paying the same as so much cash.

SEC. 4. *And be it further enacted*, That, for any moneys forfeited, on lands sold at New York or Pittsburg, the certificate shall be issued by the Secretary of the Treasury; which certificate shall be received in payment for lands at any of the land offices of the United States, as the certificates issued in conformity to the foregoing provisions of this act are made receivable.

SEC. 5. *And be it further enacted*, That, in no case, shall a certificate be issued to any person, except to the person who originally forfeited the lands, or to his heir or heirs; nor shall a grant issue, or the lands purchased with any scrip be transferred, until six months after the certificate shall have been deposited in the office.

SEC. 6. *And be it further enacted*, That, if any tract of land returned as sold to the general land office, shall have been paid for in forged or altered certificates, such sale shall be void, and the land subject to be sold again, at public or private sale, as the case may be; and in case any such forged or altered certificate shall be received upon any debt for land heretofore sold, or in part payment of any tract of land that may be hereafter sold, it shall be the duty of the commissioner of the general land office, by advertisement, or in such other manner as he shall direct, to give notice thereof to the person making such payment; and if, within six months after notice, such person shall not pay into the proper land office the amount so falsely paid, the tract of land upon which such payment was made, shall, with all money actually paid thereon, be forfeited to the United States.

SEC. 7. *And be it further enacted*, That, where two or more persons

Where two or more persons become the purchaser or purchasers of a section or fractional section.

Proviso.

have become purchasers of a section or fractional section, the register of the land office for the district in which the lands lie, shall on application of the parties, and a surrender of the original certificate, issue separate certificates, of the same date with the original, to each of the purchasers, or their assignees, in conformity with the division agreed on by them: *Provided*, That, in no case, shall the fractions so purchased be divided by other than north, and south, or east and west lines; nor shall any certificate issue for less than eighty acres.

APPROVED, May 23, 1828.

#### STATUTE I.

May 23, 1828.

CHAP. LXXII.—*An Act to provide for extending the term of certain pensions, chargeable on the navy and privateer pension fund.*

Where provision has been made by law, for half pay to the widows, &c., of officers, &c., killed in battle, &c., the term of certain pensions to be extended.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That in all cases where provision has been made, by law, for the five years' half pay to the widows and children of officers, seamen and marines, who were killed in battle, or who died in the naval service of the United States during the late war; and also, in all cases where provision has been made for extending the term for five years in addition to any term of five years, the said provision shall be further extended for an additional term of five years, to commence at the end of the current, or last expired term of five years in each case, respectively; making the provision equal to twenty years half pay; which shall be paid out of the fund heretofore provided by law; and the said pensions shall cease for the causes mentioned in the laws providing the same, respectively.

Pensions of all widows, who are now, or who may within one year last past be in receipt thereof under provision of the following laws or either of them, continued.

Act of March 4, 1814, ch. 20.

Act of April 16, 1818, ch. 65.

Proviso.

SEC. 2. *And be it further enacted*, That the pensions of all widows, who now are, or who, at any time within one year last past, have been in the receipt thereof, under the provision of the following laws of the United States, or either of them, to wit: An act passed March the fourth, one thousand eight hundred and fourteen, entitled "An act giving pensions to the orphans and widows of the persons slain in the public or private armed vessels of the United States," and an act passed April the sixteenth, one thousand eight hundred and eighteen, entitled "An act in addition to an act giving pensions to the orphans and widows of persons slain in the public or private armed vessels of the United States," so far as regards persons receiving pensions from the fund arising from captures and salvage, made by the private armed vessels of the United States, be and the same are hereby continued, under the restrictions and regulations in the said acts contained, for and during the additional term of five years, from and after the period of the expiration of the said pensions, respectively: *Provided, however*, That the said pensions shall be paid from the proceeds of the privateer pension fund alone, and without recourse to the United States, for any deficiency, should such occur, which may hereafter arise thereon; *And provided further*, That no such pension shall be paid to any such widow after her inter-marriage, had, or to be had, after she shall have become such widow.

APPROVED, May 23, 1828.

#### STATUTE I.

May 23, 1828.

CHAP. LXXIII.—*An Act to authorize the improving of certain harbours, the building of piers, and for other purposes.*

Sums respectively appropriated.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following sums be, and the same are hereby, respectively appropriated, to be applied under

the direction of the President of the United States, to accomplish the objects hereinafter mentioned; that is to say:

For removing the sand bar at or near the mouth of Merimack river in the state of Massachusetts, by erecting piers, or other works, thirty-two thousand one hundred dollars.

For removing the sand bar, &c.

For the preservation of Deer island, in Boston harbour, in the state of Massachusetts, eighty-seven thousand dollars.

Preservation of Deer island.

Towards erecting piers, or other works, at or near Stonington harbour, in the state of Connecticut, for the purpose of making the same a good and secure harbour, twenty thousand dollars.

Piers near Stonington harbour.

For repairing the public piers at Port Penn, Marcus Hook, and fort Mifflin, four thousand four hundred and thirteen dollars.

Repairing piers at Port Penn, &c.

For purchasing a dredging machine, to be worked by steam, and employing the same for the removal of the shoals forming obstructions to the navigation near Ocracock Inlet, in the state of North Carolina, twenty thousand dollars.

Purchasing a dredging machine, &c.

Towards removing the sand bar at or near the mouth of Black river, in the state of Ohio, by the erection of piers, or other works, seven thousand five hundred dollars.

Removing the sand bar in Black river.

For removing obstructions in the Apalachicola river, in the territory of Florida, three thousand dollars.

Obstructions in Apalachicola river.

For improving the navigation of Red river, through, or around, that part of it called the Raft, situated in Louisiana and Arkansas, twenty-five thousand dollars, three thousand dollars in addition to a former appropriation for clearing out and deepening the harbour of Sackett's Harbour.

Improving the navigation of Red river, &c.

For making a survey of the harbour of Nantucket, and the passage leading to it, and an estimate of the cost of improving and making the harbour a good and secure one, three hundred dollars.

A survey of the harbour of Nantucket, &c.

For making a survey of Genessee river and harbour, in the state of New York, and estimates of the cost for improving the same, three hundred dollars.

Survey of Genessee river, &c.

For surveying the mouth of Sandy creek, which discharges itself into Mexico bay, on Lake Ontario, in the state of New York, for the purpose of constructing a harbour at that place, and ascertaining the cost of the same, three hundred dollars.

Surveying the mouth of Sandy Creek, &c.

For making a survey and examination of the southern shore of Lake Ontario, in the state of New York, between Genessee and Oswego rivers, with a view to the improvement of the most accessible and commodious harbours on the frontier, by erecting piers, or other works, and estimates of the costs of the same, four hundred dollars.

A survey of the southern shore of Lake Ontario, &c.

For deepening the channel through the *pass au Heron*, near the Bay of Mobile, eighteen thousand dollars.

Deepening the pass au Heron.

For deepening the channel at the mouth of Pascagoula river, seventeen thousand five hundred dollars, in addition to the sum before appropriated for that object.

Deepening Pascagoula river.

For surveying the obstructions to the navigation of the Wabash river, between its mouth and Eel river, five hundred dollars.

Obstructions in the Wabash river.

Towards improving the navigation of the Mississippi and Ohio rivers, the sum of fifty thousand dollars.

Mississippi and Ohio rivers.

For removing obstructions in the Berwick branch of the Piscataqua river, eight thousand dollars.

Removing obstructions.

For deepening the inland passage, or present channel, for navigation between the St. John's river in Florida, and St. Mary's harbour, in Georgia, the sum of thirteen thousand five hundred dollars.

Deepening the channel in St. Mary's harbour, &c.

For a survey of the river and harbour of St. Marks, in Florida, with a view to the practicability and expense of deepening the same, the sum of five hundred dollars.

Survey of the river St. Marks.

For erecting a pier and a beacon thereon, at or near a ledge of rocks called Allen's rocks, in Warren river, the sum of four thousand dollars.

Erecting a pier, &c. at Allen's rocks.

STATUTE I.

May 23, 1828.

CHAP. LXXV.—*An Act to grant certain relinquished and unappropriated lands to the state of Alabama, for the purpose of improving the navigation of the Tennessee, Coosa, Cahawba, and Black Warrior rivers.*

400,000 acres of relinquished lands in certain counties in Alabama granted to said state, to be applied to navigation.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That four hundred thousand acres, of the relinquished lands in the counties of Madison, Morgan, Limestone, Lawrence, Franklin, and Lauderdale, in the state of Alabama, be, and the same is [are] hereby, granted to said state, to be applied to the improvement of the navigation of the Muscle Shoals, and Colbert's Shoals, in the Tennessee river, and such other parts of said river within said state as the legislature thereof may direct: But if there shall not be four hundred thousand acres of relinquished unappropriated land in said counties, the deficiency to be made up out of any unappropriated lands in the county of Jackson, in said state.

Price at which the land shall be sold.

SEC. 2. *And be it further enacted,* That said state of Alabama, shall have power to sell, dispose of and grant said land, for the purposes aforesaid, at a price not less than the minimum price of the public lands of the United States, at the time of such sale.

Improvement.

SEC. 3. *And be it further enacted,* That the said state of Alabama shall commence said improvements within two years after the passage of this act, and complete the same within ten years thereafter.

Grant of all lands to become null and void, if applied to any other object whatever.

SEC. 4. *And be it further enacted,* That if said state of Alabama shall apply the lands hereby granted, or the proceeds of the sales, or any part thereof, to any other use or object whatsoever, than as directed by this act, before said improvements shall have been completed, the said grant for all lands then unsold shall thereby become null and void; and the said state of Alabama shall become liable and bound to pay to the United States the amount for which said land, or any part thereof, may have been sold, deducting the expenses incurred in selling the same.

Improvements of said navigation shall be commenced, &c.

SEC. 5. *And be it further enacted,* That the improvements of said navigation shall be commenced at the lowest point of obstruction in said river, within said state, continued up the same until completed, and be calculated for the use of steamboats, according to such plan of construction as the United States' engineers, appointed to survey and report thereon, may recommend, and the President of the United States approve: *Provided,* That such plan shall embrace, if practicable, a connection of the navigation of Elk river, with the said improvements.

Proviso.

SEC. 6. *And be it further enacted,* That after the completion of said improvements, the surplus of said grant, if any, shall be applied to the improvement of the navigation of the Coosa, Cahawba, and Black Warrior rivers, in said state, under the direction of the legislature thereof.

Surplus of said grant, to be applied, &c.

SEC. 7. *And be it further enacted,* That the said rivers, when improved as aforesaid, shall remain forever free from toll for all property belonging to the government of the United States, and for all persons in their service, and for all the citizens of the United States, unless a toll shall be allowed by act of Congress.

Rivers, when improved, to be ever free from toll for all property belonging to the United States, &c.

APPROVED, May 23, 1828.

STATUTE I.

May 23, 1828.

CHAP. LXXVI.—*An Act making an appropriation for the erection of a breakwater near the mouth of Delaware bay.*

[Obsolete.] Breakwater to be made near the mouth of Delaware bay.

*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 cause to be made near the mouth of Delaware bay, a breakwater.

250,000 dollars appropriated.

SEC. 2. *And be it further enacted,* That the sum of two hundred and fifty thousand dollars be, and it hereby is, appropriated, towards the ac-

complishment of that object, and that the same be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 23, 1828.

STATUTE I.

CHAP. LXXVII.—*An Act to establish a southern judicial district in the territory of Florida.* (a)

May 23, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That there shall be established another judicial district in the territory of Florida, to be called the southern district, embracing all that part of the territory which lies south of a line from Indian river on the east, and Charlotte harbour on the west, including the latter harbour; which said court shall exercise all the jurisdiction within said district as the other superior courts, respectively, exercise within their respective districts, and shall be subject to all the laws which govern or regulate the same; and there shall be appointed for said district a judge, and he is hereby authorized to appoint a clerk

Another judicial district to be established in Florida, to be called the southern district, &c.

Judge to be appointed, who may appoint a

(a) Act relating to the courts of Florida, vol. iii. 752.

The following case, which originated in the courts established by the act of May 23, 1826, contains decisions upon principles of admiralty law, of great general interest.

The schooner North Carolina, bound from Appalachicola to Charleston, with a cargo of cotton, part on account of the consignees, and part the property of the shipper, struck on a reef about ninety-five miles from Key West; and the next morning one hundred and ten bales of cotton were taken from her by the wrecking schooner Hyder Ally, when she floated, and she sailed with the Hyder Ally to Indian Key, and arrived there the same evening. The Hyder Ally was one of those wrecking schooners in the profits of which Houseman was a participator. He became the consignee of the North Carolina; and salvage being claimed by the master of the Hyder Ally, a reference was made by the master of the North Carolina, and the master of the wrecker, and by an award thirty-five per cent. was allowed as salvage; and one hundred and two bales of cotton were put into the stores of Houseman, in part payment of the salvage; and one hundred dollars was paid in cash, and a draft for six hundred dollars was given by the captain of the North Carolina, in further satisfaction of the salvage, and the commissions of Houseman, with the vessel's expenses. Afterwards, the consignees of the cotton sent an agent to Key West, who proceeded, by a libel in his name, as agent in the superior court of the United States of Monroe county in Florida, alleging the facts, and by process issued by the court, seventy-two bales of the cotton of the North Carolina were attached in the hands of Houseman. The court decreed that the libellant should recover the seventy-two bales of cotton, and Houseman appealed to the court of appeals. In that court, a supplemental libel was filed by the appellee, claiming damages for the taking and the detention of fifty other bales of cotton, making the whole number of one hundred and twenty-two bales, which had gone into the possession of Houseman. The court of appeals gave a decree in favour of the appellee for the value of one hundred and twenty-two bales. The Supreme Court affirmed the decree as to the seventy-two bales, and set aside that part of the decree which allowed the value of the fifty bales; leaving the consignees or owners of the fifty bales to proceed in the superior court of East Florida by a new libel for the recovery of the same or the value thereof. *Houseman v. The Schooner North Carolina*, 15 Peters, 41.

