

THE
LAWS OF THE UNITED STATES.

ACTS OF THE TWENTY-FOURTH CONGRESS

OF THE

UNITED STATES.

Passed at the first session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the 7th day of December, 1835, and ended July 4, 1836.

ANDREW JACKSON, President; MARTIN VAN BUREN, Vice President of the United States, and President of the Senate, JAMES K. POLK, Speaker of the House of Representatives.

STATUTE I.

CHAPTER I.—*An Act making an appropriation for repressing hostilities commenced by the Seminole Indians.* Jan. 14, 1836.

[Obsolete.]

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 and twenty thousand dollars be and the same hereby is, appropriated, out of any money in the Treasury not otherwise appropriated, to defray the expenses attending the suppression of hostilities with the Seminole Indians in Florida, to be expended under the direction of the Secretary of War, conformably to the provisions of the act of April fifth, eighteen hundred and thirty-two, making appropriations for the support of the army.

1832, ch. 64.

APPROVED, January 14, 1836.

STATUTE I.

CHAP. III.—*An Act making an additional appropriation for repressing hostilities commenced by the Seminole Indians.* Jan. 29, 1836.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of five hundred thousand dollars be, and the same hereby is appropriated, out of any money in the Treasury not otherwise appropriated, in addition to a former appropriation, to defray the expenses attending the suppression of hostilities with the Seminole Indians in Florida; to be expended in the manner provided for in the act approved January fourteenth, eighteen hundred and thirty-six, entitled "An Act making an appropriation for repressing hostilities commenced by the Seminole Indians."

Five hundred thousand dollars, in addition to former appropriations.

1836, ch. 1.

APPROVED, January 29, 1836.

STATUTE I.

CHAP. V.—*An Act to extend the charters of certain Banks, in the District of Columbia, to the first day of October, one thousand eight hundred and thirty-six.* Feb. 9, 1836.

[Expired.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the acts incorporating certain banks in the District of Columbia, that is to say, the Bank of Potomac, and the Farmers Bank of Alexandria, in the city of Alexandria; the Union Bank, and the Farmers and Mechanics Bank of Georgetown,

Act of July 2, 1836, ch. 260.

in the town of Georgetown; the Bank of the Metropolis, the Patriotic Bank of Washington, and the Bank of Washington, in the city of Washington, be, and the same are hereby renewed, continued in full force, and limited to the first Saturday, and first day of October, in the year of our Lord eighteen hundred and thirty-six.

APPROVED, February 9, 1836.

STATUTE I.

Feb. 11, 1836.

[Obsolete.]

CHAP. VII.—*An Act making appropriations, in part, for the support of Government, for the year one thousand eight hundred and thirty-six.*

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 :

Members of Congress.

For pay and mileage of the members of Congress and Delegates, five hundred and fifty-six thousand four hundred and eighty dollars.

Clerks of the Senate & House of Representatives.

For pay of the officers and clerks of the Senate and House of Representatives, thirty-three thousand seven hundred dollars.

Stationery, &c.

For stationery, fuel, printing, and all other incidental and contingent expenses of the Senate, fifty-three thousand seven hundred dollars.

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

The said two sums last mentioned, to be applied to the payment of the ordinary expenditures of the Senate and House of Representatives, severally, and to no other purpose.

APPROVED, February 11, 1836.

STATUTE I.

Feb. 17, 1836.

CHAP. XXXVIII.—*An Act to incorporate a fire insurance company, in the town of Alexandria, in the District of Columbia.*(a)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the persons who were

(a) Decisions of the Courts of the United States on Insurance against Fire :

Among the conditions which were printed on the same sheet with a policy of insurance against fire, was one requiring "that all persons insured, and sustaining loss or damage by fire, should forthwith give notice thereof to the company, and as soon after as possible deliver in a particular account of such loss or damage, signed with their own hands, and verified with their oath or affirmation, and also, if required, by their books of account and other proper vouchers." *Held*, that the particular account required by the above condition is a particular account of the articles lost or damaged, and does not refer to the manner and cause of the loss. *Catlin v. The Springfield Ins. Co.*, 1 Sumner's C. C. R. 434.

In stating a loss, it is sufficient to show it to have been occasioned by a peril within the policy, without negating the exception of losses from design, invasion, public enemies, riots, &c.; which are properly matters of defence. *Ibid*.

The words in a policy against fire, described the house as "at present occupied as a dwelling-house, but to be occupied hereafter as a tavern, and privileged as such." *Held*, that this is not a warranty that the house should, during the continuance of the risk, be constantly occupied as a tavern; but that it is, at farthest, a mere representation of the intention to occupy it as such, and a license or privilege granted by the underwriters that it might be so occupied. *Ibid*.

Where underwriters agree to make good any loss or damage "by fire originating in any cause, except design in the insured, invasion," &c., *held*, that the exception of losses by design admits all losses not by design; that, therefore, where the plaintiff negligently left the premises insured derelict, and intruders came and burnt them, without any co-operation or knowledge on the part of the plaintiff, it is a loss within the policy. *Ibid*.

The material inquiry is, does the offer for insurance state truly the interest of the assured in the property to be insured? The offer describes the property as belonging to Lawrence & Poindexter, and states it afterwards to be their stone mill. It contains no qualifying terms, which should lead the mind to suspect that their title was not complete and absolute. The title of the assured was subject to contingencies, and was held under contracts which had become void by the non-performance of the same. The supreme court is of opinion that a precarious title, depending for its continuance on events which might or might not happen, is not such a title as is described in this offer for insurance; construing the words of that offer as they are fairly to be understood. *The Columbian Ins. Co. v. Lawrence*, 2 Peters, 48.

The contract for insurance against fire is one in which the underwriter generally acts on the representation of the assured; and that representation ought consequently to be fair, and to omit nothing which it is material to the underwriter to know. It may not be necessary that the person requiring insurance should state every incumbrance on his property, which it might be required of him to state if it was offered for sale; but fair dealing requires that he should state everything which might influence the mind of the underwriter in forming or declining the contract. *Ibid*. 49.

the proprietors of the stock of the late fire insurance company of the town of Alexandria, on the eighth day of March, eighteen hundred and thirty-five, and the representatives and assigns of such of them as have since that time died, or transferred their interests, be, and the same are, hereby incorporated and declared to be a body politic, under the name and style of the Fire Insurance Company of Alexandria.

Certain persons incorporated as a fire insurance company.

The description of the property insured must be such as the property is, and not such as will in any way reduce the rate of the premium. *Ibid.*, 56.

The doctrine, as applied to policies against fire on land, has for a great length of time prevailed, that losses occasioned by the mere fault or negligence of the assured, or his servants, unaffected by fraud or design, are within the protection of the policy, and as such are recoverable from the underwriters. This doctrine is fully established in England and America. *Waters v. The Merchants' Louisville Ins. Co.*, 11 Peters, 213.

It is a well established principle of the common law, that in all cases of loss we are to attribute it to the proximate cause, and not to the remote cause. This has become a maxim to govern cases arising under policies of insurance. *Ibid.*

L. & P. at the time an insurance was made for them against loss by fire, were entitled to one third of the property by deed, and to two thirds as mortgagees; but one moiety of the whole was held under an agreement which had not been complied with, and which purported on its face to be void, if not complied with; but the other contracting party had not declared it void, nor called for a compliance with it. L. & P. had an insurable interest in the property. *The Columbian Ins. Co. v. Lawrence*, 2 Peters, 46.

That an equitable interest may be insured, is admitted; and the court perceive no reason which excludes an interest held under an executory contract. While the contract subsists, the person claiming under it has undoubtedly a substantial interest in the property. If it be destroyed, the loss, in contemplation of law, is his. If the purchase money be paid, it is his in fact. If he owes the purchase money, the property is equivalent, and is still valuable to him. The embarrassment of his affairs may be such that his debts may absorb all his property; but this circumstance has never been considered as proving a want of interest in it. The destruction of the property is a real loss to the person in possession, who claims title under an executory contract; and the contingency that his title may be defeated by subsequent events does not prevent this loss. *Ibid.*, 46.

