

# ACTS OF THE TWENTY-SECOND CONGRESS

OF THE

## UNITED STATES,

*Passed at the second session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the third day of December, 1832, and ended on the second of March, 1833.*

ANDREW JACKSON, President; J. C. CALHOUN, Vice President of the United States and President of the Senate; ANDREW STEVENSON, Speaker of the House of Representatives.

### STATUTE II.

CHAP. I.—*An Act making appropriations, in part, for the support of government for the year one thousand eight hundred and thirty-three, and for certain expenditures of the year one thousand eight hundred and thirty-two.*

Jan. 14, 1833.

[Obsolete.]

*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 be paid out of any unappropriated money in the treasury, viz :

Appropriations  
for government.

For pay and mileage of the members of Congress and delegates, three hundred and seven thousand nine hundred and sixty-eight dollars.

For pay of the officers and clerks of both houses, thirty-four thousand three hundred dollars.

For stationery, fuel, printing, and all other incidental and contingent expenses of the Senate, twenty-five thousand six hundred dollars.

For stationery, fuel, printing, and all other incidental and contingent expenses of the House of Representatives, one hundred thousand dollars.

The said two sums last named to be applied to the payment of the ordinary expenditures of the Senate and House of Representatives, severally, and to no other purpose. And no part of this appropriation shall be applied to any printing other than of such documents or papers as are connected with the ordinary proceedings of either of the said Houses, ordered during its session, and executed by the public printer, agreeably to his contracts, excepting such as may have been ordered by the joint committee for preparing a digest of laws for the District of Columbia, or such printing and books as have heretofore been ordered by the House.

Application of  
last two sums.

For defraying the expenses of the several courts of the United States; also, for jurors and witnesses, and for defraying the expenses of suits in which the United States are concerned, and of prosecution for offences committed against the United States, and for the safe keeping of prisoners during the year one thousand eight hundred and thirty-two, in addition to the sum heretofore appropriated for those purposes, the further sum of fifty-one thousand six hundred and fifty-five dollars.

Expenses of  
courts, &c.

APPROVED, January 14, 1833.

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## STATUTE II.

Jan. 14, 1833.

[Obsolete.]

Appropriations  
for pensioners.Revolutionary  
pensioners.  
1832, ch. 126.Invalid pen-  
sions.Pensions to  
widows and or-  
phans.

CHAP. II.—*An Act making appropriations for the revolutionary and other pensioners of the United States, for the year one thousand eight hundred and thirty-three.*

*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 pensioners of the United States, for the year one thousand eight hundred and thirty-three.

For the revolutionary pensioners, under the several acts prior to that of the seventh June, one thousand eight hundred and thirty-two, six hundred and twenty-four thousand six hundred and eighty-five dollars, in addition to an unexpended balance of three hundred and six thousand five hundred and forty dollars.

For the invalid pensions, in addition to the sum of two hundred and one thousand nine hundred and forty-two dollars in the treasury, ninety-eight thousand seven hundred and thirty-two dollars.

For pensions to widows and orphans, five thousand five hundred dollars.

APPROVED, January 14, 1833.

## STATUTE II.

Jan. 14, 1833.

[Obsolete.]

Appropriations  
for fortifica-  
tions.

CHAP. III.—*An Act making appropriations for carrying on the fortifications of the United States, during the year one thousand eight hundred and thirty-three.*

*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 the several objects hereinafter named specifically, to be paid out of any money in the treasury not otherwise appropriated.

For the preservation of Castle Island, and repair of fort Independence, Massachusetts, in addition to the sum heretofore appropriated, seventeen thousand dollars.

For fort Adams, Newport harbour, one hundred thousand dollars.

For repairing fort Columbus and Castle Williams, New York, fifty thousand dollars.

For fort Monroe, Virginia, forty-six thousand dollars.

For fort Calhoun, Virginia, seventy-five thousand dollars.

For completing the works at Oak Island, North Carolina, twenty-two thousand nine hundred dollars.

For the fortifications in the harbour of Charleston, South Carolina, seventy-five thousand dollars.

For the fort at Cockspur Island, Georgia, seventy-five thousand dollars.

For the completion of the fortifications at Pensacola, Florida, one hundred and thirty-two thousand dollars.

For completing the fort at Mobile Point, Alabama, fifty thousand dollars.

For contingencies of fortifications, ten thousand dollars.

APPROVED, January 14, 1833.

## STATUTE II.

Jan. 30, 1833.

Land district  
established.

Boundaries.

CHAP. XII.—*An Act to establish a land office in the territory of Michigan.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all that part of the territory of Michigan, which is comprehended within the following boundaries, shall, from and after the passage of this act, constitute one land district for the sale and entry of the public lands, viz: lying between the third and fourth ranges of townships south of the base line and east of the principal meridian, except so much thereof as lies north of the river Huron, of Lake Erie; and also, the first, second, third, fourth, fifth, and

sixth ranges of townships south of said base line, and west of said principal meridian. And there is hereby established a land office within the same, to be located at such place as the President, in his discretion, shall think proper to designate.

Land-office.

SEC. 2. *And be it further enacted*, That there shall be appointed by the President, by and with the advice and consent of the Senate, under the existing laws, a register and receiver in and for said district, whose compensation shall be the same as provided for other registers and receivers.

Register and receiver.

APPROVED, January 30, 1833.

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STATUTE II.

CHAP. XVI.—*An Act for making Calais and Pembroke, in the state of Maine, ports of delivery.*

Feb. 5, 1833.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the towns of Calais and Pembroke, in the state of Maine, shall be ports of delivery, to be annexed to the district of Passamaquoddy.

APPROVED, February 5, 1833.

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STATUTE II.

CHAP. XXIII.—*An Act to explain an act, entitled "An act to reduce the duties on coffee, tea, and cocoa," passed the twentieth of May, one thousand eight hundred and thirty.*

Feb. 9, 1833.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That in all cases in which the importers of coffee or cocoa, which remained in the custom-house stores under the bond of the importer on the thirty-first day of December, one thousand eight hundred and thirty, shall have paid on the same a greater amount of duty than is imposed by the act passed on the twentieth day of May, one thousand eight hundred and thirty, on coffee or cocoa, imported after the thirty-first day of December, one thousand eight hundred and thirty, the Secretary of the Treasury is directed to refund, out of any money in the treasury not otherwise appropriated, to such importer, the amount of such excess so collected.

Act of May 20, 1830, ch. 101.

Coffee and cocoa in store Dec. 31, 1830, put on same footing as coffee and cocoa imported after same date.

SEC. 2. *And be it further enacted*, That, in all cases in which the importers of coffee, tea, or cocoa, which remained in the custom-house stores, on the thirty-first day of December, one thousand eight hundred and thirty-one, under the control of the proper officer of the customs, shall have been compelled to pay on the same a greater amount of duty than is imposed by said act, on coffee, tea, or cocoa, imported after the thirty-first day of December, one thousand eight hundred and thirty-one, the Secretary of the Treasury is directed to refund, out of any money in the treasury not otherwise appropriated, to such importers, the amount of such excess so collected.

Coffee, tea, and cocoa, in store Dec. 31, 1831, put on same footing as coffee, tea, and cocoa imported after same date.

APPROVED, February 9, 1833.

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STATUTE II.

CHAP. XXX.—*An Act to amend an act, entitled "An act to alter and amend an act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive;" approved nineteenth February, one thousand eight hundred and thirty-one.*

Feb. 19, 1833.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That all persons who became entitled to an allotment of land under the contract recited in the first section of the act to which this is an amendment, their heirs, devisees, or assigns,

Act of Feb. 19, 1831, ch. 30, expired. Occupants prior to October 31,

1832, authorized  
to purchase.

who, on or before the thirty-first day of October, in the year eighteen hundred and thirty-two, were in the actual occupancy and cultivation of the same, or any part thereof, shall, on paying into the treasury one dollar and twenty-five cents the acre previous to the fifteenth of May, one thousand eight hundred and thirty-four, receive a patent for his or her allotment or purchase: *Provided*, The register of the land office for the district in which the lands lie, shall be satisfied of the validity of the purchase.

Occupants prior  
to October 31,  
1831, authorized  
to purchase.

SEC. 2. *And be it further enacted*, That all persons in actual settlement and cultivation, before or on the thirty-first day of October, one thousand eight hundred and thirty-one, upon any of the lands referred to by the act to which this is an amendment, and not disposed of by the first section of this act, or any former act of Congress, shall, on proof of such settlement and cultivation, and on paying into the treasury of the United States, within six months after the passage of this act, one dollar and twenty-five cents per acre, receive a patent for one hundred and sixty acres: *Provided*, That nothing in this act shall be so construed as to alter or repeal the third section of the above-recited act.

Proviso.

Term of pay-  
ment extended.

SEC. 3. *And be it further enacted*, That so much of the act of which this is an amendment as requires that payment shall be made previous to the third of March, eighteen hundred and thirty-three, be, and the same is hereby, extended to the fifteenth of May, one thousand eight hundred and thirty-four.

APPROVED, February 19, 1833.

#### STATUTE II.

Feb. 19, 1833.

CHAP. XXXI.—*An Act to amend an act, entitled "An act supplementary to the act for the relief of certain surviving officers and soldiers of the revolution."*

Act of June 7,  
1832, ch. 126.

Invalid pen-  
sioners not em-  
braced in 2d  
section of the  
former act.

*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 supplementary to the act for the relief of certain surviving officers and soldiers of the revolution," approved the seventh day of June, one thousand eight hundred and thirty-two, shall not be construed to embrace invalid pensioners; and that the pensions of invalid soldiers shall not be deducted from the amount receivable by them under the said act.

APPROVED, February 19, 1833.

#### STATUTE II.

Feb. 19, 1833.

CHAP. XXXII.—*An Act for the further improvement of Pennsylvania Avenue.*

Commissioner  
authorized to  
alter plan.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the commissioner of the public buildings be, and he is hereby, authorized and directed to alter the plan for the improvement of Pennsylvania Avenue, as provided for by an act passed the twenty-fifth day of May, one thousand eight hundred and thirty-two, by causing that portion of the avenue lying between the road directed to be Macadamized and the side pavements, to be graduated and covered with stone, on the Macadam's plan, in place of gravel, provided for by said act; also by extending the foot pavements not less than five and a half feet on each side, and forming side drains, not less than four and a half feet wide; and further, by setting a line of curbs of granite, eight inches thick, on each side of that part of the avenue between the Capitol square and the President's square, with suitable returns at the cross streets, and Macadamizing the cross streets fifty feet on each side of the Macadamized cover of the avenue.

Appropriation.

SEC. 2. *And be it further enacted*, That, to carry into effect the pro-

visions of this act, the sum of sixty-nine thousand six hundred and thirty dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, February 19, 1833.

STATUTE II.

Feb. 19, 1833.

CHAP. XXXIII.—*An Act for the payment of horses and arms lost in the military service of the United States against the Indians on the frontiers of Illinois and the Michigan territory.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That any mounted militiaman or volunteer whilst in the service of the United States, in the late expeditions against the Indians, on the frontiers of Illinois and the territory of Michigan, who sustained damage by the loss of any horse which was killed in battle, or died in consequence of a wound received therein, or in consequence of a failure, on the part of the United States, to furnish such horse with sufficient forage whilst in the service, or in consequence of the owner being dismounted, or separated and detached from the same, by order of the commanding officer, or in consequence of the rider being killed or wounded in battle, shall be allowed and paid the value of such horse at the time of going into service: *Provided*, Such loss was not the result of negligence on the part of the owner; the time employed in going to the place of rendezvous, and returning home after being discharged, to be taken and considered as actual service.

Horses owned by militiamen or volunteers, and lost whilst in the service of the United States, to be paid for.

SEC. 2. *And be it further enacted*, That any person in the aforesaid service of the United States, as a volunteer or drafted militiaman, who furnishes [?] himself with arms and military accoutrements, and has sustained loss by the capture or destruction of the same, without fault or negligence on his part, shall be allowed and paid the value thereof.

Value of arms and military accoutrements to be paid.

SEC. 3. *And be it further enacted*, That all claims arising under this act shall be examined, allowed, and paid in the same manner by the third auditor that similar claims were under "An act to authorize the payment of property lost, captured or destroyed by the enemy, while in the military service of the United States, and for other purposes," passed the ninth of April, one thousand eight hundred and sixteen, and the act in amendment thereof, passed the third of March, one thousand eight hundred and seventeen; this act to be and remain in force three years from and after its passage.

How claims shall be examined.

Act of April 9, 1816, ch. 40.

Act of March 3, 1817, ch. 110.

APPROVED, February 19, 1833.

STATUTE II.

Feb. 19, 1833.

CHAP. XXXIV.—*An Act for the purchase of certain copies of Watterston and Vanzandt's Statistical Tables, and to authorize a subscription for a continuation of the same.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the librarian of Congress be, and he hereby is, authorized to purchase, for the library of Congress, the remaining copies, not exceeding two hundred in number, of Watterston and Vanzandt's Statistical Tables, at the subscription price of two dollars and fifty cents per copy: *Provided*, The supplementary tables marked page ninety-four, be furnished for the said copies and for the copies now on hand in the library; and that the librarian be further authorized to subscribe for seven hundred and fifty copies of the continuation of the said tables, proposed to be published by Watterston and Vanzandt, at three dollars per copy; the said copies to be distributed as provided for by the first section of a joint resolution, approved twenty-

Purchase of two hundred copies authorized.

Proviso.

Subscription for the proposed continuation.

Resolution of May 24, 1828.

fourth of May, one thousand eight hundred and twenty-eight, for the distribution of certain public documents; the same to be paid for out of any money in the treasury not otherwise appropriated.

APPROVED, February 19, 1833.

# STATUTE II.

Feb. 20, 1833.

[Obsolete.]

Appropriations  
for naval ser-  
vice.

CHAP. XXXIX.—*An Act making appropriations for the naval service for the year one thousand eight hundred and thirty-three.*

*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 for the naval service for the year one thousand eight hundred and thirty-three, in addition to the unexpended balances of former appropriations for similar objects, viz :

Officers, &c.	For pay and subsistence of the officers of the navy, and the pay of seamen, one million four hundred and forty-five thousand dollars.
Superintendents, &c.	For pay of superintendents, naval constructors, and all the civil establishments at the several yards, fifty-seven thousand three hundred and thirty dollars.
Provisions.	For provisions, four hundred and sixty thousand dollars.
Repairs, &c.	For repairs of vessels in ordinary, and the repairs, and wear and tear, of vessels in commission, five hundred and six thousand seven hundred and fifty dollars.
Medicines, &c.	For medicines and surgical instruments, hospital stores, and other expenses on account of the sick, thirty-five thousand dollars.
Navy yards at Portsmouth ;	For improvements and necessary repairs of navy yards, viz : For the navy yard at Portsmouth, twenty-one thousand five hundred and twenty-four dollars.
Boston ;	For the navy yard at Boston, seventy-three thousand five hundred and thirty-five dollars.
New York ;	For the navy yard at New York, thirty-four thousand eight hundred and fifty dollars.
Philadelphia ;	For the navy yard at Philadelphia, three thousand two hundred and seventy-five dollars.
Washington ;	For the navy yard at Washington, sixteen thousand dollars.
Norfolk ;	For the navy yard at Norfolk, one hundred and twenty-six thousand five hundred and twenty-nine dollars.
Pensacola.	For the navy yard at Pensacola, fifty-three thousand one hundred and fifty dollars.
Ordnance, &c.	For ordnance, and ordnance stores, ten thousand dollars.
Miscellaneous.	For defraying expenses; 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, chamber money, and fuel and candles to officers, other than those attached to navy yards and stations, and for officers in sick quarters, where there is no hospital, and for funeral expenses; for commissions, clerk hire, and office rent, stationery, and fuel to navy agents; for premiums, and incidental expenses of recruiting; for apprehending deserters; for compensation to judge advocates; for per diem allowances for persons attending courts martial, and courts of inquiry, and for officers engaged in extra service beyond the limits of their stations; for printing and stationery of every description, and for books, maps, charts, and mathematical and nautical 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, timber wheels, and workmen's tools of every description; for postage of letters on public service; for pilotage; for cabin furniture of vessels in commission, and for furniture of officers' houses at navy yards, for taxes on navy yards and public property; for assistance rendered to 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 and building of magazines and powder houses; for preparing moulds for ships to be built; and for no other object or purpose whatsoever, two hundred and ninety-five thousand dollars.

For contingent expenses for objects not hereinbefore enumerated, five thousand dollars. Contingencies.

For pay of the officers and non-commissioned officers, musicians, and privates, and for subsistence of the officers of the marine corps, one hundred and twelve thousand nine hundred and ninety dollars. Marine corps.

For subsistence of non-commissioned officers, musicians, and privates, and washerwomen, serving on shore, eighteen thousand four hundred and thirty-nine dollars. Subsistence.

For clothing, twenty-eight thousand seven hundred and sixty-five dollars. Clothing.

For fuel, nine thousand and ninety-eight dollars. Fuel.

For contingent expenses, fourteen thousand dollars. Contingencies.

For military stores, two thousand dollars. Stores.

For medicines, hospital stores, and surgical instruments, two thousand three hundred and seventy dollars. Medicines, &c.

To enable the Secretary of the Treasury to discharge an outstanding claim for prize money for the capture of the Algerine vessels in one thousand eight hundred and fifteen, twenty-one dollars, being part of an unexpended balance carried to the surplus fund. Claim for prize money.

For the payment of claims arising under the act of eleventh of July, one thousand eight hundred and thirty-two, entitled "An act concerning certain marine officers," eighteen thousand three hundred and thirty-seven dollars and twenty-eight cents. Claims under act of July 11, [14.] 1832, ch. 223.

SEC. 2. *And be it further enacted*, That, for the purpose of compensating the board authorized by the act of the nineteenth of May, one thousand eight hundred and thirty-two, for their services in revising and enlarging "the rules and regulations governing the naval service, with the view to adapt them to the present and future exigencies of this important arm of national defence," the sum of seven thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to be paid by the Navy Department, according to the rates of allowances for detention on special service now prescribed by the rules and regulations of the Navy Department. Compensation to Board authorized by act of May 19, 1832, ch. 80.

SEC. 3. *And be it further enacted*, That the salary directed by "An act for the regulation of the navy, and privateer pension, and navy hospital funds," passed July tenth, one thousand eight hundred and thirty-two, to be paid to the clerk of said funds out of the treasury of the United States, shall be paid from any money in said treasury not otherwise appropriated. Salary of clerk. 1832, ch. 194.

SEC. 4. *And be it further enacted*, That for carrying into effect the acts for the suppression of the slave trade, including the support in the United States, and for a term not exceeding six months after their arrival in Africa, of all persons removed from the United States under the said acts, the sum of five thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated. Suppression of slave trade.

SEC. 5. *And be it further enacted*, That there be paid to Master Commandant John D. Sloat, of the United States' navy, out of any money in the treasury not otherwise appropriated, the sum of one thousand three hundred and sixty dollars, being the amount of his account exhibited to the Navy Department for expenses incurred in entertaining, on board the St. Louis, under his command, General Bolivar and several of his officers, at Guayaquil, in the year one thousand eight hundred and John D. Sloat.

twenty-nine; and General La Fuente, President of Peru, and Major-general Miller, of the Peruvian army, in the year one thousand eight hundred and thirty-one.

APPROVED, February 20, 1833.

## STATUTE II.

Feb. 20, 1833.

[Obsolete.]

Appropriations  
for the payment  
of Indian annuities, &c.

CHAP. XL.—*An Act making appropriations for Indian annuities, and other similar objects, for the year one thousand eight hundred and thirty-three.*

*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, severally, appropriated, for the payment of annuities due to various Indians, and Indian tribes, and other objects hereinafter enumerated, according to the stipulations of certain Indian treaties; to be paid out of any money in the treasury not otherwise appropriated, namely:

To the Wyandot tribe, five thousand nine hundred dollars.

To the Wyandot, Munsee, and Delaware tribes, one thousand dollars.

To the Shawanee tribe, three thousand dollars, and eight hundred and forty dollars for expenses of a blacksmith, and furnishing salt.

To the Shawanee and Seneca tribes of Lewistown, one thousand dollars, and seven hundred and eighty dollars for expenses of a blacksmith.

To the Delaware tribe, six thousand five hundred dollars, and one hundred dollars for furnishing salt.

To the Wea tribe, three thousand dollars.

To the Piankeshaw tribe, eight hundred dollars.

To the Kaskaskias tribe, one thousand dollars.

To the Ottaway tribe, five thousand three hundred dollars.

To the Ottaway and Missouri tribes, two thousand five hundred dollars, and fifteen hundred dollars for the expenses of blacksmiths and tools, and agricultural implements.

To the Chippeway tribe, three thousand eight hundred dollars; also, one thousand dollars for purposes of education, and two thousand dollars for the purchase of farming utensils and cattle, and the employment of persons to aid them in their agriculture.

To the Chippeways, Ottaways, and Pattawatamie tribes, sixteen thousand dollars, and one hundred and twenty-five dollars for furnishing salt.

To the Pattawatamie tribe, sixteen thousand three hundred dollars, and one hundred dollars to To-pe-ni-be, principal chief; also, three thousand dollars for purposes of education, and two thousand five hundred and twenty dollars for expenses of blacksmiths, millers, and agriculturists, and for furnishing salt, tobacco, iron, and steel.

To the Pattawatamie tribe of Huron, four hundred dollars.

To the Choctaw tribe, fifty thousand nine hundred and twenty-five dollars; to Mushulatubbe, a chief, one hundred and fifty dollars, and to Robert Cole, a chief, one hundred and fifty dollars; also, twelve thousand five hundred dollars for purposes of education, and two thousand nine hundred and fifty-five dollars for expenses of blacksmiths and millwrights, and for furnishing iron and steel.

To the Eel river tribe, one thousand one hundred dollars.