There are many cases in which the contract of the captain, in relation to the amount of salvage to be paid to the salvors, or his agreement to refer the question to arbitrators, would bind the owners. In times of disaster, it is always his duty to exercise his best judgment, and to use his best exertions for the benefit of both the vessel and cargo: and when, from his situation, he is unable to consult them or their agent, without an inconvenient and injurious delay, it is in his power to compromise a question of salvage, and he is not bound in all cases to wait for the decision of a court of admiralty. *Ibid.*

So, too, when the salvage service has not been important, and the compensation demanded is a small one, it may often be the interest of the owners, that the amount should be settled at once by the captain, and the vessel proceed on her voyage, without waiting even a day for the purpose of consulting them. But in all such cases, unless the acts of the captain are ratified by the owners, his conduct will be carefully watched and scrutinized by the court; and his contracts will not be regarded as binding on the parties concerned, unless they appear to have been bona fide, and such as a discreet owner, placed in the same circumstances, would probably have made. If he settles the amount by agreement, those who claim under it must show that the salvage allowed was reasonable and just. If he refers it to arbitrators, those who claim the benefit of the award, must show that the proceedings were fair, and the referees worthy of the trust. *Ibid.*

The case is within the jurisdiction of a court of admiralty. It is a question of salvage of a vessel which had been stranded on a reef in the ocean. The points in controversy are whether salvage is due, and if due, how much. The admiralty is the only court in which such a question can be tried. *Ibid.*

It is well settled in admiralty proceedings, that the agent of absent owners may libel either in his own name, as agent, or in the name of his principals, as he thinks best. That a power of attorney given subsequent to the libel is a sufficient ratification of what he had before done in their behalf, and that the consignees of a cargo have a sufficient interest in the cargo that they may proceed in the admiralty for the recovery not only of their own property, but for that part of it which may be consigned to them. *Ibid.*

clerk for said court.

Attorney and marshal's salaries, &c.

Stated sessions of said courts.

Where in any case concerning wrecked property, &c., the judge shall have determined the rate of salvage, to be allowed to salvors.

Articles in the cargo of a perishable nature, a sale of them to be directed.

Property remaining after the portion adjudged to the salvors, not to be removed from such stores as may be used for public purposes.

No vessel to be employed as a wrecker, unless under the authority of the judge of said court, &c.

for said court. There shall also be appointed an attorney and marshal, who shall exercise all the duties, give the same bond and security, and be entitled to the same salaries, fees, and compensation, that is now allowed by law to attorneys and marshals in other districts in the territory.

SEC. 2. *And be it further enacted,* That the stated sessions of said court shall be held on the first Mondays of May and November annually, at Key West; and such other intermediate sessions, from time to time, as the judge in his discretion may think advisable and necessary. The judge shall reside at the island of Key West, and shall be entitled to receive, as a salary for his services, two thousand dollars per annum, to be paid quarterly, out of any moneys in the treasury not otherwise appropriated.

SEC. 3. *And be it further enacted,* That whenever, in any case concerning wrecked property, or property abandoned at sea, the judge aforesaid shall have determined the rate of salvage to be allowed to salvors, it shall be his duty, unless the salvage decreed shall have been adjusted, without recourse to vessel and cargo, to direct such proportion of salvage to be paid to the salvors in kind; and that the property saved shall be divided accordingly, under the inspection of the officers of the court, and before it shall have been taken out of the custody of the revenue officers.

SEC. 4. *And be it further enacted,* That whenever it shall be ascertained, to the satisfaction of the judge of said court that any of the property saved, is, from its character, not susceptible of being divided in the manner proposed, or that there are articles in the cargo of a perishable nature, it shall be his duty to direct a sale of the same, for the benefit of all concerned.

SEC. 5. *And be it further enacted,* That the property remaining, after separating the portion adjudged to the salvors shall not be removed from such store as may be used for public purposes, nor disposed of in any other way, within nine months, unless by the order of the owners, or of their authorized agents: and that the duties accruing upon such property may be secured at any port in the United States, where the owners may reside.

SEC. 6. *And be it further enacted,* That no vessel shall be employed as a wrecker, unless under the authority of the judge of said court; and that it shall not be lawful to employ on board such vessel, any wrecker who shall have made conditions with the captain or supercargo of any wrecked vessel, before or at the time of affording relief.

APPROVED, May 23, 1828.

#### STATUTE I.

May 23, 1828.

CHAP. LXXXV.—*An Act to amend and explain an act, entitled "An act confirming an act of the legislature of Virginia, incorporating the Chesapeake and Ohio Canal Company, and an act of the state of Maryland, for the same purpose."*(a)

Assent already given by the United States to the charter of the Chesapeake and Ohio Canal by an act of Congress incorporating, and of

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the assent already given by the United States to the charter of the Chesapeake and Ohio Canal Company, by an act of Congress, entitled "An act confirming an act of the legislature of Virginia, entitled an act incorporating the Chesapeake and Ohio Canal Company;" and an act of the state of Maryland confirming the same, shall not be impaired by any change of the route of the said canal, from or above the town of Cumberland, on the river

(a) For the acts of the states of Virginia and Maryland, and of the Congress of the United States, incorporating the Chesapeake and Ohio Canal Company, the proceedings of the general special meeting of the Patowmac Company declaring their assent thereto, made necessary by said acts, to which, are added, extracts from the charter of the Patowmac Company; see Appendix, No. 1.

Potomac, or the distribution thereof into two or more sections, at any time hereafter, or any change in the dimensions of that part of the present eastern section, extending from Cumberland, or the mouth of Will's Creek, to the mouth of Savage, at the base of the Alleghany, or any substitution which the interest of the Chesapeake and Ohio Canal Company may, in the opinion of the company, require to be made, of inclined planes, rail-ways, or an artificial road for a continued canal, through the Alleghany mountain, in any route which may be, by the company, finally adopted therefor, between the town of Cumberland and the river Ohio.

SEC. 2. *And be it further enacted*, That, to obviate any possible ambiguity that might arise in the construction of the second section of the act of Congress aforesaid, the authority, by that act designed to be given to the states of Maryland and Virginia, or to any company incorporated by either or both of those states, to extend a branch from the said canal, or to prolong the same, from the termination thereof, by a continuous canal, within, or through the District of Columbia, towards the territory of either of those states, shall be deemed and taken to be as full and complete in all respects, as the authority granted by that act, to the Chesapeake and Ohio Canal Company to extend the main stem of the said canal, within the said district; or the authority reserved to the government of the United States to provide for the extension thereof, on either or both sides of the river Potomac, within the District of Columbia: *Provided*, That nothing herein contained shall impair the restriction in the charter of the Chesapeake and Ohio Canal Company, designed to protect the canal from injury, by the prolongation thereof, or by any branch therefrom.

SEC. 3. *And be it further enacted*, That the act of the legislature of Maryland, which passed at their December session, of one thousand eight hundred and twenty-seven, entitled "An act further to amend the act incorporating the Chesapeake and Ohio Canal Company," be, and the same is hereby, confirmed, so far as the assent of Congress may be deemed necessary thereto.

APPROVED, May 23, 1828.

Maryland confirming, the same not to be impaired by any change, &c.

Act of March 3, 1825, ch. 52.

To obviate any possible ambiguity, that might arise in the construction of the 2d section of the act of Congress aforesaid, the authority given to the states of Maryland and Virginia, &c. shall be as full &c.

Proviso.

Act of the legislature of Maryland of Dec. 1837, confirmed.

STATUTE I.

CHAP. LXXXVI.—*An Act authorizing a subscription to the stock of the Chesapeake and Ohio Canal Company.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to subscribe, in the name and for the use of the United States, for ten thousand shares of the capital stock of the Chesapeake and Ohio Canal Company, and to pay for the same, at such times, and in such proportions, as shall be required of and paid by the stockholders, generally, by the rules and regulations of the company, out of the dividends which may accrue to the United States upon their bank stock in the bank of the United States: *Provided*, That not more than one fifth part of the sum, so subscribed for the use of the United States, shall be demanded, in any one year, after the organization of the said company; nor shall any greater sum be paid on the shares so subscribed for, than shall be proportioned to assessments made on individual or corporate stockholders: *And provided, moreover*, That, for the supply of water to such other canals as the state of Maryland, or Virginia, or the Congress of the United States, may authorize to be constructed, in connection with the Chesapeake and Ohio Canal, the section of the said canal leading from the head of the Little Falls of the Potomac river, to the proposed basin, next above Georgetown, in the District of Columbia, shall have the elevation, above the tide of the

May 24, 1828.

Secretary of the Treasury in the name of the United States, to subscribe for 10,000 shares of the capital stock of the Chesapeake and Ohio Canal Company.

Proviso.

Proviso.



river at the head of the said falls, and shall preserve, throughout the whole section aforesaid, a breadth, at the surface of the water, of not less than sixty feet, and a depth, below the same, of not less than five feet, with a suitable breadth at bottom.

Secretary of the Treasury to vote for president, &c., of said company, according to the number of shares purchased for the United States.

SEC. 2. *And be it further enacted*, That the said Secretary of the Treasury shall vote for the president and directors of the said company, according to such number of shares as the United States may at any time hold in the stock, thereof, and shall receive, upon the said stock, the proportion of the tolls which shall, from time to time, be due to the United States for the shares aforesaid; and shall have and enjoy, in behalf of the United States, every other right of a stockholder in the said company.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

CHAP. LXXXVII.—*An Act to enlarge the powers of the several corporations of the District of Columbia, and for other purposes.*

Corporation of Washington, Georgetown, and Alexandria, to have severally, full power, &c., to subscribe, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the corporation of Washington, the corporation of Georgetown, and the corporation of Alexandria, within the District of Columbia, shall, severally, have full power and authority to subscribe and pay for shares of the stock of the Chesapeake and Ohio Canal Company; and all such subscriptions as shall have been already made by either of the said corporations, shall, and the same are hereby declared to be valid and binding on the said corporations, respectively.

Corporations, severally authorized to borrow money, at any rate of interest not exceeding six per cent. per annum.

SEC. 2. *And be it further enacted*, That the said corporations shall, severally, have power and authority, from time to time, as the same may be deemed by them, respectively, either necessary or expedient, to borrow money, at any rate of interest, not exceeding six per centum per annum, to pay their respective subscriptions, and the interest accruing thereon, to the amount which they have subscribed, or shall hereafter subscribe.

Certificates of stock for the sums borrowed to be constituted.

SEC. 3. *And be it further enacted*, That the said corporations shall be, and the same are hereby, respectively, empowered to cause to be constituted certificates of stock for the sums borrowed, in pursuance of the authority severally vested in them by this act; each of said certificates shall be of the form following, to wit:

Form.

City or town of [here insert the title of the city or town.]

Mayor's Office.

Be it known, That there is due from the corporation of the city or town of [here insert the title of the city or town of] unto [here insert the name of the creditor,] or ——— assigns, the sum of [here insert the amount in dollars] bearing interest at [here insert the rate of interest] per centum per annum, from the day of ———, eighteen hundred and ———, inclusively, payable quarter yearly; the principal sum above mentioned is to be paid on the ——— day of ———, in the year eighteen hundred and ———, which debt is recorded in this office and is transferable only by appearance in person, or by attorney, at this office. ———, In testimony whereof, I have hereunto subscribed my name, and caused the seal of the said city to be affixed.

————, Mayor.

————, Register, or other recording officer of the corporation.

A list of such certificates denoting their respective numbers, &c., to be deposited with the Secretary of the Treasury.

A list of all such certificates, denoting their respective numbers, dates, and sums, and the persons to whom the same shall have been issued, authenticated by the mayor, subscribing the same, shall be deposited by said officer at the time of subscribing the same, or within ten days thereafter, with the Secretary of the Treasury of the United States.

The said certificate shall not be issued, in any case, for a less sum

each, than one hundred dollars: The forgery of any such certificate, or of any transfer thereof, or of any power of attorney purporting to authorize such transfer, shall be punishable in like manner with the forgery of a certificate of the public debt of the United States.

Forgery of certificates.

An agent or agents to be employed for the purpose of obtaining subscriptions to the loan or loans authorized by this act.

SEC. 4. *And be it further enacted,* That the said corporations are, respectively, empowered to employ an agent, or agents, for the purpose of obtaining subscriptions to the loan or loans authorized by this act, or of selling from time to time, the certificates of stock which may be created in pursuance thereof, and to fix the compensation of such agent or agents, which they shall respectively pay, as well as all other expenses attending the said loans, out of the proceeds thereof, or of any other funds which they may respectively provide.

A tax at the rate of one per centum per annum and thirteen hundredths of one per centum levied on the assessed value of the real, &c. estates within the cities of Washington, Georgetown.

SEC. 5. *And be it further enacted,* That a tax, at the rate of one per centum and thirteen-hundredths of one per centum on the assessed value of the real and personal estates within the city of Washington, as shall appear by the appraisalment thereof, made under the authority of the corporation, or of the several acts of Congress, hereinafter declared to be revived and in force, within the said corporation to be existing, at the time hereinafter limited for the collection of the said tax; and at the rate of fifty-six hundredths of one per centum on the assessed value of the real and personal estate within the town of Georgetown, as shall appear by the appraisalment thereof, made under the authority of the corporation, or of the several acts of Congress hereinafter declared to be revived and in force, within the said corporation, to be existing at the time hereinafter limited for the collection of the said tax; and at the rate of fifty-eight hundredths of one per centum on the assessed value of the real and personal estate within the town of Alexandria, as shall appear by the appraisalment thereof, made under the authority of the corporation of the said town, or of the several acts of Congress, hereinafter declared to be revived and in force, within the said corporation, to be existing at the time hereinafter limited for the collection of the said tax; be, and the same is hereby, imposed and assessed on the real and personal estate lying and being in the said city and towns: and, upon the failure of the said corporations, or of any of them, to pay, into the treasury of the United States, ninety days before the same shall become due, to the holders of the shares or certificates of such loan or loans, as aforesaid, according to the terms and conditions thereof, the sum, or sums which they or any of them shall have, respectively, stipulated to pay at the expiration of the period aforesaid, so that the same shall not be ascertained beforehand to be in readiness to meet the demand or claim about to arise on the shares or certificates of the said loan—the President of the United States shall be, and he is hereby, empowered to appoint a collector or collectors, whose duty it shall be to proceed and collect the tax imposed as above, on the real and personal estate in the said city and towns, or either of them, the corporation or corporations of which shall have so failed to pay as aforesaid, in advance, the sum or sums about to become due and demandable as aforesaid, or any part thereof remaining unpaid, as aforesaid, into the treasury, ninety days in advance; such part, in case a part only be so in arrear, to be rateably and equally assessed, levied, and collected, upon the property chargeable, as aforesaid, with the said tax, within the said city and towns, or either of them, making such default in paying as required, ninety days in advance as aforesaid; the appraisalment or assessment of the value of the said estates, preparatory to the collection of the said tax, if not previously made by the said corporation, to be made in the mode prescribed, as aforesaid, in the several acts of Congress hereby revived and put in operation: *Provided,* That if satisfactory evidence be afforded the President of the United States, by the several corporations aforesaid, that they are proceeding, in good faith, to raise and pay, in due time, their

Tax on property in Alexandria.