Action on a policy of insurance on the "Glenco Cotton Factory," against loss or damage by fire. The policy was dated the 27th day of September, 1838, and was to endure for one year. The policy contained a clause by which it was stipulated by the assured, that if any other insurance on the property had been made, and had not been notified to the assurers, and mentioned in or endorsed on the policy, the insurance should be void; and if afterwards any insurance should be made on the property, and the assured should not give notice of the same to the assurers, and have the same endorsed on the policy, or otherwise acknowledged by the assured in writing, the policy should cease; and in case any other insurance on the property, prior or subsequent to this policy, should be made, the assured should not, in case of loss, be entitled to recover more than the portion of the loss should bear to the whole amount insured on the property; the interest of the assured in the property not to be assignable, unless by consent of the assurers, manifested in writing; and if any sale or transfer of the property without such consent is made, the policy to be void and of no effect. On all the policies of insurance made by the insurance company, there was a printed notice of the conditions on which the insurance was made. The declaration alleged that Carpenter was the owner of the property insured, and was interested in the same to the whole amount insured by the policy; and that the property had been destroyed by fire. The facts of the case showed that the property had been mortgaged for a part of the purchase money, and the policy of insurance was held for the benefit of the mortgagor. Another insurance was made by another insurance company, but this was not communicated in writing to the Providence Washington Insurance Company; nor was the same assented to by them, nor was a memorandum thereof made on the policy. By the Court: No doubt can exist that the mortgagor and the mortgagee may each separately insure his own distinct interest in property against loss by fire. But there is this important distinction between the cases; that where the mortgagee insures solely on his own account, it is but an insurance of his debt; and if his debt is afterwards paid or extinguished, the policy ceases from that time to have any operation; and even if the premises insured are subsequently destroyed by fire, he has no right to recover for the loss, for he sustains no damage thereby; neither can the mortgagor take advantage of the policy, for he has no interest whatsoever therein: on the other hand, if the premises are destroyed by fire, before any payment or extinguishment of the mortgage, the underwriters are bound to pay the amount of the debt to the mortgagee, if it does not exceed the insurance. Upon such payment, the underwriters are entitled to an assignment of the debt from the mortgagee, and may recover the same from the mortgagor. The payment of the insurance is not a discharge of the debt, but only changes the creditor. *Carpenter v. The Providence Washington Insurance Company*, 16 Peters, 495.

When the insurance is made by the mortgagor, he will, notwithstanding the mortgage or other encumbrance, be entitled to recover the full amount of his loss, not exceeding the insurance, since the whole loss is his own. The mortgagee can only insure to the amount of his debt; whereas the mortgagor can insure to the full value of the property, notwithstanding any encumbrances thereon. *Ibid.*

An assignment of a policy by the assured only covers such interest in the premises as he may have had at the time of the insurance, and at the time of the loss. If a loss takes place after the policy has been assigned, the assignee alone is entitled to recover. The rights of the assignee under the policy cannot be more extensive than the rights of the assignor. Cited *The Columbia Insurance Company v. Lawrence*, 10 Peters, 507, 512; 2 Peters, 25, 49. *Ibid.*

Policies of insurance against fire are not deemed in their nature incidents to the property insured, but they are mere special agreements with the person insuring against such loss or damage as they may sustain; and not the loss or damage that any other person having an interest as grantee, or mortgagee, or creditor, or otherwise, may sustain by reason of the subsequent destruction by fire. *Ibid.*

The public have an interest in maintaining the validity of the clauses in a policy of insurance against

The property of the late company vested in them.

Parts of the Act of Congress of 1814, ch. 24, revived.

Election of officers, when held.

SEC. 2. *And be it further enacted*, That the property, real and personal, owned by the late fire insurance company of Alexandria, be, and the same is hereby vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

SEC. 3. *And be it further enacted*, That an act of Congress, passed on the ninth day of March, eighteen hundred and fourteen, entitled "An act to incorporate a fire insurance company, in the town of Alexandria, in the District of Columbia," with the exception of the first, second, and tenth sections thereof, be, and the same is hereby revived and declared to be in full force as to the company hereby created, and that the company hereby created, shall have all the powers and capacities which were granted to the former company by the said act; and shall be subject to the payment of all debts due, or contracted by the former company, and shall be chargeable with all their contracts.

SEC. 4. *And be it further enacted*, That the election of president and directors as made by the stockholders of the former company on the first Monday in November last, be, and the same is hereby confirmed; that the president and directors shall continue in office for one year from the first Monday in November last, and until others shall be chosen in their stead; and that all acts by them done within the provisions of the former charter shall be, and are hereby declared to be binding and obligatory on the company hereby created.

SEC. 5. *And be it further enacted*, That this act shall continue in force, for the term of eighteen years, from and after the passing thereof, and until the end of the session of Congress then next following.

APPROVED February 17, 1836.

STATUTE I.

Feb. 25, 1836.

[Expired.]

The charters extended and limited to the 4th of March, 1839.

CHAP. XL.—*An Act to extend the charters of the Bank of Columbia in Georgetown, and the Bank of Alexandria in the city of Alexandria.*

Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That to enable the president and directors of the Bank of Columbia in Georgetown, and the president and directors of the Bank of Alexandria in the city of Alexandria, to close all the concerns of the said banks, to recover the debts due to said banks, or either of them, to pay the sums due from said banks or either of them, and to divide the capital and profits which may remain among the stockholders of said banks, in proportion to their respective interests, the charter of the said Bank of Columbia, and the charter of the Bank of Alexandria, shall be, and are hereby, extended and continued and limited to the fourth day of March, one thousand eight hundred and thirty-nine; and that all laws now in force, imposing penalties, or inflicting punishments, for crimes or offences committed in relation to said banks, shall be, and the same are hereby, declared to be extended and continued, and to remain in force, to the same period of time: *Provided*, That no new discounts shall be made by either of said banks, except such as may be deemed proper to renew such notes as have already been discounted, nor any promissory note thereof be put in

Proviso.

fire. They have a tendency to keep premiums down to the lowest rates, and to uphold institutions of this sort, so essential to the present state of the country for the protection of the vast interests embarked in manufactures, and on consignments of goods in warehouses. *Ibid.*

Questions on a policy of insurance are of general commercial law, and depend upon the construction of a contract of insurance, which is by no means local in its character, or regulated by any local policy or customs. *Ibid.*

The Circuit Court charged the jury, that at law, whatever might be the case in equity, mere parole notice of another insurance on the same property was not a compliance with the terms of the policy; and that it was necessary in the case of such prior policy, that the same should not only be notified to the company, but should be mentioned in or endorsed on the policy; otherwise the insurance was to be void and of no effect. *Held*, that this instruction of the Circuit Court was correct. It never can be properly said that the stipulation in the policy is complied with, when there has been no such mention or endorsement as it positively requires; without which it declares that the policy shall be void and of no effect. *Ibid.*

circulation by either of them, or any of their officers on behalf of the said banks from and after the passing of this law.

SEC. 2. *And be it further enacted,* That instead of a president and nine directors, as are now required by law, there shall be elected on the first Thursday of March next, and on the first Thursday of March in each year annually thereafter while this law remains in force, by the stockholders of each of said banks respectively, five directors, any three of whom shall be a quorum, who shall elect from among themselves, a president, who shall retain all the powers and privileges of a director; and in case of refusal to serve, death or resignation, or disqualification of the president of either of the said banks, the directors of such bank shall meet as soon as convenient thereafter, and after filling up the vacancy, in the number of directors required by this act, elect another person for president in the manner before directed.

Five directors to be elected.

SEC. 3. *And be it further enacted,* That any number of stockholders of either of said banks, who, together, shall be proprietors of five hundred shares, shall at any time have power and authority to call a general meeting of the stockholders of such banks, giving one month's notice in one or more newspapers printed in the District of Columbia, and when they shall have met as aforesaid, shall have power to transfer to trustees, the whole and entire authority of closing the affairs of the said Bank of Columbia, and Bank of Alexandria, or either of them, as fully and completely as is given to the directors by the first section of this act, and that, in case of the refusal to act, death, resignation or disqualification of any one of the trustees aforesaid, the stockholders shall, by giving the usual notice, proceed to elect another to supply the vacancy.

General meeting, how called.

APPROVED, February 25, 1836.

STATUTE I.

CHAP. XLI.—*An Act authorizing a special term of the Court of Appeals, for the Territory of Florida, and for other purposes.*(a)

Feb. 25, 1836.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a special term of the court of appeals, for the Territory of Florida, shall be holden at Tallahassee, the seat of Government of said Territory, on the first Monday in May next, and all appeals, writs of error, motions, and suits, depending or returnable to the last January term, shall be heard and decided at the special term herein appointed, in the same manner as they might have been, under the existing laws if the January term had been holden according to law.

Special term on the first Monday in May.

SEC. 2. *Be it further enacted,* That when, by the death, sickness, or inability to attend, of any of the judges, or for any other cause, the regular terms of said court shall not be holden, it shall and may be lawful for the judges thereof to appoint a special term.

Special terms may be appointed.

SEC. 3. *Be it further enacted,* That the county of Franklin, in the Territory of Florida, shall be added to, and form a part of the middle judicial district of said Territory, and it shall be the duty of the judge of said middle district to hold two regular terms of the superior court, at the town of Apalachicola, commencing on the second Mondays of April and November, and special terms at such other periods, as may be required by business, and not interfere with the business of said court in other counties.