To the Six Nations, New York, four thousand five hundred dollars; also, two hundred dollars to the Young King, a chief, and fifty dollars to Little Billy, of the Seneca tribe.

To the Seneca tribe, New York, six thousand dollars.

To the Creek tribe, forty-six thousand five hundred dollars; also, three thousand dollars for purposes of education, and nine hundred and fifty-five dollars for expenses of a blacksmith, and for furnishing iron and steel.

To the Cherokee tribe, ten thousand dollars; also, two thousand dollars for purposes of education.



Indian annuities, &c.

To the Chickasaw tribe, twenty-three thousand dollars.

To the Sac tribe, three thousand dollars.

To the Sac and Fox tribes, two thousand dollars.

To the Sac, Fox, and Ioway tribes, three thousand dollars for the expenses of blacksmiths and agriculturists, and for furnishing farming utensils and cattle.

To the Fox tribe, three thousand dollars.

To the Ioway tribe, three thousand dollars; also, nine hundred dollars for expenses of a blacksmith and furnishing agricultural tools.

To the Osage tribe, eight thousand five hundred dollars.

To the Seneca tribe of Lewistown, one thousand dollars, and thirteen hundred and fifty dollars for expenses of a blacksmith and miller, and for furnishing iron and steel.

To the Quapaw tribe, two thousand dollars.

To the Kickapoo tribe of Illinois, two thousand dollars.

To the Florida Indians, five thousand dollars; also, one thousand dollars for purposes of education, and one thousand dollars for the expenses of a gun and blacksmith.

To the Miami tribe, twenty-five thousand dollars: also, two thousand dollars for the support of poor and infirm, and education of youth, and two thousand and twenty dollars for expenses of a blacksmith, and for furnishing salt, iron, steel, and tobacco.

To the Winnebago tribe, eighteen thousand dollars; also, three thousand seven hundred and ninety dollars for expenses of blacksmiths and agriculturists, and for furnishing salt and tobacco.

To the Kansa tribe, three thousand five hundred dollars.

To the Christian Indians, four hundred dollars.

To the Sioux tribe of Mississippi, two thousand dollars; also, one thousand seven hundred dollars for expenses of blacksmith, and furnishing agricultural tools.

To the Yancion and Santie bands, three thousand dollars; also, one thousand four hundred dollars for expenses of a blacksmith, and furnishing agricultural tools.

To the Omaha tribe, two thousand five hundred dollars; also, one thousand five hundred dollars for expenses of a blacksmith, and furnishing agricultural tools.

To the Sac tribe, of Missouri river, five hundred dollars; also, nine hundred dollars for expenses of a blacksmith, and furnishing agricultural tools.

For purposes of education of Sacs, Foxes, and others, as stipulated for in the treaty of July fifteenth, one thousand eight hundred and thirty, three thousand dollars.

For purposes of education of Chippeways, Menomonies, and Winnebagoes, as stipulated in fifth article of the treaty of Butte des Morts, of eleventh August, one thousand eight hundred and twenty-seven; for the years one thousand eight hundred and thirty-two, and one thousand eight hundred and thirty-three, three thousand dollars.

For expenses of transportation and distribution of annuities to the Winnebagoes, Chippeways, Ottaways, Pattawatamies, Sacs, Foxes, and others, and of salt, tobacco, agricultural implements and tools, not otherwise provided for, five thousand one hundred and sixty dollars.

For expense of removing and keeping off intruders from Choctaw lands, by the twelfth article of the treaty of twenty-seventh September, one thousand eight hundred and thirty, five hundred dollars.

For expense of bounding, by sectional lines, the reservation to Choctaw heads of families, by the fourteenth article of said treaty, fifteen hundred dollars.

For an advance to the Ottaways, after their removal, for erecting houses and opening farms, to be reimbursed out of the sales of their

Indian annuities, &c.

lands, by the fifth article of the treaty of thirtieth August, one thousand eight hundred and thirty-one, two thousand dollars.

For the payment of claims of sundry individuals against the Ottaways, guarantied by the seventh article, and enumerated in the sixteenth of the same treaty, also to be reimbursed out of the sales of their lands, twenty-one thousand two hundred and ninety-two dollars and twenty-five cents.

For the services of a person to certify contracts for the sale of Creek lands, by the third article of the treaty of twenty-fourth March, one thousand eight hundred and thirty-two, one thousand dollars.

For expenses of defending suits, and so forth, instituted by intruders against Creek Indians, and keeping off intruders, by the fifth article of the same treaty, three thousand dollars.

For incidental expenses attending the aforesaid treaties, not otherwise enumerated, five thousand dollars.

APPROVED, February 20, 1833.

#### STATUTE II.

Feb. 20, 1833.

CHAP. XLI.—*An Act to authorize the laying out and constructing a road from Line Creek to the Chatahooche, and for repairing the road on which the mail is now transported.*

Appropriation for post-road.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of twenty thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury, for the purpose of laying out and making a post-road through the Creek nation of Indians, commencing at Line creek, in the state of Alabama, and terminating at the Chatahooche, opposite Columbus, in the state of Georgia.

Superintendent to be appointed.

SEC. 2. *And be it further enacted,* That, for the early accomplishment of this object, the President shall appoint a superintendent of said road, whose duty it shall be, under the direction of the President, to divide the same into sections of not more than ten miles each, to contract for, and personally superintend the opening and making the said road, as well as to receive, disburse, and faithfully account with the treasury for all sums of moneys by him received by virtue of this act, and the said superintendent shall receive, during the time he is so employed, at the rate of one thousand dollars per annum.

Salary.

Repairs.

SEC. 3. *And be it further enacted,* That, for the repairs of the road through said Creek nation, on which the mail is now transported, until the road authorized by this act is completed, the further sum of two thousand dollars, to be expended under the direction of the Postmaster General, be, and the same is hereby, appropriated.

APPROVED, February 20, 1833.

#### STATUTE II.

Feb. 20, 1833.

[Obsolete.]

CHAP. XLII.—*An Act to authorize the legislature of the state of Ohio to sell the land reserved for the support of religion in the Ohio Company's, and John Cleeves Symmes' purchases.*

Sale of reserved land.  
Vol. i. 251.  
Act of April 21, 1792, ch. 25.  
[Private act.]

*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 Ohio 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 support of religion within the Ohio Company's, and John Cleeves Symmes' purchases, in the state of Ohio, and to invest the money arising from the sale thereof, in some productive fund; the proceeds of which shall be for ever annually applied, under the direction of said legislature, for the support of religion within the several town-

Application of proceeds.

ships for which said lands were originally reserved and set apart, and for no other use or purpose whatsoever, according to the terms and stipulations of the contracts of the said Ohio Company's, and John Clevees Symmes' purchases within the United States: *Provided*, Said land, or any part of it, shall, in no case, be sold without the consent of the person who may be the lessee thereof, nor without the consent of the inhabitants of the township within which any such land may be situated, 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 within the districts of country aforesaid, shall be entitled to such portion thereof, and no more, as shall have accrued from the sum or sums of money arising from the sale of the church land belonging to such township.

APPROVED, February 20, 1833.

Proviso.

Proviso.

STATUTE II.

CHAP. XLIII.—*An Act further to extend the time for entering certain donation claims to land in the territory of Arkansas.*

Feb. 20, 1833.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the provisions of the eighth and ninth sections of the act of Congress, approved the twenty-fourth day of May, one thousand eight hundred and twenty-eight, entitled "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 canals authorized by law, and for making donations of land to certain persons in Arkansas territory," and the provisions of the act, entitled "An act restricting the location of certain land claims in the territory of Arkansas, and for other purposes," approved the sixth of January, one thousand eight hundred and twenty-nine; and, also, the provisions of an act, entitled "An act to extend the time for locating certain donations in Arkansas," approved the thirteenth January, one thousand eight hundred and thirty, be, and the same are hereby, continued in force for the term of five years, from the twenty-fourth day of May, one thousand eight hundred and thirty-three: *Provided*, That nothing in this act, or the foregoing acts, shall be so construed as to prevent the President of the United States from bringing the said lands in Arkansas into market under the existing laws; and all claims to donations under the before-recited act, which shall not have been presented and allowed by the proper authorities on or before the day which shall be fixed on by the President for the sale of said land, are hereby declared forfeited to the United States.

APPROVED, February 20, 1833.

Time for entering donation claims to land extended.  
Act of May 24, 1828, ch. 108.

Act of January 6, 1829, ch. 2.

Act of January 13, 1830, ch. 3.

Proviso.

STATUTE II.

CHAP. LIV.—*An Act making appropriations for the civil and diplomatic expenses of government for the year one thousand eight hundred and thirty-three.*

March 2, 1833.

*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 be paid out of any unappropriated money in the treasury, viz:

[Obsolete.]  
Appropriations.

For compensation to the President and Vice President of the United States, the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, and the Postmaster General, sixty thousand dollars.

President and Vice President, &c.

For clerks and messengers in the office of the Secretary of State, nineteen thousand four hundred dollars.

Office of Secretary of State.

For clerks, machinist, and messenger, in the patent office, five thousand four hundred dollars.

For incidental and contingent expenses of the Department of State, including the expense of publishing and distributing the laws, twenty-five thousand dollars.

For compiling and printing the Biennial Register, eighteen hundred dollars.

To enable the Secretary of State to settle the accounts for preparing and superintending the printing of the revision of the former estimates of the population of the United States, three hundred dollars.

For completing the publication of the diplomatic correspondence of the United States to the fourth of March, one thousand seven hundred and eighty-nine, in addition to the sum heretofore appropriated, two thousand seven hundred and fifty dollars.

For contingent and incidental expenses of the patent office, two thousand one hundred and seventy-five dollars.

For the superintendent and watchmen of the north-east executive building, eight hundred and fifty dollars.

For contingent expenses of said building, including fuel, labour, oil, repairs of the buildings, three thousand three hundred and fifty dollars.

Treasury Department.

For compensation to the clerks and messengers in the office of the Secretary of the Treasury, sixteen thousand five hundred and fifty dollars.

For compensation to the first comptroller of the treasury, three thousand five hundred dollars.

For compensation to the clerks and messengers in the office of the first comptroller, nineteen thousand one hundred dollars.

For compensation to the second comptroller of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the second comptroller, ten thousand four hundred and fifty dollars.

For compensation to the first auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the first auditor, thirteen thousand nine hundred dollars.

For compensation to the second auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the second auditor, seventeen thousand nine hundred dollars.

For compensation to the third auditor of the treasury, three thousand dollars.

For compensation to the clerks and messengers in the office of the third auditor, twenty-one thousand nine hundred and fifty dollars.

For compensation to the fourth auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the fourth auditor, seventeen thousand seven hundred and fifty dollars.

For compensation to the fifth auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the fifth auditor, twelve thousand eight hundred dollars.

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

For compensation to the clerks and messenger in the office of the treasurer of the United States, six thousand seven hundred and fifty dollars.

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

For compensation to the clerks and messengers in the office of the register of the treasury, twenty-four thousand two hundred dollars.

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

For compensation to the clerks and messengers in the office of the commissioner of the general land office, twenty thousand five hundred dollars.

For compensation to the solicitor of the treasury, three thousand five hundred dollars.

For compensation of the clerks and messenger in the office of the solicitor of the treasury, three thousand nine hundred and fifty dollars.

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

For the expenses of stationery, printing, and all other incidental and contingent expenses of the several offices of the Treasury Department, the following several sums, viz :

For the office of the Secretary of the Treasury, including advertising and extra copying, and the sum of one thousand dollars applied from this fund for clerk hire and other expenses incident to the issuing of revolutionary bounty land scrip, six thousand dollars.

For the office of the first comptroller, including expenses for printing, one thousand three hundred and fifty dollars.

For the office of the second comptroller, one thousand dollars.

For the office of the first auditor, eight hundred dollars.

For the office of the second auditor, eight hundred dollars.

For the office of the third auditor, one thousand dollars.

For the office of the fourth auditor, one thousand dollars.

For the office of the fifth auditor, one thousand dollars.

For the office of the treasurer of the United States, seven hundred dollars.

For the office of the register of the treasury, three thousand dollars.

For the office of the commissioner of the general land office, ten thousand dollars.

For printing, parchment, and other expenses of the land office during the year one thousand eight hundred and thirty-two, expended above the amount of the appropriation for such expenditures in that year, three thousand one hundred and fifty-eight dollars and forty cents.

For compensation for extra aid, during one thousand eight hundred and thirty-three, in the issuing military land scrip and patents founded on Virginia military surveys and on private claims, examining and adjusting the accounts of surveyors general, and writing and recording patents for lands sold, four thousand dollars.

For compensation to seven clerks employed in writing and recording patents for land sold, by the United States, in continuation of the appropriation made for the same object last year, seven thousand dollars.

For a deficit of last year's appropriation for the same object for the month of December, four hundred and eighty-one dollars and sixty-seven cents: *Provided*, That no part of the appropriations herein made for the general land office, shall be applied or expended, for and on account of a resolution of the Senate passed the twenty-eighth day of February one thousand eight hundred and twenty-three, requiring maps to be prepared designating thereon, by discriminating colours, the lands sold, the lands granted to the states for internal improvements, donations to individuals, military grants, and private claims confirmed by the government.

For the office of the solicitor of the treasury, twelve hundred dollars.

For translations, and transmitting passports and sea letters, three hundred dollars.

For stating and printing the public accounts for the year one thousand eight hundred and thirty-three, one thousand three hundred dollars.

For compensation of superintendent and watchmen of the south-east executive building, eight hundred and fifty dollars.

For contingent expenses of said building, three thousand three hundred and fifty dollars.

Department of  
War.

For compensation to the clerks and messengers in the office of the Secretary of War, twenty-two thousand six hundred and fifty dollars.

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.

1832, ch. 126.

For additional or temporary clerk hire during the years eighteen hundred and thirty-two and eighteen hundred and thirty-three, in order to carry into effect the act of seventh of June, eighteen hundred and thirty-two, granting revolutionary pensions, twenty-four thousand and thirty-nine dollars.

For printing, stationery, rent, and expenses of procuring revolutionary records, arising under the act aforesaid, five thousand dollars.

For additional clerk hire, messengers, stationery, printing, and other contingencies of the pension office for the present year, four thousand dollars. And a commissioner of pensions shall be appointed by the President and Senate, who shall receive a salary of twenty-five hundred dollars, which is hereby appropriated. He shall execute, under the direction of the Secretary of War, such duties in relation to the various pension laws, as may be prescribed by the President of the United States; and he shall also have the privilege of franking; but this provision shall only continue until the expiration of the next Congress.

For compensation to the clerks and messenger in the office of the paymaster general, four thousand six hundred dollars.

For contingent expenses of said office, three hundred dollars.

For compensation to the clerks and messenger in the office of the commissary general of purchases, four thousand two hundred dollars.

For contingent expenses of said office, eight hundred dollars.

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

For contingent expenses of said office, one thousand dollars.

For compensation to the clerks in the office of the commissary general of subsistence, two thousand nine hundred and fifty dollars.

For contingent expenses of said office, including advertising, two thousand five hundred dollars.

For compensation to the clerks in the office of the chief engineer, two thousand nine hundred and fifty dollars.

For contingent expenses of said office, one thousand dollars.

For the contingent expenses of the topographical bureau, including the purchase of books, repair of instruments, one thousand two hundred and eighty dollars.

For the services of a lithographer, and the expenses of the lithographic press of the War Department, seven hundred and fifty dollars.

For compensation to the clerks in the ordnance office, 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, eleven hundred and fifty dollars.

For contingent expenses of said office, four hundred 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 dollars.

For the salary of the superintendent and watchmen of the north-west executive building, eight hundred and fifty dollars.

For contingent expenses of said building, including fuel, labour, oil, furniture, repairs of buildings, and improvement of adjoining ground, three thousand one hundred dollars.

For completing the fence on the Pennsylvania Avenue, one thousand two hundred dollars.

For the fitting up the basement rooms of the executive building occu-

pied by the War Department, for the preservation of papers, and the occupation of clerks, two thousand five hundred dollars.

For compensation to the clerks and messengers in the office of the Secretary of the Navy, thirteen thousand five hundred and eighty-six dollars.

Navy Department.

For contingent expenses of said office, three thousand dollars.

For compensation to the commissioners of the navy board, ten thousand five hundred dollars.

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

For compensation to the clerks, draughtsman, and messenger in the office of the commissioners of the navy board, eight thousand four hundred and fifty dollars.

For contingent expenses of the office of the commissioners of the navy board, one thousand eight hundred dollars.

For the salary of the superintendent of the south-west executive building, and the watchmen, eight hundred and fifty dollars.

For contingent expenses of said building, including fuel, labour, oil, repairs of building, engines, and improvement of the grounds, three thousand three hundred and fifty dollars.

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

Post-office.

For compensation to the clerks and messengers in the office of the Postmaster General, forty-one thousand one hundred dollars.

For additional clerk hire in the Post-office Department, during the years one thousand eight hundred and thirty-one and one thousand eight hundred and thirty-two, beyond the annual appropriation, thirty-four thousand four hundred and seventy-eight dollars.

For contingent expenses of said office, seven thousand five hundred dollars.

For superintendency of the buildings, making up blanks, and compensation to two watchmen and one labourer, sixteen hundred and forty dollars.

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

Miscellaneous.

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, two thousand seven hundred dollars.

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

For compensation to clerks in the office of said surveyor, four thousand eight hundred and twenty dollars.

For compensation to the surveyor general in Arkansas, one thousand five hundred dollars.

For compensation to clerks in said office, one thousand eight hundred dollars.

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

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

For compensation to the surveyor in Louisiana, including fifty-four dollars ninety-five cents, from twenty-first June to thirtieth June, one thousand eight hundred and thirty-one, by act of third March, one thousand eight hundred and thirty-one, two thousand fifty-four dollars ninety-five cents.

1831, ch. 116.

For compensation to the clerks in the office of said surveyor, by act of third March, one thousand eight hundred and thirty-one, fifteen hundred dollars.

## Miscellaneous.

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

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

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, ten thousand six hundred dollars.

For compensation to assistants in the several departments of the mint, and wages of labourers employed in the various operations of the establishment, fifteen thousand dollars.

For incidental and contingent expenses and repairs, cost of machinery, for allowance for wastage in gold and silver coinage of the mint, thirteen thousand eight hundred and fifty dollars.

For completing the building for the mint at Philadelphia, and machinery thereof, eleven thousand dollars.

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

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

For compensation and mileage of the members of the legislative council, pay of the officers of the council, fuel, stationery, and printing, seven thousand three hundred and ninety-two dollars.

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

For pay and mileage of the legislative council of said territory, six thousand nine hundred and ninety dollars.

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

For compensation to the governor, judges, and secretary, of the Florida territory, including additional compensation to two of the judges, under the act of twenty-sixth May, one thousand eight hundred and thirty, at eight hundred dollars each, twelve thousand one hundred dollars.

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

For compensation and mileage of the members of the legislative council of Florida, pay of officers and servants of the council, fuel, stationery, printing, and distribution of the laws, seven thousand five hundred dollars.

For compensation to the chief justice, the associate judges, and district judges of the United States, eighty-one thousand four hundred dollars.

For the salaries of chief justice and judges of the District of Columbia, and of the judges of the orphans' courts of the said district, nine thousand five hundred dollars.

For compensation to the attorney general of the United States, four thousand dollars.

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

For a messenger in said office, five hundred dollars.

For contingent expenses of said office, five hundred dollars.

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

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

## Judiciary.

For defraying the expenses of the Supreme Court, and district courts of the United States, including the District of Columbia; also, for jurors and witnesses, in aid of the funds arising from fines, penalties, and forfeitures, incurred in the year eighteen hundred and thirty-three, and pre-



ceding years; and, likewise, for defraying the expenses of suits in which the United States are concerned; and of prosecutions for offences committed against the United States, and for the safe-keeping of prisoners, two hundred and twenty-five thousand dollars.

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

Pensions.

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, two hundred and thirty-one thousand eight hundred and fifty dollars.

Lighthouses.

For the salaries of registers and receivers of land offices where there are no sales, two thousand dollars.

Miscellaneous.

For surveying the public lands, in addition to the unexpended balance of former appropriations, seventy thousand dollars.

For completing the survey of the Choctaw cession in Mississippi and Alabama, sixty-five thousand five hundred dollars.

For surveys of private land claims in Florida, eight thousand dollars.

For the salaries of the district attorney, agent, and assistant council, and contingent expenses in Florida, five thousand dollars.

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

For the discharge of such miscellaneous claims against 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 stationery and books for the offices of commissioners of loans, twelve hundred dollars.

For the fifth payment to Luigi Persico, for two colossal statues for the Capitol, four thousand dollars.

For the salaries of the ministers of the United States to Great Britain, France, Spain, Russia, and Colombia, forty-two thousand seven hundred and twenty-five dollars.

For the salaries of the secretaries of legation to the same places, nine thousand dollars.

For the salaries of the *chargés des affaires* to Portugal, Denmark, Sweden, Holland, Turkey, Belgium, Brazil, Buenos Ayres, Chili, Peru, Mexico, Central America, Naples, and Colombia, sixty thousand seven hundred and twenty-five dollars.

For salary of the *drogoman* to the legation of the United States to Turkey, and for contingent expenses of that legation, six thousand five hundred dollars.

For outfits of the *chargés des affaires* of the United States to Great Britain, Central America, and Colombia, thirteen thousand five hundred dollars.

For contingent expenses of all the missions abroad, thirty thousand dollars.

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

For the expenses of intercourse with the Mediterranean powers, twenty-four thousand four hundred dollars.

For the relief and protection of American seamen in foreign countries, thirty thousand dollars.

For the contingent expenses of foreign intercourse, thirty thousand dollars.