President authorized to appoint a collector or collectors.

Proviso.

portions, respectively, of the said loan or loans, and will be competent to raise the same by the means on which they rely, he shall be, and he is hereby, empowered to restrain such collector or collectors from proceeding to collect the said tax within the corporation affording the evidence aforesaid, until the expiration of the ninety days aforesaid, when if the amount of the said tax be not actually paid, the collection thereof shall proceed without further delay, on notice to the collector of such default.

Collector or collectors to be appointed, to give bond, with good and sufficient securities, for the faithful performance of the duties required by this act, &c.

Act of Feb. 27, 1815, ch. 60.

SEC. 6. *And be it further enacted*, That the collector or collectors, who may be appointed as aforesaid, shall give bond, with good and sufficient security, for the faithful performance of the duties required by this act, and shall possess all the powers, be subject to all the obligations, and proceed, in all respects, in the discharge of his or their duties, in collecting the said tax, as the several collectors possessed, were subject to and were required to do, by an act, entitled "An act to provide additional revenues for defraying the expenses of government, and maintaining the public credit, by laying a direct tax upon the District of Columbia," approved the twenty-seventh of February, one thousand eight hundred and fifteen, and by the several acts of Congress therein referred to, or which were subsequently passed, in order to alter or amend the same; all of which acts, for the effectual fulfilment of the purpose of this act, according to the tenor and intent thereof, are hereby declared to be revived, and in full force within the limits of the several corporations aforesaid.

Tax to be continued, &c., according to the provisions of this act. Proviso.

SEC. 7. *And be it further enacted*, That the tax imposed by this act shall be continued and collected from time to time, according to the provisions and conditions of this act, and of the several acts aforesaid, so long as the proceeds thereof may, by any possibility, be required to meet the payment of the several loans authorized as aforesaid: *Provided, however*, That all or either of the said corporations may, in the negotiation of such loan, or loans, as they, or either of them, shall deem it expedient to make, in pursuance of the authority vested in them by this act, stipulate such terms or conditions for the payment of the interest, or the redemption of the principal sum thereof, as shall dispense with the system of taxation provided by this act.

Where any loan or loans shall be negotiated by the corporation or any one of them.

SEC. 8. *And be it further enacted*, That, in the event that any loan or loans shall be negotiated by the said corporations, or any one of them, to the extent, in whole or in part, of the subscription of one or all of the said corporations, to the stock of the Chesapeake and Ohio Canal Company, in conformity with the provisions of this act, and based upon the system of taxation therein provided, a copy or copies of the contract or contracts, for any and all such loans, shall, as soon as practicable after the execution thereof, be deposited, either by the corporation or corporations contracting such loan or loans or by the creditor or creditors interested therein, with the Secretary of the Treasury; and, out of all such sums as shall be paid, by the respective corporations, in advance, as aforesaid, on account of their several contracts, or as shall be levied and collected, in manner hereinbefore provided, the holders of the certificates of any such loan shall be entitled to receive, at the public treasury, such amount as may be due to them, respectively; and, on the occurrence of any deficiency in the sum or sums voluntarily paid in, or assessed and collected, within the said corporations, respectively, for the payment of their respective creditors, the extent of such deficiency shall be ascertained by the Secretary of the Treasury, from a reference to the terms of the loan or loans, in relation to which such deficiency may occur; and, being so ascertained and published in some one or more newspapers printed in the District of Columbia, the Secretary of the Treasury shall instruct the proper collector to proceed to collect, and pay into the public treasury, the said amount, with all lawful charges attending the same, according to such farther rateable assessment upon

the estates and property within the jurisdiction of the corporation in arrear, according to the provisions of this act, and of the several acts referred to therein, as shall be sufficient to supply such ascertained deficiency; and, on the completion of such collection, the holder or holders of the certificates of the stock of the corporation, shall be entitled to receive such amount as may have been found due, and unprovided for, by the sums before paid in, or collected on account of such corporation.

APPROVED, May 24, 1828.

STATUTE I.

CHAP. LXXXIX.—*An Act making appropriations for custom-houses and ware-houses.*

May 24, 1828.

[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of the Treasury be, and he hereby is, authorized to cause to be selected, and purchased, a suitable site for a custom-house and ware-house at Newport, in Rhode Island, and to cause a safe and convenient building to be erected thereon, for the transaction of custom-house business, and for the safe keeping of the records thereof and of the property in the custody of the government; and that a sum not exceeding ten thousand dollars be, and the same is hereby appropriated, for the purposes aforesaid, out of any money in the treasury not otherwise appropriated.

Secretary of the Treasury to cause to be purchased a suitable site for a custom-house and warehouse, at Newport, Rhode Island.  
A sum not exceeding 10,000 dollars appropriated.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby, likewise authorized to cause to be purchased a suitable site for a custom-house and ware-house in the city of Mobile, in the state of Alabama, and to have erected a safe and convenient building, or to purchase a proper site with a suitable and convenient building already erected thereon, for the transaction of custom-house business and for the safe keeping of the property in custody of the government; and that a sum not exceeding eight thousand five hundred dollars be, and the same is hereby appropriated, for the purpose aforesaid, out of any money in the treasury not otherwise appropriated.

Also a suitable site for a custom-house and warehouse in the city of Mobile, Ala.

A sum not exceeding 8500 dollars appropriated.

SEC. 3. *And be it further enacted,* That the Secretary of the Treasury be, and he hereby is, authorized to cause to be put in proper repair, and to be used for a custom-house, a certain brick store, in Newburyport, Massachusetts, once the property of Abner Wood and David Wood, junior, of said Newburyport, but now belonging to the United States; and that a sum not exceeding three hundred dollars be, and the same is hereby appropriated, for the purpose aforesaid, out of any money in the treasury not otherwise appropriated.

A certain brick store in Newburyport, Mass., to be put in repair and used as a custom-house.

A sum not exceeding 300 dollars appropriated.

SEC. 4. *And be it further enacted,* That the Secretary of the Treasury is hereby authorized and directed to cause a suitable site to be selected and purchased for a custom-house and warehouse at Portland, in Maine, and to cause a safe and convenient building to be erected thereon, for the transaction of custom-house business, and for the safe keeping of the records thereof, and of the property in the custody of the government; and that a sum not exceeding twenty thousand dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated, for the purposes aforesaid.

A suitable site to be selected, &c., for a custom-house and warehouse at Portland, Maine.

A sum not exceeding \$20,000 appropriated.

APPROVED, May 24, 1828.

## STATUTE I.

May 24, 1828.

Act of May  
26th 1824, ch.  
173, continued  
in force.

Claims to be  
decided upon.

To be rati-  
fied.

So much of  
the said act, as  
subjects the  
claimants to the  
payment of  
costs, in any  
case where the  
decision may be  
in favour of  
their claims,  
repealed.

Where any  
claim, founded  
on concession,  
&c., shall be  
adjudged  
against and re-  
jected.

CHAP. XC.—*An Act to continue in force for a limited time, and to amend an act, entitled "An act to enable claimants to lands within the limits of the state of Missouri and territory of Arkansas, to institute proceedings to try the validity of their claims."* (a)

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the act approved the twenty-sixth of May, eighteen hundred and twenty-four, entitled "An act to enable claimants to lands within the limits of the state of Missouri and territory of Arkansas, to institute proceedings to try the validity of their claims," shall be, and the same hereby is, continued in force: that is to say, for the purpose of filing petitions in the manner prescribed by that act, to and until the twenty-sixth day of May, in the year one thousand eight hundred and twenty-nine, and for the purpose of enabling the claimants to obtain a final decision on the validity of their claims in the courts of Missouri and Arkansas, respectively; the said claims having been exhibited within the time above specified; the said act shall be continued in force to, and until, the twenty-sixth day of May, in the year one thousand eight hundred and thirty, and no longer; and the courts having cognisance of said claims shall decide upon and confirm such as would have been confirmed under the laws, usages, and customs of the Spanish government, for two years, from and after the twenty-sixth day of May, one thousand eight hundred and twenty-eight, and all the claims authorized by that act, to be heard and decided, shall be ratified and confirmed to the same extent that the same would be valid if the country in which they lie had remained under the dominion of the sovereignty in which said claims originated.

SEC. 2. *And be it further enacted,* That so much of the said act as subjects the claimants to the payment of costs in any case where the decision may be in favour of their claims, be and the same is hereby repealed, and the costs shall abide the decision of the cause as in ordinary causes before the said court; and so much of the said act as requires the claimants to make adverse claimants parties to their suits, or to show the court what adverse claimants there may be to the land claimed of the United States, be also hereby repealed. And the confirmations had by virtue of said act, and the patents issued thereon, shall operate only as relinquishment of title on the part of the United States, and shall, in no wise, affect the right or title, either in law or equity, of adverse claimants of the same land.

SEC. 3. *And be it further enacted,* That where any claim, founded on concession, warrant, or order of survey, shall be adjudged against and rejected, the claimant or his legal representatives, by descent or purchase, being actual inhabitants and cultivators of the soil, the claim to which shall have been rejected, shall have the right of pre-emption, at the minimum price of the public lands, so soon as the land shall be surveyed and subdivided by the United States, of the quarter section on which the improvement shall be situate, and so much of every other quarter section which contains any part of the improvement, as shall be within the limits of the rejected claim.

APPROVED, May 24, 1828.

## STATUTE I.

May 24, 1828.

Legislature  
of the state of

CHAP. XCI.—*An Act to authorize the legislature of the state of Indiana to sell the lands heretofore appropriated for the use of schools in that state.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the legislature of the

(a) See notes of the act of May 26, 1824, ch. 154.

state of Indiana shall be, and is hereby, authorized to sell and convey, in fee simple, all, or any part, of the lands heretofore reserved and appropriated by Congress for the use of schools within said state, and to invest the money arising from the sale thereof in some productive fund, the proceeds of which shall be forever applied, under the direction of said legislature, for the use and support of schools, within the several townships and districts of country for which they were originally reserved and set apart, and for no other use or purpose whatsoever: *Provided*, said land, or any part thereof, shall, in no case, be sold without the consent of the inhabitants of such township, or district, to be obtained in such manner as the legislature of said state shall, by law, direct: *And provided, also*, That in the apportionment of the proceeds of said fund, each township and district aforesaid shall be entitled to such part thereof, and no more, as shall have accrued from the sum or sums of money arising from the sale of the school lands belonging to such township or district.

SEC. 2. *And be it further enacted*, That, if the proceeds accruing to any township or district, from said fund, shall be insufficient for the support of schools therein, it shall be lawful for said legislature to invest the same, as is hereinbefore directed, until the whole proceeds of the fund belonging to such township or district shall be adequate to the permanent maintenance and support of schools within the same.

APPROVED, May 24, 1828.

Indiana authorized to sell, &c., in fee simple, all, or any part, of the lands heretofore reserved by Congress for the use of schools within said state.  
Proviso.

Proviso.

Where proceeds are insufficient for the support of schools in any township.

STATUTE I.

May 24, 1828.

CHAP. XCIII.—*An Act supplementary to the several acts providing for the adjustment of land claims in the state of Mississippi.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the claimants of lands within that part of the limits of the land district of Jackson Courthouse, in the state of Mississippi, lying below the thirty-first degree of north latitude, whose claims have been presented to the commissioners appointed to receive and examine claims and titles to lands in said district of Jackson Courthouse, or to the register and receiver of the land office at Jackson Courthouse, acting as commissioners under the provisions of the act of third of March, one thousand eight hundred and nineteen, entitled "An act for adjusting the claims to lands, and establishing land offices in the district east of the Island of New Orleans," and which have not been reported to Congress, or whose claims have not been heretofore presented to said commissioners, or to the register and receiver acting as commissioners, or whose claims have been acted upon, but additional evidence adduced, be allowed until the first day of January, one thousand eight hundred and twenty-nine, to present their titles and claims, and the evidence in support of the same, to the register and receiver of the land office at Jackson Courthouse, in the state of Mississippi, whose powers and duties in relation to the same, shall, in all respects, be governed by the provisions of the acts before recited, and of the act of the eighth of May, eighteen hundred and twenty-two, entitled "An act supplementary to the several acts for adjusting the claims to land, and establishing land offices in the district east of the island of New Orleans."

SEC. 2. *And be it further enacted*, That the said register and receiver shall have power to receive and examine such titles and claims, and for that purpose shall hold their sessions at Jackson Courthouse, and the town of Shieldsborough. They shall give immediate notice after the passage of this act of the time and place of their meeting, but may adjourn from time to time as may best suit the convenience of claimants, upon giving due notice thereof. And the said register and receiver shall have power to appoint a clerk, who shall be a person capable of

Claimants of lands within that part of the limits of the land district of Jackson Courthouse lying below the 31st degree of north lat. whose claims have been presented by the commissioners under act of March 3, 1819, ch. 100. whose claims have not been acted upon, allowed until Jan. 1st, 1829, to present their titles, &c.

Act of May 8, 1822, ch. 123.

Register and receiver to hold their sessions at Jackson Courthouse, and the town of Shieldsborough, &c.  
Register and receiver to appoint a clerk.

Their compensation each.

Payment of the whole of the aforesaid compensation to be withheld by the Secretary of the Treasury, until, &c.

STATUTE I.

May 24, 1828.

[Obsolete.]

Sums appropriated, &c.

For payment of sum by art. 6, of treaty with the Chippewas of Aug. 5, 1826.

For annuity, &c. by article 3 of treaty with the Patawatima of Oct. 16, 1826.

For supporting a blacksmith, &c.

For payment of annuity by treaty with the Miamies of Oct. 23, 1826.

For delivery of two thousand pounds of iron, &c.

For support of the poor and infirm.

For carrying into effect treaty with Creek nation of Nov. 15, 1827.

To the Thornton party of Miami Indians by treaty of Feb. 11, 1828.

For building twelve houses, &c.

For payment &c., to Peter Langlois.

For the following sums,

translating the French and Spanish languages, and who shall perform the duty of translator and such other duty as may be required by the said register and receiver; and the said register and receiver shall each be allowed, as a compensation for their services in relation to said claims, and, for the services to be performed under the provisions of the several acts to which this is a supplement, the sum of eight hundred dollars each, and the clerk the sum of eight hundred dollars: which several sums of money shall be paid out of any money in the treasury not otherwise appropriated: *Provided*, That the payment of the whole of the aforesaid compensation shall be withheld by the Secretary of the Treasury, until a report, approved by him, shall have been made to him by said register and receiver, of the performance of the services herein required.

APPROVED, May 24, 1828.