County of Franklin to be added to the middle judicial district.

SEC. 4. *Be it further enacted,* That there shall only be one term of the superior court holden for the counties of Madison and Hamilton, in each year.

APPROVED, February 25, 1836.

(a) See notes of acts relating to the Territory of Florida, vol. 3, 523.

STATUTE I.

March 19, 1836.

[Obsolete.]
Act of April
5, 1836, chap.
47.

Term of pay-
ment of bonds
extended where
property has
been lost.

CHAP. XLII.—*An Act for the relief of the sufferers by the fire in the city of New York.*^(a)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the collector of the port of New York, be and he is hereby, authorized, as he may deem best calculated to secure the interest of the United States, to cause to be extended (with the assent of the sureties thereon) to all persons who have suffered loss of property by the conflagration at that place, on the sixteenth day of December last, by the burning of their buildings or merchandise, the time of payment of all bonds heretofore given by them for duties, to periods not exceeding three, four, and five years in equal instalments from and after the day of payment specified in the bonds; or to allow the said bonds to be cancelled, upon giving to the said collector new bonds with one or more sureties, to the satisfaction of the said collector, for the sums of the former bonds, respectively, payable in equal instalments in three, four, and five years, from and after the day of payment specified in the bonds to be taken up or cancelled as aforesaid; and the said collector is hereby authorized and directed to give up, or cancel all such bonds upon the receipt of others described in this section; which last mentioned bonds shall be proceeded with, in all respects, like other bonds which are taken by collectors for duties to the United States, and shall have the same force and validity: *Provided* That those who are within the provision of this section, but who may have paid their bonds subsequent to the late fire, shall also be entitled to the benefit of this section, and that the said bonds shall be renewed from the day when the same were paid, and said payments refunded, if not previously put into bank to the credit of the Treasurer of the United States. *And provided also,* That the benefits of this section shall not be extended to any person whose loss shall not be proved to the satisfaction of the collector, to have exceeded the sum of one thousand dollars.

Proviso.

Proviso.

Time extend-
ed on other
bonds.

SEC. 2. *And be it further enacted,* That the collector of the port of New York, is hereby authorized and directed to extend the payments in the manner prescribed in the first section of this act, of all other bonds given for duties at the port of New York prior to the late fire, and not provided for in the first section as aforesaid, for six, nine, and twelve months, from and after the date of payment specified in the bonds; which bonds when executed agreeably to the provisions of this section, shall be payable with interest, at the rate of five per centum per annum, which interest, shall be computed from the times the respective bonds would have fallen due, if this act had not passed; *Provided however,* That nothing contained in this act, shall extend to bonds which had fallen due before the 17th day of December last: *Provided also,* That if in the opinion of the collector aforesaid, any of the bonds which may be given under this act or the payment of which may be postponed, shall at any time be insecure, it shall be the duty of the said collector to require such additional security as shall be satisfactory to him, and on the failure of such additional security being furnished, the payment of such bond shall be enforced forthwith.

Proviso.

Proviso.

APPROVED, March 19, 1836.

STATUTE I.

March 19, 1836.

[Obsolete.]

CHAP. XLIII.—*An Act authorizing the Secretary of War to transfer a part of the appropriation for the suppression of Indian hostilities in Florida, to the credit of subsistence.*

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

(a) An act to remit the duties upon certain goods destroyed by fire at the late conflagration in the city of New York, July 7, 1838, chap. 174.

is hereby authorized to transfer so much of the appropriation for the suppression of Indian hostilities in Florida, to the credit of subsistence, as may have been taken from the latter fund, for the former purpose.

APPROVED, March 19, 1836.

STATUTE I.

CHAP. XLIV.—*An Act to provide for the payment of volunteers and militia corps, in the service of the United States.*

March 19, 1836.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the officers, non-commissioned officers, musicians, artificers and privates, of volunteer and militia corps, who have been in the service of the United States, at any time since the first day of November, in the year of our Lord one thousand eight hundred and thirty-five, or may hereafter be in the service of the United States, shall be entitled to and receive the same monthly pay, rations, clothing or money in lieu thereof, and forage, and be furnished with the same camp equipage, including knapsacks, as are, or may be provided by law for the officers, musicians, artificers and privates, of the infantry of the army of the United States.

Volunteers and militia to be paid and furnished as provided for the infantry of the United States.

SEC. 2. *And be it further enacted,* That the officers of all mounted companies who have been in, or may hereafter be in, the service of the United States, shall each be entitled to receive forage, or money in lieu thereof, for two horses, when they actually keep private servants, and for one horse when without private servants, and that forty cents per day be allowed for the use and risk of each horse, except horses killed in battle or dying of wounds received in battle. That each non-commissioned officer, musician, artificer and private, of all mounted companies, shall be entitled to receive forage in kind for one horse, with forty cents per day for the use and risk thereof, except horses killed in battle, or dying of wounds received in battle, and twenty-five cents per day in lieu of forage and subsistence, when the same shall be furnished by himself, or twelve and a half cents per day for either as the case may be.

Officers of mounted companies, allowances to.

SEC. 3. *And be it further enacted,* That the officers, non-commissioned officers, musicians, artificers and privates, shall be entitled to one day's pay, subsistence, and other allowances, for every twenty miles' travel from their places of residence to the place of general rendezvous, and from the place of discharge back to their residence.

Allowance for travelling.

SEC. 4. *And be it further enacted,* That the volunteers or militia, who have been or who may be received into the service of the United States, to suppress Indian depredations in Florida, shall be entitled to all the benefits which are conferred on persons wounded or otherwise disabled in the service of the United States.

Volunteers or militia who may be wounded or disabled.

SEC. 5. *And be it further enacted,* That when any officer, non-commissioned officer, artificer, or private, of said militia or volunteer corps, who shall die in the service of the United States, or returning to his place of residence after being mustered out of service or at any time in consequence of wounds received in service, and shall leave a widow, or if no widow, a child or children under sixteen years of age, such widow, or if no widow, such child or children, shall be entitled to receive half the monthly pay to which the deceased was entitled, at the time of his death, for and during the term of five years; and in case of the death or intermarriage of such widow before the expiration of five years, the half pay for the remainder of the time shall go to the child or children of said decedent: *Provided always,* That the Secretary of War shall adopt such forms of evidence, in applications under this act, as the President of the United States may prescribe.

Provision for widows, &c. of those who die in the service.

Proviso.

SEC. 6. *And be it further enacted,* That the volunteers and militia

What volun-

teers and militia are included in these provisions.

mentioned in the foregoing provisions of this act, called into service before its passage, and who are directed to be paid, shall embrace those only ordered into service by the commanding general or Governors of States and of the Territory of Florida under authority from the War Department for repressing the hostilities of the Florida Indians.

APPROVED, March 19, 1836.

STATUTE I.

April 1, 1836.

[Obsolete.]

Five hundred thousand dollars appropriated.

CHAP. XLVI.—*An Act making a further appropriation for the suppression of Indian hostilities in Florida.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of five hundred thousand dollars be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, in addition to former appropriations, for suppressing Indian hostilities in Florida.

APPROVED, April 1, 1836.

STATUTE I.

April 5, 1836.

[Obsolete.]

Act of March 19, 1836, chap. 42, limited to bonds entered into prior to Dec. 16, 1835.

CHAP. XLVII.—*An Act amendatory of "the act for the relief of the sufferers by fire in the city of New York," passed March 19th, 1836.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the operation of the act entitled "An act for the relief of the sufferers by fire in the city of New York," passed the nineteenth day of March last past, shall be, and hereby is limited and confined exclusively to such bonds of the description set forth in said act, as were made and entered into at the custom-house in the city of New York prior to the sixteenth day of December last past.

APPROVED, April 5, 1836.

STATUTE I.

April 9, 1836.

[Expired.]

Act of March 3, 1835, ch. 30.

1836, ch. 353, § 12.

CHAP. XLVIII.—*An Act to suspend the operation of the second proviso, third section of "An act making appropriations for the civil and diplomatic expenses of Government for the year one thousand eight hundred and thirty-five."*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the third section of the act, entitled "An act making appropriations for the civil and diplomatic expenses of Government for the year 1835," as provides "that the whole number of custom-house officers in the United States, on the 1st of January, 1834, shall not be increased until otherwise allowed by Congress," be, and the same is hereby suspended to the end of the present session of Congress.

APPROVED, April 9, 1836

STATUTE I.

April 11, 1836.

Act of March 3, 1817, ch. 38.