To satisfy a claim presented by his majesty, the king of Sweden, on account of injuries sustained by subjects of the said government in the island of St. Bartholomews, by an illegal act of the commanding officer of the United States' sloop of war *Erie*, in the year one thousand eight hundred and twenty-three, five thousand six hundred and sixty-six dollars and sixty-six cents.

## Miscellaneous.

To Washington Irving, late secretary of legation at London, for an arrearage on account of his services as *chargé d'affaires*, and for one quarter's salary, the allowance for his return to the United States, one thousand eight hundred and thirty-three dollars and eighty-five cents.

To George W. Slacum, consul of the United States at Buenos Ayres, on account of diplomatic services at that place, from the death of John M. Forbes, till the arrival of Francis Baylies, *chargé d'affaires* of the United States, from the fourteenth June, one thousand eight hundred and thirty-one, to the fifth of June, one thousand eight hundred and thirty-two, four thousand eight hundred and seventy dollars.

To John Randolph Clay, secretary of legation at St. Petersburg, as an outfit, and on account of his services as *chargé d'affaires* one year seven months and six days, seven thousand two hundred dollars.

To Cyrenius Hall, a resident of Upper Canada, the sum of five thousand three hundred dollars, (being the value of a schooner, the property of the said Hall, seized and libelled by the collector of the port of Venice, in Sandusky bay, in the year eighteen hundred and seventeen, which was ordered by a decree of the district court of Ohio to be restored, but which, previously to said decree, had been lost,) with interest on the said sum of five thousand three hundred dollars from the tenth day of August, in the year eighteen hundred and seventeen, till the eighth day of January, eighteen hundred and twenty-one; and with further interest on the said sum from the twenty-eighth day of January, eighteen hundred and thirty-one, till paid.

To the clerk employed in the Department of State as a translator of foreign languages, in addition to the salary now provided by law, six hundred dollars per annum.

To the clerk employed in the Department of State as agent of accounts, in addition to the salary now provided by law, three hundred dollars per annum.

To indemnify Captain Daniel Turner, of the United States' navy, for the expense of conveying the Netherlands' minister, and his suite, from New York to Curacao, by order of the Secretary of the Navy, in the year one thousand eight hundred and twenty-eight, eleven hundred and eighty-two dollars seventy-eight cents.

To indemnify Captain George Washington Storer, of the United States navy, for the expenses of accommodating Commodore David Porter, *chargé d'affaires* of the United States at Constantinople, on board of the United States ship Boston; and for the expenses of conveying George Porter, consul of the United States at Tangiers, from Port Mahon to Tangiers; and of conveying Lieutenant Ebenezer Ridgway, consul of the United States at Tripoli, and his family, from Port Mahon to Tripoli, in all five hundred dollars.

To Michael Hogan, the sum of eighteen thousand one hundred and twelve dollars and fifty cents, in full, for diplomatic services rendered the United States in Chili, from the eighteenth day of September, one thousand eight hundred and twenty-one, to twenty-sixth of March, one thousand eight hundred and twenty-four, and from the twenty-ninth of October, one thousand eight hundred and twenty-nine, to second of May, one thousand eight hundred and thirty-one.

To George F. Brown, consular agent at Algiers, three thousand three hundred and sixty-six dollars for his services to the twentieth February, one thousand eight hundred and thirty-three.

For purchase of books for the library of Congress, five thousand dollars.

For payment of preparing and printing the documents ordered to be printed by Gales and Seaton, fifty thousand dollars, under the same restrictions and reservations as were contained in the appropriation for the same object at the last session.

For the payment to Jonathan Elliott for two hundred and fifty copies of the debates on the federal constitution, purchased by order of the House of Representatives [of the] United States, by their resolution of eighteenth February, one thousand eight hundred and thirty-three, three thousand one hundred and twenty-five dollars.

For two thousand copies of Cobb's Manual, purchased by virtue of a resolution of the House of Representatives of twenty-fifth of February last, one thousand dollars.

For the erection of a custom-house at Middletown, Connecticut, four thousand eight hundred dollars.

For salary of the principal and assistant librarians, contingent expenses of the library, and pay of messenger, three thousand five hundred and fifty dollars.

For alteration and repairs of the Capitol, five hundred dollars.

For the survey of the coast of the United States, twenty thousand dollars.

Coast survey.

For the purchase of ground occupied by the custom-house at Key West, four thousand dollars.

Miscellaneous.

For defraying the expenses of repairing a building at Sandy Hook, belonging to the United States, three hundred and nineteen dollars thirty-one cents.

For the purchase of a building for the custom-house at Castine, Maine, and repairing the same, eight hundred and fifty dollars.

For the erection of a custom-house at New York, three hundred thousand dollars.

For compensation to the recorder, two commissioners, and translator, for the adjustment of private land claims in Missouri, according to the act of ninth July, one thousand eight hundred and thirty-two, eight thousand and fifty-five dollars seventy cents.

For contingent expenses and office rent, two hundred and fifty dollars.

For the expense of bringing to the seat of government the votes for President and Vice President, seven thousand five hundred and twenty-one dollars and seventy-five cents.

For the payment of balances to officers of the old direct tax and internal revenue, being the balance of an appropriation carried to the surplus fund, six thousand seven hundred dollars twenty-three cents.

For making good a deficiency in the fund for the relief of sick and disabled seamen, fifteen thousand seven hundred and fifty dollars.

For removing obstructions in the Savannah river, being part of the balance of an appropriation carried to the surplus fund, forty-three dollars six cents.

For preserving and enclosing the marine hospital at Norfolk, two thousand eight hundred and seventy-five dollars.

For hospital furniture, beds and bedding, of the new hospital, one thousand dollars.

For paying certain inhabitants of the late province of West Florida, now citizens of Louisiana and Mississippi, the claims that have been passed by the accounting officers of the Treasury Department, one thousand eight hundred and seventy-seven dollars forty-five cents, being the balance of a former appropriation, carried to the surplus fund, which is hereby re-appropriated.

For the purpose of carrying into effect the act entitled "An act for the payment of the horses and arms lost in the military service of the United States against the Indians on the frontiers of Illinois and Michigan territory, passed this session—there be appropriated to be paid out of any money in the treasury not otherwise appropriated, the sums which may be allowed according to that act.

Ante, p. 613.

To Hilliard Gray and Company, being a balance of a sum due them on their contract for printing a Manual of Infantry Tactics, four hundred and

**Miscellaneous.** ten dollars and fifty-nine cents, to be paid out of a sum formerly appropriated, a portion of which has been passed to the surplus fund.

For refunding any discriminating duties of tonnage which may have been collected on the vessels of Spain, France, or Portugal, subsequent to the abolition of such duties by either of those nations on vessels of the United States, two thousand dollars.

For compensation and expense of an agent to Havana to procure the archives of Florida, four thousand five hundred dollars.

For completing the custom-house at New London, Connecticut, four thousand dollars.

For surveying the lands in Illinois to which the Indian title has been extinguished by the late treaty with the Pattawatamies, twenty thousand dollars.

For the purchase of a site and the erection of a public warehouse in the city of Baltimore, fifty thousand dollars.

For the salaries of registers and receivers of the land offices established in the late Choctaw purchase, Mississippi, and for furnishing the offices with the necessary books and stationery, three thousand dollars.

For Thomas Douglass, attorney of East Florida, for professional services, three hundred dollars.

For the purchase of a site and erection of a custom-house in Newburyport, in the state of Massachusetts, fifteen thousand dollars.

For the expenses of printing the records in the Supreme Court of the United States, for the term of one thousand eight hundred and thirty-two, the sum of three thousand dollars; and for the same accounts at the term in one thousand eight hundred and thirty-three, the like sum of three thousand dollars.

For surveying the public lands recently purchased from the Indians in the state of Indiana, twenty-five thousand dollars.

Instalments under treaty of indemnity with France to be loaned.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be authorized to loan on interest the instalments under the treaty of indemnity concluded at Paris on the fourth day of July, one thousand eight hundred and thirty-one, between the United States of America, and his majesty the king of the French, upon a pledge of the stock of the United States, or of the Bank of the United States, or to the Bank of the United States, subject nevertheless to be repaid to the public treasury whenever the commissioners appointed under the said treaty shall by their award direct to whom the said fund with the accumulated interest shall be distributed.

Pay of collectors, naval officers, &c.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby authorized to pay to the collectors, naval officers, surveyors, gaugers, weighers and measurers, of the several ports of the United States, out of any money in the treasury not otherwise appropriated, such sums as will give to the said officers, respectively, the same compensation, in the year one thousand eight hundred and thirty-three, according to the importations of that year, as they would have been entitled to receive, if the act of the fourteenth July, one thousand eight hundred and thirty-two, had not gone into effect.

1832, ch. 227.

Chickasaw treaty.

SEC. 4. *And be it further enacted*, That the further sum of fifty thousand dollars be appropriated out of any moneys in the treasury not otherwise appropriated, to carry into effect the provisions of the late Chickasaw treaty.

Northern boundary of Ohio.  
1832, ch. 232.

SEC. 5. *And be it further enacted*, That the time limited for making observations and returns thereof under the act of fourteenth July, one thousand eight hundred and thirty-two, "to provide for the taking of certain observations preparatory to the adjustment of the northern boundary line of the state of Ohio," be, and the same is hereby extended until the thirty-first day of December, one thousand eight hundred and thirty-five; and that for the purpose of carrying into effect the provisions of the act

aforesaid, the sum of six thousand one hundred and ten dollars be appropriated for the purchase of instruments; and the further sum of seven thousand five hundred dollars for the expenses of taking such observations.

SEC. 6. *And be it further enacted*, That so much of the twenty-seventh section of the act approved third of March, one thousand eight hundred and twenty-five, as restricts the franking privilege of members of Congress to the period of sixty days before and after each session, shall be, and the same hereby is repealed, and it shall be lawful for the said privilege to be exercised by each member of Congress from the period of sixty days before he takes his seat in Congress until the meeting of the next Congress, and that said privilege shall be extended to all members of the present Congress until the next session.

APPROVED, March 2, 1833.

Franking privilege extended.

Act of March 3, 1825, ch. 43, sec. 6.

STATUTE II.

March 2, 1833.

CHAP. LV.—*An Act to modify the act of the fourteenth of July, one thousand eight hundred and thirty-two, and all other 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 thirty-first day of December, one thousand eight hundred and thirty-three, in all cases where duties are imposed on foreign imports, by the act of the fourteenth day of July, one thousand eight hundred and thirty-two, entitled "An act to alter and amend the several acts imposing duties on imports," or by any other act, shall exceed twenty per centum on the value thereof, one tenth part of such excess shall be deducted; from and after the thirty-first day of December, one thousand eight hundred and thirty-five, another tenth part thereof shall be deducted; from and after the thirty-first day of December, one thousand eight hundred and thirty-seven, another tenth part thereof shall be deducted; from and after the thirty-first day of December, one thousand eight hundred and thirty-nine, another tenth part thereof shall be deducted; and from and after the thirty-first day of December, one thousand eight hundred and forty-one, one half of the residue [residue] of such excess shall be deducted; and from and after the thirtieth day of June, one thousand eight hundred and forty-two, the other half thereof shall be deducted.

Act of July 14, 1832, ch. 227.

Act of March 2, 1833, ch. 57.

Act of Aug. 30, 1822, ch. 270.

After Dec. 31, 1833, all duties exceeding twenty per cent. to be reduced by biennially striking off one-tenth of the excess, &c.

SEC. 2. *And be it further enacted*, That so much of the second section of the act of the fourteenth of July aforesaid, as fixes the rate of duty on all milled and fulled cloth, known by the names of plains, kerseys, or kental cottons, of which wool is the only material, the value whereof does not exceed thirty-five cents a square yard, at five per centum ad valorem, shall be, and the same is hereby, repealed. And the said

Duty on plains, kerseys, &c. raised to fifty per cent.

(a) The act of Congress of March 2, 1833, ch. 55, commonly called "The compromise act," did not, prospectively, repeal all duties upon imports after 30th June, 1842. Repealing only such parts of previous acts as were inconsistent with itself, it left in force, after June 1842, the same duties which were in force on the first of June, 1842. *Aldridge and others v. Williams*, 3 Howard, 1.

The provisions of the act of 1833, by which duties were to be levied, after June 1, 1842, on the home valuation, "under such regulations as may be prescribed by law," comprehended all the regulations existing under the law at the time when the duties, according to the home valuation, accrued. The regulations established by the 7th and 8th sections of the act of 1832, were, after the compromise act expired, in force, and were sufficient for the collection of duties after June 1, 1842. *Ibid.*

The 9th section of the act of 1832, makes it the duty of the Secretary of the Treasury, under the direction of the President, to establish, when necessary, rules and regulations to secure a just, faithful, and impartial appraisal of merchandise, and just and proper entries of them. It is very clear that any regulations within the authority thus given, are regulations prescribed by law. *Ibid.*

In expounding this law, the judgment of the court cannot, in any degree, be influenced by the construction placed upon it by individual members of Congress, in the debate which took place on its passage; nor by the motives or reasons assigned by them for supporting or opposing amendments offered. The law, as it passed, is the will of a majority of both houses, and the only mode in which this will is spoken, is in the act itself; and we must gather their intention from the language there used, comparing it, where any ambiguity exists, with laws upon the same subject; and looking, if necessary, to the public history of the times in which it was passed. *Ibid.* 24.

articles shall be subject to the same duty of fifty per centum, as is provided by the said second section for other manufactures of wool; which duty shall be liable to the same deductions as are prescribed by the first section of this act.

Existing laws continued until June 30, 1842.

Duties to be paid in cash, &c.

Goods to be valued at ports of entry.

Articles free after Dec. 31, 1833.

Articles free after June 30, 1842.

Duties on certain classes of articles after June 30, 1842.

Conflicting acts repealed.

Proviso.

SEC. 3. *And be it further enacted*, That, until the thirtieth day of June, one thousand eight hundred and forty-two, the duties imposed by existing laws, as modified by this act, shall remain and continue to be collected. And from and after the day last aforesaid, all duties upon imports shall be collected in ready money; and all credits now allowed by law, in the payment of duties, shall be, and hereby are abolished; and such duties shall be laid for the purpose of raising such revenue as may be necessary to an economical administration of the government; and from and after the day last aforesaid, the duties required to be paid by law on goods, wares, and merchandise, shall be assessed upon the value thereof at the port where the same shall be entered, under such regulations as may be prescribed by law.

SEC. 4. *And be it further enacted*, That, in addition to the articles now exempt by the act of the fourteenth of July, one thousand eight hundred and thirty-two, and the existing laws, from the payment of duties, the following articles imported from and after the thirty-first day of December, one thousand eight hundred and thirty-three, and until the thirtieth day of June, one thousand eight hundred and forty-two, shall also [be] admitted to entry, free from duty, to wit: bleached and unbleached linens, table-linen, linen napkins, and linen cambrics, and worsted stuff goods, shawls, and other manufactures of silk and worsted, manufactures of silk, or of which silk shall be the component material of chief value, coming from this side of the Cape of Good Hope, except sewing silk.

SEC. 5. *And be it further enacted*, That from and after the said thirtieth day of June, one thousand eight hundred and forty-two, the following articles shall be admitted to entry, free from duty, to wit: indigo, quicksilver, sulphur, crude saltpetre, grindstones, refined borax, emory, opium, tin in plates and sheets, gum Arabic, gum Senegal, lac dye, madder, madder root, nuts and berries used in dyeing, saffron, turmeric, wood or pastel, aloes, ambergris, Burgundy pitch, cochineal, chamomile flowers, coriander seed, catsup, chalk, cocculus indicus, horn plates for lanterns, ox horns, other horns and tips, india-rubber, manufactured ivory, juniper berries; musk, nuts of all kinds, oil of juniper, unmanufactured rattans and reeds, tortoise shell, tin foil, shellac, vegetables used principally in dyeing and composing dyes, weld, and all articles employed chiefly for dyeing, except allum, copperas, bichromate of potash, prussiate of potash, chromate of potash, and nitrate of lead, aqua fortis, and tartaric acids. And all imports on which the first section of this act may operate, and all articles now admitted to entry [free] from duty, or paying a less rate of duty than twenty per centum ad valorem, before the said thirtieth day of June, one thousand eight hundred and forty-two, from and after that day may be admitted to entry subject to such duty, not exceeding twenty per centum ad valorem, as shall be provided for by law.

SEC. 6. *And be it further enacted*, That so much of the act of the fourteenth day of July, one thousand eight hundred and thirty-two, or of any other act, as is inconsistent with this act, shall be, and the same is hereby, repealed: *Provided*, That nothing herein contained shall be so construed as to prevent the passage, prior or subsequent to the said thirtieth day of June, one thousand eight hundred and forty-two, of any act or acts, from time to time, that may be necessary to detect, prevent, or punish evasions of the duties on imports imposed by law, nor to prevent the passage of any act, prior to the thirtieth day of June, one thousand eight hundred and forty-two, in the contingency either of excess or deficiency of revenue, altering the rates of duties on articles which, by the aforesaid act of fourteenth day of July, one thousand eight hundred and

thirty-two, are subject to a less rate of duty than twenty per centum ad valorem, in such manner as not to exceed that rate, and so as to adjust the revenue to either of the said contingencies.

APPROVED, March 2, 1833.

STATUTE II.

CHAP. LVI.—*An Act making appropriations for the Indian Department for the year one thousand eight hundred and thirty-three.*

March 2, 1833.

[Obsolete.]  
Appropriations  
for the Indian  
department.

*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, to be paid out of any money in the treasury not otherwise appropriated, for the Indian department for the year one thousand eight hundred and thirty-three, viz :

For the salary of the commissioner of Indian affairs, three thousand dollars.

For the pay of the superintendent of Indian affairs at St. Louis, and the several Indian agents, as established by law, twenty-six thousand dollars.

For the pay of sub-agents, as established by law, seventeen thousand dollars.

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

For pay of Indian interpreters and translators employed in the several superintendencies and agencies, twenty thousand dollars.

For the pay of gunsmiths and blacksmiths, and their assistants, employed within the several superintendencies and agencies, under treaty provisions, and the orders of the War Department, sixteen thousand dollars.

For iron, steel, coal, and other expenses attending the gunsmiths and blacksmiths' shops, five thousand dollars.

For expenses of transportation and distribution of Indian annuities, nine thousand five hundred dollars.

For expenses of provisions for Indians at the distribution of annuities, while on visits of business with the different superintendents and agents, and when assembled on public business, eleven thousand eight hundred dollars.

For expense of building houses for Indian agents, blacksmiths' shops, and for repairs of the same, when required, in the several agencies, two thousand dollars.

For contingencies of the Indian Department, twenty thousand dollars.

For supplying the deficiency in the appropriation for the compensation of commissioners, and other expenses attending the adjustment of boundaries under the treaty of Butte des Morts, contained in the act of twentieth May, one thousand eight hundred and thirty, making appropriations to carry into effect the said treaty, five hundred and fourteen dollars and sixty-two cents.

1830, ch. 99.

SEC. 2. *And be it further enacted,* That the following sums, being unexpended balances of former appropriations, be, and the same are hereby, re-appropriated to the several objects of the original appropriations, respectively, to be paid out of any money in the treasury not otherwise appropriated, viz: for the exchange of land with the Indians, and for their removal west of the Mississippi, by act of twenty-eighth May, one thousand eight hundred and thirty, two hundred and eighty dollars and six cents.

For defraying the expenses of an expedition fitted out, consisting of the militia of Georgia and Florida, for the suppression of aggressions by the Indians on their frontiers, three thousand eight hundred and thirty-nine dollars and eighty-six cents.

For carrying into effect a treaty with the Winnebagoes, by act of

twenty-fifth March, one thousand eight hundred and thirty, the following sums, viz :

For payment of claims provided for by [the] fourth article, one hundred and fifty-eight dollars and seventy-two cents.

For expense of surveying the boundaries, nine hundred and forty-five dollars and forty-six cents.

For carrying into effect the treaty of twenty-ninth July, one thousand eight hundred and twenty-nine, with the Chippeways, Ottoways, and Pattawatamies, by act of twenty-fifth March, one thousand eight hundred and thirty, for the expense of surveying the boundaries, six hundred and seventeen dollars and ten cents.

For carrying into effect a treaty with the Choctaw Indians, of eleventh October, one thousand eight hundred and twenty, by act of second March, one thousand eight hundred and twenty-seven, the balance re-appropriated thirtieth April, one thousand eight hundred and thirty, sixteen thousand and three dollars and forty-three cents.

For defraying the expenses of holding a treaty with the Cherokees for the purpose of extinguishing their claim to as much land as will be necessary for a canal to connect the Highwassee and Canasaga with each other, by act of second March, one thousand eight hundred and twenty-seven, the balance re-appropriated thirtieth April, one thousand eight hundred and thirty, two thousand four hundred and fifty-nine dollars and nineteen cents.

APPROVED, March 2, 1833.

#### STATUTE II.

March 2, 1833.

President authorized to direct site of custom-house to be changed.

Vessels to be detained, &c.

Custody of detained vessels, &c.

Jurisdiction of circuit courts.

CHAP. LVII.—*An Act further to provide for the collection of duties on imports. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That whenever, by reason of unlawful obstructions, combinations, or assemblages of persons, it shall become impracticable, in the judgment of the President, to execute the revenue laws, and collect the duties on imports in the ordinary way, in any collection district, it shall and may be lawful for the President to direct that the custom-house for such district be established and kept in any secure place within some port or harbour of such district, either upon land or on board any vessel; and, in that case, it shall be the duty of the collector to reside at such place, and there to detain all vessels and cargoes arriving within the said district until the duties imposed on said cargoes, by law, be paid in cash, deducting interest according to existing laws; and in such cases it shall be unlawful to take the vessel or cargo from the custody of the proper officer of the customs, unless by process from some court of the United States; and in case of any attempt otherwise to take such vessel or cargo by any force, or combination, or assemblage of persons too great to be overcome by the officers of the customs, it shall and may be lawful for the President of the United States, or such person or persons as he shall have empowered for that purpose, to employ such part of the land or naval forces, or militia of the United States, as may be deemed necessary for the purpose of preventing the removal of such vessel or cargo, and protecting the officers of the customs in retaining the custody thereof.