CHAP. XCIV.—*An Act making appropriations to carry into effect certain Indian treaties.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following sums be appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the objects following, viz:

For the payment of the sum stipulated by the sixth article of the treaty of the fifth of August, one thousand eight hundred and twenty-six, with the Chippewa tribe of Indians, one thousand dollars.

For paying the annuity and providing the means of education, stipulated by third article of the treaty with the Patawatima tribe of Indians, made the sixteenth of October, one thousand eight hundred and twenty-six, four thousand dollars.

For supporting a blacksmith and miller, and also for furnishing one hundred and sixty bushels of salt, in conformity with the aforesaid article, one thousand five hundred and twenty dollars.

For the payment of the annuity stipulated by the fourth article of the treaty with the Miami tribe of Indians, made the twenty-third day of October, one thousand eight hundred and twenty-six, for the year one thousand eight hundred and twenty-eight, thirty thousand dollars.

For the delivery of two thousand pounds of iron, one thousand pounds of steel, one thousand pounds of tobacco, and for the employment of labourers, in conformity of the said fourth article of the said treaty, one thousand one hundred dollars.

For the support of the poor and infirm, and the education of the youth of the said tribe of Indians, under the sixth article of the said treaty, two thousand dollars.

For carrying into effect the treaty with the Creek nation of Indians, concluded the fifteenth of November, one thousand eight hundred and twenty-seven, forty-seven thousand four hundred and twenty-nine dollars.

To the Thornton party of Miami Indians, by virtue of the second article of a treaty made with them on the eleventh of February, one thousand eight hundred and twenty-eight, at the Wyandot village, for goods delivered and to be delivered, as provided for by the second article of the said treaty, ten thousand dollars.

For building twelve houses, clearing and fencing forty acres of land, and furnishing wagon, oxen, labourers, provisions, horses, and saddles, and bridles, as stipulated for by same article of said treaty, five thousand four hundred and eighty-five dollars.

For payment of money and goods to Peter Langlois, as stipulated for by the third article of said treaty, four thousand dollars.

For the following sums and objects, being necessary to carry into effect the treaty concluded on the sixth day of May, one thousand eight

hundred and twenty-eight, between the United States and the Cherokee nation of Indians, west of the Mississippi:

In consideration of the inconvenience and trouble of removing, as provided for in the fifth article of said treaty, fifty thousand dollars.

For three years annuity, as provided for in the same article, six thousand dollars.

For the spoliation committed on them, as provided for in the same article, eight thousand seven hundred and sixty dollars.

For the use of Thomas Graves, same article, one thousand two hundred dollars.

For the use of George Guess, same article, five hundred dollars.

For two thousand dollars, for ten years, for the education of their children, same article, twenty thousand dollars.

Towards the purchase of a printing press, and types, same article, one thousand dollars.

For the compensation proposed to be paid to emigrating Cherokees from within the chartered limits of Georgia, for the year one thousand eight hundred and twenty-eight, upon the supposition that five hundred may emigrate within the year; that is to say:

For rifles, six thousand two hundred and fifty dollars.

For five hundred blankets, two thousand five hundred dollars.

For five hundred kettles, one thousand dollars.

For two thousand five hundred pounds of tobacco, two hundred and fifty dollars.

For property that may be abandoned, upon the estimate that, of the five hundred, one hundred may be heads of families, and have property worth twenty dollars, each, two thousand dollars.

For cost of emigration of five hundred, at ten dollars each, five thousand dollars.

For provisions for a year, fifteen thousand dollars.

For ten dollars for each emigrant, as provided for by the eighth article of the aforesaid treaty, five thousand dollars.

For Captain James Rogers, as provided for by the tenth article, five hundred dollars.

For the expense, in part, of running the boundary lines, as provided for by the third article, two thousand dollars.

APPROVED, May 24, 1828.

&c. necessary to carry into effect the treaty with the Cherokees.

Spoliations committed on them.

Use of Thomas Graves.

Use of George Guess. Education of their children.

Printing press.

Compensation to Cherokees for 1828.

For rifles.

For blankets.

For kettles.

For tobacco.

For abandoned property.

For cost of emigration.

Provisions for a year.

Ten dollars for each emigrant.

For Captain James Rogers.

For expense of running boundary lines.

STATUTE I.

CHAP. XCV.—*An Act making appropriations for the purchase of books, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of five thousand dollars be, and the same hereby is appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the purchase of books for the library of Congress.

SEC. 2. *And be it further enacted,* That the librarian of Congress be authorized to employ an assistant, who shall receive a yearly compensation of eight hundred dollars, commencing March fourth, one thousand eight hundred and twenty-seven; to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 24, 1828.

May 24, 1828.

[Obsolete.]  
5000 dollars appropriated for the purchase of books for the library of Congress.

Librarian authorized to employ an assistant.

STATUTE I.

CHAP. XCVI.—*An Act supplementary to an act, entitled "An Act providing for the correction of errors in making entries of lands at the land offices," passed March third, eighteen hundred and nineteen.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the provisions of the

May 24, 1828.

Provisions of act of March 3,



1819, ch. 98, to extend to cases where patents have issued or shall hereafter issue.

act, entitled "An act providing for the correction of errors in making entries of lands at the land offices," approved March third, one thousand eight hundred and nineteen, are hereby declared to extend to cases where patents have issued, or shall hereafter issue: upon condition that the party concerned shall surrender his or her patent, to the commissioner of the general land office, with a relinquishment of title thereon, executed in a form to be prescribed by the Secretary of the Treasury.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

[Obsolete.]

15,000 dollars appropriated to defray the expenses of treating with the Chippewas, &c.

Commissioners appointed to negotiate said treaty.

CHAP. XCVII.—*An Act to enable the President of the United States to hold a treaty with the Chippewas, Ottawas, Pattawattimas, Winnebagoes, Fox and Sacs nations of Indians.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of fifteen thousand dollars be, and the same is hereby appropriated, to defray the expenses of treating with the Chippewas, Ottawas, Pattawattimas, Winnebagoes, Fox and Sacs nations of Indians, for the purpose of extinguishing their titles to lands within the state of Illinois and the territory of Michigan, situated between the Illinois river and the lead mines, on Fever river, and in the vicinity of said lead mines; and, also, certain reservations on the south-east border of Lake Michigan; and that the President of the United States, if he shall deem it expedient, may apply a part of the aforesaid appropriation, for the purpose of holding a treaty with the Choctaw nation of Indians, to extinguish their title to the tract of land, which lies in the territory of Arkansas, east of the western boundary line of said territory; the said sum to be paid out of any money in the treasury not otherwise appropriated.

SEC. 2. *And be it further enacted,* That, for the purpose of negotiating said treaty, on the part of the United States, the President shall be, and he is hereby, authorized to appoint commissioners, by and with the advice and consent of the Senate, as soon as practicable, and to fix their compensation, so as not to exceed what has been heretofore allowed for like services.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

30,000 dollars appropriated for the suppression of the slave trade.

Act of March 3, 1819, ch. 101.

Secretary of the Navy to satisfy the claim of Taliaferro Livingston.

Proviso.

CHAP. XCVIII.—*An Act making an appropriation for the suppression of the slave trade. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of thirty thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, to the suppression of the slave trade, pursuant to the act of Congress of the third day of March, one thousand eight hundred and nineteen.

SEC. 2. *And be it further enacted,* That the Secretary of the Navy be authorized to pay, out of the sum herein appropriated, the claim of the administrator of the estate of Taliaferro Livingston, late United States' marshal for the district of Alabama, for the maintenance of sundry Africans, captured in one thousand eight hundred and eighteen: *Provided,* The said administrator shall produce satisfactory evidence of the reasonableness of the charges for the said maintenance; and that the sums received by the said Livingston for the hire of the said Africans, and for the labour performed for him by said Africans, if any, be accounted for, and deducted.

APPROVED, May 24, 1828.

(a) For acts relating to the slave trade, see vol. i. 347.

CHAP. XCIX.—*An Act to authorize the Postmaster General to erect an additional building, and employ five additional clerks.*

STATUTE I.  
May 24, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Postmaster General be authorized to have erected an additional building for the use of the department of the general post-office, and of the patent office; and that he be also authorized to employ five additional clerks, with a salary of one thousand dollars each.

An additional building to be erected, and five clerks to be appointed.

SEC. 2. *And be it further enacted,* That the sum of twelve thousand dollars be appropriated to defray the cost of erecting the aforesaid building, and the sum of five thousand dollars to pay the salaries of the aforesaid clerks; to be paid out of any money in the treasury not otherwise appropriated.

Appropriation for the erection of the building, &c.

APPROVED, May 24, 1828.

STATUTE I.

CHAP. C.—*An Act allowing compensation to the members of the legislature of the territory of Arkansas, and for other purposes.*

May 24, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That there shall be paid to each member of the two branches of the legislature of the territory of Arkansas three dollars a day for each day he shall actually attend the session thereof; and, also, three dollars for every twenty-five miles' travel, in going to and returning from such session; to be computed by the actual distance from the place where such member resides to the place where the session of the legislature shall be held, which said distance shall be distinctly certified by the governor of said territory: *Provided, however,* That no member shall be entitled to, or shall receive compensation, for daily attendance, for more than thirty days in every two years; or for going to and returning from said legislature, more than once in said two years.

Compensation of the members of the legislature of the territory of Arkansas for attendance.

Proviso.

SEC. 2. *And be it further enacted,* That there shall be paid once in two years, seven hundred and twenty dollars, to the governor of said territory, to be applied towards defraying the incidental expenses of the legislature, in such manner as the said legislature shall direct.

720 dollars to be paid the governor biennially for certain purposes.

SEC. 3. *And be it further enacted,* That there be, and is hereby, appropriated out of any moneys not otherwise appropriated, the sum of four hundred and eighty dollars to the district judge of the state of Missouri, and to each of the judges of the superior court for the territory of Arkansas, for their extra services as land commissioners from the twenty-sixth day of May, eighteen hundred and twenty-eight, to the thirty-first day of December next.

480 dollars appropriated to the district judge of the state of Missouri, &c.

SEC. 4. *And be it further enacted,* That for the contingent expenses of the Senate for the year eighteen hundred and twenty-eight, in addition to the sum heretofore appropriated, the sum of fifteen thousand dollars be, and the same hereby is, appropriated, to be paid out of any unappropriated money in the treasury.

15,000 dollars appropriated for contingent expenses of the Senate for 1828.

APPROVED, May 24, 1828.

STATUTE I.

CHAP. CI.—*An Act to provide for opening and making a military road in the state of Maine.*

May 24, 1828.

*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 to cause a military road to be

President to cause a military road to be opened.

opened and made in the state of Maine, from the mouth of the river Matanawcook, where it enters into the Penobscot river, to Mars Hill, near the north-eastern boundary line of the state of Maine.

Troops of the United States to be employed to carry into effect the provisions of this act.

SEC. 2. *And be it further enacted*, That the President be, and he is hereby, authorized to employ such part of the troops of the United States as he may think proper, to survey and construct said road; and, for the purpose of carrying into effect the provisions of this act, the sum of fifteen thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

CHAP. CII.—*An Act making an appropriation for the navy hospital fund.*

[Obsolete.]  
Appropriation.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the sum of forty-six thousand two hundred and seventeen dollars and fourteen cents be appropriated out of any money in the treasury not otherwise appropriated, to the navy hospital fund; and that the Secretary of the Treasury be directed to pay the same to the commissioners of the aforesaid fund upon their requisition.

Vol. ii. 53, 293.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

CHAP. CIII.—*An Act to repeal a part of the act, entitled "An act supplementary to, and to amend an act, entitled 'An act to regulate the collection of duties on imports and tonnage,'" passed the second of March, one thousand seven hundred and ninety-nine, and for other purposes.*

Act of March 2, 1799, ch. 22. 37th section of act of 1st March, 1823, ch. 21, repealed.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, the thirty-seventh section of the act passed on the first of March, one thousand eight hundred and twenty-three, entitled "An act supplementary to, and to amend an act, entitled 'An act to regulate the collection of duties on imports and tonnage,' passed second of March, one thousand seven hundred and ninety-nine, and for other purposes," be, and the same is hereby, repealed.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

CHAP. CIV.—*An Act to increase the pay of lieutenants in the navy.*

Lieutenants in the navy, after passage of this act, to receive 10 dollars per month and one ration per day, in addition, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, from and after the passing of this act, all lieutenants in the navy of the United States shall, in addition to the pay and emoluments now allowed them by law, each receive ten dollars per month, and one ration per day.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

CHAP. CV.—*An Act authorizing the establishment of an arsenal on the waters of Mobile or Pensacola Bays.*

Secretary of War authorized, &c. to procure on reasonable terms, a site for an arsenal on the

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary of War be, and he is hereby, authorized and required to procure, as soon as it can be effected on reasonable terms, a site for an arsenal on the waters of Mobile or Pensacola bays, and to cause to be erected thereon such an arsenal as may be deemed proper, for the safe keeping of the arms and

munitions of war of the United States, for the Mexican gulf frontier ; and that for these purposes the sum of fifty thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated.

APPROVED, May 24, 1828.

waters of Mobile or Pensacola bays.

STATUTE I.

May 24, 1828.

CHAP. CVII.—*An Act to authorize the legislature of the state of Illinois to sell and convey a part of the land reserved and granted to said state for the use of the Ohio Saline.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the legislature of the state of Illinois shall be, and is hereby, authorized and empowered to cause to be sold and conveyed in such manner, and on such terms and conditions, as said legislature shall by law direct, such part or parts of the tract of land reserved and granted to said state, for the use and support of the salt works, known by the name of the Ohio Saline, in the county of Gallatin, in the said state, and to apply the proceeds of such sale to such objects as the said legislature may by law hereafter direct: *Provided,* That the legislature shall not sell and convey more than thirty thousand acres of the land reserved and granted for the use of the Saline aforesaid.

APPROVED, May 24, 1828.

Legislature of the state of Illinois authorized, &c., to cause to be sold, &c., a part or parts of the tract of land reserved and granted to said state for the use of salt works.

Proviso.

STATUTE I.

May 24, 1828.