CHAP. L.—*An Act to repeal so much of the act entitled "An act transferring the duties of Commissioner of Loans to the Bank of the United States, and abolishing the office of Commissioner of Loans," as requires the Bank of the United States to perform the duties of Commissioner of Loans for the several States.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first, second and third sections of the act entitled "An act transferring the duties of Commissioner of Loans to the Bank of the United States, and abolishing the office of Commissioner of Loans," passed March third, eighteen hundred and seventeen, be, and the same are hereby repealed; and the Bank of the United States and its several branches, and such State Banks employed under the provisions of said act by the Bank of the United States, as have heretofore done and performed, or are now doing and performing, the duties of Commissioner of Loans, shall be, and they are hereby, required to transmit to the Secretary of the Treasury, immediately after the passing of this act, all the books, papers, and

records in their possession relating to their duties as Commissioners of Loans.

SEC. 2. *And be it further enacted*, That the Bank of the United States and its several branches, and the State Banks employed by the Bank of the United States, performing the duties of Commissioners of Loans, shall be, and they are hereby required to pay into the Treasury of the United States, within three months after the passing of this act, all the money in their possession for the redemption of the public debt of the United States, and the interest thereon remaining in their hands, which has not been applied for by the person or persons entitled to receive the same.

Banks to pay all money into the Treasury within three months.

SEC. 3. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to pay over to the person or persons entitled to receive the same, the amount so received into the Treasury by virtue of the second section of this act, out of any money in the Treasury not otherwise appropriated.

SEC. 4. *And be it further enacted*, That nothing contained in this act shall be construed to authorize the appointment of a Commissioner or Commissioners of Loans in any State, District, or Territory of the United States.

APPROVED, April 11, 1836.

STATUTE I.

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

April 14, 1836.

[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 money in the Treasury, not otherwise appropriated, for the pensioners of the United States, for the year one thousand eight hundred and thirty-six;

For the revolutionary pensioners under the several acts, other than those of the fifteenth of May, one thousand eight hundred and twenty-eight, the seventh of June, one thousand eight hundred and thirty-two, and the fifth of July, one thousand eight hundred and thirty-two, in addition to an unexpended balance of three hundred and thirty-five thousand three hundred and ninety-five dollars and seventy cents, the sum of three hundred and forty-seven thousand six hundred and twenty-nine dollars.

Revolutionary pensioners.

For the invalid pensioners, under various laws, in addition to an unexpended balance of two hundred and one thousand, seven hundred and twenty-one dollars and twenty-seven cents, one hundred and five thousand, eight hundred and twenty-five dollars.

Invalid pensioners.

For pensions to widows and orphans, payable through the office of the Third Auditor, in addition to the unexpended balance of two thousand one hundred and ninety-five dollars and twenty-two cents, two thousand dollars.

Widows and orphans.

SEC. 2. *And be it further enacted*, That hereafter, no bank note of less denomination than ten dollars, and that from and after the third day of March, anno Domini, eighteen hundred and thirty-seven, no bank note of less denomination than twenty dollars shall be offered in payment in any case whatsoever in which money is to be paid by the United States or the Post Office Department, nor shall any bank note, of any denomination, be so offered, unless the same shall be payable, and paid on demand, in gold or silver coin, at the place where issued, and which shall not be equivalent to specie at the place where offered, and convertible into gold or silver upon the spot, at the will of the holder, and without delay or loss to him; *Provided*, That nothing herein contained shall be construed to make any thing but gold or silver a legal tender by any individual, or by the United States.

No bank-note of less denomination than ten dollars after March 3, 1837. No bank-note of less denomination than twenty dollars to be offered in payment by the United States; and no bank-note unless equivalent to specie, or convertible into gold or silver without loss, to be paid.

Act of Aug. 13, 1841, ch. 7. Proviso.

APPROVED, April 14, 1836.

VOL. V.—2

STATUTE I.

April 20, 1836.

CHAP. LIII.—*An Act to carry into effect the treaties concluded by the Chickasaw tribe of Indians on the twentieth October, eighteen hundred and thirty-two, and the twenty-fourth May, eighteen hundred and thirty-four.*

Moneys received for lands to be paid into the Treasury.

Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That all moneys received from the sale of lands under the stipulations of the treaties with the Chickasaw Indians of the twentieth of October, eighteen hundred and thirty-two, and the twenty-fourth May, eighteen hundred and thirty-four, shall be paid into the Treasury of the United States, in the same manner that moneys received from the sales of public lands are paid into the Treasury.

Payment under the instructions of the President.

SEC. 2. *And be it further enacted,* That all payments required to be made, and all moneys required to be vested by the said treaty, are hereby appropriated in conformity to it, and shall be drawn from the Treasury, as other public moneys are drawn therefrom, under such instructions as may from time to time be given by the President.

Special account to be kept, &c.

SEC. 3. *And be it further enacted,* That all investments of stock, required by the said treaty shall be made under the direction of the President; and a special account of the funds under the said treaty, shall be kept at the Treasury, and a statement thereof shall be annually laid before Congress, and the sum of one hundred and fifty thousand dollars, heretofore appropriated, agreeably to the said treaty, and to aid in its fulfilment shall be refunded to the Treasury, as soon as funds sufficient therefor, are received from the sale of the said lands.

APPROVED, April 20, 1836.

STATUTE I.

April 20, 1836.

CHAP. LIV.—*An Act establishing the Territorial Government of Wisconsin.*(a)

[Obsolete.]

What country shall constitute the Wisconsin Territory.

Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the third day of July next, the country included within the following boundaries shall constitute a separate Territory, for the purposes of temporary government, by the name of Wisconsin; that is to say: Bounded on the

(a) The acts which have been passed relative to the Territory of Wisconsin have been:

An act to establish the Territorial Government of Wisconsin, April 20, 1836, chap. 54.

Appropriation for the public buildings and library of the Territory of Wisconsin, Civil and Diplomatic appropriation, act of May 9, 1836, chap. 59.

An act for laying off the towns of Madison and Burlington, in the county of Des Moines, and the towns of Bellevue, Du Buque and Peru, in the county of Du Buque, Territory of Wisconsin, and for other purposes, July 2, 1836, chap. 262.

An act to amend an act, entitled "An act for laying off the towns of Madison and Burlington, in the county of Des Moines, and the towns of Bellevue, Du Buque and Peru, in the county of Du Buque, Territory of Wisconsin, and for other purposes," approved July 2, 1836. March 3, 1837, chap. 36.

An act to give the approval and confirmation of Congress to three several acts of the Legislative Assembly of the Territory of Wisconsin, incorporating banks, March 3, 1837, chap. 75.

An act making appropriations for completing the public buildings in Wisconsin, June 18, 1838, chap. 117.

Post routes in Wisconsin, an act to establish post routes, and to discontinue others, July 7, 1838, chap. 172.

An act to divide the Territory of Wisconsin, and to establish the Territorial Government of Iowa, June 12, 1838, chap. 96.

An act to authorize the construction of certain improvements in the Territory of Wisconsin, and for other purposes, March 3, 1839, chap. 72.

An act to create the office of Surveyor of public lands in the Wisconsin Territory, June 12, 1838, chap. 99.

An act concerning a seminary of learning in the Territory of Wisconsin, June 12, 1838, chap. 110.

An act to grant a quantity of land to the Territory of Wisconsin, for the purpose of aiding in opening a canal to connect the waters of Lake Michigan with those of Rock river, June 18, 1838, chap. 114.

An act to alter and amend the organic law of the Territories of Wisconsin and Iowa, March 3, 1839, chap. 90.

An act to define and establish the eastern boundary line of the Territory of Wisconsin, June 12, 1838, ch. 101. Brotherton Indians subjected to the laws of the United States and of Wisconsin, Act of March 3, 1839, chap. 83, sect. 7.

Appropriation for the survey and examination of the country between the mouths of the Menomonic and Montreal rivers, for the purpose of designating and marking the boundary line between the State of Michigan and the Territory of Wisconsin, March 3, 1841, chap. 36, sect. 3.

An act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights, September 4, 1841, chap. 16, sect. 2.