SEC. 2. *And be it further enacted,* That the jurisdiction of the circuit courts of the United States shall extend to all cases, in law or equity, arising under the revenue laws of the United States, for which other provisions are not already made by law; and if any person shall receive any injury to his person or property for or on account of any act by him done, under any law of the United States, for the protection of the revenue or

(a) By the eighth section of this act the first and fifth sections are continued in force to the end of the first session of Congress of 1834, and no longer.



the collection of duties on imports, he shall be entitled to maintain suit for damage therefor in the circuit court of the United States in the district wherein the party doing the injury may reside, or shall be found. And all property taken or detained by any officer or other person under authority of any revenue law of the United States, shall be irrepleviable, and shall be deemed to be in the custody of the law, and subject only to the orders and decrees of the courts of the United States having jurisdiction thereof. And if any person shall dispossess or rescue, or attempt to dispossess or rescue, any property so taken or detained as aforesaid, or shall aid or assist therein, such person shall be deemed guilty of a misdemeanor, and shall be liable to such punishment as is provided by the twenty-second section of the act for the punishment of certain crimes against the United States, approved the thirtieth day of April, Anno Domini one thousand seven hundred and ninety, for the wilful obstruction or resistance of officers in the service of process.

Property in custody irrepleviable, &c.

SEC. 3. *And be it further enacted*, That in any case where suit or prosecution shall be commenced in a court of any state, against any officer of the United States, or other person, for or on account of any act done under the revenue laws of the United States, or under colour thereof, or for or on account of any right, authority, or title, set up or claimed by such officer, or other person under any such law of the United States, it shall be lawful for the defendant in such suit or prosecution, at any time before trial, upon a petition to the circuit court of the United States, in and for the district in which the defendant shall have been served with process, setting forth the nature of said suit or prosecution, and verifying the said petition by affidavit, together with a certificate signed by an attorney or counsellor at law of some court of record of the state in which such suit shall have been commenced, or of the United States, setting forth that, as counsel for the petitioner, he has examined the proceedings against him, and has carefully inquired into all the matters set forth in the petition, and that he believes the same to be true; which petition, affidavit and certificate, shall be presented to the said circuit court, if in session, and if not, to the clerk thereof, at his office, and shall be filed in said office, and the cause shall thereupon be entered on the docket of said court, and shall be thereafter proceeded in as a cause originally commenced in that court; and it shall be the duty of the clerk of said court, if the suit were commenced in the court below by summons, to issue a writ of certiorari to the state court, requiring said court to send to the said circuit court the record and proceedings in said cause; or if it were commenced by *capias*, he shall issue a writ of *habeas corpus cum causa*, a duplicate of which said writ shall be delivered to the clerk of the state court, or left at his office by the marshal of the district, or his deputy, or some person duly authorized thereto; and, thereupon it shall be the duty of the said state court to stay all further proceedings in such cause, and the said suit or prosecution, upon delivery of such process, or leaving the same as aforesaid, shall be deemed and taken to be moved to the said circuit court, and any further proceedings, trial or judgment therein in the state court shall be wholly null and void. And if the defendant in any such suit be in actual custody on mesne process therein, it shall be the duty of the marshal, by virtue of the writ of *habeas corpus cum causa*, to take the body of the defendant into his custody, to be dealt with in the said cause according to the rules of law and the order of the circuit court, or of any judge thereof, in vacation. And all attachments made and all bail and other security given upon such suit, or prosecution, shall be and continue in like force and effect, as if the same suit or prosecution had proceeded to final judgment and execution in the state court. And if, upon the removal of any such suit, or prosecution, it shall be made to appear to the said circuit court that no copy of the record and proceedings therein, in the state court, can be obtained, it shall be lawful for

Actions in state courts against revenue officers to be removed, on petition, &c. of defendant, to circuit court.

Stay of proceedings in the state court.

Marshal to take defendant into custody.

State process of attachment, &c., to continue in force.

De novo proceeding.

said circuit court to allow and require the plaintiff to proceed *de novo*, and to file a declaration of his cause of action, and the parties may thereupon proceed as in actions originally brought in said circuit court; and on failure of so proceeding, judgment of *non pros.* may be rendered against the plaintiff with costs for the defendant.

Record to be supplied where copy of record cannot be had from the state court.

Sec. 4. *And be it further enacted*, That in any case in which any party is, or may be by law, entitled to copies of the record and proceedings in any suit or prosecution in any state court, to be used in any court of the United States, if the clerk of said state court shall, upon demand, and the payment or tender of the legal fees, refuse or neglect to deliver to such party certified copies of such record and proceedings, the court of the United States in which such record and proceedings may be needed, on proof, by affidavit, that the clerk of such state court has refused or neglected to deliver copies thereof, on demand as aforesaid, may direct and allow such record to be supplied by affidavit, or otherwise, as the circumstances of the case may require and allow; and, thereupon, such proceeding, trial, and judgment, may be had in the said court of the United States, and all such processes awarded, as if certified copies of such records and proceedings had been regularly before the said court.

President to issue proclamation and to suppress obstructions to the laws by military force or other means, within any state.

Sec. 5. *And be it further enacted*, That whenever the President of the United States shall be officially informed, by the authorities of any state, or by a judge of any circuit or district court of the United States, in the state, that, within the limits of such state, any law or laws of the United States, or the execution thereof, or of any process from the courts of the United States, is obstructed by the employment of military force, or by any other unlawful means, too great to be overcome by the ordinary course of judicial proceeding, or by the powers vested in the marshal by existing laws, it shall be lawful for him, the President of the United States, forthwith to issue his proclamation, declaring such fact or information, and requiring all such military and other force forthwith to disperse; and if at any time after issuing such proclamation, any such opposition or obstruction shall be made, in the manner or by the means aforesaid, the President shall be, and hereby is, authorized, promptly to employ such means to suppress the same, and to cause the said laws or process to be duly executed, as are authorized and provided in the cases therein mentioned by the act of the twenty-eighth of February, one thousand seven hundred and ninety-five, entitled "An act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, repel invasions, and to repeal the act now in force for that purpose;" and also, by the act of the third of March, one thousand eight hundred and seven, entitled "An act authorizing the employment of the land and naval forces of the United States in cases of insurrection."

Act of Feb. 28, 1795, ch. 36.

Act of March 3, 1807, ch. 39.

Places of confinement.

Sec. 6. *And be it further enacted*, That in any state where the jails are not allowed to be used for the imprisonment of persons arrested or committed under the laws of the United States, or where houses are not allowed to be so used, it shall and may be lawful for any marshal, under the direction of the judge of the United States for the proper district, to use other convenient places, within the limits of said state, and to make such other provision as he may deem expedient and necessary for that purpose.

Judges to issue writs of habeas corpus.

Sec. 7. *And be it further enacted*, That either of the justices of the Supreme Court, or a judge of any district court of the United States, in addition to the authority already conferred by law, shall have power to grant writs of habeas corpus in all cases of a prisoner or prisoners, in jail or confinement, where he or they shall be committed or confined on, or by any authority or law, for any act done, or omitted to be done, in pursuance of a law of the United States, or any order, process, or decree, of any judge or court thereof, any thing in any act of Congress to the con

trary notwithstanding. And if any person or persons to whom such writ of habeas corpus may be directed, shall refuse to obey the same, or shall neglect or refuse to make return, or shall make a false return thereto, in addition to the remedies already given by law, he or they shall be deemed and taken to be guilty of a misdemeanor, and shall, on conviction before any court of competent jurisdiction, be punished by fine, not exceeding one thousand dollars, and by imprisonment, not exceeding six months, or by either, according to the nature and aggravation of the case.

SEC. 8. *And be it further enacted*, That the several provisions contained in the first and fifth sections of this act, shall be in force until the end of the next session of Congress, and no longer.

APPROVED, March 2, 1833.

Penalty for neglect or refusal to obey the same.

Provisions of the first and fifth sections limited.

STATUTE II.

March 2, 1833.

CHAP. LVIII.—*An Act to explain and amend the eighteenth section of "An act to alter and amend the several acts imposing duties on imports," approved the fourteenth July, one thousand eight hundred and thirty-two.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That all articles upon which the duties were reduced by "An act to alter and amend the several acts imposing duties on imports," approved the fourteenth July, one thousand eight hundred and thirty-two, and which may not have been deposited under the provisions of the eighteenth section of the act aforesaid, whether the said articles were imported, or the duties thereon were secured or paid, before or after the passage of said act, may, to obtain the benefit of said act and this amendment thereto, be deposited at any time before the first of April next in the custom-house stores, or in the manner prescribed in the following section, by the importer, consignee, or any subsequent purchaser or owner, and all wines now in bond, or which may be imported at any time previous to the fourth day of March, one thousand eight hundred and thirty-four, and which may remain in the custody of the customs on that day, shall be entitled to the benefit of this act, and of that to which it is an amendment: *Provided*, That no merchandise imported in packages, bales, or casks, shall be entitled to the benefit of this act, or of that, to which it is an amendment, unless they are as originally imported: and that all articles placed in the custody of the customs under this act shall so remain, for inspection and examination, till the fourth day of March next: *Provided, also*, That nothing contained in this act shall be so construed as to extend the provisions thereof to any merchandise, which, under the existing laws, would not be entitled to the benefits of drawback.

Act of July 14, 1832, ch. 227.  
Certain articles imported before or after July 14, 1832, may be deposited in the public stores.

Wines entitled to the benefit of the act.

Proviso.

Proviso

When goods may remain in warehouse of owner, &c.

Proviso.

Articles under custody of officer of customs, as aforesaid, to

SEC. 2. *And be it further enacted*, That, in all cases where the quantity of merchandise, entitled to the benefits of the acts aforesaid shall exceed ten packages, bales, or casks, or where the article may be in bulk, or otherwise than in packages, bales, or casks, the collector of the district where the same may be, is hereby authorized to direct that the said merchandise shall not be removed from the warehouse of the owner, but that the same shall be there placed in the custody of a proper officer of the customs, who shall examine the same, and keep them under the keys of the custom-house, till the first of April, as aforesaid: *Provided*, The collector shall consider the same a safe place of deposit, and that application be made to him for that purpose on or before the twenty-fifth March next.

SEC. 3. *And be it further enacted*, That all articles remaining under the control of the proper officer of the customs, according to the provisions of this act, on the first April next, and all wines which shall re-

be subject to no higher duty than levied under act of July 14, 1832.

Higher duties paid to be refunded, &c.

Excess of duties to be refunded, &c. and articles to be examined, &c.

Relief to be extended.

Section seventeen of act of July 14, 1832, ch. 227, to take effect March 4, 1833.

main in the same manner, after the fourth day of March, one thousand eight hundred and thirty-four, shall be subject to no higher duty than would be levied under the act aforementioned, approved the fourteenth of July last; and if any higher duty shall have been paid, such excess shall be refunded, out of any money in the treasury not otherwise appropriated, to the person placing the same in the custody of the customs, and any outstanding bond or bonds which may have been given for duties on the same shall be cancelled; and if a sum equal to the amount of duties levied by the said act of the fourteenth July, shall not have been collected, and the bond or bonds given shall amount to more than the duties imposed by said act, the Secretary of the Treasury shall direct that a debenture certificate or certificates, the form of which shall be prescribed by him, for such excess of duty, shall be issued to the persons placing the same in the custody of the customs, payable out of the bond or bonds given for duties on the same, the collectors to give the debtors credit on their bonds for the difference between the high and low duties, and to cancel the bonds on payment of the balance.

SEC. 4. *And be it further enacted*, That the Secretary of the Treasury shall cause the amount of excess of duties, as aforesaid, to be ascertained and paid, or the credit given as the case may be, as soon as practicable after the first of April next; and that he shall be authorized to cause all articles under the control of the proper officers of the customs to be examined; and where the merchandise may have passed out of the possession of the importer or consignee, to require satisfactory evidence of the transfer or transfers to identify the same; and to make all other rules and regulations which may be necessary and proper to carry this act into effect.

SEC. 5. *And be it further enacted*, That the Secretary of the Treasury is hereby authorized and directed to extend relief to all persons, whose cases are provided for in this act, who may have been deprived of the benefit thereof in consequence of the collector's not having received his instructions in pursuance of it, from the Secretary of the Treasury.

SEC. 6. *And be it further enacted*, That the seventeenth section of the aforesaid act of the fourteenth day of July, one thousand eight hundred and thirty-two, as far as the same relates to the duty on pulverized or crushed sugar, shall take effect on the fourth day of March, of the present year.

APPROVED, March 2, 1833.

## STATUTE II.

March 2, 1833.

[Obsolete.]

Appropriations to effect Indian treaties, &c.

Winnebagoes.

CHAP. LIX.—*An Act making appropriations to carry into effect certain Indian treaties, and for other purposes, for the year one thousand eight hundred and thirty-three.*

*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 be paid out of any money in the treasury not otherwise appropriated, for the objects hereinafter mentioned, that is to say: To carry into effect the stipulations of the treaty with the Winnebagoes, of the fifteenth of September, one thousand eight hundred and thirty-two, to wit:

For payment of the annuity provided for by the third article, ten thousand dollars.

For the purposes of education provided for by the fourth article, three thousand dollars.

For support of agriculturists, for oxen, and ploughs, and other agricultural implements per fifth article, two thousand five hundred dollars.

For expense of removing blacksmiths' shop, per sixth article, two hundred and fifty dollars.

For expense of rations, per seventh article, six thousand dollars.

For payment of claims to certain individuals, per eighth article, one thousand and eighty-two dollars and fifty cents.

For the purchase of tobacco, and for services of two physicians, per fifth article, five hundred and fifty dollars.

To carry into effect the stipulations of the treaty with the Sacs and Foxes, of the twenty-first September, one thousand eight hundred and thirty-two, to wit: For payment of the limited annuity, provided for by the third article, twenty thousand dollars.

Sacs and Foxes.

For fulfilling the stipulations for a blacksmith and gunsmith, establishing a shop, and for purchase of tobacco and salt, per fourth article, one thousand seven hundred and fifty dollars.

For payment of Farnham and Davenport's claim for goods, acknowledged to be due, per fifth article, forty thousand dollars.

For fulfilling the stipulations in regard to subsistence, per tenth article, seven thousand seven hundred and twenty-four dollars.

To carry into effect the stipulations of the treaty with the Shawanoes and Delawares, of the sixth October, one thousand eight hundred and thirty-two.

Shawanoes and Delawares.

For the purchase of cattle, hogs, and other stock, for the Delawares, and for assistance in agriculture, per second article, three thousand dollars.

For expense of a person to attend their mill, and for repairs, per same article, five hundred dollars.

For the support of a school, per same article, five hundred dollars.

For fulfilling the stipulations for payment of certain debts, and for merchandise and cash, per third article, eighteen thousand dollars.

For fulfilling the stipulations to the Shawanoes for cash, clothing and horses, and towards their expenses, after removal, per fifth article, one thousand seven hundred dollars.

For cost of provisions for one year after removal, per same article, the sum of eighteen thousand two hundred and fifty dollars.

For annuities to Patterson, Tawhee-lalen and Natcoming, during their natural lives, the sum of one hundred dollars each, three hundred dollars.

To carry into effect the stipulations of the treaty with the Kaskaskias and Peorias, of seventh October, one thousand eight hundred and thirty two.

Kaskaskias and Peorias.

For payment of the limited annuity, per fifth article, three thousand dollars.

For fulfilling the stipulations in the sixth article of said treaty, to wit: for payment to the Peorias in common with the Kaskaskias, sixteen hundred dollars.

To the Kaskaskias, for lost horses and salt annuities, three hundred and fifty dollars.

To the Peorias, for improvements on their lands, two hundred and fifty dollars.

For the purchase of stock for Peorias and Kaskaskias, four hundred dollars.

For carts, oxen and ploughs, for same, three hundred and fifty dollars.

For building four log houses, five hundred and thirty dollars.

For assistance in agriculture, three hundred dollars.

For agricultural implements, and for iron and steel, fifty dollars.

For the payment for goods delivered at treaty, eight hundred dollars.

For assistance to Kaskaskias in removing, and for one year's provisions, one thousand dollars.

To carry into effect the stipulations of the treaty with the Appalachicola tribe, of eleventh October, one thousand eight hundred and thirty-two.

Appalachicolos.

For payment to the Appalachicola tribe of Indians, to be in full compensation for all expenses of emigration and subsistence, per second article of the treaty, thirteen thousand dollars.

Pattawatamies  
of the Prairie.

To carry into effect the stipulations of the treaty with the Pattawatamies of the Prairie, of twentieth October, one thousand eight hundred and thirty-two, ratified twenty-first January, one thousand eight hundred and thirty-three.

For payment of the limited annuity, per third article, fifteen thousand dollars.

For the payment of the annuities stipulated for in the same article, to wit: to Billy Caldwell, six hundred dollars. To Alexander Robinson, two hundred dollars. To Pierre Leclere, two hundred dollars.

For payment of claims per schedule annexed to the treaty, per fourth article, the sum of thirty thousand seven hundred and forty-six dollars.

For payment for goods and horses purchased and delivered, per same article, the sum of forty-five thousand dollars.

For the purchase of goods to be delivered, thirty thousand dollars.

For payment to certain named Indians, for lost horses, same article, fourteen hundred dollars.

Kickapoos.

To carry into effect the stipulations of the treaty with the Kickapoos, of twenty-fourth October, and supplement of twenty-sixth November, one thousand eight hundred and thirty-two.

For payment of the annuity for one year, per third article, eighteen thousand dollars.

For erecting a mill and church, per sixth article, three thousand seven hundred dollars.

For support of a blacksmith and assistant, and for iron, steel and tools, per fifth article, one thousand dollars.

For the support of a school, and purchase of books, per seventh article, five hundred dollars.

For the purchase of farming utensils, per eighth article, three thousand dollars.

For expense of agricultural labour and improvements, per ninth article, four thousand dollars.

For payment in merchandise and cash, per eleventh article, six thousand dollars.

For expense of transportation and subsistence, and one year's supply of provisions, per eleventh article, twenty-seven thousand nine hundred dollars.

For expense of running and marking boundaries, per twelfth article, eight hundred dollars.

For the expenses of a deputation to view the lands ceded, per fourteenth article, five hundred dollars.

For furnishing cattle, hogs, and other stock, per tenth article, four thousand dollars.

Pattawatamies  
of the Wabash.

To carry into effect the stipulations of the treaty with the Pattawatamies of the Wabash, of twenty-sixth October, one thousand eight hundred and thirty-two.

For payment of the limited annuity, per third article, twenty thousand dollars.

For the payment of goods and horses purchased and delivered, per same article, the sum of one hundred thousand dollars.

For the purchase of goods to be delivered, per same article, thirty thousand dollars.

For the payment of claims, per schedule attached to the treaty, per fourth article, the sum of sixty-two thousand, three hundred and eighty-two dollars.

For fulfilling the stipulations in the fifth article, to wit: For rifles and ammunition, two thousand three hundred and thirty-four dollars.

For blankets, two thousand nine hundred and sixteen dollars.

For expenses of transportation and subsistence, thirty-three thousand three hundred and twenty dollars.

For one year's supply of provisions, sixty thousand eight hundred and nine dollars.

For expense of erecting a saw mill, per sixth article, two thousand dollars.

To carry into effect the stipulations of the treaty with the Pattawatamies of Indiana, of twenty-seventh October, one thousand eight hundred and thirty-two.

Pattawatamies  
of Indiana.

For the payment of the limited annuity, per fourth article, fifteen thousand dollars.

For the payment for goods and horses purchased and delivered, per same article, the sum of thirty-two thousand dollars.

For the purchase of goods to be delivered, per same article, ten thousand dollars.

For the payment of claims, per schedule attached to the treaty, per same article, the sum of twenty-one thousand seven hundred and twenty-one dollars.

For the purchase of the section of land granted by the treaty of Saint Joseph's to To-pe-naw-koung, wife of Peter Langlois, per same article, the sum of eight hundred dollars.

For the education of Indian youths of the Pattawatamie tribes, during the pleasure of Congress, per same article, two thousand dollars.

To carry into effect the stipulations of the treaty with the Piankashaws and Weas, of twenty-ninth October, one thousand eight hundred and thirty-two.

Piankashaws  
and Weas.

For the purchase of cattle, hogs, and farming utensils, as an equivalent for salt annuities, and lost horses, for the Piankashaws, per third article, five hundred dollars.

For expense of agricultural assistance and improvements, per same article, the sum of seven hundred and fifty dollars.

For payment in merchandise and cash, per same article, two hundred dollars.

For the purchase of cattle, hogs, and farming utensils, as an equivalent for improvements and lost horses, for the Weas, per fourth article, five hundred dollars.

For payment in merchandise and cash, per same article, two hundred dollars.

For assistance to the Weas of Indiana, to enable them to join the rest of their tribe, and for one year's supply of provisions, per same article, the sum of four thousand six hundred and twelve dollars.

For the support of a blacksmith's shop, for the benefit of the Piankashaws, Weas, Peorias and Kaskaskias, per fifth article, one thousand dollars.

For cost of transporting the annuities, agricultural implements and stock, and for other incidental expenses in fulfilment of the aforesaid treaties, the sum of fifteen thousand dollars.

To enable the President to extinguish Indian titles within the states of Indiana and Illinois and territory of Michigan, in addition to the sum appropriated ninth July last, three thousand eight hundred and seventy-one dollars.

1832, ch. 175.

For expenses incurred in one thousand eight hundred and thirty-two, attending the adjustment of the boundary line and other objects referred to in the first, second, and third articles of the treaty of Butte des Morts, ratified twenty-third February, one thousand eight hundred and twenty-

Boundary under  
the treaty of  
Butte des Morts.