CHAP. CVIII.—*An Act to aid the state of Ohio in extending the Miami canal from Dayton to Lake Erie, and to grant a quantity of land to said state to aid in the construction of the canals authorized by law ; and for making donations of land to certain persons in Arkansas territory.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That there be, and is hereby, granted to the state of Ohio, for the purpose of aiding said state in extending the Miami canal from Dayton to Lake Erie, by the Maumee route, a quantity of land, equal to one half of five sections in width, on each side of said canal, between Dayton and the Maumee river, at the mouth of the Auglaize, so far as the same shall be located through the public land, and reserving each alternate section of the land unsold to the United States, to be selected by the commissioner of the general land office, under the direction of the President of the United States ; and which land, so reserved to the United States, shall not be sold for less than two dollars and fifty cents per acre. The said land, hereby granted to the state of Ohio, to be subject to the disposal of the legislature of said state, for the purpose aforesaid, and no other: *Provided,* That said canal, when completed, shall be, and forever remain, a public highway, for the use of the government of the United States, free from any toll or other charge, whatever, for any property of the United States, or persons in their service, passing through the same: *And provided, also,* That the extension of the said Miami canal shall be commenced within five years, and completed within twenty years, or the state shall be bound to pay to the United States the amount of any lands previously sold ; and that the title to purchasers, under the state, shall be valid.

Sec. 2. *And be it further enacted,* That so soon as the route of said canal shall be located, and agreed on by said state, it shall be the duty of the governor thereof, or such other person or persons as may have been, or shall hereafter be, authorized to superintend the construction of said canal, to examine and ascertain the particular lands to which the said state will be entitled under the provisions of this act, and report the same to the Secretary of the Treasury of the United States.

Act of June 30, 1834, ch. 137.

A quantity of land to be granted to the state of Ohio, for the purpose of aiding said state in extending the Miami canal from Dayton to Lake Erie by the Maumee route.

Proviso.

Proviso.

Act of March 2, 1833, ch. 87.

Duty of the governor when the route of said canal is located.

Legislature to have power to sell, &c., after the selection be made.

State of Indiana authorized to convey, &c., to the state of Ohio, all the right, &c., granted to said state by an act of March 2, 1827, ch. 56.

Act of March 3, 1845, ch. 42.

500,000 acres of the lands owned by the United States, within said state, to be selected as hereinafter directed, for the purpose of aiding the state of Ohio in the payment of the debt, &c.

Proviso.

Proviso.

Act of March 2, 1833, ch. 87.

The selection of the land granted by 5th section of this act to be made by the governor of Ohio.

Proviso.

Proviso.

Act to take effect, provided the legislature of Ohio shall express the assent of the state to the several provisions and conditions hereof, &c.

Each head of a

SEC. 3. *And be it further enacted*, That the state of Ohio, under the authority of the legislature thereof, after the selection shall have been so made, as aforesaid, shall have power to sell and convey the whole, or any part of said land, and to give a title, in fee simple, therefor to the purchaser thereof.

SEC. 4. *And be it further enacted*, That the state of Indiana be, and hereby is, authorized to convey and relinquish to the state of Ohio, upon such terms as may be agreed upon by said states, all the right and interest granted to the state of Indiana, to any lands within the limits of the state of Ohio, by an act, entitled "An act to grant a certain quantity of land to the state of Indiana, for the purpose of aiding said state in opening a canal, to connect the waters of Wabash river with those of Lake Erie," approved on the second of March, one thousand eight hundred and twenty-seven; the state of Ohio to hold said land on the same conditions upon which it was granted to the state of Indiana, by the act aforesaid.

SEC. 5. *And be it further enacted*, That there be, and hereby is, granted to the state of Ohio, five hundred thousand acres of the lands owned by the United States, within the said state, to be selected as hereinafter directed, for the purpose of aiding the state of Ohio in the payment of the debt, or the interest thereon, which has heretofore been, or which may hereafter be, contracted by said state, in the construction of the canals within the same, undertaken under the authority of the laws of said state, now in force, or that may hereafter be enacted, for the extension of canals now making; which land, when selected, shall be disposed of by the legislature of Ohio, for that purpose, and no other: *Provided*, The said canals, when completed or used, shall be, and for ever remain, public highways, for the use of the government of the United States, free from any toll or charge whatever, for any property of the United States, or persons in their service passing along the same: *And provided further*, That the said canals, already commenced, shall be completed in seven years from the approval of this act; otherwise the state of Ohio shall stand bound to pay over to the United States the amount which any lands, sold by her, within that time, may have brought; but the validity of the titles derived from the state by such sales, shall not be affected by that failure.

SEC. 6. *And be it further enacted*, That the selection of the land granted by the fifth section of this act, may be made under the authority, and by the direction of the governor of the state of Ohio, of any lands belonging to the United States within said state, which may at the time of selection be subject to entry at private sale, and within two years from the approval of this act: *Provided*, That, in the selection of the lands hereby granted, no lands shall be comprehended which have been reserved for the use of the United States, as alternate sections, in the grants hitherto made, or which may be made during the present session of Congress, of lands within the said state, for roads and canals: *And provided*, That all lands so selected shall, by the governor of said state, be reported to the office of the register of the district in which the land lies, and no lands shall be deemed to be so selected till such report be made, and the lands so selected shall be granted by the United States to the state of Ohio.

SEC. 7. *And be it further enacted*, That this act shall take effect, *Provided*, The legislature of Ohio, at the first session thereof, hereafter to commence, shall express the assent of the state to the several provisions and conditions hereof: and unless such expression of assent be made, this act shall be wholly inoperative, except so far as to authorize the governor of Ohio to proceed in causing selections of said land to be made previous to the said next session of the legislature.

SEC. 8. *And be it further enacted*, That each head of a family, widow or single man, over the age of twenty-one years, actually settled on that

part of the territory of Arkansas, which, by the first article of the treaty between the United States and the Cherokee Indians west of the Mississippi, ratified the twenty-third day of May, one thousand eight hundred and twenty-eight, has ceased to be a part of said territory, who shall remove from such settlement according to the provisions of that treaty, shall be authorized to enter with the proper register of the land office in Arkansas, a quantity not exceeding two quarter sections of land, on any of the public lands in that territory, the sale of which is authorized by law, and in conformity with the lines of the public surveys, at any time within two years from the passage of this act; and upon presenting the certificate of such entry to the Secretary of the Treasury, a patent shall be issued to such settler, or to his, her or their heirs, for the lands so entered, as a donation from the United States, as an indemnity for the improvements and losses of such settler under the aforesaid treaty.

SEC. 9. *And be it further enacted,* That the register and receiver of the land office, to which application may be made to enter such lands, shall be authorized to take the proper testimony of such actual settlement and subsequent removal, as in cases of pre-emptions heretofore granted to actual settlers, for which a reasonable compensation shall be made to such registers and receivers, by the United States.

APPROVED, May 24, 1828.

family, &c., over the age of 21 years, actually settled, which, by 1st article of treaty between the United States and the Cherokees west of the Mississippi, ratified by treaty of May 23, 1828, authorized to enter with the proper register a quantity not exceeding two quarter sections of land.

Register, &c., to take the proper testimony of such actual settlement and subsequent removal, &c.

STATUTE I.

CHAP. CIX.—*An Act to revive and continue in force an act, entitled “An Act to provide for persons who were disabled by known wounds received in the Revolutionary war.”*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the act entitled “An act to provide for persons who were disabled by known wounds received in the revolutionary war,” passed on the tenth day of April, one thousand eight hundred and six, and limited, as in said act declared, to the term of six years, and afterwards revived and continued in force for and during the term of six years, by an act, entitled “An act to revive and continue in force ‘An act to provide for persons who were disabled by known wounds received in the revolutionary war, and for other purposes,’” passed on the twenty-fifth of April, in the year one thousand eight hundred and twelve, and afterwards revived and continued in force for the term of one year, by an act, entitled “An act to revive and continue in force an act, entitled ‘An act to provide for persons who were disabled by known wounds received in the revolutionary war,’” passed on the fifteenth day of May, in the year one thousand eight hundred and twenty, and further revived and continued in force for the term of six years, by an act, entitled “An act to revive and continue in force an act, entitled ‘An act to provide for persons who were disabled by known wounds, received in the revolutionary war,’” passed on the fourth day of February, in the year one thousand eight hundred and twenty-two, shall be, and the said act is hereby, revived and continued in full force and effect for and during the term of six years from and after the passing of this act, and from thence unto the end of the next session of Congress: *Provided,* That any evidence which has been taken to support any claim of any person disabled in the revolutionary war, under the authority of the act of the fifteenth of May, one thousand eight hundred and twenty, reviving and continuing in force for one year “An act to provide for persons who were disabled by known wounds, received in the revolutionary war,” shall be received and acted upon by the Secretary of War, in the same manner as if said act was still in force, and had not expired: *And provided, also,* That this act and any thing

May 24, 1828.

[Expired.]

Act of April 10, 1806, ch. 25, continued in force for the term of six years.

Act of April 25, 1812, ch. 69.

Act of May 15, 1820, ch. 109.

Act of Feb. 4, 1822, ch. 6.

Proviso.

Act of May 15, 1820, ch. 109.

Proviso.

Act of March  
3, 1819, ch. 99.

Right of any  
person to re-  
ceive a pension,  
in virtue of any  
law of the  
United States,  
shall be con-  
strued, &c.  
Agents for  
the payment of  
pensions re-  
quired to give  
bonds.

contained in the act hereby revived and continued in force, shall not be construed to repeal or make void the fourth section of an act, entitled "An act concerning invalid pensions," passed the third of March, one thousand eight hundred and nineteen; and the said fourth section of the said last-mentioned act shall be, and the same is hereby declared to be, and to continue to be in full force and effect, any thing in the said act hereby revived and continued in force to the contrary notwithstanding.

SEC. 2. *And be it further enacted*, That the right any person now has, or hereafter may acquire, to receive a pension in virtue of any law of the United States, shall be construed to commence at the time of completing his testimony, pursuant to the act hereby revived and continued in force.

SEC. 3. *And be it further enacted*, That the agents for the payment of pensions to invalid pensioners of the United States, shall in future be required to give bonds, with two or more sureties, to be approved by the Secretary of the Department of War, in such penalty as he shall direct for the faithful discharge of the duties confided to them respectively.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

CHAP. CX.—*An Act declaring the assent of Congress to an act of the state of Alabama.*

Assent of  
Congress given  
to act of Ala-  
bama of Jan. 10,  
1827.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the assent of Congress be, and hereby is, granted to the operation of an act of the general assembly of the state of Alabama, passed on the tenth day of January, one thousand eight hundred and twenty-seven, entitled "An act to incorporate the Cahawba Navigation Company."

Appendix No.  
2.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

CHAP. CXI.—*An Act in addition to an act, entitled "An act concerning discriminating duties of tonnage and impost," and to equalize the duties on Prussian vessels and their cargoes. (a)*

Act of Jan.  
7, 1824, ch. 4.

Where no  
discriminating  
duties of ton-  
nage or impost  
are levied in  
the ports of  
said nation,  
upon vessels,  
&c. of the U. S.,  
the President  
to issue his pro-  
clamation, de-  
claring, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, upon satisfactory evidence being given to the President of the United States, by the government of any foreign nation, that no discriminating duties of tonnage or impost are imposed or levied in the ports of the said nation, upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise, imported in the same from the United States, or from any foreign country, the President is hereby authorized to issue his proclamation, declaring that the foreign discriminating duties of tonnage and impost, within the United States, are, and shall be, suspended and discontinued, so far as respects the vessels of the said foreign nation, and the produce, manufactures, or merchandise imported into the United States in the same, from the said foreign nation, or from any other foreign country: the said suspension to take effect from the time of such notification being given to the President of the United States, and to continue so long as the reciprocal exemption of vessels, belonging to citizens of the United States, and their cargoes, as aforesaid, shall be continued, and no longer. (b)

Duties col-  
lected on  
vessels of Prus-  
sia, &c.

SEC. 2. *And be it further enacted*, That no other or higher rate of duties shall be imposed or collected on vessels of Prussia, or of her dominions, from whencesoever coming, nor on their cargoes, howsoever com-

(a) See notes to act of Jan. 7, 1824, ch. 4.

(b) Appendix, No. III.

posed, than are, or may be, payable on vessels of the United States, and their cargoes.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized to return all duties which have been assessed since the fifteenth day of April, one thousand eight hundred and twenty-six, on Prussian vessels, and their cargoes, beyond the amount which would have been payable on vessels of the United States, and their cargoes; and that the same allowances of drawback be made on merchandise exported in Prussian vessels as would be made on similar exportations in vessels of the United States.

All duties assessed since April 15, 1826, on Prussian vessels, &c., beyond the amount which would have been payable, &c.

SEC. 4. *And be it further enacted*, That so much of this act as relates to Prussian vessels and their cargoes, shall continue and be in force during the time that the equality for which it provides shall, in all respects, be reciprocated in the ports of Prussia, and her dominions; and if at any time hereafter, the said equality shall not be reciprocated in the ports of Prussia, and her dominions, the President may, and he is hereby, authorized to issue his proclamation, declaring that fact, and thereupon so much of this act as relates to Prussian vessels, and their cargoes, shall cease and determine.

So much of this act as relates to Prussian vessels, &c. to continue in force on certain conditions, &c.

APPROVED, May 24, 1828.

STATUTE I.

CHAP. CXIII.—*An Act altering the duties on wines imported into the United States. (a)*

May 24, 1828,

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, from and after the first day of January next, the duties now imposed on wines imported into the United States, shall cease, and that, in lieu thereof, the following duties shall be levied and collected on all wines so imported; that is to say:

After Jan. 1, 1829, duties now imposed on wines imported into the United States, altered.

On the wines of France, Germany, Spain and the Mediterranean, when imported in casks, unless specially enumerated, fifteen cents per gallon; except the red wines of France and Spain, when not imported in bottles, which shall pay only ten cents per gallon.

On wines of France, &c. imported in casks.

On wines of all countries, when imported in bottles or cases, unless specially enumerated; on wines of Sicily, and on all wines not enumerated, whether imported in bottles, cases or casks, thirty cents per gallon, in addition to the duty now existing on the bottles when thus imported.

On wines of all countries when imported in bottles or cases.

On Sherry and Madeira wines, whether imported in bottles, cases or casks, fifty cents per gallon, in addition to the duty on the bottles when so imported.

On Sherry and Madeira wines, &c.

SEC. 2. *And be it further enacted*, That the duties imposed by this act on wine imported, shall be levied and collected on all wines remaining in the public ware-houses after the first of January, one thousand eight hundred and twenty-nine, in lieu of the duties existing when the same may have been imported.

Duties imposed by this act, on wines imported, &c.

SEC. 3. *And be it further enacted*, That a drawback of the duties on wines, imposed by this act, shall be allowed on exportation, and that all existing laws concerning the exportation of merchandise for the benefit of drawback, the collection of duties, and the recovery, distribution and remission of all penalties and forfeitures, shall be taken and deemed to be applicable to importations under this act.