Appropriations for Wisconsin Territory, May 18, 1842, chap. 29, No. 108, &c.

east, by a line drawn from the northeast corner of the State of Illinois, through the middle of Lake Michigan, to a point in the middle of said lake, and opposite the main channel of Green Bay, and through said channel and Green Bay to the mouth of the Menomonie river; thence through the middle of the main channel of said river, to that head of said river nearest to the Lake of the Desert; thence in a direct line, to the middle of said lake; thence through the middle of the main channel of the Montreal river, to its mouth; thence with a direct line across Lake Superior, to where the territorial line of the United States last touches said lake northwest; thence on the north, with the said territorial line, to the White-earth river; on the west, by a line from the said boundary line following down the middle of the main channel of White-earth river, to the Missouri river, and down the middle of the main channel of the Missouri river to a point due west from the northwest corner of the State of Missouri; and on the south, from said point, due east to the northwest corner of the State of Missouri; and thence with the boundaries of the States of Missouri and Illinois, as already fixed by acts of Congress. And after the said third day of July next, all power and authority of the Government of Michigan in and over the Territory hereby constituted, shall cease: *Provided*, That nothing in this act contained shall be construed to impair the rights of person or property now appertaining to any Indians within the said Territory, so long as such rights shall remain unextinguished by treaty between the United States and such Indians, or to impair the obligations of any treaty now existing between the United States and such Indians, or to impair or anyway to affect the authority of the Government of the United States to make any regulations respecting such Indians, their lands, property, or other rights, by treaty, or law, or otherwise, which it would have been competent to the Government to make if this act had never been passed: *Provided*, That nothing in this act contained shall be construed to inhibit the Government of the United States from dividing the Territory hereby established into one or more other Territories, in such manner, and at such times, as Congress shall, in its discretion, deem convenient and proper, or from attaching any portion of said Territory to any other State or Territory of the United States.

Proviso.

Proviso.

SEC. 2. *And be it further enacted*, That the Executive power and authority in and over the said Territory shall be vested in a Governor, who shall hold his office for three years, unless sooner removed by the President of the United States. The Governor shall reside within the said Territory, shall be commander-in-chief of the militia thereof, shall perform the duties and receive the emoluments of superintendent of Indian affairs, and shall approve of all laws passed by the Legislative Assembly before they shall take effect; he may grant pardons for offences against the laws of the said Territory, and reprieves for offences against the laws of the United States, until the decision of the President can be made known thereon; he shall commission all officers who shall be appointed to office under the laws of the said Territory, and shall take care that the laws be faithfully executed.

Appointment and powers of Governor.

SEC. 3. *And be it further enacted*, That there shall be a Secretary of the said Territory, who shall reside therein, and hold his office for four years, unless sooner removed by the President of the United States; he

Secretary, his duties.

An act for the relief of certain settlers in the Territory of Wisconsin, August 23, 1842, chap. 190.
 An act to provide for the settlement of certain accounts for the support of the Government in the Territory of Wisconsin, and for other purposes, August 29, 1842, chap. 259.
 An act to authorize the election or appointment of officers in the Territory of Wisconsin, March 3, 1843, chap. 99.
 An act granting a section of land for the improvement of Grant river, at the town of Potosi, in Wisconsin Territory, June 15, 1844, chap. 50.
 An act for granting to the county of Du Buque certain lots of ground in the town of Du Buque, June 15, 1844, chap. 56.

shall record and preserve all the laws and proceedings of the Legislative Assembly hereinafter constituted, and all the acts and proceedings of the Governor in his executive department; he shall transmit one copy of the laws and one copy of the Executive proceedings on or before the first Monday in December in each year, to the President of the United States; and at the same time, two copies of the laws to the Speaker of the House of Representatives, for the use of Congress. And in case of the death, removal, resignation, or necessary absence, of the Governor from the Territory, the Secretary shall have, and he is hereby authorized and required to execute and perform, all the powers and duties of the Governor during such vacancy or necessary absence.

Legislature—
how constituted
and elected.

SEC. 4. *And be it further enacted*, That the Legislative power shall be vested in a Governor and a Legislative Assembly. The Legislative Assembly shall consist of a Council and House of Representatives. The Council shall consist of thirteen members, having the qualifications of voters as hereinafter prescribed, whose term of service shall continue four years. The House of Representatives shall consist of twenty-six members, possessing the same qualifications as prescribed for the members of the Council, and whose term of service shall continue two years. An apportionment shall be made, as nearly equal as practicable, among the several counties, for the election of the Council and Representatives, giving to each section of the Territory representation in the ratio of its population, Indians excepted, as nearly as may be. And the said members of the Council and House of Representatives shall reside in and be inhabitants of the district for which they may be elected. Previous to the first election, the Governor of the Territory shall cause the census or enumeration of the inhabitants of the several counties in the Territory to be taken and made by the sheriffs of the said counties, respectively, and returns thereof made by said sheriffs to the Governor. The first election shall be held at such time and place, and be conducted in such manner, as the Governor shall appoint and direct: and he shall, at the same time, declare the number of members of the Council and House of Representatives to which each of the counties is entitled under this act. The number of persons authorized to be elected having the greatest number of votes in each of the said counties for the Council, shall be declared, by the said Governor, to be duly elected to the said Council; and the person or persons having the greatest number of votes for the House of Representatives, equal to the number to which each county may be entitled, shall also be declared, by the Governor, to be duly elected: *Provided*, The Governor shall order a new election when there is a tie between two or more persons voted for, to supply the vacancy made by such tie. And the persons thus elected to the Legislative Assembly shall meet at such place on such day as he shall appoint; but, thereafter, the time, place, and manner of holding and conducting all elections by the people, and the apportioning the representation in the several counties to the Council and House of Representatives, according to population, shall be prescribed by law, as well as the day of the annual commencement of the session of the said Legislative Assembly; but no session, in any year, shall exceed the term of seventy-five days.

Proviso.

Who shall be
eligible to
office.

SEC. 5. *And be it further enacted*, That every free white male citizen of the United States, above the age of twenty-one years, who shall have been an inhabitant of said Territory at the time of its organization, shall be entitled to vote at the first election, and shall be eligible to any office within the said Territory; but the qualifications of voters at all subsequent elections shall be such as shall be determined by the Legislative Assembly: *Provided*, That the right of suffrage shall be exercised only by citizens of the United States.

Proviso.

Powers of the
Legislature.

SEC. 6. *And be it further enacted*, That the legislative power of the Territory shall extend to all rightful subjects of legislation; but no law

shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the United States; nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents. All the laws of the Governor and Legislative Assembly shall be submitted to, and, if disapproved by the Congress of the United States, the same shall be null and of no effect.

SEC. 7. *And be it further enacted,* That all township officers and all county officers, except judicial officers, justices of the peace, sheriffs, and clerks of courts, shall be elected by the people, in such manner as may be provided by the Governor and Legislative Assembly. The Governor shall nominate, and, by and with the advice and consent of the Legislative Council, shall appoint, all judicial officers, justices of the peace, sheriffs, and all militia officers, except those of the staff, and all civil officers not herein provided for. Vacancies occurring in the recess of the Council shall be filled by appointments from the Governor, which shall expire at the end of the next session of the Legislative Assembly; but the said Governor may appoint, in the first instance, the aforesaid officers, who shall hold their offices until the end of the next session of the said Legislative Assembly.

What officers are to be elected by the people.

SEC. 8. *And be it further enacted,* That no member of the Legislative Assembly shall hold or be appointed to any office created or the salary or emoluments of which shall have been increased whilst he was a member, during the term for which he shall have been elected, and for one year after the expiration of such term; and no person holding a commission under the United States, or any of its officers, except as a militia officer, shall be a member of the said Council, or shall hold any office under the Government of the said Territory.

Disqualifications for office.

SEC. 9. *And be it further enacted,* That the Judicial power of the said Territory shall be vested in a supreme court, district courts, probate courts, and in justices of the peace. The supreme court shall consist of a chief justice and two associate judges, any two of whom shall be a quorum, and who shall hold a term at the seat of Government of the said Territory, annually, and they shall hold their offices during good behaviour. The said Territory shall be divided into three judicial districts; and a district court or courts shall be held in each of the three districts, by one of the judges of the supreme court, at such times and places as may be prescribed by law. The jurisdiction of the several courts herein provided for, both appellate and original, and that of the probate courts, and of the justices of the peace, shall be as limited by law: *Provided, however,* That justices of the peace shall not have jurisdiction of any matter of controversy, when the title or boundaries of land may be in dispute, or where the debt or sum claimed exceeds fifty dollars. And the said supreme and district courts, respectively, shall possess chancery as well as common law jurisdiction. Each district court shall appoint its clerk, who shall keep his office at the place where the court may be held, and the said clerks shall also be the registers in chancery; and any vacancy in said office of clerk happening in the vacation of said court, may be filled by the judge of said district, which appointment shall continue until the next term of said court. And writs of error, bills of exception, and appeals in chancery causes, shall be allowed in all cases, from the final decisions of the said district courts to the supreme court, under such regulations as may be prescribed by law; but in no case removed to the supreme court, shall a trial by jury be allowed in said court. The supreme court may appoint its own clerk, and every clerk shall hold his office at the pleasure of the court by which he shall have been appointed. And writs of error and appeals from the final decisions of the said supreme court shall be allowed and taken to the Supreme Court of the United States, in the same manner, and under the same regulations, as from the circuit

Judiciary.