- 1830, ch. 99.  
Creeks. nine, in addition to the sum appropriated by the act of twentieth May, one thousand eight hundred and thirty, four hundred dollars.  
For expense of removal and subsistence of Creek Indians, as stipulated in the seventh article of the treaty of twenty-fourth January, one thousand eight hundred and twenty-six, in addition to former appropriations, to pay claims allowed, as settled by the second auditor, seven thousand two hundred and sixty-one dollars forty-four cents.  
For payment of improvements on ceded lands, as stipulated in the eleventh article of said treaty, as settled by the second auditor, in addition to former appropriations, nine thousand three hundred dollars and seventy-five cents.
- Ioway prisoners. For payment of expenses incurred for provisions, transportation, compensation to guards, and other expenses, attending the arrest of Ioway prisoners in one thousand eight hundred and twenty-nine, on the charge of murders committed by them, and not before provided for, the sum of one thousand and twenty-three dollars and thirty-eight cents.
- Choctaw reservations. For expense of locating, surveying and bounding reservations for the Choctaws, under the nineteenth article of the treaty of fifteenth September, one thousand eight hundred and thirty, not otherwise provided for, fifteen hundred dollars.
- Chickasaw agent. For expense of the Chickasaw agent, with a deputation of Indians, to the seat of government, on business relating to the treaty negotiated with them, one thousand six hundred and fifty dollars.
- Delegation of New York Indians. For the expense of a delegation from the New York Indians to visit Green bay during the summer of one thousand eight hundred and thirty-three, for the purpose of surveying and dividing their lands with a view to future emigration, the sum of one thousand eight hundred and ninety dollars.
- Shawanoes. For the expense of removing the remaining Shawanoes, being eighty-two in number, from Ohio, to their lands west, one thousand six hundred and forty dollars.
- Sac and Fox prisoners. For the expenses of twelve prisoners of war of the Sac and Fox tribes, now in confinement, and to be held as hostages, under the seventh article of the treaty with the Sacs and Foxes, of twenty-first September, one thousand eight hundred and thirty-two, embracing the cost of provisions and clothing, compensation to an interpreter, and cost of removing them to a place where they may be kept in safety, without being closely confined, the sum of two thousand five hundred dollars.
- Chippewas. For the expense of appraising the improvements abandoned by the Chippewas, under the sixth article of the treaty of Saginaw, of twenty-fourth September, one thousand eight hundred and nineteen, the sum of six hundred dollars.
- Negroes of Broom. For payment for two negroes, the property of George Fields, illegally taken from the Broom, a Cherokee chief, in the fall of the year one thousand eight hundred and thirteen, by a white citizen, seven hundred dollars.
- Removing of Choctaws, &c. For expenses of removing and subsisting Choctaws, Creeks, Cherokees, and Ohio Indians, as estimated for by the commissary general of subsistence, four hundred and seventy-four thousand and thirteen dollars.
- Pattawatamies. And the sum of ten thousand dollars for holding a treaty with the Pattawatamies, for the extinguishment of their title to the remainder of their lands in Illinois.
- Menominees. For carrying into effect the stipulations of the treaty with the Menominees of the eighth February, one thousand eight hundred and thirty-one, fifty-eight thousand six hundred dollars.
- Chickasaws. For carrying into effect the stipulations of the treaty with the Chickasaws of twenty-eighth October, one thousand eight hundred and thirty-two, to be refunded out of the sales of their lands as provided for by said treaty, one hundred thousand dollars.



For carrying into effect the stipulations of the treaty with the Senecas West, of twenty-ninth December, one thousand eight hundred and thirty-two, to be refunded out of the sales of their lands as provided for by said treaty, four thousand dollars.

Senecas.

For payment to the Senecas for lost horses and other property, as stipulated for by fourth article of same treaty, one thousand dollars.

For carrying into effect the stipulations of the treaty with the Ottawas of eighteenth February, one thousand eight hundred and thirty-three, forty-seven thousand four hundred and forty dollars.

Ottawas.

SEC. 2. *And be it further enacted*, That the Secretary of War shall cause a valuation to be made of the buildings, improvements and other property, belonging to the American Board of Commissioners for Foreign Missions, lying within the limits of the purchase made of the Choctaw tribe of Indians at the treaty of the Dancing Rabbit Creek, and after deducting from the estimated value the amount heretofore advanced by the United States towards the aforesaid buildings and improvements, shall cause the residue to be paid to the trustees of the said board, out of any money in the treasury not otherwise appropriated.

Property of American Board of Foreign Missions.

SEC. 3. *And be it further enacted*, That the sum of one hundred thousand dollars shall be, and the same is hereby appropriated, should the same be found necessary to defray the expenses of repressing the hostilities of the Indians on the western frontier of the United States, out of any money in the treasury not otherwise appropriated.

Repression of Indian hostilities.

APPROVED, March 2, 1833.

STATUTE II.

CHAP. LX.—*An Act making appropriations for the engineer and ordnance departments.*

March 2, 1833.

*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, out of any money in the treasury not otherwise appropriated, namely :

[Obsolete.] Appropriations for engineer and ordnance department.

For collecting the materials, and making the preliminary arrangements, for the construction of a fort on George's island, Boston harbour, Massachusetts, twenty-five thousand dollars.

For the erection of a building for military and other exercises, at the United States' military academy, West Point, six thousand dollars.

For the erection of a chapel at the United States' military academy, West Point, ten thousand dollars.

For the erection of two new dwelling-houses at the national armory at Springfield, Massachusetts, for the use of the master armorer and paymaster, seven thousand dollars.

For building a pay office and store at the same armory, for the preservation of models and patterns, two thousand dollars.

For building a workshop for grinding and polishing, at the same armory, six thousand dollars.

For enlarging and repairing the shop, for welding and boring musket barrels, at the same armory, fifteen hundred dollars.

For additional machinery at the same armory, three thousand five hundred dollars.

For one steam-engine of fifteen horse power, at the same armory, fifteen hundred dollars.

For thirty-six double racks for placing arms in the new arsenal, at the same armory, five thousand one hundred dollars.

For the erection of twelve additional dwelling-houses for the workmen, at the national armory at Harpers' Ferry, Virginia, eight thousand six hundred dollars.

For the repair and extension of the public dam, on the Potomac river,

from which the supply of water is obtained for the works at said armory, five thousand dollars.

For the enlargement of the canal, supplying the water power of the public works of the said armory, from the Potomac dam, thirteen thousand four hundred and ninety-five dollars.

For repairing the walls of four workshops at the same armory, fifteen hundred dollars.

For constructing three new water-wheels, and the machinery in the boring, turning, and stocking shops, and sinking flumes, at the said armory, eight thousand four hundred dollars.

For completing the forging-shop tilt-hammer, and new workshop, at the same armory, thirteen thousand three hundred dollars.

For the purchase of one square acre of land, with the improvements, adjoining the arsenal near Pittsburgh, Pennsylvania, three thousand five hundred dollars.

For the purchase of forty-five acres of land adjoining the Watervliet arsenal, New York, nine thousand dollars.

For the purchase of the right to the water power on the Shenandoah river, for the use of the United States' rifle factory, which is established on that river, four thousand six hundred dollars.

For the repairs of the Spanish fort Marion, at St. Augustine, and for re-constructing the sea wall, to prevent the encroachments of the sea, at and near the same, twenty thousand dollars.

For the purchase of a site, and for erecting quarters and barracks for the United States' troops at Savannah, Georgia, thirty-five thousand dollars.

Purchase of  
lands.

Act of Aug. 2,  
1813, ch. 48.

SEC. 2. *And be it further enacted*, That the Secretary of War be, and he is hereby authorized to apply to the purchase of the square acre of land above mentioned, a sum not exceeding three thousand five hundred dollars, out of the proceeds arising from the sale of certain lots of land at Pittsburgh, Pennsylvania, belonging to the United States, which may be disposed of, under the provisions of the act of Congress of the second of August, one thousand eight hundred and thirteen.

APPROVED, March 2, 1833.

## STATUTE II.

March 2, 1833.

Appropriations  
for pay of army,  
&c.

CHAP. LXI.—*An Act making appropriations for the support of the army for the year one thousand eight hundred and thirty-three.*

*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, out of any money in the treasury not otherwise appropriated, for the support of the army for the year one thousand eight hundred and thirty-three, viz :

For pay of the army and subsistence of officers, one million three hundred and thirty-six thousand six hundred and ninety-seven dollars.

For forage of officers, fifty-four thousand three hundred and thirty-one dollars.

For clothing for servants of officers, twenty-four thousand dollars.

For subsistence, exclusive of that of officers, in addition to an unexpended balance of fifteen thousand dollars, three hundred and eighty-seven thousand dollars.

For clothing of the army, camp equipage, cooking utensils, and hospital furniture, in addition to material and clothing on hand, amounting to twenty thousand dollars, two hundred and fifty-six thousand seven hundred and sixty-three dollars.

For medical and hospital department, thirty-one thousand dollars.

For arrearages in the same department during the year one thousand eight hundred and thirty-two, three thousand dollars.

For various expenses of the quartermaster's department, viz: for fuel, forage, straw, stationery, blanks, repairing officers' quarters, barracks, store-houses, and hospitals; for erecting temporary cantonments, and gun-houses; for rent of quarters, store-houses, and land; for postage of letters on public service; for expenses of courts martial, including compensation of judge advocates, members and witnesses; for extra pay to soldiers employed on extra labour, under the act of March second, one thousand eight hundred and nineteen; and for expenses of expresses, escorts to paymasters, and other contingencies to quartermaster's department, two hundred and forty thousand dollars.

Pay of army, &c.

Act of March 2, 1819, ch. 45.

For transportation of officers' baggage, and allowance for travel in lieu of transportation, and for per diem allowance to officers on topographical duty, fifty-three thousand dollars.

For transportation of clothing, subsistence, ordnance, and of lead from the mines, and for transportation of the army and funds for pay of the army, including the several contingencies and items of expenditure at the several stations and garrisons usually estimated under the head of transportation of the army, one hundred and twelve thousand dollars.

For defraying the expenses of the board of visitors at West Point, two thousand dollars.

For fuel, forage, stationery, printing, transportation and postage, for the military academy, eight thousand five hundred dollars.

For repairs, improvements, and expenses of buildings, grounds, roads, wharf, and boat, at West Point, four thousand dollars.

For pay of adjutant's and quartermaster's clerk, nine hundred dollars.

For increase and expenses of the library, fourteen hundred dollars.

For philosophical apparatus, eight hundred and ninety dollars.

For models of department of engineering, six hundred dollars.

For models for the drawing department, repairs of instruments for the mathematical department, apparatus and contingencies for the department of chemistry, nine hundred dollars.

Miscellaneous items and incidental expenses of the academy, one thousand five hundred and seventy-five dollars.

For contingencies of the army, ten thousand dollars.

For the national armories, three hundred and sixty thousand dollars.

For the armament of fortifications, one hundred thousand dollars.

For the current expenses of the ordnance service, sixty-nine thousand three hundred dollars.

For arsenals, ninety-six thousand five hundred dollars.

For the recruiting service, thirty thousand nine hundred and fifty-two dollars, in addition to an unexpended balance of twelve thousand dollars.

For the contingent expenses of the recruiting service, sixteen thousand and forty-four dollars, including an unexpended balance of eight thousand five hundred dollars on hand.

For the purchase of accoutrements and swords, sixteen thousand seven hundred and fifty dollars.

For the purchase of cannon, fourteen thousand seven hundred and fifty dollars.

For payment of arms for mounted rangers, two thousand five hundred and ninety-eight dollars.

For the purchase of arms for South Carolina, six thousand one hundred and thirty-one dollars.

For arrearages prior to the first day of July, one thousand eight hundred and fifteen, payable through the third auditor's office, five thousand dollars.

To enable the second auditor to close the accounts, under the act of third March, one thousand eight hundred and twenty-one, allowing three months' gratuitous pay to disbanded officers and soldiers, five hundred dollars.

1821, ch. 35.

Pay of army,  
&c.

For arrearages of pay of certain militia of the state of Missouri, called out in one thousand eight hundred and twenty-nine, one thousand two hundred dollars.

For the pay of the militia of Illinois, Indiana, Missouri, and Michigan, ordered into the service of the United States during the last year, six hundred and thirty-two thousand dollars in addition to the amount heretofore appropriated for the same purpose.

For completing barracks, quarters, and store-houses, at fort Crawford, eight thousand dollars.

For completing barracks, quarters, and store-houses, at fort Howard, ten thousand dollars.

For completing barracks, and erecting an hospital at Baton Rouge, twenty-five thousand dollars.

For making good a deficiency of appropriation for the erection of barracks at fort Severn, Annapolis, three hundred dollars.

For the construction of a wharf at fort Preble, Portland, including the purchase of a site, three thousand seven hundred and seventy dollars.

For repairing the wharf at fort Independence, Boston, one thousand five hundred dollars.

For repairing the wharf at fort Washington, on the Potomac, one thousand five hundred dollars.

For repairing the wharf at fort Moultrie, Charleston, one thousand five hundred dollars.

For the purchase of ground adjoining fort Trumbull, New London, four hundred dollars.

For the erection of a store-house and stable on the public lot at Pittsburgh, five thousand dollars.

For the purchase of the ground at Key West, on which the barracks and quarters are erected, three thousand two hundred dollars.

For the purchase of land at fort Gratiot, one thousand six hundred dollars.

To make good a deficiency of a former appropriation for the building of a wharf at fort McHenry, ninety dollars and forty cents.

For repairing and extending the levees, securing the works at fort Jackson, Mississippi, and for improving the store rooms and magazine, four thousand dollars.

Commission to  
paymasters.

SEC. 2. *And be it further enacted*, That the Secretary of War be authorized, at his discretion, out of the moneys appropriated by this, or any former act, for the payment of the militia ordered into the service of the United States, according to law during the last year, to allow and pay to the district paymasters of the army of the United States employed in making such payments, a commission on the sums respectively paid by them, not exceeding one per centum upon the amounts.

APPROVED, March 2, 1833.

## STATUTE II.

March 2, 1833.

CHAP. LXII.—*An Act to explain and amend the act to alter and amend the several acts imposing duties on imports passed July fourteenth, one thousand eight hundred and thirty-two, so far as relates to hardware, and certain manufactures of copper and brass, and other articles.*

Act of July 14,  
1832, ch. 227.

Certain provisions  
suspended  
till June 1, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the provisos of the tenth and twelfth clauses of the second section of the act to alter and amend the several acts imposing duties on imports, passed July fourteenth, eighteen hundred and thirty-two, be, and the same are hereby suspended until the first day of June, eighteen hundred and thirty-four.

SEC. 2. *And be it further enacted*, That, so much of the act to alter and amend the several acts imposing duties on imports, passed July the fourteenth, eighteen hundred and thirty-two, as repeals the duties heretofore levied on copper bottoms cut round, and copper bottoms raised to the edge, and still bottoms cut round and turned upon the edge, and parts thereof, and on copper plates or sheets, weighing more than thirty-four ounces per square foot, commonly called braziers' copper, and on tobacco leaves, or unmanufactured, be, and the same is hereby repealed.

Repeal of duties on copper bottoms, &c. repealed.

SEC. 3. *And be it further enacted*, That nothing contained in the act of the fourteenth of July, eighteen hundred and thirty-two, to alter and amend the several acts imposing duties on imports, shall be so construed as to authorize the exemption, from the payment of duty on sheet and rolled brass, but the same shall be charged with the payment of a duty of twenty-five per centum ad valorem.

Duty on sheet and rolled brass.

APPROVED, March 2, 1833.

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CHAP. LXIII.—*An Act making appropriations for the erection of certain fortifications.*

STATUTE II.

March 2, 1833.

[Obsolete.]

Appropriations for erection of fortifications.

*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, out of any money in the treasury not otherwise appropriated, namely:

For a fort on Throg's Neck, East river, New York, twenty-five thousand dollars.

For rebuilding fort Delaware, Delaware river, fifty thousand dollars.

For a fort on Foster's Bank, Pensacola harbour, Florida, twenty-five thousand dollars.

For a fort on Grande Terre, Barataria, Louisiana, twenty-five thousand dollars.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

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CHAP. LXIV.—*An Act for improving the navigation of certain rivers in the territories of Florida and Michigan, and for surveys, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, for the purpose of removing obstructions, and improving the navigation of certain rivers in the territories of Florida and Michigan, the following sums be, and they are hereby, appropriated, to be paid out of any money in the treasury; to be expended under the direction of the President of the United States.

Appropriations for the improvement of rivers in Florida and Michigan.

For removing obstructions in, and improving the navigation of, the Escambia river, five thousand dollars.

For improving the navigation of the Ochlochney river, five thousand dollars.

For improving the navigation of the Choctawhachie river, as recommended by the Postmaster General, for the transportation of the mail from Pensacola to Tallahassee, five thousand dollars.

For improving the harbour at Chicago on lake Michigan, twenty-five thousand dollars.

For a survey of White and Saint Francis rivers, in the territory of Arkansas, five hundred dollars.

APPROVED, March 2, 1833.

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## STATUTE II.

March 2, 1833.

Contracts to be advertised for.

Appropriation for construction of bridge.

CHAP. LXV.—*An Act in relation to the Potomac bridge.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That so soon as the President of the United States shall decide on a plan for the erection of a bridge over the Potomac river at Washington, on or adjoining the site of the old bridge, the Secretary of the Treasury is hereby required to advertise for contracts, after giving, at least, thirty days' notice.

SEC. 2. *And be it further enacted,* That, towards the construction of the said bridge, the sum of two hundred thousand dollars is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, in such sums, and at such times, as may be agreed on by the Secretary of the Treasury, and the contractor or contractors, who shall give to the said Secretary satisfactory security for the faithful performance of the contract.

APPROVED, March 2, 1833.

## STATUTE II.

March 2, 1833.

Appropriation to citizens of Georgetown to improve navigation of Potomac, &amp;c.

How to be paid.

Condition.

CHAP. LXVI.—*An Act to improve the navigation of the Potomac river between Georgetown and Alexandria, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, in order to aid the citizens of Georgetown in removing the obstruction to their navigation, by causing the cut already made through the bar, below the town, to be enlarged and deepened; and for the further purpose of enabling them to make a free turnpike road to the district line on the Virginia side of the river, and to purchase of the present proprietors, and make for ever free, the bridge over the Little Falls of Potomac river, the sum of one hundred and fifty thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated.

SEC. 2. *And be it further enacted,* That the said sum shall be paid, from time to time, by the Secretary of the Treasury, to the order of the corporation of Georgetown, in such sums as to enable the said corporation to effect the purposes aforesaid.

SEC. 3. *And be it further enacted,* That before the said sum be paid over to the said corporation, it shall pass an ordinance to make said road and bridge free, and to be kept in repair by said corporation for ever.

APPROVED, March 2, 1833.

## STATUTE II.

March 2, 1833.

1827, ch. 94.  
Five hundred thousand dollars annually appropriated.

To be applied as directed by act of March 3, 1827, ch. 94.

CHAP. LXVII.—*An Act [in] addition to the act for the gradual improvement of the navy of the United States.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That for the gradual improvement of the navy of the United States, the sum of five hundred thousand dollars, out of any money in the treasury not otherwise appropriated, be, and the same is hereby appropriated, annually, for six years, from and after the third day of March, eighteen hundred and thirty-three, when the present appropriation expires.

SEC. 2. *And be it further enacted,* That the President of the United States be, and he is hereby, authorized and empowered to cause the above-mentioned appropriation to be applied, as directed and prescribed by the act of the third of March, eighteen hundred and twenty-seven, to which this is in addition, the provisions whereof are hereby continued in force for the term above mentioned, and to be applied also to the purchase of other necessary materials as well as timber suitable for the construction of vessels of war.

SEC. 3. *And be it further enacted*, That, in addition to the provisions now in force on the subject of the live oak growing on the public lands, it shall be the duty of all collectors of the customs within the territory of Florida, and the states of Alabama, Mississippi, and Louisiana, before allowing a clearance to any vessel laden in whole or in part with live oak timber, to ascertain satisfactorily that such timber was cut from private lands, or, if from public ones, by consent of the Navy Department. And it is hereby made the duty of all officers of the customs, and of the land officers within said territory and states, to cause prosecutions to be seasonably instituted against all persons known to be guilty of depredations on, or injuries to, the live oak growing on the public lands.

Provisions for preservation of live oak.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. LXVIII.—*An Act to improve the condition of the non-commissioned officers and privates of the army and marine corps of the United States, and to prevent desertion. (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, all enlistments in the army of the United States shall be for three years; and that the monthly pay of the non-commissioned officers and soldiers shall be as follows, viz: to each sergeant major, quartermaster sergeant, and chief musician, sixteen dollars; to the first sergeant of a company, fifteen dollars; to all other sergeants, twelve dollars each; to each artificer, ten dollars; to each corporal, eight dollars, and to each musician and private soldier, six dollars: and that all enlistments in the marine corps shall be for four years; and that the monthly pay of the non-commissioned officers and soldiers in said corps, shall be as follows, viz: to each sergeant major and quartermaster sergeant, seventeen dollars; to the drum major, fife major, the orderly sergeants of posts, and first sergeants of guards at sea, sixteen dollars each; to all other sergeants, thirteen dollars; to each corporal, nine dollars; to each musician, eight dollars; and to each private, seven dollars.

Term of enlistment in the army, and pay.

Term of enlistment in the marine corps, and pay.

SEC. 2. *And be it further enacted*, That one dollar of the monthly pay of every musician and private soldier, shall be retained until the expiration of the two first years of their enlistment, when each shall receive the twenty-four dollars retained pay, which shall have so accrued: *Provided*, He shall have served honestly and faithfully that portion of the term of his first enlistment.

One dollar of monthly pay to be retained, &c.