A drawback of the duties shall be allowed on exportation, &c.

APPROVED, May 24, 1828.

(a) *Discriminating duties*: Act of 1816, ch. 107, sec. 3. Act of Jan. 14, 1817, ch. 50. Act of 1818, ch. 110. Act of 1832, ch. 207. Act of 1832, ch. 227, sec. 10. Act of 1824, ch. 4. Act of 1828, ch. 111. Act of 1842, ch. 270, sec. 11.



## STATUTE I.

May 24, 1828.

[Obsolete.]

Sums appropriated.

Forts.

For repairs, &amp;c.

Sums appropriated to be paid from the treasury.

CHAP. CXIV.—*An Act making appropriations for certain fortifications of the United States for the first quarter of the year one thousand eight hundred and twenty-nine.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums be, and the same are hereby, appropriated, to wit: For fortifications, to each, specifically, as follows—

For fort Adams, fifteen thousand dollars. For fort Hamilton, twenty thousand dollars. For fort Monroe, fifteen thousand dollars. For fort Calhoun, ten thousand dollars. For fort Macon, at Bogue Point, ten thousand dollars. For a fort at Oak Island, fifteen thousand dollars. For a fort at Mobile Point, twenty thousand dollars. For fort Jackson, sixteen thousand dollars. For fortifications at Pensacola, twenty thousand dollars. For fortifications at Charleston, fifteen thousand dollars. For fortifications at Savannah, fifteen thousand dollars. For repairs and contingencies of fortifications, three thousand seven hundred and fifty dollars.

SEC. 2. *And be it further enacted,* That the sums herein appropriated shall be paid out of any money in the treasury not otherwise appropriated: but that no part of the same shall be drawn from the treasury before the first of January, one thousand eight hundred and twenty-nine.

APPROVED, May 24, 1828.

## STATUTE I.

May 24, 1828.

Banks in the District of Columbia in calculating their discount to be guided, &amp;c.

CHAP. CXV.—*An Act in relation to the banks in the District of Columbia.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That it shall be, and is hereby, declared to be lawful for the several banks of the District of Columbia, in calculating their discount or interest, to charge according to the standard and rates set forth in "Rowlett's Tables," and, in computing the time which a note may have to run, to reckon the days inclusively.

APPROVED, May 24, 1828.

## STATUTE I.

May 24, 1828.

Second section of the act of April 14, 1802, ch. 23, and March 22, 1816, ch. 32, repealed.

Any alien, being a free white person, who was residing within the limits, &c., of the United States, between April 14, 1802, and June 18, 1812, to become a citizen.  
Proviso.

CHAP. CXVI.—*An Act to amend the acts concerning naturalization. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the second section of the act, entitled "An act to establish a uniform rule of naturalization, and to repeal the acts heretofore passed on that subject," which was passed on the fourteenth day of April, one thousand eight hundred and two, and the first section of the act, entitled "An act relative to evidence in cases of naturalization," passed on the twenty-second day of March, one thousand eight hundred and sixteen, be, and the same are hereby, repealed.

SEC. 2. *And be it further enacted,* That any alien, being a free white person, who was residing within the limits, and under the jurisdiction of the United States, between the fourteenth day of April, one thousand eight hundred and two, and the eighteenth day of June, one thousand eight hundred and twelve, and who has continued to reside within the same, may be admitted to become a citizen of the United States, without having made any previous declaration of his intention to become a citizen: *Provided,* That whenever any person, without a certificate of such

(a) See notes of the acts relating to naturalization, vol. i. 103.

declaration of intention, shall make application to be admitted a citizen of the United States, it shall be proved to the satisfaction of the court, that the applicant was residing within the limits, and under the jurisdiction of the United States, before the eighteenth day of June, one thousand eight hundred and twelve, and has continued to reside within the same, or he shall not be so admitted: and the residence of the applicant within the limits, and under the jurisdiction of the United States, for at least five years immediately preceding the time of such application, shall be proved by the oath or affirmation of citizens of the United States: which citizens shall be named in the record as witnesses; and such continued residence within the limits and under the jurisdiction of the United States, when satisfactorily proved, and the place or places where the applicant has resided for at least five years, as aforesaid, shall be stated and set forth, together with the names of such citizens, in the record of the court admitting the applicant; otherwise the same shall not entitle him to be considered and deemed a citizen of the United States.

APPROVED, May 24, 1828.

CHAP. CXVII.—*An Act making appropriations for the support of the navy of the United States, for the first quarter of the year one thousand eight hundred and twenty-nine.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, for defraying the expenses of the navy for the first quarter of the year one thousand eight hundred and twenty-nine, the following sums be, and the same are hereby, respectively, appropriated, to wit:

For pay and subsistence of officers, and pay of seamen employed in the navy afloat, two hundred and ninety-four thousand and seventy-eight dollars.

For pay, subsistence, and allowances of officers, and pay of seamen, at navy yards, shore stations, hospitals, and in ordinary, forty-six thousand two hundred and fifty-eight dollars.

For pay of superintendents, naval constructor, and all the civil establishment at the yards and stations, fourteen thousand seven hundred and seventy-five dollars.

For provisions, one hundred and twenty-six thousand two hundred and fifty dollars.

For repairs of vessels, one hundred and eighteen thousand seven hundred and fifty dollars.

For medicines, surgical instruments, and hospital stores, six thousand seven hundred and fifty dollars.

For ordnance and ordnance stores, twelve thousand five hundred dollars.

For repairing and improvements of navy yards, twenty-six thousand two hundred and fifty dollars.

For arrearages prior to one thousand eight hundred and twenty-nine, three thousand seven hundred and fifty dollars.

For contingent expenses for one thousand eight hundred and twenty-nine, embracing the items enumerated for that object in the act of second of March, one thousand eight hundred and twenty-seven, sixty thousand dollars.

For contingent expenses, not enumerated, for one thousand eight hundred and twenty-nine, one thousand two hundred and fifty dollars.

For pay and subsistence of the marine corps, thirty thousand five hundred and ninety-four dollars.

For clothing for the same, seven thousand one hundred and ninety-one dollars and twenty-five cents.

For fuel for the same, three thousand and forty-nine dollars.

STATUTE I.

May 24, 1828.

[Obsolete.]

For defraying the expenses of the navy for 1st quarter of 1829.

Pay and subsistence of officers, &c.

Pay, &c. of officers and seamen.

Pay of superintendents, &c.

Provisions.

Repairs of vessels.

Medicines.

Ordnance.

Repairing, &c. of navy yards, &c.

Arrearages prior to 1829.

Contingent expenses for 1829, &c.

Act of March 2, 1827, ch. 22.

Contingent expenses not enumerated.

Pay, &c. of marine corps.

Clothing for same.

Fuel.

Contingen-  
cies for same.

Additional  
contingencies  
for same.

Military  
stores.  
Medicines, &c.

Sums appro-  
priated to be  
paid from the  
treasury.

For contingencies for the same, three thousand three hundred and seventy-five dollars.

For contingencies additional for the same, one hundred and twenty-five dollars.

For military stores for the same, seven hundred and fifty dollars.

For medicines and hospital stores for the same, five hundred and ninety-two dollars and twenty-five cents.

SEC. 2. *And be it further enacted*, That the sums herein appropriated shall be paid out of any money in the treasury not otherwise appropriated; but that no part of the same shall be drawn from the treasury before the first of January, one thousand eight hundred and twenty-nine.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

[Obsolete.]

Sums respec-  
tively appro-  
priated.

To revolu-  
tionary pension-  
ers.

Widows, &c.

Invalids, &c.

Sums appro-  
priated to be  
paid from trea-  
sury.

CHAP. CXVIII.—*An Act making appropriations for the payment of the revolutionary and other pensioners of the United States, for the first quarter of the year one thousand eight hundred and twenty-nine.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following sums be, and they are hereby, respectively appropriated, for the objects following, to wit:

For the pensions to the revolutionary pensioners of the United States, two hundred thousand dollars.

For half-pay pensions to widows and orphans, three thousand dollars.

For the invalid and half-pay pensioners, seventy-five thousand dollars.

SEC. 2. *And be it further enacted*, That the sums herein appropriated shall be paid out of any money in the treasury not otherwise appropriated; but that no part of the same shall be drawn from the treasury before the first of January, one thousand eight hundred and twenty-nine.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

Duty of col-  
lectors after  
the passage of  
this act.

Act of Feb.  
18, 1793, ch.  
8.

Proviso.

CHAP. CXIX.—*An Act to authorize the licensing of vessels to be employed in the mackerel fishery. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, from and after the passage of this act, it shall be the duty of the collector of the district to which any vessel may belong, on an application for that purpose by the master or owner thereof, to issue a license for carrying on the mackerel fishery, to such vessel, in the form prescribed by the act, entitled "An act for enrolling and licensing ships or vessels to be employed in the coasting trade and fisheries, and for regulating the same," passed the eighteenth day of February, one thousand seven hundred and ninety-three: *Provided*, That all the provisions of said act, respecting the licensing of ships or vessels for the coasting trade and fisheries, shall be deemed and taken to be applicable to licenses and to vessels licensed for carrying on the mackerel fishery.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

[Obsolete.]

1828, ch. 117.  
Sums appro-  
priated.

CHAP. CXX.—*An Act in addition to "An act making an appropriation for the support of the navy of the United States for the year one thousand eight hundred and twenty-eight."*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following sums be, and they are hereby, appropriated, viz:

(a) See notes of the acts of Congress in relation to ships and vessels, and persons employed in the fisheries, vol. iii. 49—and notes of the decisions of the Courts of the United States on the acts relating to the fisheries, vol. iii. 49.

For pay, subsistence, and provisions, thirty-five thousand one hundred and sixty dollars.

For medicines and hospital stores, one thousand two hundred dollars.

For outfits, twenty-five thousand dollars.

For repairs, and for wear and tear, ten thousand dollars.

APPROVED, May 24, 1828.

Pay, &c.

Medicines.

Outfits.

Repairs, &c.

STATUTE I.

CHAP. CXXI.—*An Act for the better organization of the medical department of the navy of the United States. (a)*

May 24, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, from and after the passing of this act, no person shall receive the appointment of assistant surgeon in the navy of the United States, unless he shall have been examined and approved by a board of naval surgeons, who shall be designated for that purpose, by the secretary of the navy department; and no person shall receive the appointment of surgeon in the navy of the United States until he shall have served as an assistant surgeon at least two years, on board a public vessel of the United States, at sea, and unless, also, he shall have been examined and approved by a board of surgeons constituted as aforesaid.

After the passing of this act, no person to receive the appointment of assistant surgeon, unless examined, &c.

SEC. 2. *And be it further enacted,* That the President of the United States may designate and appoint to every fleet or squadron an experienced and intelligent surgeon, then in the naval service of the United States, to be denominated "Surgeon of the Fleet," who shall be surgeon of the flag ship, and who, in addition to his duties as such, shall examine and approve all requisitions for medical and hospital stores for the fleet, and inspect their quality; and who shall, in difficult cases, consult with the surgeons of the several ships, and make records of the character and treatment of diseases, to be transmitted to the Navy Department; and who, in addition to the compensation allowed to surgeons at sea, shall be allowed double rations while acting as surgeon of the fleet as aforesaid.

President of the United States may designate, &c. to every fleet or squadron an intelligent surgeon, then in the naval service of the United States.

SEC. 3. *And be it further enacted,* That assistant surgeons who shall have been commissioned less than five years, shall each receive thirty dollars a month, and two rations a day; after five years' service, they shall be entitled to an examination by a board of naval surgeons, constituted as aforesaid, and having been approved and passed by such board, they shall each receive an addition of five dollars a month, and one ration a day; and, after ten years' service, a further addition of five dollars a month, and one ration a day.

Assistant surgeons who have been commissioned less than five years, to receive each 30 dollars a month, and two rations per day, &c.

SEC. 4. *And be it further enacted,* That every surgeon who shall have received his appointment, as is hereinbefore provided for, shall receive fifty dollars a month, and two rations a day; after five years' service, he shall be entitled to receive fifty-five dollars a month and an additional ration a day; and after ten years' service, he shall receive sixty dollars a month and an additional ration a day; and after twenty years' service, he shall receive seventy dollars a month and the rations as last aforesaid.

Every surgeon who shall have received his appointment as herein provided for, to receive 50 dollars per month and two rations a day, &c.

SEC. 5. *And be it further enacted,* That every assistant surgeon (after having faithfully served two years) shall, while in actual service at sea, in addition to the usual compensation allowed him by law, receive double

Every assistant surgeon, &c.

(a) *Acts relating to the medical department of the navy:*

An act to regulate the medical establishment, March 2, 1799, ch. 27.

An act further to regulate the medical department of the army, May 8, 1820, ch. 75.

An act for the better organization of the medical department of the navy of the United States, May 24, 1828, ch. 121.

An act to amend an act entitled "An act for the better organization of the medical department of the navy, approved May 24, 1828," Jan. 21, 1829, ch. 7.

An act to re-organize the navy department of the United States, Aug. 31, 1842, ch. 286, sec. 3.

to receive five dollars per month in addition to the usual compensation.

rations, and five dollars a month; and every surgeon in the navy, while in actual service at sea, shall also, in addition to his usual compensation, receive double rations, and ten dollars a month.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

CHAP. CXXII.—*An Act authorizing the legislative council of the territory of Michigan to take charge of school lands in said territory.*

Governor, &c. to make such laws, &c. as they may deem expedient, to protect from injury, &c., section 16, reserved in each township for the support of schools, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the governor and legislative council of the territory of Michigan be, and they are hereby, authorized to make such laws and needful regulations, as they shall deem most expedient, to protect from injury and waste section numbered sixteen, in said territory, reserved in each township, for the support of schools therein; and to provide, by law, for leasing the same, for any term not exceeding four years, in such manner as to render them productive, and most conducive to the objects for which they were designed.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

CHAP. CXXIII.—*An Act making appropriations for the military service of the United States, for the first quarter of the year one thousand eight hundred and twenty-nine.*

[Obsolete.]

Sums appropriated for the military service for the 1st quarter of 1829.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums be, and the same are hereby, appropriated for the military service of the United States, for the first quarter of the year one thousand eight hundred and twenty-nine, to wit:

Pay of the army, &c.

For pay of the army, and pay and subsistence of the officers, two hundred and sixty-four thousand and seventy-six dollars.

Forage.

For forage for officers, ten thousand and thirty-two dollars.

Clothing of officers' servants.

For clothing of officers' servants, four thousand nine hundred and forty-two dollars.

Recruiting service.

For the recruiting service, nine thousand dollars.

Contingent expenses.