Proviso.

courts of the United States, where the value of the property, or the amount in controversy, to be ascertained by the oath or affirmation of either party, shall exceed one thousand dollars. And each of the said district courts shall have and exercise the same jurisdiction, in all cases arising under the constitution and laws of the United States as is vested in the circuit and district courts of the United States. And the first six days of every term of the said courts, or so much thereof as shall be necessary, shall be appropriated to the trial of causes arising under the said constitution and laws. And writs of error, and appeals from the final decisions of the said courts, in all such cases, shall be made to the supreme court of the Territory, in the same manner as in other cases. The said clerks shall receive, in all such cases, the same fees which the clerk of the district court of the United States in the northern district of the State of New York receives for similar services.

Attorneys to
be appointed.

Marshal.

SEC. 10. *And be it further enacted*, That there shall be an Attorney for the said Territory appointed, who shall continue in office four years, unless sooner removed by the President, and who shall receive the same fees and salary as the attorney of the United States for the Michigan Territory. There shall also be a Marshal for the Territory appointed, who shall hold his office for four years, unless sooner removed by the President, who shall execute all process issuing from the said courts when exercising their jurisdiction as circuit and district courts of the United States. He shall perform the same duties, be subject to the same regulations and penalties, and be entitled to the same fees, as the Marshal of the district court of the United States for the northern district of the State of New York; and shall, in addition, be paid the sum of two hundred dollars, annually, as a compensation for extra services.

Governor,
&c. to be ap-
proved by the
Senate.

SEC. 11. *And be it further enacted*, That the Governor, Secretary, Chief Justice and Associate Judges, Attorney, and Marshal, shall be nominated, and, by and with the advice and consent of the Senate, appointed by the President of the United States. The Governor and Secretary, to be appointed as aforesaid, shall, before they act, as such respectively take an oath or affirmation before some judge or justice of the peace in the existing Territory of Michigan, duly commissioned and qualified to administer an oath or affirmation, to support the constitution of the United States, and for the faithful discharge of the duties of their respective offices; which said oaths, when so taken, shall be certified by the person before whom the same shall have been taken, and such certificate shall be received and recorded by the said Secretary among the Executive proceedings. And, afterwards, the Chief Justice and associate Judges, and all other civil officers in said Territory, before they act as such, shall take a like oath or affirmation before the said Governor or Secretary, or some judge or justice of the Territory who may be duly commissioned and qualified, which said oath or affirmation shall be certified and transmitted by the person taking the same to the Secretary, to be by him recorded as aforesaid; and, afterwards, the like oath or affirmation shall be taken, certified, and recorded, in such manner and form as may be prescribed by law. The Governor shall receive an annual salary of two thousand five hundred dollars for his services as Governor and as superintendent of Indian affairs. The said Chief Justice and Associate Judges shall each receive an annual salary of eighteen hundred dollars. The Secretary shall receive an annual salary of twelve hundred dollars. The said salaries shall be paid quarter-yearly, at the Treasury of the United States. The members of the Legislative Assembly shall be entitled to receive three dollars each per day, during their attendance at the sessions thereof, and three dollars each for every twenty miles' travel in going to and returning from the said sessions, estimated according to the nearest usually-travelled route. There shall be appropriated, annually, the sum of three hundred and fifty dollars, to

Salaries

Contingent
expenses.

be expended by the Governor to defray the contingent expenses of the Territory, and there shall also be appropriated annually, a sufficient sum, to be expended by the Secretary of the Territory, and upon an estimate to be made by the Secretary of the Treasury of the United States, to defray the expenses of the Legislative Assembly, the printing of the laws and other incidental expenses; and the Secretary of the Territory shall annually account to the Secretary of the Treasury of the United States for the manner in which the aforesaid sum shall have been expended.

SEC. 12. *And be it further enacted,* That the inhabitants of the said Territory shall be entitled to, and enjoy, all and singular the rights, privileges, and advantages, granted and secured to the people of the Territory of the United States northwest of the river Ohio, by the articles of the compact contained in the ordinance for the government of the said Territory, passed on the thirteenth day of July, one thousand seven hundred and eighty-seven; and shall be subject to all the conditions and restrictions and prohibitions in said articles of compact imposed upon the people of the said Territory. The said inhabitants shall also be entitled to all the rights, privileges, and immunities, heretofore granted and secured to the Territory of Michigan, and to its inhabitants, and the existing laws of the Territory of Michigan shall be extended over said Territory, so far as the same shall not be incompatible with the provisions of this act, subject, nevertheless, to be altered, modified, or repealed, by the Governor and Legislative Assembly of the said Territory of Wisconsin; and further, the laws of the United States are hereby extended over, and shall be in force in, said Territory, so far as the same, or any provisions thereof may be applicable.

SEC. 13. *And be it further enacted,* That the Legislative Assembly of the Territory of Wisconsin shall hold its first session at such time and place in said Territory as the Governor thereof shall appoint and direct; and at said session, or as soon thereafter as may be by them be deemed expedient, the said Governor and Legislative Assembly shall proceed to locate and establish the seat of government for said Territory, at such place as they may deem eligible, which place, however, shall thereafter be subject to be changed by the said Governor and Legislative Assembly. And twenty thousand dollars, to be paid out of any money in the Treasury, not otherwise appropriated, is hereby given to the said Territory, which shall be applied by the Governor and Legislative Assembly to defray the expenses of erecting public buildings at the seat of government.

SEC. 14. *And be it further enacted,* That a Delegate to the House of Representatives of the United States, to serve for the term of two years, may be elected by the voters qualified to elect members of the Legislative Assembly, who shall be entitled to the same rights and privileges as have been granted to the Delegates from the several Territories of the United States to the said House of Representatives. The first election shall be held at such time and place or places, and be conducted in such manner, as the Governor shall appoint and direct. The person having the greatest number of votes shall be declared by the Governor to be duly elected, and a certificate thereof shall be given to the person so elected.

SEC. 15. *And be it further enacted,* That all suits, process, and proceedings, and all indictments and informations which shall be undetermined on the third day of July next, in the courts held by the additional judge for the Michigan Territory, in the counties of Brown and Iowa; and all suits, process and proceedings, and all indictments and informations which shall be undetermined on the said third day of July, in the county courts of the several counties of Crawford, Brown, Iowa, Dubuque, Milwaukee [Milwaukie], and Des Moines, shall be transferred to be heard,

Rights, &c. under the Territorial compact of July, 1787 extended to Wisconsin.

And also those secured to Michigan.

Legislative sessions, when held.

Delegate to the House of Representatives of the United States.

Provision respecting undetermined suits.

tried, prosecuted, and determined, in the district courts hereby established, which may include the said counties.

SEC. 16. *And be it further enacted*, That all causes which shall have been or may be removed from the courts held by the additional judge for the Michigan Territory, in the counties of Brown and Iowa, by appeal or otherwise, into the supreme court for the Territory of Michigan, and which shall be undetermined therein on the third day of July next, shall be certified by the clerk of the said supreme court, and transferred to the supreme court of said Territory of Wisconsin, there to be proceeded in to final determination, in the same manner that they might have been in the said supreme court of the Territory of Michigan.

Five thousand dollars for the purchase of a library.

SEC. 17. *And be it further enacted*, That the sum of five thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be expended by and under the direction of the Legislative Assembly of said Territory, in the purchase of a library for the accommodation of said Assembly, and of the supreme court hereby established.

APPROVED, April 20, 1836.

STATUTE I.

April 20, 1836.

CHAP. LV.—*An Act in addition to the act of the twenty-fourth of May, one thousand eight hundred and twenty-eight, entitled "An act to authorize the licensing of vessels to be employed in the mackerel fishery."*(a)

Vessels licensed for the mackerel fishery not subject to forfeitures, &c.

Act of May 1828, ch. 119.
1793, ch. 8.

Proviso.

Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That vessels duly licensed under the provisions of "An act to authorize the licensing of vessels to be employed in the mackerel fishery," passed May twenty-fourth, one thousand eight hundred and twenty-eight, shall not be deemed or taken to be liable to the forfeitures imposed by the fifth and thirty-second sections of the act of Congress, approved the eighteenth day of February, one thousand seven hundred and ninety-three, entitled "An act for enrolling and licensing ships or vessels to be employed in the coasting trade and fisheries, and for regulating the same," in consequence of any such vessel, whilst licensed as aforesaid, having been engaged in catching cod, or fish of any other description whatever, *Provided, however*, That this act shall not be deemed or considered as authorizing or entitling the owner or owners of any vessel licensed for the mackerel fishery, to receive the bounty allowed by law to vessels employed in the cod fishery.

APPROVED, April 20, 1836.

STATUTE I.

April 20, 1836.

CHAP. LVI.—*An Act to prescribe the mode of paying pensions heretofore granted by the United States.*

Laws authorizing the U. S. Bank to pay pensions, repealed.