SEC. 3. *And be it further enacted*, That every able-bodied musician or private soldier, who may re-enlist into his company or regiment, within two months before, or one month after, the expiration of his term of service, shall receive two months' extra pay, besides the pay and other allowances which may be due to him on account of the unexpired period of any enlistment.

Bounty for re-enlistment.

SEC. 4. *And be it further enacted*, That every able-bodied musician or soldier, who shall re-enlist into his company or regiment, as specified in the third section of this act, shall receive his full pay, at the rate of six dollars per month, without any temporary deduction therefrom.

Pay of re-enlisted men.

SEC. 5. *And be it further enacted*, That no premium to officers, for enlisting recruits, nor bounties to recruits for enlisting, shall be allowed after the passage of this act.

Premiums and bounties not to be allowed.

SEC. 6. *And be it further enacted*, That no person who has been convicted of any criminal offence, shall be enlisted into the army of the United States.

No convict to be enlisted.

SEC. 7. *And be it further enacted*, That the seventh section of the act,

Seventh section

(a) See notes of acts relating to the marine corps, vol. i. p. 594.

of act of May 16, 1812, ch. 86, repealed.

entitled "An act making further provision for the army of the United States," passed on the sixteenth May, one thousand eight hundred and twelve, be, and the same is hereby, repealed, so far as it applies to any enlisted soldier, who shall be convicted by a general court martial of the crime of desertion. (a)

APPROVED, March 2, 1833.

## STATUTE II.

March 2, 1833.

[Obsolete.]

CHAP. LXIX.—*An Act making appropriations for carrying on certain works heretofore commenced for the improvement of harbours and rivers, and, also, for continuing and repairing the Cumberland road, and certain territorial roads.*

### Appropriations.

*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 are hereby, appropriated for carrying on or completing certain works and roads heretofore commenced, to be paid out of any money in the treasury not otherwise appropriated.

Delaware break water.

For carrying on the Delaware breakwater, two hundred and seventy thousand dollars.

Black river.

For removing a sand bar at the mouth of Black river, Ohio, two thousand four hundred dollars.

Cunningham creek.

For a pier head at Cunningham creek, Ohio, five hundred dollars.

Ashtabula creek.

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

Presque Isle.

For completing the improvement of the harbour of Presque Isle, Pennsylvania, six thousand dollars.

Buffalo harbour.

For completing the pier at the mouth of Buffalo harbour, New York, thirty-one thousand seven hundred dollars.

Gennessee river.

For improving the entrance of Gennessee river, New York, fifteen thousand dollars.

Big Sodus bay.

For removing obstructions at the mouth of Big Sodus bay, New York, fifteen thousand dollars.

Oswego.

For completing the pier and mole at Oswego, New York, eight thousand four hundred dollars.

Merrimack river.

For the completion of the breakwater at the mouth of the Merrimack river, four thousand nine hundred dollars.

Plymouth beach.

For repairing Plymouth beach, six hundred dollars.

Breakwater at Hyannis.

For the breakwater at Hyannis, Massachusetts, five thousand dollars.

New Castle, Marcus Hook, and Port Penn.

For improving the harbours of New Castle, Marcus Hook, Chester, and Port Penn, in the Delaware, four thousand dollars.

Ocracoke inlet.

For carrying on the improvement of Ocracoke inlet, North Carolina, sixteen thousand seven hundred dollars.

Cape Fear river.

For improving Cape Fear river, below Wilmington, North Carolina, twenty-eight thousand dollars.

Ohio, Missouri, and Mississippi.

For improving the navigation of the Ohio, Missouri, and Mississippi rivers, fifty thousand dollars.

Detroit road to Saganaw bay.

For continuing the road from Detroit to Saganaw bay, fifteen thousand dollars.

St. Mark's.

For completing the improvement of St. Mark's river and harbour in Florida, in addition to the unexpended balance of former appropriations, one thousand five hundred dollars.

Detroit road to Grand river.

For the road from Detroit to Grand river of Lake Michigan, twenty-five thousand dollars.

Detroit road to Chicago.

For continuing the road from Detroit towards Chicago, in the territory of Michigan, eight thousand dollars.

(a) "No person in the army, navy, or marine corps shall be allowed to draw both a pension as an invalid and the pay of his rank or station in the service, unless the alleged disability for which the pension was granted be such as to have occasioned his employment in a lower grade, or in some civil branch of the service." Act of April 30, 1844, ch. 15.



For paying the balance due the commissioner for surveying and marking the road from La Plaisance bay, to intersect the road to Chicago, within the territory of Michigan, six hundred and eight dollars and seventy-six cents.

Road to Chicago.

For making the said road, fifteen thousand dollars.

For completing the improvement of the inland channel between St. Mary's and St. John's, in Florida, nine thousand dollars.

Channel between St. Mary's and St. John's.

For the completion of the removal of obstructions in the harbour and river Apalachicola, in Florida, according to the report and estimate of the engineer, Lieutenant Long, eight thousand seven hundred dollars, including the unexpended appropriation of last year.

Harbour and river Apalachicola.

For repairing the Cumberland road east of the Ohio, one hundred and twenty-five thousand dollars.

Cumberland road.

For continuing the Cumberland road in Ohio, west of Zanesville, one hundred and thirty thousand dollars.

For continuing the Cumberland road in the state of Indiana, one hundred thousand dollars.

For continuing the Cumberland road in Illinois, seventy thousand dollars.

For repairs of the Cumberland road in Virginia, thirty-four thousand four hundred and forty dollars.

For payment of a balance due the commissioner under the act of third March, one thousand eight hundred and twenty-five, for marking out a road to the confines of New Mexico, one thousand five hundred and four dollars and fifty-four cents.

Road to New Mexico.

For defraying the expenses incidental to making examinations and surveys under the act of the thirtieth of April, one thousand eight hundred and twenty-four, twenty-five thousand dollars.

Examinations and surveys.

For payment of balance due Joseph C. Brown, for running the western boundary of the state of Missouri, one hundred and forty dollars.

SEC. 2. *And be it further enacted*, That the Secretary of War be, and he is hereby, authorized, by and with the approbation of the President of the United States, to change the location of the route of the Cumberland road, near Cumberland and Wills' mountain, according to the survey and report thereon of Captain Delafield, of the corps of engineers.

President to alter route of the Cumberland road.

APPROVED, March 2, 1833.

STATUTE II.

CHAP. LXX.—*An Act making appropriation for the public buildings, and for other purposes.*

March 2, 1833.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That for the purpose of completing the buildings of the penitentiary, its support, the purchase of raw materials to be manufactured by the convicts, and as compensation to Thomas Carberry, who is hereby allowed one thousand dollars for his services in planning and superintending the erection of the penitentiary, the sum of fifteen thousand four hundred and thirty-six dollars is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated.

Appropriation for penitentiary.

SEC. 2. *And be it further enacted*, That the following sums be, and hereby are appropriated, to be paid out of any money in the treasury, not otherwise appropriated, for the following purposes, that is to say:

Appropriations for Capitol, President's house, &c.

For dressing and laying the stone, procured for paving the terrace of the Capitol, seven thousand dollars.

For enclosing and improving the public ground north of the Capitol, two thousand dollars.

For a pedestal wall, coping, railing, and foot way at the north front of the President's house, ten thousand dollars.

For improving the Capitol square, including the gardener's salary, and lighting the lamps, two thousand seven hundred and fifty dollars.

For completing the regulation of the ground and planting, south of the President's house, four thousand six hundred and sixty dollars.

For alterations and repairs in the Capitol, one thousand dollars.

For alterations and repairs in the President's house, five hundred dollars.

For constructing reservoirs and fountains at the public offices, and President's house, and enclosing and planting the fountain square, six thousand seven hundred and twenty-three dollars.

For keeping in repair the fire engines belonging to the public buildings, two hundred dollars.

For furnishing the President's house, to be expended under the direction of the President, in addition to the proceeds of such decayed furniture, as he may direct to be sold, twenty thousand dollars.

For an additional pavement for the statue of Washington, five thousand dollars.

For alterations in the Representatives Hall, to accommodate the twenty-third Congress, according to a plan recommended by a select committee of the House of Representatives, of thirtieth June, eighteen hundred and thirty-two, thirteen thousand dollars.

For completing the public vault, and railing thereon, one thousand six hundred dollars.

APPROVED, March 2, 1833.

#### STATUTE II.

March 2, 1833.

CHAP. LXXI.—*An Act for the construction of a road from the Mississippi river to William Strong's, on the St. Francis river, in the territory of Arkansas.*

Appropriation  
for construction  
of road in Ar-  
kansas.

Route.

Proviso.

Proviso.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of one hundred thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the purpose of enabling the President of the United States to cause to be permanently constructed, a road in the territory of Arkansas, from a point opposite to Memphis, to the house of William Strong, on the St. Francis river, or towards such other point on the same as the engineer appointed to report thereupon may recommend, for the purpose of establishing a constant communication from the point above named, towards Little Rock, in the said territory: Provided, That the said sum be expended under the direction of such military engineer as the President may appoint: And provided, also, That no part of the said sum of money shall be expended until a careful survey and estimate shall have been made of the cost of the road by a competent engineer, and that the said survey and estimate shall have been previously submitted to, and approved by, the Secretary of War, and the President of the United States.*

APPROVED, March 2, 1833.

#### STATUTE II.

March 2, 1833.

CHAP. LXXII.—*An Act prolonging the second session of the fifth legislative council of the territory of Michigan.*

Authority to  
prolong session  
thirty days.

Appropriation  
to defray the ex-  
penses, &c.

*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 Michigan, now in session, be, and is hereby authorized to continue its present session thirty days beyond the time now limited by law.*

SEC. 2. *And be it further enacted, That, for the purpose of defraying the incidental expenses and for paying the members of said legislative*

council for the additional time employed as aforesaid, the sum of two thousand dollars be, and is hereby, appropriated, out of any money in the treasury not otherwise appropriated.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. LXXIII.—*An Act in addition to, and in alteration of, an act entitled "An act vesting in the corporation of the city of Washington all the rights of the Washington Canal Company," 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 Secretary of the Treasury is hereby authorized to pay, out of any moneys in the treasury not otherwise appropriated, unto the mayor, aldermen, and common council of the city of Washington, the sum of one hundred and fifty thousand dollars, to aid them in fulfilling the objects and requirements of an act entitled "An act vesting in the corporation of the city of Washington all the rights of the Washington Canal Company, and for other purposes; approved May thirty-first, one thousand eight hundred and thirty-two: *Provided*, That the said mayor, aldermen, and common council, relinquish all title to the land vested in them by the eighth section of the act above named, and, also, relinquish all rights and privileges granted by the eighth, tenth, eleventh, twelfth, thirteenth, and fourteenth sections of said act: *And provided, also*, That the sum herein granted shall be applied to pay and extinguish any debt which has been, or may be contracted in the purchase either of the Washington City Canal, or in the completion of the same, and shall not be applicable to any other object or purpose until said debts be extinguished.

Secretary of the Treasury to pay \$150,000 to city of Washington.

Act of May 31, 1832, ch. 113.

Proviso.

Proviso.

SEC. 2. *And be it further enacted*, That the commissioner of the public buildings is hereby authorized to cause all the open grounds belonging to the United States which, in the original plan of the city, were reserved for public walks, lying between the Maryland and Pennsylvania Avenues, to be enclosed with a wooden fence, and to lay down the same, according to such plan for the improvement thereof as the President of the United States may approve, in grass, and intersect it by suitable paths and roads for intercourse and recreation: *Provided*, That there shall not be more than three streets or roads across the same to connect the streets on the north and south sides of said public grounds.

Public walks to be enclosed and improved.

Proviso.

SEC. 3. *And be it further enacted*, That there be paid out of any unappropriated money in the treasury, for the purposes of the second section of this act, the sum of five thousand dollars.

Appropriation.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. LXXIV.—*An Act establishing a port of entry and delivery at the village of Fall River in Massachusetts, and discontinuing the office at Dighton.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That there shall, from and after the first day of April next, be established in the village of Fall River, near the mouth of Taunton Great river, in Massachusetts, a port of entry and delivery.

Port to be established.

SEC. 2. *And be it further enacted*, That the office of the collection of the customs in Dighton, Massachusetts, shall, from and after the first day of April next, be discontinued.

Office discontinued.

APPROVED, March 2, 1833.

## STATUTE II.

March 2, 1833.

CHAP. LXXV.—*An Act to authorize the President of the United States to exchange certain lands belonging to the navy yard at Brooklyn, for other lands contiguous thereto.*

President to execute conveyance.

Condition.

*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 execute a conveyance to the corporation of the village of Brooklyn, in the state of New York, of the interest of the United States in certain lands forming a part of the navy yard at said village of Brooklyn, and designated in a petition from said corporation to Congress, on condition that said corporation convey a good title to the United States of such other property contiguous to said yard, and obtain releases to the United States of certain parts of said yard now in controversy, so that, in his opinion, the conveyances from said corporation shall be equally beneficial to the United States as the property granted to said corporation.

APPROVED, [March] 2, 1833.

## STATUTE II.

March 2, 1833.

CHAP. LXXVI.—*An Act for the more perfect defence of the frontiers.*

Regiment of dragoons established.

Act of June 15, 1832, ch. 131.

Organization.

Act of Aug. 23, 1842, ch. 186.

Act of April 4, 1844, ch. 11.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That in lieu of the battalion of mounted rangers authorized by the act of the fifteenth of June, one thousand eight hundred and thirty-two, there be established a regiment of dragoons, to be composed and organized as follows, to wit: one colonel, one lieutenant colonel, one major, one quartermaster-sergeant, and two chief buglers, one adjutant, who shall be a lieutenant, one sergeant major, one chief musician, and ten companies; each company to consist of one captain, one first lieutenant, and one second lieutenant, exclusive of the lieutenant who is to be the adjutant of the regiment: four sergeants, one of whom shall act as quartermaster-sergeant to the company, four corporals, two buglers, one farrier and blacksmith, and sixty privates.

Pay when mounted.

Pay when on foot.

To serve on horse or foot, and subject to rules of war, &c.

SEC. 2. *And be it further enacted,* That the officers, non-commissioned officers, musicians, and privates, when mounted, be entitled to the same pay and emoluments as was allowed to dragoons during the war, and when on foot, the same pay and emoluments as are now allowed to the officers, non-commissioned officers, musicians, and privates of a regiment of infantry; and that the farrier and blacksmith be allowed the same pay and allowances as are allowed to an artificer of artillery.

SEC. 3. *And be it further enacted,* That the said regiment of dragoons shall be liable to serve on horse, or foot, as the President may direct; shall be subject to the rules and articles of war, be recruited in the same manner, and with the same limitations; that the officers, non-commissioned officers, musicians, farriers, and privates, shall be entitled to the same provisions for wounds and disabilities, the same provisions for widows and children, and the same allowances and benefits in every respect, as are allowed the other troops constituting the present military peace establishment.

President to carry act into effect.

Appropriation.

SEC. 4. *And be it further enacted,* That the President of the United States be authorized to carry into effect this act as soon as he may deem it expedient, and to discharge the present battalion of mounted rangers, on their being relieved by the said regiment of dragoons.

SEC. 5. *And be it further enacted,* That the sum required to carry into effect the provisions of this act is hereby appropriated, in addition to the appropriations for the military establishment for the year one thousand eight hundred and thirty-three.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. LXXVII.—*An Act to create sundry new land offices, and to alter the boundaries of other land offices of the United States.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That so much of the lands ceded to the United States by the treaties made and concluded with the Choctaw tribe of Indians, near Doak's Stand, on the eighteenth day of October, one thousand eight hundred and twenty, and at Dancing Rabbit creek, on the twenty-seventh day of September, one thousand eight hundred and thirty, as is situated north of the line dividing townships nineteen and twenty, and west of the line dividing ranges seven and eight, east, be, and the same is hereby, established into a land district, to be designated as the north-western district.

Choctaw lands to form north-western land district.

Bounds.

SEC. 2. *And be it further enacted,* To so much of the land ceded by the Choctaw tribe of Indians to the United States, by said treaty of the twenty-seventh day of September, one thousand eight hundred and thirty, as is situated west of the basis meridian, and south of the dividing line between townships nineteen and twenty, north, be, and the same is attached to the Choctaw district, established by an act of the seventh of May, eighteen hundred and twenty-two.

Choctaw district, by act of May 7, 1822, ch. 93, extended.

SEC. 3. *And be it further enacted,* That so much of the lands ceded to the United States, by said treaty of the twenty-seventh of September, eighteen hundred and thirty, as is situated north of the dividing line between townships seven and eight, east of the basis meridian, and south of the north-western district, and the southern boundary of the lands of the Chickasaw tribe of Indians, shall constitute a land district to be designated as the north-eastern district; and the lands of the United States in the counties of Monroe and Lowndes, now subject to sale in the Choctaw district, shall, from and after the first day of May next, be subject to sale at the land office in the said north-eastern district; and it shall be the duty of the register at Mount Salus, under instructions from the commissioner of the general land office, to transfer all such books, maps, records, field notes, and plats, or transcripts thereof relating to the surveys of the public lands in Monroe and Lowndes counties, to the register of the north-eastern district, as may be necessary to enable him to comply with the provisions of this act.

North-eastern district.

Bounds.

Lands in Monroe, &c. to be subject to sale.

Transfer of books, &c.

SEC. 4. *And be it further enacted,* That so much of the land ceded to the United States by the said treaty of the twenty-seventh of September, eighteen hundred and thirty, as is situated south of the dividing line between townships seven and eight, be attached to, and constitute a part of, the Augusta land district.

Augusta district: addition thereto.

SEC. 5. *And be it further enacted,* That, for the disposal of the public lands in the north-eastern and north-western districts, a land office shall be established in each, at such convenient place as the President of the United States may designate; and, for each of said offices, a register and receiver shall be appointed by the President, by and with the advice and consent of the Senate, who shall severally give bond and security, according to law, before entering on the duties of their respective offices. They shall receive the same compensation, fees, and emoluments, and shall perform similar duties, and possess the same powers, with all other registers and receivers of public moneys of the United States, and shall, in all respects, be governed by the laws of the United States providing for the sale of public lands.

Land offices of north-eastern and north-western district.

SEC. 6. *And be it further enacted,* That so much of the Edwardsville land district as lies north and north-west of the Illinois river, between said river and the Mississippi, be, and the same is hereby, attached to the Quincy land district, in the state of Illinois; and that ranges one and two west of the third principal meridian, embracing all townships from the base line to the southern boundary of the Sangamon land district, be,

Quincy district: part of Edwardsville district attached thereto.

Vandalia district: addition thereto.

and the same is hereby, attached to the Vandalia land district in said state. The said transfer to be effected under the direction of the Secretary of the Treasury.

Demopolis district.

SEC. 7. *And be it further enacted*, That all the lands situated south of the district line, and south of the dividing line between townships twenty and twenty-one, and north of the line dividing townships eleven and twelve, and west of the line dividing ranges nine and ten west, to the west boundary line of the state of Alabama, shall constitute a land district, to be known and called the Demopolis district.

Lands in Green and Marengo counties to be subject to sale at Demopolis land office.

SEC. 8. *And be it further enacted*, That the lands in the United States in the counties of Green and Marengo, now subject to sale in the Tuscaloosa, Cahawba, and Saint Stephen's land districts, as comprehended in the above-described district: *Provided*, That the land district herein-after created by the tenth section of this act, shall be bounded on the south by the line dividing townships twenty-six and twenty-seven, and on the east by the line dividing ranges six and seven, and the lands in said district now in market shall be subject to entry at the land offices at Crawfordsville and fort Wayne as heretofore, until the first day of July next, and no longer; shall, from and after the first day of June next, be subject to sale at the land office in the said Demopolis land district; and it shall be the duty of the registers at Tuscaloosa, Cahawba, and Saint Stephen's, under instructions from the commissioner of the general land office, to transfer all such books, maps, records, field notes, and plats, or transcripts thereof, relating to the surveys of the public lands hereby added to the said Demopolis land district, to the register of the Demopolis land district.

Register and receiver for Demopolis district.

SEC. 9. *And be it further enacted*, That there shall be a register and receiver appointed for the said land district, with the same compensation, fees, and emoluments, and who shall perform all the duties usually performed by registers and receivers appointed to superintend the sale of the public lands of the United States.

New land district in Indiana.

SEC. 10. *And be it further enacted*, That all that district of country, in the state of Indiana, lying west of the line dividing ranges seven and eight east of the second principal meridian, and north of the line dividing townships twenty-four and twenty-five, shall form a separate land district; and the land office for the sale and disposal of all the public lands in said district, shall be, and hereby is, established at Laporte; and for said land office, a register and receiver shall be appointed in like manner, and be subject to like rules and regulations, and receive the same salary, fees, and compensation for their services, as is designated and provided for in other cases by the fifth section of this act; and it shall be [the] duty of the Secretary of the Treasury, as soon as it can be done, to cause the necessary tract books, plats, maps, and surveys of the public lands in said district, to be filed in said office: *Provided*, That the President may, whenever, in his judgment, the public interest and the convenience of the people require it, remove said office to a more central and suitable place in said district.

Office at Laporte.

President may remove office.

APPROVED, March 2, 1833.

## STATUTE II.

March 2, 1833.

CHAP. LXXVIII.—*An Act making provision for the publication of the Documentary History of the American Revolution.*

Secretary of State authorized to contract.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary of State be, and he hereby is authorized to contract with Matthew St. Clair Clarke and Peter Force, for the publication of a work entitled "The Documentary History of the American Revolution," to be printed in octavo or folio, as may be agreed upon: *Provided*, That the rate of expense shall

Limitation of expense.

not exceed the actual cost per volume of the Diplomatic Correspondence now printing, or heretofore printed, under direction of the Secretary of State; the same to be distributed and disposed of in the manner provided by the joint resolution of the tenth July, one thousand eight hundred and thirty-two, for the distribution and disposal of Gales and Seaton's collection of American State Papers.