For the contingent expenses of the recruiting service, four thousand dollars.

Subsistence department.

For the subsistence department, fifty-four thousand two hundred dollars.

Purchasing department.

For the purchasing department, forty-four thousand five hundred and ninety-four dollars and thirty-seven cents.

Medical department.

For the medical department, six thousand dollars.

Quartermaster general's department.

For the quartermaster general's department, eighty-five thousand two hundred and twenty dollars.

Military academy.

For the military academy at West Point, three thousand dollars.

Contingencies of the army.

For the contingencies of the army, two thousand five hundred dollars.

National armories.

For the national armories, ninety thousand dollars.

Ordnance department.

For the current expenses of the ordnance service, sixteen thousand two hundred and fifty dollars.

New fortifications.

For armament of new fortifications, twenty-five thousand dollars.

SEC. 2. *And be it further enacted,* That the sums herein appropriated shall be paid out of any money in the treasury not otherwise appropriated; but that no part of the same shall be drawn from the treasury before the first January, one thousand eight hundred and twenty-nine.

APPROVED, May 24, 1828.

STATUTE I.

CHAP. CXXIV.—*An Act making appropriations to enable the President of the United States to defray the expenses of delegations of the Choctaw, Creek, Cherokee, and Chickasaw, and other tribes of Indians, to explore the country west of the Mississippi.*

May 24, 1828.

[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of fifteen thousand dollars be, and the same is hereby, appropriated, to enable the President of the United States to employ suitable persons to conduct delegations of the Choctaw, Creeks, Cherokees, and Chickasaw, and such other tribes of Indians as may be disposed to send delegations west of the Mississippi for the purpose of exploring the unoccupied lands of the United States without the limits of the states and territories, preparatory to the final emigration of said Indians.

Delegations of the Choctaw, Creek, &c., Indians west of the Mississippi, to explore the unoccupied lands of the United States.

SEC. 2. *And be it further enacted,* That the President of the United States is hereby authorized to defray the expenses of the delegations aforesaid, not exceeding the amount of the above appropriation; to be paid out of any money in the treasury not otherwise appropriated.

Amount of expenses not to exceed \$15,000.

APPROVED, May 24, 1828.

STATUTE I.

CHAP. CXXV.—*An Act to establish sundry post-roads and to discontinue others.*

May 24, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following be established as post-roads:

*In Maine.*—From Damariscotta Mills, by West Jefferson and Windsor, to Palermo. From Waterville, by Clinton, Albion and Freedom, to Belfast. From Rumford Point, by Dixfield, Canton, North Livermore, East Livermore, Wayne, and Winthrop, to Augusta; and that so much of the route from Readfield to Rumford Point, as interferes with this route, be discontinued. From Augusta, through South Vassalborough, South China, Palermo, North Palermo, Montville, North Searsmont, and Belmont, to Belfast. From Green to Farmington. From Standish, through East Baldwin, Sebago, Bridgetown and Denmark, to Fryeburg. From Parsonfield, through Porter, and the westerly part of Brownfield, to Fryeburg. From Augusta, through Belgrade, Rome, New Sharon, Industry, and New Vineyard, to New Portland. From New Sharon, through Industry, New Vineyard, and New Portland, to Kingfield. From the Great Falls, in the state of New Hampshire, to the Little Falls in Lebanon, Maine.

In Maine.

*In New Hampshire.*—From Milford, through Dunstable, to Derry. From Farmington to Dover. From Concord, by Chichester, Pittsfield, Barnstead, Strafford, Barrington, and Madbury, to Dover. From Walpole, by Drewsville, Langdon, and Alstead, to Marlow. From Lower Bartlett, through Adam's and Pinkham's Grant, to Randolph. From Haverhill, through Bath and Lyman, to Lyman Bridge, thence to the lower village, in Barnet, Vermont. From Glenville, by Bethlehem and Whitefield, to Lancaster.

New Hampshire.

*In Massachusetts.*—From Taunton to Providence, by Rehoboth village. From Newburyport, by Salisbury, Amesbury, Haverhill, Methuen, and Dracut, to Lowell. From Canton, by Sharon and Foxborough meeting-houses, to East Attleborough. From Greenfield, through Shelburne, Buckland, and Hawley, to Savoy. From Ware, through Hardwick, Petersham, Athol, and Royalston, in Massachusetts, and Richmond, and Swanzy, in New Hampshire, to Keene.

Massachusetts.

*In Connecticut.*—From Springfield, Massachusetts, by Somers, Connecticut, on the Burbank road, Tolland, Mansfield, Beardley's store, and Windham, to Norwich. From Sharon, through Salisbury, Great Hal-

Connecticut.

low, the valley of Housatonic, and Fall's village, to North Canaan. From Lyme, through the village of Hamburg, Comstock's Ferry, East Haddam Landing, Leesville, Middle Haddam, Glastenbury, and East Hartford, to the city of Hartford. From Farmington, by Sunbury meeting-house, to Granby. From Robin's, Inn, in Voluntown, by Griswold's meeting-house, to Jewett city. From Windham, Old Courthouse, through Mansfield, and Wellington, to Stafford Springs.

## Vermont.

*In Vermont.*—From Bellow's Falls, through Saxon's River village and Athens, to Townshend. From Arlington, through Sandgate, to Salem, New York. From Chelsea, through Vershire, by Portsmills, to Thetford meeting-house. From Guildhall, through Burke, Sutton, Barton, and Irasburg, by the Episcopal Church, in Berkshire, to St. Alban's. From Richford, by Berkshire, Franklin, and Powell's Falls, in Highgate, to the village of St. Albans. From Bakersfield, through Fairfield, to St. Albans. From Hardwick, through Greensborough, Barton, and Brownington, to Derby.

## New York.

*In New York.*—From the village of Skeneateles, via Sempronius, Lock, and the village of Groton, to Ithaca. From Hillsdale Post-office, down the valley of the Taghkanic, by the Copake and Ancram Post-offices, to the post-road from Poughkeepsie, to Salisbury. From the village of New Ark, by the most direct route, to the village of Eastridge. From Verona, via Cicero, to Cato Four Corners. From Lima, via Fowlersville and Bradley's Four Corners, to Pembroke. From Keesville, via Port Kent, to Burlington, in Vermont. From Delhi, by the most direct route, to Cooperstown. From Watertown, via Evans' Mills, Philadelphia, Antwerp, Gouverneur, De Kalb, Heuville, to Ogdensburg. From Potsdam, via Norfolk, Massena, and Hogansburg, to the Canada line at St. Regis. From Malone, via Bangor, Moira, Brasher, and Stockholm, to Potsdam. From Ithaca, on the most direct route, via the head of Seneca Lake, and Joseph Tomkin's, to Hammondsport. From South Sparta, via Liberty Corners, Prattsburgh, and Pulteney, to Wayne Hotel. From Hornby, via Mead Creek, Erwin Addison, Woodhull, and Jasper, to Independence. From Bath, via Prattsburgh, Cool's Corners, and Penyann, to Ovid. From Liberty, via Samuel Taggart's and Vanfassin's Mills, to Lima. From Geneva, via Seneca and Bethel, to Rushville. From Richmond, by Spring Water, to Dansville. From North Almond, to Dewitt's valley. From Almond, via North Almond, Allen, Hunt's Hollow and Portage, to Pike. From Northampton, to Northville Post-office, thence through the towns of Hope, Welles, and Lake Pleasant, to Seth Witmore's. From the village of Owego, [Oswego] via Speedsville, to Slaterville. From Chester Post-office, via the village of Sugar Loaf, to Warwick. From Canandaigua to Gibsonville. From Lodi Post-office, via Seelysburg, and Randolph, to Jamestown. From Chenango Point, via Rugg's Edy, Osborn's, North Hollow, and Holcomb's Settlement, to Harpersville. From Salem to Union village. From Monticello, via Fallsburgh and Neversink, to the Post-office near the old Dutch Church, in the town of Wawasing. From Poughkeepsie, via Fishkill Plains, Stormville, Patterson, Elm, Milltown, and Millplains, to Danbury, Connecticut. From Mayville, by Mina and Greenfield, to the town of Erie, in Pennsylvania. From Hammondsport, via South Pulteney, East Wheeler, West Hill, West Creek, Neal's Creek, and Pond Settlement, to Rathbone Settlement. From Geneva, via Marengo, Clyde, Melvin's Mills, and Sterling, to the village of Oswego. From Charlotteville, via South Wooster, to Davenport.

## New Jersey.

*In New Jersey.*—From Mauricetown to Port Elizabeth. From Philadelphia, by Camden, Woodbury, Mullico Hill, Woodstown, Allowaystown, and Roadstown, to Greenwich. From Hacketstown to Hope, Warren county. From Newton, by Stillwater, to the store of Smith and Bristol, on the Delaware, near the mouth of Flatbrook, thence to Dingman's

ferry, and by Balesville, to Newton. From the city of Burlington, in the county of Burlington, by Mount Holly, Pemberton, Vincentown, and Medford, to Swain's tavern, in Eversham, in the county aforesaid.

*In Pennsylvania.*—From Buckwalter's, by Charleston, to West Chester. From Butler to Freeport. From Philadelphia, by Providence meeting-house, Concord village, Chadsford, New London Cross Roads, Brick meeting-house, Port Deposit Bridge, and Belle Air, to Baltimore. From Columbus, in Luzerne county, through Jackson, Sugarloaf, by Hess's Mills, through Franklin, to Hughesburg, in Lycoming county. From Watsontown, in Northumberland county, through Sugar and Brush valleys, to Bellefonte, in Centre county. From Puttsville, in Schuylkill county, through Danville, in Columbia county, to Pennsborough, in Lycoming county. From Burlington, by way of Beriah Pratt's, John Pratt's, Scovil Bailey's, Levi Taylor's, and David Ross's, to the Post-office in Alba, Bradford county. From Cattawissa to Bloomburg, in Columbia county, thence through Jerseytown and White Hall, to Pennsborough, in Lycoming county. From Stroudsburg, in Northampton county, through Stanhope, in Pike county, Covington and Abington, in Luzerne county, to the Great Bend, in Susquehannah county. From Deerfield, in Tioga county, through Westfield, to Harrison, in Potter county. From Harvey Cornwell's, on Crooked Creek, through Close's Settlement, to Deerfield, in Tioga county. From Muncey, by Hugh Donley's, Moses Foreman's, to Jersey Shore, Lycoming county. From Jersey Shore, in Lycoming county, through Nippe Nose, Sugar and Brush valleys, to Aaronsburg, in Centre county. From Williamsport, by Johnson Bulkey's, Carpenter's Mills, John Marshall's, Wyessel's Mills, Ross valley, to Trout Run, in Lycoming county. From Lawrenceburg, in Armstrong county, to Mercer, in Mercer county. From Greenville, in Mercer county, to Hart's Cross Roads, in Crawford county. From Warren to Sugargrove, in Warren county. From Harrisville to Whites-town, in Butler county. From the mouth of Anderson's creek, in Clearfield county, along the state road, to Kittanning, in Armstrong county. From Shrewsbury, by Mechanicsburg, to Peachbottom, in York county. From Hamburg, in Berks county, through McKeansburg, in Schuylkill county, to Cattawissa, in Columbia county. From the borough of Reading, by John Clyne's, to Bowerstown, in Berks county. From Allentown, in Lehigh county, through Hellerstown and Quakertown, to Charleston, in Bucks county. From Foglesville, in Lehigh county, through Saegersville, to Maunch Church, in Northampton county. From Coatsville, through Cochranville, McWilliamstown and Doe Run, to Clingan's Post-office, in Chester county. From Waterstreet, in Huntingdon county, by way of Huntingdon Furnace, Warrior Mark, and Bald Eagle Furnace, to Phillipsburg, in Centre county. From Franklin, through Georgetown, to Greenville, in Mercer county. From Upper Dublin, in Montgomery county, by Gwynnedd, and Towamensing, to Summeytown. From Summeytown, in Montgomery county, by Millers-town, and Trexlerstown, to Foglesville, in Lehigh county. From the Trapp, in Montgomery county, by Skippack, Towamensing, and Leidy's Store, to Line Lexington, in Bucks county. From Norristown, in Montgomery county, by the Bird-in-hand, Tarrence's tavern, the Buck, the General Wayne, and the Widow Grow's tavern, to Manayunk, in Philadelphia county. From the house of John Blair, on the turnpike, in Huntingdon county, to McConnellsburgh, in Bedford county. From Easton, in Northampton county, by Morgan's, Best's, Stout's, and Samuel Leidy's, to Hellerstown. From Berlin, in Somerset county, through Southampton township, to Cumberland, in the state of Maryland. From Mount Pleasant, in Wayne county, by the house of Gershom Williams, and Tallman's Mills, through the towns of Ararat and Scott, to the town of Deposit, in Delaware county, in the state of New York.



From West Chester, by Goshen, Paoli, and King of Prussia, to Norristown. From Montrose, the most direct route to Binghampton, in the state of New York.

Maryland.

*In Maryland.*—From Hereford, in Baltimore county, by Slade's tavern, and Upper Cross Roads, to Belle Air, in Hartford county. From Fredericktown, to Wolfville, in Frederick county. From Prince Frederick to Benedict. From Harford, by Port Deposit Bridge, to North-east.

Virginia.

*In Virginia.*—From Millborough to Sittlington's on Bull Pasture, to intersect the route from Staunton to Beverly. From Scottsville to Little York, in Albermarle county. From Traveller's Repose to Pocahontas Courthouse. From Lexington, up Buffalo, to Ross Furnace, up Jackson's river, to Covington. From Wheeling to Mixville. From Martinsburgh to Bath. From Monroe Courthouse, via Lick creek, to the Falls of Great Kenhawa river, thence to the Post-office at Gawley's store. From Greenhill, Campbell county, via Ferrell's store, Barksdale's store, and Meadville, to Halifax Courthouse. From Middleburg, Loudoun county, to Warrenton, Fauquier county. From Giles Courthouse to Tazewell Courthouse, via mouth of East river. From New Glasgow, in the county of Amherst, via Sandidges' tavern, Pedlar's Mills, Waugh's ferry, and Wharton's Mills, to Liberty, in the county of Bedford.

North Carolina.

*In North Carolina.*—From Smithfield, by Raiford's Bridge, to Stauntonburg. From Beaufort, via Shackleford's banks, to Portsmouth, in Carterett county. From Waynesville to Sevierville, Tennessee. From Currituck Courthouse to Poplar Branch. From Pittsborough to May's; thence to Evan Bridge, to cross Deep river; thence to Buffalo Meeting-house; thence to Fayetteville—return by crossing Cape Fear, at Northington's ferry; thence to Haywood; thence to Pittsborough. From Statesville to Lincolnton, to cross the Catawba river at Thomas' ferry. From Rockingham to Cheraw, in South Carolina. From Ashville, North Carolina, by James Allen's, to Cheek's Cross Roads, in Tennessee.