Pensions to be paid according to the directions of the Secretary at War.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all laws and parts of laws, authorizing or requiring the Bank of the United States, or its branches to pay any pensions granted under the authority of the United States, shall be, and the same are hereby, repealed; and such payments shall be hereafter made, at such times and places, by such persons or corporations, and under such regulations, as the Secretary of War may direct; but no compensation or allowance shall be made to such persons or corporations for making such payments, without authority of law.

APPROVED, April 20, 1836.

(a) See notes to act of March 2, 1819, ch. 48.

CHAP. LVII.—*An Act making a further appropriation for suppressing Indian hostilities in Florida.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of one million of dollars be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, in addition to former appropriations, for suppressing Indian hostilities in Florida, and that the same shall be expended in the manner already provided for by law.

APPROVED, April 29, 1836.

STATUTE I.
April 29, 1836.
[Obsolete.]

Appropriation of one million dollars.

CHAP. LVIII.—*An Act to authorize the construction of a rail-road, through lands of the United States in Springfield, Massachusetts.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Western Railroad corporation be, and they are hereby, authorized to construct a railroad on lands belonging to the United States, in Springfield, Massachusetts, and take for the security and accommodation of said railroad, or the accommodation of the business thereof, a strip of land through or over said land of the United States, not exceeding eighty feet in width; *Provided,* That the location of said railroad, through said land of the United States, shall be submitted to, and approved by the Secretary of War, prior to the construction thereof; *And provided, also,* That whenever said strip of land shall cease to be improved for the purposes of a railroad, or the accommodation of the business thereof, that the same shall revert to the United States.

APPROVED, April 29, 1836.

STATUTE I.
April 29, 1836.
[Obsolete.]

The Western Rail-road may pass through the lands of the United States.

Proviso.

Proviso.

CHAP. LIX.—*An Act making appropriations for the civil and diplomatic expenses of Government for the year one thousand eight hundred and thirty-six.*

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 :

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.

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

Department 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 contingent and incidental expenses of the Patent Office, two thousand dollars.

For the superintendent and watchmen of the northeast executive building, one thousand five hundred dollars.

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

For compensation to the clerks and messengers in the office of the Secretary of the Treasury, fourteen thousand dollars.

Treasury Department.

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, eighteen thousand eight hundred and fifty 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, fourteen 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-seven thousand 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, seven thousand one 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 to 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, to the seventh of February, eighteen hundred and thirty-six, 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 sums, viz ;

For the office of the Secretary of the Treasury, including copying, and expenses incurred in consequence of the burning of the Treasury building, twelve thousand five hundred dollars.

For the office of the First Comptroller, one thousand five hundred dollars.

For the office of the Second Comptroller, one thousand five hundred dollars.

For the office of the First Auditor, eight hundred dollars.

For the office of the Second Auditor, five hundred dollars.

For the office of the Third Auditor, six hundred 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 Solicitor of the Treasury, one thousand dollars.

For the office of the Commissioner of the General Land Office, for two hundred thousand parchments, cost of printing patents, and cost of books for patent records, thirty-nine thousand dollars.

For tract books, other articles of books and stationery, furniture, advertising, and all other items of contingent expenses, including office rent for additional rooms required for writing patents, nine thousand five hundred dollars.

For translations, and for expenses of passports and sea letters, three hundred dollars.

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

For compensation of superintendent and watchmen of the buildings occupied by the Treasury Department, the sum of two thousand one hundred dollars.

For incidental and contingent expenses of said buildings, including fuel, labor, oil, repairs, furniture, and for rent, amounting to three thousand seven hundred and fifty dollars, ten thousand dollars.

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

Department
of War.

For compensation to extra clerks when employed in said office, three thousand six hundred 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.

For messenger in the Bounty Land Bureau, four hundred dollars.

For compensation to the Commissioner of Indian Affairs, three thousand dollars.

For compensation to the clerks and messenger in the office of Indian Affairs, four thousand nine hundred and fifty dollars.

For contingent expenses of said office, eight hundred dollars.

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 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 contingent expenses of the office of the Quartermaster General, six hundred dollars.

For compensation to the clerks in the office of the Commissary General of Subsistence, three thousand eight hundred dollars.

For contingent expenses of said office, including printing advertisements, 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 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 contingent expenses of the Topographical Bureau, one thousand two hundred and thirty-five dollars.

For compensation to clerk in said Bureau, one thousand dollars.

Pension Office.

For the salary of the Commissioner of Pensions, two thousand five hundred dollars.

For salaries of clerks transferred from the office of the Secretary of War, four thousand eight hundred dollars.

For messengers in the Pension Office, one thousand two hundred and fifty dollars.

For contingent expenses in the office of the Commissioner of Pensions, five thousand five hundred dollars.

For the salary of the superintendent and watchmen of the northwest executive building, twelve hundred and fifty dollars.

For the salaries of two additional watchmen to assist in watching the buildings of the War Department, and the additional houses occupied by officers thereof, including one hundred and twenty-five dollars for the services of those employed in eighteen hundred and thirty-five, one thousand one hundred and twenty-five dollars.

For the contingent expenses of said building, including fuel, labor, oil, furniture, repairs of building, three thousand one hundred and eighty-three dollars.

Navy Department.

For compensation to the clerks and messengers in the office of the Secretary of the Navy, eleven thousand eight hundred and fifty dollars.

For the contingent expenses of the office of the Secretary of the Navy, 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, seven thousand five 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 southwest executive building, and the watchmen, one thousand two hundred and fifty dollars.

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

Post Office Department.

For compensation to the two Assistant Postmasters General, five thousand dollars.

For compensation to the clerks and messengers in the office of the Postmaster General, forty thousand, three hundred and fifty 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 laborer, sixteen hundred and forty dollars.

For additional clerk hire for the year eighteen hundred and thirty-five, forty-one thousand nine hundred and thirty-four dollars and seven cents.

For the services of a topographer and map maker for obtaining materials and drawing maps of the several States and Territories, one thousand dollars.

For compensation to the Surveyor General in Ohio, Indiana and Michigan, two thousand dollars.

Surveyor General in Ohio, &c.
Surveyor in Illinois, &c.

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

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

For compensation to the Surveyor General in Arkansas, one thousand five hundred dollars.

Surveyor in Arkansas.

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

For compensation to the Surveyor in Louisiana, two thousand dollars.

Surveyor in Louisiana.

For compensation to the clerks in the office of said surveyor, fifteen hundred dollars.

For compensation to the Surveyor in Mississippi, two thousand dollars.

Surveyor in Mississippi.

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

For compensation to the Surveyor in Alabama, one thousand five hundred dollars.

Surveyor in Alabama.

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

Surveyor in Florida.

For compensation to the Secretary appointed by the President to sign all patents for lands sold or granted under the authority of the United States, per act of second of March, eighteen hundred and thirty-three, one thousand five hundred dollars.

Signing Land Patents.
1833, ch. 91.

For compensation to the Commissioner of the Public Buildings, in Washington city, two thousand dollars.

Commissioner of Public Buildings.
Library of Congress.

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

For salary of the Principal and Assistant Librarians, and for contingent expenses of the library, and pay of messenger, three thousand eight hundred and fifty dollars.

For services rendered by Charles H. W. Meehan, as assistant in the Library at one dollar and fifty cents per diem, Sundays excepted, during the sitting of Congress, from December second eighteen hundred and thirty-three, to March fourth eighteen hundred and thirty-five, three hundred and ninety-eight dollars.

For compensation to the officers and clerks of the Mint, thirteen thousand nine hundred dollars.

Mint.

For compensation to laborers employed in the various operations of the Mint, twenty-one thousand dollars.

For incidental and contingent expenses and repairs, wastage, cost of machinery, for allowance for wastage in gold and silver coinage of the Mint, including sixteen thousand dollars for arrearages in eighteen hundred and thirty-five, fifty-one thousand one hundred dollars.

For expenses incident to the introduction of new machinery and apparatus, including the application of steam power to coinage, and improvements in the melting and refining department, twenty thousand dollars.

For compensation to the Governor, Judges, and Secretary of the Michigan Territory, ten thousand dollars.

Governor, &c. of Michigan Territory.

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

For compensation and mileage of the members of the Legislative Council of the Territory of Michigan, pay of the officers of the Council, fuel, stationery, and printing, six thousand four hundred and twenty-five dollars.

For arrearages of the expenses of the Legislative Council of the Territory of Michigan, for eighteen hundred and thirty-five, in addition

to an unexpended balance of appropriation of eighteen hundred and seventy dollars and ninety-five cents, three thousand five hundred and fifty-three dollars and forty cents.

Governor,
&c. of Arkan-
sas Territory.

For compensation to the Governor, Judges, and Secretary of the Arkansas Territory, nine thousand dollars.