APPROVED, March 2, 1833.

Ante, p. 606.

STATUTE II.

CHAP. LXXIX.—*An Act declaring the assent of Congress to an act of the General Assembly of the state of Virginia, hereinafter recited. (a)*

March 2, 1833.

Assent of the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the assent of the United States be, and the same is hereby, given to an act of the General Assembly of Virginia, entitled "An act concerning the Cumberland road," passed February the seventh, one thousand eight hundred and thirty-two; such assent to remain in force during the pleasure of Congress: *Provided,* That this act shall not be construed as preventing the United States from resuming whatever jurisdiction it may now have over the said road, whenever, in its discretion, it shall deem it proper so to do; which act of the said General Assembly is in the words and figures following, to wit:

Proviso.

*"Be it enacted by the General Assembly,* That whenever the government of the United States shall have surrendered so much of the road, commonly called the Cumberland road, as lies within the limits of this state, the president and directors of the board of public works, shall be, and they are hereby, authorized to take the same under their care in behalf of this state; and to cause a gate or gates, and a toll-house or houses, to be erected on said road: *Provided,* the same shall not exceed two in number.

Act of Virginia.

Toll-gates.

*"Be it further enacted,* That a superintendent shall be appointed by the president and directors of the board of public works, removable at pleasure, whose duty it shall be to erect said gate or gates, and toll-house or toll-houses, and to exercise all reasonable vigilance and diligence in the care of said road committed to his charge; to contract for, and direct the application of, the labour, materials, and other things necessary for the repair, improvement, and preservation of said road; and he shall pay for the same out of the fund arising from the tolls; he shall have power to appoint and remove at pleasure, the collectors of tolls, and to take from such collector or collectors, bond with good security, conditioned for his, her, or their faithfully discharging his, her, or their duty, and accounting for, and paying over, to such superintendent or his successors in office, all moneys or tolls by him, her, or them collected or received; and it shall be the duty of the superintendent every six months, before the county or superior court for Ohio county, or before some one by either of said courts appointed for that purpose, to render, under oath, an account of all moneys by him received or expended, particularly setting forth, in such account, the time when, and from whom, he shall have received such money, and the time when, and to whom, and on what account, the same shall have been disbursed or expended. He shall, before he shall have entered on the duties of said office, take, before the county court of Ohio county, or some justice of the peace for said county, an oath, that he will faithfully, justly, and impartially discharge the duties of his said office; and he shall, also, before said court, enter into bond, with two good securities, at least in the penalty of ten thousand dollars, conditioned for his faithfully performing, in all things, the duties of his office of superintendent, to account as is before provided for, and also to pay over to his successor or succe-

Superintendent of road.

Duties.

Toll-collectors.

Accounts of superintendent.

Oath.

Bond.

(a) See notes to "An act declaring the assent of Congress to an act of the General Assembly of the state of Ohio," hereinafter recited, March 2, 1831, ch. 97.

sors in office, or to such person as the county court of Ohio county may, for this purpose, name and appoint, all tolls by him received, and not expended, by virtue of the provisions of this act. He shall, immediately on the receipt thereof, deposit in the North-western Bank of Virginia, all moneys by him received for tolls or otherwise, and the same, as superintendent, check for, as he may want the same in repairing, improving, or preserving said road. And in case of death, resignation, or removal from office, or from the state, any and all moneys standing to his credit in bank, as superintendent, shall be passed to the credit of his successor in office. If the superintendent shall fail or omit, for two calendar months, to render his accounts as is before required, he shall, for every such failure, forfeit and pay, for the benefit of said road fund, five hundred dollars, to be recovered as is after provided for; or if he shall fail or omit to pay over all moneys in his hands as is before required, it shall be lawful, in the name of the President and directors of the board of public works, to obtain judgment against him, his security or securities, his or their heirs, executors, or administrators, upon motion in the county or superior courts of Ohio county, upon giving ten days' notice to such superintendent, his security or securities, his or their heirs, executors or administrators. In all motions, actions, or bills in chancery against such superintendent, his security or securities, his or their heirs, executors, or administrators, whenever judgment or decree shall be pronounced against the defendant or defendants, for any money by such superintendents wrongfully detained, such judgment shall be for the principal sum due, with interest thereon from the time at which the principal sum shall have been due, together with fifteen per centum damages thereon, to be made and levied in manner provided for by law. The said collectors shall monthly, or oftener if required by the superintendent, under oath, account for, and pay to the superintendent then in office, all moneys or tolls collected by him or them, and which shall remain, after deducting his or their compensation; and if such collector or collectors shall fail herein, it shall be lawful for the superintendent, in the name of the president and directors of the board of public works, to obtain judgment against such collector or collectors, his, her, or their security or securities, his or their heirs, executors, or administrators, by motion in the county or superior court for Ohio county, for the sum he, she, or they may be in arrear, with interest and damages as is above provided for in the case of defaulting superintendents: *Provided*, That such collector or collectors, his, her, or their security or securities, his or their heirs, executors, or administrators, shall [have] had ten days' previous notice of such motion. When the said collector shall have paid over to the superintendent, the superintendent shall give him duplicate receipts therefor, one of which he, the said collector, upon pain of forfeiting fifty dollars for every failure, shall file with the clerk of the county court of Ohio county. The bonds hereby required of superintendents or collectors shall be made payable to the president and directors of the board of public works, and be deposited for safe-keeping, with the clerk of the county court of Ohio county. But all moneys, and all fines and forfeitures recovered of them, or either of them, shall be collected and received by the superintendent, in office, or by such person as the county court of Ohio county may appoint to receive the same. The said superintendent, and the said collector or collectors, shall be allowed by the county court of Ohio county a reasonable compensation for their services; to be by them respectively retained out of said tolls, or the proceeds thereof: *Provided however*, That the compensation to the superintendent shall not exceed three hundred and thirty-three and one-third dollars per annum. And for the better order and management of the said fund, and the preservation of said road, the said superintendent, and collector or collectors, shall observe and conform to such

Deposit for  
tolls, &c.

Failure to render  
account.

Judgment in  
actions for failure.

Accounts of  
collectors.

Proviso.

Receipts to  
collectors.

Bonds.

Fines and forfeitures.

Compensation  
of superintendent and collectors.

Proviso.

Instructions.



instructions as the president and directors of the board of public works may, from time to time, prescribe.

"That, as soon as the said gates and toll-houses shall be erected, it shall be the duty of the said toll collector, or collectors, and they are hereby required to demand and receive, for passing the said gates, the tolls and rates hereafter mentioned: and they may stop any person riding, leading, or driving any horses, cattle, sulky, chair, phaeton, cart, chaise, wagon, sleigh, sled, or other carriage of burden or pleasure, from passing through the said gate or gates, until they shall have respectively paid for passing the same; that is to say: if there be but one gate, for every score of sheep or hogs, six and a quarter cents; for every score of cattle, twelve and a half cents; for every led or drove horse, three cents; for every mule or ass, led or driven, three cents; for every horse and rider, six and a quarter cents; for every sled or sleigh, drawn by one horse, or ox, six and a quarter cents; for every horse or ox in addition, three cents; for every dearborn, sulky, chair, or chaise, with one horse, six and a quarter cents; for every horse in addition, six and a quarter cents; for every chariot, coach, coachee, stage, or phaeton with two horses, twelve and a half cents; for every horse in addition, six and a quarter cents; for every other carriage of pleasure, by whatever name it may be called, the like sum, according to the number of wheels and horses drawing the same; for every cart, or wagon, whose wheels do not exceed two and a half inches in breadth, twelve and a half cents; for each horse or ox drawing the same, four cents; for every cart or wagon, whose wheels shall exceed two and a half inches in breadth, and not exceeding four inches, six and a quarter cents; for every horse or ox drawing the same, three cents; and for every other cart or wagon, whose wheels shall exceed four inches, and not exceeding five in breadth, four cents; for every horse or ox drawing the same, two cents; and all other wagons or carts, whose wheels shall exceed six inches in breadth, shall pass said gates free and clear of all tolls: *Provided, however*, That nothing in this act shall be so construed as to authorize any tolls to be received or collected from any person passing to or from public worship, or to or from a visit to a friend, or other place within the county in which he resides, or to or from any musters, elections, or courts, or to or from his common business on his farm or woodland, or to or from a funeral, or to or from a mill or school, or to or from his common place of trading or marketing within the county in which he resides, including the wagons, carriages, and horses, or oxen drawing the same: *Provided, also*, That no toll shall be received or collected for the passage of any stage or coach conveying the United States' mail, or horses bearing the same, or any wagon or carriage laden with property of the United States, or any cavalry or other troops, army or military stores, belonging to the same, or to any of the states comprising the Union, or any person or persons on duty in military service of the United States, or of the militia of any of the States: *And provided, further*, That the superintendent may commute the rates of tolls with any person or persons by taking of him or them a certain sum, annually, in lieu of the tolls aforesaid: *And provided, further*, If two gates shall be erected on said road, then only one half of the said rates or tolls shall be received or collected at each gate; and that the superintendent and three discreet freeholders of Ohio county, to be appointed for this purpose by the county court of Ohio county, shall determine the number of gates (not exceeding two as aforesaid) and the site or location of such gate or gates; and said superintendent and persons to be appointed by the county court as aforesaid, are duly authorized to purchase, for the purpose of erecting a toll-house or toll-houses on said road, as much ground as they shall deem necessary and advantageous to said road fund; to be paid for out of the tolls aforesaid.

Tolls to be collected.

Rates, if one gate.

Persons exempt from tolls.

United States mail, &c., exempt.

Commutation of tolls.

Rates, if two gates.

Site for gates.

"Be it further enacted, That the moneys so collected, and all fines, pen-  
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Application of  
the Cumberland  
road fund.

alties, and forfeitures, accruing under this act, shall constitute a fund, to be denominated the Cumberland road fund, and shall be applied by the superintendent to be appointed as aforesaid, solely and exclusively to the preservation, repair, and improvement of said road, and the expenses incident thereto, and to no other purpose whatever.

Power of the  
Assembly to al-  
ter or amend.  
Proviso.

"*Be it further enacted*, That the General Assembly reserves to itself at any future session thereof, without the consent of Congress, to change, alter, or amend this act: *Provided*, That the same shall not be so changed, altered, or amended, as to reduce or increase the rates of toll hereby established, below or above a sum necessary to defray the expenses incident to the repair and preservation of said road, to the erection of gates and toll-houses thereon, and for the payment of the fees or salaries of the superintendent, the collector of tolls, and of such other agents as may be necessarily employed in the preservation and repair of the said road, according to the true intent and meaning of this act.

Directors to be  
set up on the  
road, &c.

"*Be it further enacted*, That directors shall be set up, at proper and convenient situations, to caution all conductors and drivers of carriages or wagons on the road, as aforesaid, that they shall always pass on the left of each other, under the penalty of five dollars for every offence; and there shall also be set up, at some conspicuous place at each gate, a board, on which shall be legibly printed the rates of toll as is provided for in this act; and if any toll collector shall unreasonably delay or hinder any passenger or traveller at any of the gates, or shall demand or receive more toll than is by this act established, he shall, for each and every such offence, forfeit and pay to the party aggrieved, the sum of ten dollars.

Delay of pas-  
sengers, &c.

Wilful injuries  
to road, &c.

"*Be it further enacted*, That if any person shall purposely and maliciously deface, or otherwise injure any of the milestones, parapet walls, culverts, or bridges, or any masonry whatsoever, or any of the gates or toll-houses of, or belonging to the said Cumberland road, in this state, as the same is now constructed, or may hereafter be constructed, every person so offending, upon conviction thereof, or judgment, information, or presentment in the county or superior court of Ohio county, be fined in a sum not exceeding five hundred dollars, or imprisonment in the jail of the county not exceeding six months, or both, at the discretion of the court; and if any person shall purposely fill, choke, or otherwise obstruct any of the side drains, valleys, gutters, or culverts of said road now made, or hereafter to be made, or shall connect any private road or cartway with said Cumberland road, or if any surveyor of a county road shall connect the same with the said Cumberland road, without making, at the point of connection, a stone culvert or paved valley, or other good and sufficient fixture so as to secure a free passage for the water along such side drain where such private or county road or cartway connects with said Cumberland road, and so as to secure such Cumberland road from injury by reason of such county or private road, or way, being connected with said Cumberland road, every person so offending shall, upon conviction thereof, be, for every such offence, fined in a sum not less than five dollars, nor more than twenty dollars; and if any person shall stand his wagon, and team, or either of them, over night upon the pavement of said road now made, or which may hereafter be made, or shall at any other time stand a wagon and team, or either of them, upon the said pavement for the purpose of feeding, or if he shall, in any other manner, purposely and wilfully obstruct the travel upon said road, or if he shall fast-lock or rough-lock either of the wheels of any wagon, coach, chaise, gig, sulky, carriage, or other two or four wheeled vehicle while travelling upon said road as now made, or as it may hereafter be made, (excepting, however, such parts of said road as may be, at the time of said locking, covered with ice,) every person so offending shall, upon conviction thereof, be fined in a sum not less than two, nor more than twenty dollars.

Penalty.

Obstructing  
side drains, &c.

Penalties.

Standing wa-  
gons, &c.

Locking wheels.

Penalty.

"*Be it further enacted*, That all fines, penalties, and forfeitures, incurred

under the provisions of this act, may be recovered by presentment or indictment in the county or superior courts of Ohio county, or by information or action of debt in the name of the governor, for the use of said road fund, in the same courts; or, the said fines, penalties, and forfeitures, where the same shall be less than twenty dollars, may be recovered by action of debt in the name and for the use aforesaid, before any justice of the peace for Ohio county; but an appeal may be had, as in other cases, to the next monthly court of Ohio county, from the judgment of any justice of the peace, when the same shall be a greater sum than five dollars, exclusive of costs, and it shall be the duty of the superintendent and collectors of tolls to prosecute all offences against the provisions of this act, and he or they shall not be liable for costs where the person or persons prosecuted shall be acquitted, unless the court or justice will certify that the prosecution is groundless and without good cause.

Recovery of  
fines, &c.

Appeal.

"Be it further enacted, That if more than one gate be erected upon said road, it shall be lawful for any person, desirous to do so, to pay the whole toll at any one gate, and, thereupon, the collector shall grant him a proper certificate thereof, which certificate shall be a sufficient warrant to procure his passage through the other gate.

Tolls may be  
paid at one gate.

"Be it further enacted, That this act shall not have any force or effect till the government of the United States shall assent to the same.

"VIRGINIA, *Richmond city to wit* :

"I, George W. Mumford, Clerk of the House of Delegates, and keeper of the rolls of Virginia, do certify that the foregoing is a true copy of an act concerning the Cumberland road, passed February the seventh, eighteen hundred and thirty-two.

"Given under my hand this thirteenth day of February, eighteen hundred and thirty-two."

APPROVED, March 2, 1833.

STATUTE II.

CHAP. LXXX.—*An Act to secure to mechanics and others payment for labour done and materials furnished in the erection of buildings in the District of Columbia.*

March 2, 1833.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all and every dwelling-house, or other building, hereafter constructed and erected within the city of Washington, in the town of Alexandria, or in Georgetown, in the District of Columbia, shall be subject to the payment of the debts contracted for, or by reason of any work done or materials found and provided by any brickmaker, bricklayer, stonecutter, mason, lime merchant, carpenter, painter and glazier, ironmonger, blacksmith, plasterer, and lumber merchant, or any other person or persons employed in furnishing materials for, or in the erecting and constructing such house or other building, before any other lien which originated subsequent to the commencement of such house or other building. But if such dwelling-house, or other building, or any portion thereof, shall have been constructed under contract or contracts, entered into by the owner thereof, or his or her agent, with any person or persons, no person who may have done work for such contractor or contractors, or furnished materials to him, or on his order or authority, shall have or possess any lien on said house or other building, for work done or materials so furnished, unless the person or persons employed by such contractor to do work on, or furnish materials for, such building, shall, within thirty days after being so employed, give notice in writing, to the owner or owners of such building, or to his or to their agent, that he or they are so employed to work or to furnish materials, and that they claim the benefit of the lien granted by this act. And if such house or other building should not sell for a sum sufficient to pay all the demands for such work and mate-

Buildings sub-  
ject to debts for  
work, &c.

If buildings be  
under contract,  
no lien to attach  
for work or ma-  
terials, unless  
notice be given.

If sale of build-  
ing do not satis-

fy all demands,  
to be distributed  
pro rata.  
Limitation of  
lien.

Creditors paid,  
to enter satis-  
faction.

Penalty for not  
so doing.

Mode of re-  
covering lien.

Proviso.

rials; then, and in such case, the same shall be averaged, and each of the creditors paid a sum proportionate to their several demands: *Provided, always,* That no such debt for work and materials shall remain a lien on the said houses or other buildings longer than two years from the commencement of the building thereof, unless an action for the recovery of the same be instituted, or the claim filed, within three months after performing the work or furnishing the materials, in the office of the clerk of the court for the county in which the building shall be situated: *And provided, also,* That each and every person, having received satisfaction for his or their debt, for which a claim has been or shall be filed, or action brought as aforesaid, shall, at the request of any person interested in the building on which the same was a lien, or in having the same lien removed, or of his or their legal representative, on payment of the costs of the claim or action, and on tender of the costs of office for entering the satisfaction, within six days after such request made, enter satisfaction of the claim in the office where such claim was or shall be filed, or such action brought, which shall for ever thereafter discharge, defeat, and release the same; and if such persons, having received such satisfaction as aforesaid, by himself or his attorney, shall not, within six days after request and payment of the costs of the claim or action, and tender as aforesaid, by himself or his attorney, duly authorized, enter satisfaction as aforesaid, he, she, or they, neglecting or refusing so to do, shall forfeit and pay unto the party or parties aggrieved any sum of money, not exceeding one half of the debt, for which the claim was filed, or action brought as aforesaid, to be sued for and demanded by the person or persons indemnified, in like manner as other debts are now recovered by the existing laws for the recovery of debts.

SEC. 2. *And be it further enacted,* That in all cases of lien created by this act, the person having a claim filed agreeably to its provisions, may, at his election, proceed to recover it by personal action, according to the nature of the demand, against the debtor, his executors, or administrators, or by scire facias against the debtor, or owner of the building; and where the proceedings are by scire facias, the writ shall be served in like manner as a summons upon the persons named therein, if to be found within the county, and if not found in the county, then by fixing a copy of the writ upon the door of the building against which the claim is filed; and upon the return of service and failure of the defendants to appear, the court shall render judgment as in the case of a summons; but if they, or either of them, appear, they may plead and make defence, and the like proceedings shall be had as in personal actions for the recovery of debts: *Provided,* That no judgment rendered in such scire facias shall warrant the issuing an execution, except against the building or buildings upon which the lien existed as aforesaid.

APPROVED, March 2, 1833.

## STATUTE II.

March 2, 1833.

CHAP. LXXXII.—*An Act authorizing an alteration in the election districts for members of the legislative council of the territory of Michigan.*

Council to pro-  
vide for altera-  
tion of election  
districts.

*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 Michigan be, and hereby is, authorized to provide for such alterations in the election districts of said territory as will more effectually secure to the different sections of said territory a more equal representation in said legislative council.

Governor to  
district territory  
in case council  
shall have ad-  
journed.

SEC. 2. *And be it further enacted,* That if the said legislative council shall have adjourned before the first day of April next, the governor of said territory shall, by proclamation, district the said territory according to the provisions of the foregoing section.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. LXXXIII.—*An Act supplementary to an act, entitled "An act concerning a seminary of learning in the territory of Arkansas," approved the second of March, eighteen hundred and twenty-seven.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the governor of the territory of Arkansas shall select twenty of the sections of public land reserved by the act, entitled "An act concerning a seminary of learning in the territory of Arkansas," approved the second of March, eighteen hundred and twenty-seven; and, after advertising and proclaiming them for sale in the several newspapers printed in Arkansas, and such other papers as he may deem expedient, he shall proceed to sell the same for cash, at some notorious place in Little Rock, to be designated in said advertisement, to the highest bidder.

Act of March 2, 1827, ch. 53.  
Governor to select twenty sections, and to sell the same for cash.

SEC. 2. *And be it further enacted,* That the said governor shall proclaim and sell the same in quantities not exceeding one half section, nor shall any sale be made for a price less than one dollar and twenty-five cents per acre. It shall be the duty of the governor to give to the purchaser a certificate of his purchase; and he shall also make a return to the register and receiver of the land office at Little Rock, of the quantity sold, the number of the section, range, township, and such other description of the land as he may deem necessary, the price for which each parcel sold, and to whom sold; and he shall also communicate to the legislature of the territory of Arkansas a duplicate of the same, upon which a patent shall issue to the purchasers as in other cases of sales of public lands.

Quantities and price.

Certificates of purchase, &c.

SEC. 3. *And be it further enacted,* That the money arising from the sales of the said twenty sections, or such portions of them as may be sold from time to time, after paying the reasonable expenses incurred in making the selections of the two townships under the before-recited act, and the expenses of selling the same under this act, shall be applied to the erection of suitable buildings for a seminary of learning at such place as may be designated, and under such terms and conditions as may be prescribed by the legislature of Arkansas.

Application of proceeds, &c.

SEC. 4. *And be it further enacted,* That it shall be the duty of the governor of said territory to pay the net proceeds of said sales into the office of the treasurer of said territory, who shall be responsible for the same as other public moneys; and who shall not pay out the whole, or any part thereof, for any other objects or purposes than such as are provided for by the act of the second of March, eighteen hundred and twenty-seven, to which this is a supplement, and by this act, and in obedience to the laws of the legislature of said territory, made to carry into effect the provisions of this act, and the said recited act.

Proceeds to be paid into the office of the treasurer of the territory.