South Carolina.

*In South Carolina.*—From Walterborough, by May's ferry, on Edisto, and Pine Branch Post-office, to Orangeburg. From Irvinville, North Carolina, to Spartanburg Courthouse. From Waltersborough to Orangeburg; thence to Columbia.

Georgia.

*In Georgia.*—From Macon, via Thomaston, Pike county, Talbot Courthouse and Columbus, to Montgomery, in Alabama. From Lawrenceville, Gwinnet Courthouse, via Gates' Ferry, on Chatahoochie river, Phillips' and Van's, in the Cherokee nation, to Bennet's, in the state of Alabama. From Columbus, by fort Mitchell, via fort Gaines, Early Courthouse, to Decatur Courthouse. From Madison, Morgan county, via Covington, to Monroe, Walton Courthouse. From Athens to Monroe, Walton Courthouse. From Jefferson, in Camden county, to Bellevue, in said county.

Indiana.

*In Indiana.*—From fort Wayne to Carey Missionary Establishment. From Green Castle, Putnam county, by Blakesburgh, to Crawfordsville. From Fredonia to Princeton. From Rushville, by Shelbyville, to Edinburg. From Noblesville to Crawfordsville, connecting a post-route from Centreville, Wayne county, passing by New Castle, Henry county, to Noblesville entire. From Vincennes, by Petersburg, to Boonville.

Kentucky.

*In Kentucky.*—From Cynthiana, by the mouth of Raven creek, to Williamstown, in Grant county. From Greenville to Owensborough. From Greenville to Elkton. From Franklin, Simpson county, to Lebanon, Tennessee, by the way of Gallatin. From Knoxville, in the state of Tennessee, passing Jacksborough, in Campbell county, thence by the salt works of Beatty & Co. on the Big South Fork of Cumberland river, to Monticello, in Wayne county, in the state of Kentucky. From Madisonville, and Wilson's mill, to Princeton. From Bardstown, by New Haven and Hodgenville, to Munfordville, in Hart county. From the

Yellow Banks, in Kentucky, to Rockport, in Indiana. From Elizabethtown, in Hardin county, by Hodgenville, to Greensburg, in Green county. From Burlington, in Kentucky, to Aurora, in Indiana. From Morganfield, by Crooked Creek Post-office, to Salem. From Mayfield, by Prior's mill, and Winningham's mill, to Hickman, at Mill's Point, on the Mississippi, in Hickman county. From Hopkinsville, Christian county, by the Cerulean Springs, Trigg county, and Millville, Caldwell county, to Princeton. From the town of Monroe, in the county of Hart, to Bell's, at the Three Forks, in the county of Barren. From Shelbyville to the mouth of Six-mile creek, and from thence to Theobald's. From Russelville, in Logan county, to Franklin, in Simpson county, thence to Scottville, in Allen county.

*In Ohio.*—From Palmyra, by Paris, to Parkman. From Canton, in Stark county, to Deerfield, in Portage county. From New Lisbon, by Unity, to Greensburg, in the state of Pennsylvania. From New London, in Huron county, to Lafayette. From Marion, by Big Island, to Bellefontaine. From Hardin, by Wapaughkonneta and fort Brown, to Defiance. From Clarksville, by Rochester and Hopkinsville, to Twenty-mile stand. From Fairfield, in the county of Green, by Monroe, to Troy. From Wilmington, by Jamestown, to Springfield. From Newmarket, by Georgetown and Higginsport, to Augusta, in the state of Kentucky. From Hillsborough, by Petersburg, to Greenfield. From Elyria, in the county of Lorain, by Eaton, Columbia, Strongville, Royalton, Bricksville, to Boston, in the county of Portage. From Tiffin, in Seneca county, to Greenfield. From Rockport, by Lenox and Columbia, to Liverpool.

Ohio.

*In Tennessee.*—That the mail-route already established from McMinnville, in Warren county, by Davis' Mills, to Shelbyville, in Bedford county, shall pass by the way of Lumley's Stand, and Noah's Fork Post-office. From Rogersville to Tazewell. From Jackson to Mount Pinson, thence to Purdy's office, thence to Lexington, thence to Perryville, Perry county. From Springfield, in Robertson county, via Cross Plains, to Gallatin, in Sumner county. From Harpeth Post-office, in Williamson county, by the way of Gideonville, Civil Order Post-office, Fishingford, Farmington, New Hope Post-office, to Fayetteville. From Franklin, by Hightower's store, Hurt's Cross Roads, Cedar Spring Post-office, to Robertson Post-office, in Giles county. From Dyersburg to Johnsville, and Terrel's ferry, to Troy. From Chota, in Monroe county, to Franklin, in Haywood county, North Carolina. From Kingston, in Roane county, by the mouth of Paint Rock Creek, Pine Creek, and Philadelphia, to Tellico, in Monroe county. From Athens, in McMinn county, by Cowan's ferry, on the Hiwassee river, to Hamilton Courthouse. From Memphis, in Shelby county, by Summerville, in Fayette county, Bolivar, in Hardiman county, Purdy, in McNairy county, Hardinsville, in Hardin county, to Florence, in Lauderdale county, Alabama. From Morgan Courthouse, by the standing store, to Hillham, in Overton county. From Jamestown to Monroe. From Shown's Cross Roads, Tennessee, to Abington, in Virginia. From Lindon, in Marengo county, to Greenville, in Butler county, Alabama. From Canton, in Wilcox county, to Greenville, in Butler county, Alabama. From Nashville, by Charlotte, Smithville, Hornburger's, Gray's ferry, Paris, and Dresden, to Hickman, on the left bank of the Mississippi.

Tennessee.

*In Illinois.*—From McClanesborough by Carmi, to New Harmony, in the state of Indiana. From Shawneetown, by the seats of justice of Gallatin, Franklin, and Washington counties, to Bellville. From Paris to Vandalia. From Danville, in Vermillion county, to Fort Clark. From Shawneetown to Bellville.

Illinois.

*In Missouri.*—From New Madrid, in the state of Missouri, to Hickman, in Kentucky, and from thence east by Totten's Wells, to Dresden, Tennessee, and from Hickman, south, via Troy, to Dyersburg, Tennes-

Missouri.

see. From the Courthouse in the county of Lafayette, in Arkansas territory, to Long Prairie, in said county. From Boonville, in Cooper county, to Ewingsville, in the same county.

Mississippi.

*In Mississippi.*—From Winchester, by Green Courthouse and McManus's, to Mobile. From Jackson, by Westville, and Jaynesville, to Williamsburg. From Port Gibson to Gallatin. From Jackson Courthouse to Mobile. From Meadville, by Norman's, Holmesville, and Franklin, to Covington, in Louisiana. From Natchez, by the Old Courthouse, to Kingston.

Alabama.

*In Alabama.*—From Gunter's landing to Blountville. From Maren-go Courthouse to Claiborne, in Monroe county. From Daletown, by Canton, to Greenville.

Louisiana.

*In Louisiana.*—From Natchitoches, by Cantonment Jesup, to Crow's Crossings, on the Sabine river. From Franklin to Clinton. From Natchitoches to the Caddo Agency.

Florida.

*In Florida.*—From Tallahassee to St. Marks. From Pensacola, by Pike Courthouse, in Alabama, to Fort Mitchell, in Georgia. From Alachua Courthouse, via Black creek, to Jacksonville. From St. Johnstown, or Bluff, to St. Augustine.

Michigan.

*In Michigan.*—From Monroe, by way of Raisinville, Kidzie's Grove, and Adrian, to Tecumseh, in the territory of Michigan. From Detroit, through Mount Clemens, to Fort Gratiot. From Maumee, in Ohio, through Blissfield, Tecumseh, Saline, and Ann Arbor, to Pontiac. From Detroit to Ann Arbor.

Routes dis-continued.

SEC. 2. *And be it further enacted,* That the following routes be, and the same are hereby, discontinued :

New Hamp-  
shire.

*In New Hampshire.*—From Walpole, by Alstead, to Acworth ; and so much of the route from Acworth, by Lempster, and Unity, to Newport, as lies between Acworth and Unity.

New York.

*In New York.*—From Charlotteville, via Jefferson, to Harpersfield. From Waterloo to Clyde.

Pennsylva-  
nia.

*In Pennsylvania.*—So much of the route from Sunbury, by Liberty-pole and Cattawissa, to Nescopeck, established by the act of the third March, eighteen hundred and twenty-seven, as lies between Cattawissa and Nescopeck,

APPROVED, May 24, 1828.

## RESOLUTIONS.

April 3, 1828.

I. RESOLUTION *authorizing the Speaker of the House of Representatives to frank letters and packages.*

Speaker of  
the house of re-  
presentatives  
to frank letters,  
&c.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Speaker of the House of Representatives of the United States be, and he is hereby, authorized to frank and to receive letters and packages by mail free of postage.

APPROVED, April 3, 1828.

May 23, 1828.

III. RESOLUTION *in relation to Charles Carroll, of Carrollton.*

Charles Car-  
roll, of Carroll-  
ton, &c.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That Charles Carroll, of Carrollton, the only surviving signer of the Declaration of Independence, be, and he is hereby, authorized to receive and transmit letters and packages by the mail free of postage.

APPROVED, May 23, 1828.

IV. RESOLUTION *providing for the distribution of certain public documents, and the removal of certain books from the library.* May 24, 1828.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That of the public documents, and other works, of which several copies are deposited in the library of Congress, a portion be distributed in the following manner :

Public documents in the library of Congress to be distributed.

First, Of the return of the last census, and of the Digest of Manufactures, and of Gales and Seaton's Register of Debates, and of Watterson's and Van Zandt's Statistical Tables, one copy to each member of the present Congress, and to each new member of each succeeding Congress, till all the copies shall be distributed, with the exception of twenty-five of each work, which shall be reserved in the library; and the librarian of Congress is hereby authorized and directed to deliver to each member, as aforesaid, the copies of the said documents to which he is hereby entitled.

Census.

Secondly, Of the Journal of the Federal Convention, of the Secret Journals of the old Congress, of Pitkin's Statistics, and of Seybert's Statistical Annals, one copy to the public library of the legislature of each state in the Union, and one copy each to such universities and colleges as may not already have received them, and one copy to one incorporated Athenium in each state: *Provided,* There remain a sufficient number of the said works beyond what are needed for the use of the library.

Journal of the Federal Convention, &c.

Proviso.

Thirdly, To the United States' Military Academy at West Point, one set of all the works of which copies have been distributed to the universities and colleges: *Provided,* There remain any copies of the same deposited in the library of Congress, beyond the number reserved for the said library.

A set to West Point Academy.

Proviso.

Fourthly, That, of the three hundred copies of the laws now ordered to be deposited in the library of Congress, fifty copies be furnished to the library of the House of Representatives, in addition to the fifty copies already ordered for the said library; and that the clerk of the House of Representatives be, and he hereby is, authorized to receive the same.

Copies of the laws to library of House of Representatives.

Fifthly, That of the journals, documents, and reports, heretofore ordered to be printed by the Senate, and of which copies are deposited in the library of Congress, and of the journals, documents, and reports, which may hereafter be ordered to be printed by the Senate, five sets be furnished for the library of the House of Representatives; and that the clerk of the House of Representatives be, and he hereby is, authorized to receive the same.

Journals furnished to library of House of Representatives.

II. *And be it further resolved,* That the clerk of the House of Representatives be, and he hereby is, authorized and directed to deliver to the Department of State, properly prepared for transmission, by mail or otherwise, the copies of the books mentioned in the second and third paragraphs of the foregoing resolution.

Clerk of House of Representatives to deliver to Department of State, &c.

III. *And be it further resolved,* That, instead of the twenty-five sets of the journals, executive papers, reports of committees, and other documents of Congress, authorized by law to be placed in the library of Congress, ten sets only, well bound, shall hereafter be deposited, in the said library.

Ten sets only of the journals of Congress, well bound, shall be deposited hereafter.

IV. *And be it further resolved,* That the joint library committee be, and they hereby are, authorized to remove from the library of Congress, and dispose of in such manner as they may think expedient, any duplicate, imperfect, damaged, or other work or works, not wanted for the use of the library.

Joint committee to dispose of any duplicate or works not wanted for the use of the library.

APPROVED, May 24, 1828.

May 24, 1828.

V. RESOLUTION *in relation to the manner of executing the printing ordered by either House of Congress.*

Duty of the Secretary of the Senate and clerk of the House of Representatives after the termination of Congress, to regulate, &c. the printing of the respective houses, &c.

Also to regulate the printing of the executive documents, &c.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, after the termination of the present session of Congress, it shall be the duty of the secretary of the Senate and clerk of the House of Representatives, so to regulate and direct the printing of the respective Houses as to abolish the practice of making "title pages" to executive documents, reports of committees, memorials, or any other documents, unless the same shall be so directed by them, and that the whole matter shall follow in close order, from the first page. And they shall further direct, that the printing of the yeas and nays of the journal shall be in consecutive order, as ordinary matter. They shall also so regulate the printing of the executive documents, as to have the respective communications from the President and heads of Departments bound in distinct volumes; and they may also so change the form of the volume, by increasing its size, as to combine the greatest quantity of matter with the greatest economy in the execution of the work.

APPROVED, May 24, 1828.

May 24, 1828.

VI. RESOLUTION *in relation to the mail-route between the cities of New Orleans and Mobile.*

Postmaster General to cause to be examined the route from Mobile to Pascagoula.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Postmaster General be, and he is hereby, authorized to cause to be examined the route from Mobile to Pascagoula; and if, in his opinion, it should be the most expedient route to the city of New Orleans, he shall be, and hereby is, vested with full power and authority to adopt that route in lieu of the present route from the city of Mobile to the city of New Orleans.

APPROVED, May 24, 1828.

May 24, 1828.

VII. RESOLUTION *to authorize the President to loan the barracks at Sackett's Harbour to the trustees of a scientific and military school to be established there.*

The Madison barracks, at Sackett's Harbour, to be loaned to the trustees of a scientific school, &c. Proviso.

*Resolved 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 is hereby, authorized to loan to the trustees of a military and scientific school, to be established in Jefferson county, state of New York, the Madison Barracks, at Sackett's Harbour: *Provided,* The said trustees do contract to keep the same in good repair, order, and preservation.

APPROVED, May 24, 1828.