1827, ch. 53.

SEC. 5. *And be it further enacted,* That the governor of the said territory shall be authorized to lease, for a term not exceeding five years, at any one time, the remainder of the two townships granted by the said act, and to apply the proceeds arising therefrom to the purposes aforesaid; and he shall render, once in two years, an account of the same to the legislature of said territory, and pay over the money to the treasurer of said territory.

Governor to lease remainder of lands.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. LXXXIV.—*An Act supplemental to the act entitled "An act for the final adjustment of land claims in Missouri." (a)*

1822, ch. 180.

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

Provisions of act extended.

(a) See notes of the acts passed relative to lands in Missouri, vol. ii. p. 812.

Notes of decisions of the Supreme Court on Missouri land titles, vol. ii. pp. 748 and 812.

to which this is a supplement, shall be extended to and embrace in its operations, every claim to a donation of land in the state of Missouri, held in virtue of settlement and cultivation; and the commissioners appointed under the above-recited act, shall proceed to consider, decide, and report upon the aforesaid claims, under the provisions of the several acts of Congress heretofore passed in relation to said claims, and under such provisions and restrictions of the act to which this is a supplement, as may be applicable thereto.

Testimony to  
be taken.

SEC. 2. *And be it further enacted*, That it shall and may be lawful for the recorder and commissioners aforesaid, to continue to take the testimony of all such claims as heretofore described, for and during the term of two years, from the date of the act to which this is a supplement, any law to the contrary notwithstanding.

APPROVED, March 2, 1833.

#### STATUTE II.

March 2, 1833.

CHAP. LXXXV.—*An Act authorizing the removal of the office of surveyor general of public lands south of Tennessee.*

Public land-  
office removed  
to Jackson.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That after the first day of April next, the office of the surveyor general of public lands south of Tennessee, shall be kept at Jackson, the seat of government of the state of Mississippi.

Presentation  
of accounts for  
surveys.

SEC. 2. *And be it further enacted*, That all accounts for surveys of public land in the state of Louisiana, not approved before the first day of April next, shall be presented with the proper returns of such surveys, to the office of the surveyor general of public lands for the state of Louisiana, for settlement and allowance.

APPROVED, March 2, 1833.

#### STATUTE II.

March 2, 1833.

CHAP. LXXXVII.—*An Act to amend an act, entitled "An act to grant a quantity of land to the state of Illinois, for the purpose of aiding in opening a canal to connect the waters of Illinois river with those of Lake Michigan," and to allow further time to the state of Ohio for commencing the Miami canal from Dayton to Lake Erie. (a)*

Act of March  
2, 1827, ch. 56.  
Lands granted  
to Illinois.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the lands granted to the state of Illinois by the act to which this is an amendment, may be used and disposed of by said state, for the purpose of making a railroad instead of a canal as in said act contemplated; and that the time for commencing and completing said canal or railroad, whichever the state of Illinois may choose to make, be and is extended five years; *Provided*, That if a railroad is made in place of a canal, the state of Illinois shall be subject to the same duties and obligations, and the government of the United States shall be entitled to, and have the same privileges on said railroad, which they would have had through the canal, if it had been opened.

Ohio canal.

SEC. 2. *And be it further enacted*, That the further time of five years be allowed the state of Ohio to commence the Miami canal from Dayton to Lake Erie, in addition to the time now allowed therefor by law.

APPROVED, March 2, 1833.

(a) An act to authorize the state of Illinois to open a canal through the public lands to connect the Illinois river with Lake Michigan, March 30, 1822, ch. 14.

An act to authorize the selection of certain Wabash and Erie Canal lands in the state of Ohio, June 30, 1834, ch. 137.

An act to grant certain lands to the state of Indiana, the better to enable the said state to extend and complete the Wabash and Erie Canal from Terre Haute to the Ohio river, March 3, 1845, ch. 42.

STATUTE II.

March 2, 1833.

CHAP. LXXXIX.—*An Act to authorize the President of the United States to cause the public surveys to be connected with the line of demarcation between the states of Indiana and Illinois.*

*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 hereby is authorized and required to cause the public lands lying along the line of demarcation between the states of Indiana and Illinois, as established by the joint sanction of those states, to be surveyed in connection with said line on either side thereof.

Lands to be surveyed.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury be, and hereby is, authorized to allow for the service to be performed under this act, such further compensation, in addition to [the] regular price now authorized by law, as to him shall appear to be just and reasonable, to be paid out of the regular appropriation for surveying public lands north-west of the Ohio river.

Compensation.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. XC.—*An Act further to extend the powers of the board of canal commissioners for the improvement of the Tennessee river in the state of Alabama.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the commissioners appointed by the state of Alabama to superintend the improvement of the Tennessee river, and their successors in office, be, and they are hereby authorized to suspend the improvement of so much of said river as is below Florence, in said state, and every other part of the same, until the canal and other improvements, between Lamb's ferry and Campbell's ferry, shall have been completed; any thing in the act entitled "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," approved twenty-third of May, one thousand eight hundred and twenty-eight, to the contrary notwithstanding.

Commissioners to suspend improvement of Tennessee river.

Act of May 23, 1828, ch. 75.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. XCI.—*An Act prescribing the mode by which patents for public lands shall be signed and executed.*

*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, by and with the advice and consent of the Senate, to appoint a secretary, with a salary of one thousand five hundred dollars per annum, whose duty it shall be, under the direction of the President, to sign in his name, and for him, all patents for lands sold or granted under the authority of the United States.

Secretary to be appointed.

SEC. 2. *And be it further enacted,* That this act shall continue and be in force until the fourth day of March, one thousand eight hundred and thirty-seven, and no longer.

Limitation of the act.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. XCII.—*An Act to revive the act entitled "An act supplementary to the several laws for the sale of [the] public lands."*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That in all cases in which persons were settlers or occupants of the public lands prior to the first

Settlers prior to May 1, 1832, permitted to enter, &c.

Act of April 5,  
1832, ch. 65.

day of May, one thousand eight hundred and thirty-two, and were authorized to enter under the provisions of the act, entitled "An act supplementary to the several laws for the sale of [the] public lands," approved April fifth, one thousand eight hundred and thirty-two, and were prevented from making their entries, in consequence of the public surveys not having been made and returned, or where the land was not attached to any land district, or where the same has been reserved from sale in consequence of a disputed boundary between two states, or between a state and territory, the said occupants shall be permitted to enter the said lands on the same conditions, in every respect, as were prescribed in said act, within one year after the surveys are made, or the land attached to a land district, or the boundary line established; and if the land shall be proclaimed for sale before the expiration of one year as aforesaid, then the said settlers or occupants shall be permitted to enter before the sale thereof.

APPROVED, March 2, 1833.

## STATUTE II.

March 2, 1833.

CHAP. XCIII.—*An Act to establish a town at St. Marks, in Florida.*

Lands to be  
laid off into  
town lots, &c.

*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 so much of the public lands at or near St. Marks, in the territory of Florida, as he may deem proper, to be laid off into town lots, not to contain more than one quarter of an acre each, and into streets, avenues, and out lots, and public squares, for the use of the town; and, whenever the survey of the same shall be completed, it shall be the duty of the surveyor for the territory of Florida, to cause two plats thereof to be made out, on which the town and out lots shall respectively be designated by progressive numbers; one of which shall be transmitted, with a copy of the field notes, to the commissioner of the general land office, and the other to the register of the land office for the proper district: *Provided*, That the President may adopt, if he shall approve such plan as may have been already reported to the general land office.

Plan.

Public sale of  
lots.

SEC. 2. *And be it further enacted*, That the aforesaid town and out lots at said site, with the exception of such of them as the President may reserve for fortifications, shall be offered for sale to the highest bidder, under the direction of the register and receiver of the proper land office, at such times and places as the President shall, by public proclamation, designate for that purpose; and all lots remaining unsold at the closing of the public sales shall be subject to entry at private sale at the proper land office: *Provided*, That no town lot shall be sold for less than twenty-five dollars, nor any out lot for less than at the rate of twenty-five dollars per acre; and they shall, in every other respect, be sold on the same terms and conditions as are provided for the disposal of the other public lands of the United States.

Private entry.

Prices limited.

Improvements  
to be paid for.

SEC. 3. *And be it further enacted*, That previous to offering the aforesaid town and out lots at public sale, the President of the United States shall cause the value of any improvements which may have been made thereon to be ascertained in such manner as he may prescribe for that purpose; and the purchaser at public sale of any lot upon which there are such improvements, other than the owner thereof, shall, in addition to the sum to be paid to the United States, be, and hereby is, required to pay to the owner of the improvements, the value of them as thus ascertained; and, if payment therefor shall not be made upon the day on which the same was purchased, the lot shall be again offered at public sale on the next day of sale, and such persons shall not be capable of becoming the purchaser of that or of any other lot offered at that

Payment on  
day of sale, &c.



public sale: *Provided*, That, if any lot so offered and bid off on the last day of the public sale shall not be thus paid for, the same may be entered at private sale, upon paying to the United States the sum at which it was bid off, and to the owner of the improvements the previously ascertained value thereof: *And provided further*, That the President be not authorized to offer any part of said town lots for sale, till he shall be satisfied that the site proposed for said town is not included within the limits of any conflicting Spanish title, which may not be released, or decided to be invalid.

APPROVED, March 2, 1833.

Lots not to be offered for sale, until, &c.

STATUTE II.

March 2, 1833.

CHAP. XCIV.—*An Act granting an additional quantity of land for the location of revolutionary bounty land warrants.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the further quantity of two hundred thousand acres of land be, and the same is hereby appropriated, in addition to the quantity heretofore appropriated by the act, entitled "An act for the relief of certain officers and soldiers of the Virginia line and navy, and of the continental army during the revolutionary war," approved the thirtieth May, one thousand eight hundred and thirty, and the act, entitled "An act to extend the time of issuing military land warrants to officers and soldiers of the revolutionary war," approved the thirteenth July, one thousand eight hundred and thirty-two; which said appropriations shall be applied in the manner provided by the said acts, to the unsatisfied warrants, whether original or duplicate, which have been or may be issued as therein directed, to the officers and soldiers, and others, as described in said acts: *Provided*, That the said certificates of scrip shall be receivable in payment of any of the public lands liable to sale at private entry.

APPROVED, March 2, 1833.

Further appropriation of land.

Act of May 30, 1830, ch. 215. 1832, ch. 205.

Application of it.

Proviso.

STATUTE II.

March 2, 1833.

CHAP. XCV.—*An Act to extend the provisions of the act of the third March, one thousand eight hundred and seven, entitled "An Act to prevent settlements being made on lands ceded to the United States, until authorized by law."*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That all offences prescribed in the act, entitled "An Act to prevent settlements being made on lands ceded to the United States until authorized by law," approved the third of March, one thousand eight hundred and seven," when committed upon public lands not situated within any state, or organized territorial government, shall be cognisable in the district court of the United States held in the state nearest where the said offence may have been committed: and the offenders, upon conviction, shall be punished accordingly. And the said court shall also have jurisdiction to hear and determine all suits or prosecutions, instituted for the recovery of all fines and penalties imposed by the said act.

SEC. 2. *And be it further enacted*, That it shall be lawful for the President of the United States, to direct the Indian agents at Prairie du Chien, and Rock Island, or either of them, when offences against the said act shall be committed on lands recently acquired by treaty from the Sac and Fox Indians, to execute and perform all the duties required by the said act to be performed by the marshals in such mode as to give full effect to the said act, in and over the lands acquired as aforesaid.

APPROVED, March 2, 1833.

Act of March 3, 1807, ch. 46.

Offences cognisable in the district court of United States, &c.

Offences committed on lands acquired from Sac and Fox Indians.

## STATUTE II.

March 2, 1833.

[Obsolete.]

Board of commissioners to be created.

Duties.

Secretary and clerk.

Oath.

Rules and regulations.

Board to meet within thirty days after exchange of ratifications, &amp;c.

Notice of meeting.

Records, &amp;c. to be delivered to the board.

Compensation.

Contingent expenses.

Appropriation.

Awards to be reported.

Distribution of moneys received.

CHAP. XCVI.—*An Act to carry into effect the convention between the United States and his majesty the king of the Two Sicilies, concluded at Naples on the fourteenth day of October, one thousand eight hundred and thirty-two.*

*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, by and with the advice and consent of the Senate, shall appoint three commissioners, who shall form a board, whose duty it shall be to receive and examine all claims which may be presented to them under the convention between the United States and the king of the Two Sicilies, of the fourteenth day of October, one thousand eight hundred and thirty-two, which are provided for by the said Convention, according to the provisions of the same and the principles of justice, equity, and the law of nations. The said board shall have a secretary, versed in the French and Italian languages, and a clerk, both to be appointed by the President, by and with the advice and consent of the Senate; and the commissioners, secretary and clerk, shall, before they enter on the duties of their offices, take oath well and faithfully to perform the duties thereof.

SEC. 2. *And be it further enacted,* That the said commissioners shall be, and they are hereby, authorized to make all needful rules and regulations, not contravening the laws of the land, the provisions of this act, or the provisions of the said convention for carrying their said commission into full and complete effect.

SEC. 3. *And be it further enacted,* That the members of the board so constituted shall meet at the city of Washington, and their salaries shall begin to be allowed within thirty days after the exchange of the ratifications of the convention shall have been proclaimed by the President of the United States; and within one year from the time of said meeting, they shall terminate their duties. And the Secretary of State is required, as soon as the said proclamation of the President shall have been made, to give notice of the said meeting; to be published in two newspapers in Washington, and in such other papers as he may think proper.

SEC. 4. *And be it further enacted,* That all records, documents, or other papers, which now are in, or hereafter during the continuance of this commission may come into the possession of the Department of State, in relation to such claims, shall be delivered to the commission aforesaid.

SEC. 5. *And be it further enacted,* That the compensation of the respective officers, for whose appointment provision is made by this act, shall not exceed the following sums, namely: to each of the said commissioners, at the rate of three thousand dollars per annum; to the secretary of the board, at the rate of two thousand dollars per annum; and to the clerk, at the rate of fifteen hundred dollars per annum. And the President of the United States shall be, and he is hereby authorized to make such provision for the contingent expenses of the said commission, as shall appear to him reasonable and proper; and the said salaries and expenses shall be paid out of any money in the treasury, not otherwise appropriated.

SEC. 6. *And be it further enacted,* That the said commissioners shall report to the Secretary of State a list of all the several awards made by them; a certified copy thereof shall be by him transmitted to the Secretary of the Treasury, who shall thereupon distribute in rateable proportions, among the persons in whose favour the awards shall have been made, such moneys as may have been received into the treasury in virtue of this act, according to the proportions which their respective awards shall bear to the whole amount then received, first deducting such sums of money as may be due the United States from said persons in whose favour

said awards shall be made; and shall cause certificates to be issued by the Secretary of the Treasury, in such form as he may prescribe, showing the proportion to which each may be entitled of the amount that may thereafter be received; and on the presentation of the said certificates at the treasury, as the net proceeds of the general instalments, payable by the Neapolitan government, shall have been received, such proportions thereof shall be paid to the legal holders of the said certificates.

Certificates.

Payments to holders.

Instalments to be received, &c.

SEC. 7. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, to cause the several instalments, with the interest thereon payable to the United States, in virtue of the said convention, to be received from the Neapolitan government, and transferred to the United States, in such manner as he may deem best, and the net proceeds thereof to be paid into the treasury, and the same are hereby appropriated, to satisfy the awards herein provided for.

Appropriation.

SEC. 8. *And be it further enacted*, That all communications to and from the secretary of the board of commissioners, on the business of the commission, shall pass by mail, free of postage.

Postage.

SEC. 9. *And be it further enacted*, That as soon as said commission shall be executed and completed, the records, documents, and all other papers, in the possession of the Commission or its officers, shall be deposited in the office of the Secretary of State.

Deposit for records, &c.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. XCVII.—*An Act to authorize the governor of the territory of Arkansas to sell the land granted to said territory by an act of Congress approved the fifteenth of June, one thousand eight hundred and thirty-two, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, whenever the governor of the territory of Arkansas shall furnish to the Secretary of the Treasury a sufficient description of the boundaries of the thousand acres of land, granted by an act of Congress of the fifteenth of June, one thousand eight hundred and thirty-two, to the territory of Arkansas, for the erection of a courthouse and jail in the town of Little Rock, in the territory aforesaid, it shall be the duty of the Secretary of the Treasury to cause a patent to be issued for said thousand acres of land, to the governor of Arkansas, and his successors in office, in trust, for the benefit of the territory of Arkansas, for the purpose of erecting a courthouse and jail at Little Rock.

Act of June 15, 1832, ch. 129.  
Patent for one thousand acres of land to issue.

SEC. 2. *And be it further enacted*, That the governor of the said territory of Arkansas be, and he is hereby, fully empowered and authorized to lay off into town lots, conforming, as near as practicable to the present plan of the town of Little Rock, so much of said grant of a thousand acres of land as he may deem advisable so to be appropriated; and that he be further authorized to sell the same, from time to time, as the public interest may require; and the residue of said grant, which may not be laid off into town lots corresponding with the plan of the said town of Little Rock, he shall be authorized to dispose of, in such lots or parcels as he may deem advisable; but in no case shall he be authorized to sell, unless he shall give public notice of such sale by an advertisement in one or more newspapers printed in the territory of Arkansas; and said sale shall be public at the courthouse in the town of Little Rock.

Part of land to be laid off in town lots, and to be sold.

Residue to be disposed of in lots or parcels, after public notice of sale.

SEC. 3. *And be it further enacted*, That, in case suitable situations cannot be had, free of cost to the territory, for the location of the state-house, as well as for the courthouse and jail in the town of Little Rock, the governor aforesaid shall be, and he is hereby, fully authorized to select and lay off suitable squares for each of those buildings, within the addition hereunto authorized to be added to the town of Little Rock;

Squares for the statehouse, and courthouse and jail.

and that the squares so selected and laid off shall be appropriated to the use of the respective buildings for which they may be designated, and for no other purpose whatsoever, for ever.

Deeds for lots sold.

SEC. 4. *And be it further enacted*, That the governor shall execute deeds for the lots he may sell under the provisions of this act, to purchasers, so soon as the purchasers shall pay off entirely the amount they may have bid for any lot or lots, and all sales shall be for cash.

Proceeds to be applied to erection of a courthouse and jail, and surplus to erection of governor's house.

SEC. 5. *And be it further enacted*, That so soon as the governor aforesaid shall dispose of lots, he shall apply the proceeds of said sales to the erection of a good and substantial courthouse and jail; and, after these shall have been completed, should there be any funds remaining, it shall be the duty of said governor, to apply the surplus thus remaining to the erection of a suitable and permanent house for the residence of the present and future governors of Arkansas, during their continuance in office.

APPROVED, March 2, 1833.

## RESOLUTIONS.

Feb. 19, 1833.

I. A RESOLUTION *authorizing the delivery of certain papers in the Department of State to the commissioners for settling claims under the treaty with France, of the second of February, one thousand eight hundred and thirty-two.*

Secretary of State to deliver evidence of certain claims.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary of State be, and he is hereby, authorized to deliver to the commissioners for the settlement of claims under the treaty with France, ratified and confirmed on the second day of February, one thousand eight hundred and thirty-two, the evidences of any claim submitted to, and rejected by the commissioners for the settlement of claims under the treaty with Spain, which was made on the twenty-second day of February, one thousand eight hundred and nineteen, and finally ratified and confirmed on the twenty-second day of February, one thousand eight hundred and twenty-one, which evidences shall be returned to the Department of State when the commission shall expire.

APPROVED, February 19, 1833.

March 2, 1833.

II. A RESOLUTION *in relation to the execution of the act supplementary to the "Act for the relief of certain surviving officers and soldiers of the revolution."*

Act of June 7, 1832, ch. 126.  
Revolutionary pensioners.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, in the execution of the act supplementary to the "Act for the relief of certain surviving officers and soldiers of the revolution," approved June seventh, one thousand eight hundred and thirty-two, whenever it shall be made to appear that any applicant for a pension under said act entered the army of the revolution, in pursuance of a contract with the government, made previous to the eleventh day of April, one thousand seven hundred and eighty-three, and continued in service until after that period, it shall be the duty of the Secretary of War to compute the period of any such applicant's service, from the time he then entered the army, and until the date of the definitive treaty of peace, and to allow him a pension accordingly.

APPROVED, March 2, 1833.

IV. A RESOLUTION *authorizing the Secretary of War to correct certain mistakes.* March 2, 1833.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That if it shall be made satisfactorily to appear to the Secretary of War, that in the treaties concluded in one thousand eight hundred and thirty-two, with the Pattawatamie Indians, in the state of Indiana, that in the proper schedules accompanying the same, mistakes were made in writing the names of persons to whom payments were to be made, such mistakes may be corrected and the payments made accordingly.

APPROVED, March 2, 1833.

V. A RESOLUTION *providing for the continuation of Gales and Seaton's compilation of state papers.* March 2, 1833.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the provisions of the act of the second of March, one thousand eight hundred and thirty [one], authorizing a subscription to a compilation of congressional documents, be, and the same are hereby, extended to the continuation of said compilation proposed to be executed by Gales and Seaton; and that the copies of the said continuation, when completed, shall be distributed to the members of the twenty-second Congress, and in such other manner as Congress shall hereafter direct: *Provided,* The said continuation shall be limited to eight volumes.

Act of March 2, 1831, ch. 65.

APPROVED, March 2, 1833.

VI. A RESOLUTION *to place thirty copies of the diplomatic correspondence of the American revolution at the disposition of the Secretary of State.* March 2, 1833.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That thirty copies of Sparks' Diplomatic Correspondence of the revolution, now in the custody of the clerk of the House of Representatives, be placed at the disposition of the Secretary of State, for the use of the diplomatic agents of the United States in foreign countries.

APPROVED, March 2, 1833.