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

For compensation and mileage of the members of the Legislative Council of the Territory of Arkansas, including fuel, stationery, printing and distribution of the laws and journals, ten thousand dollars.

Governor,
&c. of Florida
Territory.

For compensation to the Governor, Judges, and Secretary of the Florida Territory, eleven thousand seven hundred dollars.

For the 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 incidental expenses, nine thousand four hundred and six dollars.

For arrearages of the expenses of the Legislative Council of Florida, nine hundred and eight dollars, and sixty cents.

For allowances to the Assistant Counsel, and District Attorney, under the acts for the settlement of private land claims in Florida, four thousand dollars.

Judiciary.

For compensation to the Chief Justice, the Associate Judges, and District Judges of the United States, eighty-one thousand four hundred dollars.

For the expenses of printing the records of the Supreme Court of the United States, for the term of eighteen hundred and thirty-six, three thousand dollars.

For the salaries of the Chief Justice and Associate Judges of the District of Columbia, and of the Judges of the Orphans' courts of the said District, nine thousand five hundred dollars.

Attorney Ge-
neral.

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.

Reporter Su-
preme Court.

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

District At-
torneys, &c.

For compensation to the District Attorneys and Marshals, as granted by law, including those in the several Territories, twelve thousand nine hundred dollars.

For defraying the expenses of the supreme, circuit, 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-six, and preceding 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, three hundred and forty-five thousand dollars.

Pensions.

For the payment of sundry pensions, granted by special acts of Congress, one thousand three hundred and fifty dollars.

Light-houses,
&c.

For the support and maintenance of light-houses, floating lights, beacons, buoys, and stakeages, including the purchase of lamps, oil, keepers' salaries, repairs and improvements and contingent expenses, two hundred and seventy-nine thousand nine hundred and eighty-six dollars and seven cents.

For a light-house on a proper site, at or near Michigan city, Indiana,

in addition to a former appropriation, made thirtieth June, eighteen hundred and thirty-four, three thousand dollars.

For a light-house on a proper site, at Pottawatamie island, at the entrance of Green Bay, in Lake Michigan, in addition to a former appropriation, made thirtieth June, eighteen hundred and thirty-four, three thousand dollars.

1834, ch. 144.

For a light-house or beacon light on one of the piers at the harbor of Oswego, on Lake Ontario, in addition to former appropriations, twelve hundred dollars.

For the removal of the light-house now on the north end of Goat island, near the harbor of Newport, Rhode Island, in addition to former appropriations, eight thousand seven hundred dollars.

For erecting a frame building for a beacon light, at the end of west pier, at the mouth of Black river, Ohio, two thousand six hundred dollars.

For finishing and securing the foundation of the beacon light at Cunningham creek, Ohio, two hundred and twenty-five dollars and fifty cents.

To make good a deficiency in the funds for the relief of sick and disabled seamen, as established by the acts of sixteenth July, seventeen hundred and ninety-eight, and third May, eighteen hundred and two, fifteen thousand dollars.

Disabled seamen.
1798, ch. 77.
1802, ch. 51.

For expense in relation to the relief of certain insolvent debtors of the United States, under the act of seventh of June, eighteen hundred and thirty-four, three thousand dollars.

Insolvent debtors.
1834, ch. 45.

For surveying the public lands in Ohio, six hundred and fifty dollars.

Surveying in Ohio.
Michigan peninsula.

For surveying the public lands in the Michigan peninsula, fifteen thousand dollars.

Michigan and Wisconsin.

For surveying the public lands in Michigan Territory, west of the lake, and in Wisconsin Territory, fifty thousand dollars.

Illinois and Missouri.

For surveying the public lands in Illinois and Missouri, forty thousand dollars.

Mississippi.
Surveys.

For surveying the public lands in Mississippi, ten thousand dollars.

For surveys south of the thirty-first degree north latitude, by the Surveyor General of Alabama, twenty-five hundred dollars.

Creek lands.
Florida.

For survey of the Creek lands, one thousand dollars.

For survey of the public lands and private land claims, by the Surveyor General of Florida, sixteen thousand four hundred and eighty dollars.

For survey of the public lands and private land claims, by the Surveyor General of Louisiana, thirty-five thousand dollars.

Louisiana.

For surveying public lands by the Surveyor General of Arkansas, twenty-five thousand dollars.

Arkansas.

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

Archives of Florida.

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.

Miscellaneous claims.

For the salaries of the Ministers of the United States to Great Britain, France, Spain, and Russia, thirty-six thousand dollars.

Salaries of Ministers.

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

Secretaries of Legation.

For the salaries of the secretaries of legation to France, Spain, and Russia, for the year eighteen hundred and thirty-five, six thousand dollars.

For the salaries of the chargés des affaires to Portugal, Denmark, Sweden, Holland, Turkey, Belgium, Brazil, Chili, Peru, Mexico, Central America, New Grenada, Prussia, and Venezuela, sixty-three thousand dollars.

Legation to Turkey.

For the 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.

Outfits of ministers.

For outfits of ministers to Great Britain, France, and Spain, twenty-seven thousand dollars.

Outfits of chargés.

For outfits of chargés des affaires to Mexico, Prussia, and Peru, thirteen thousand five hundred dollars.

Agents of claims.

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

Barbary powers.

For the expenses of intercourse with the Barbary Powers, twelve thousand dollars.

American seamen.

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

Digest of Commercial Regulations.

For completing Digest of Commercial Regulations of Foreign Countries, under the resolution of the House of Representatives of the third of March, eighteen hundred and thirty-one, five thousand eight hundred and eighty-three dollars and thirty-four cents.

Custom-house, &c., New Bedford. At New York.

For completing the custom-house at New Bedford, and enclosing the lot, seven thousand two hundred dollars.

For the erection of a custom-house at New York, in addition to former appropriations, three hundred thousand dollars.

At Baltimore

For completing the public warehouse, at Baltimore, seventeen thousand dollars.

Direct taxes.

For the payment of balances due to officers of the old internal revenue and direct tax, being the balance of a former appropriation for that object, carried to the surplus fund, thirty-first December, eighteen hundred and thirty-five, five thousand seven hundred dollars and twenty-three cents.

Inhabitants of West Florida, &c.

For paying certain inhabitants of West Florida, now citizens of Louisiana and Mississippi, the claims passed by the accounting officers of the Treasury, being the balance of a former appropriation for that object, carried to the surplus fund on the thirty-first December, eighteen hundred and thirty-five, one thousand five hundred and nineteen dollars and forty-one cents.

For the payment of certain certificates, being the balance of a former appropriation for that object, carried to the surplus fund on the thirty-first December, eighteen hundred and thirty-five, thirty-seven thousand four hundred fifty-five dollars and seventy-six cents.

For the incidental and contingent expenses of the Department of State, being a balance due to William Browne, on that account, two thousand and ten dollars and six cents.

For clerk hire and other expenses in relation to the north-eastern boundary agency, being a balance due to William Browne, on that account, two thousand seven hundred and thirty-two dollars and twenty cents; these two last appropriations to be carried to the credit of said Browne, on account of contingencies of foreign intercourse.

Astronomical observations, north boundary of Ohio.

1832, ch. 232.

For arrearages for the service of astronomer, assistants, and incidental expenses incurred in making astronomical observations during the year eighteen hundred and thirty-five, under the act of the fourteenth July, eighteen 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": *Provided*, The compensation to the principal astronomer and assistants shall not exceed that granted, under the appropriation for the same service, of eighteen hundred and thirty-three, thirteen thousand six hundred and fifteen dollars.

James H. Relfe.

For compensation to James H. Relfe, for his services as messenger, in conveying the final report of the commissioners for the adjustment of private land claims, five hundred dollars.

Lt. Col. W. Lawrence.

For the payment of claims of Lieutenant Colonel W. Lawrence and

others, being part of an appropriation made by the act of the fifth of March, one thousand eight hundred and sixteen, for these objects, carried to the surplus fund on the thirty-first of December, one thousand eight hundred and twenty-six, reappropriated on the twentieth of March, one thousand eight hundred and twenty-eight, and again carried to the surplus fund on the thirty-first of December, one thousand eight hundred and thirty, three hundred and forty-seven dollars and sixty-seven cents.

1816, ch. 23.

For the expense of medals and swords for Colonel Croghan and others, five thousand one hundred dollars.

Medal for Col. Croghan, &c.
Bringing votes of Presidential election.

For the expense of bringing to the seat of Government the votes for President and Vice President of the United States, eight thousand dollars.

Coast survey.

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

For the Governor, judges, secretary, district attorney, and marshal, and contingent expenses, of the Wisconsin Territory, nine thousand, nine hundred dollars.

Governor, &c. of Wisconsin Territory.

Compensation and mileage of the members of the Legislative Council, and to defray the expenses of the Legislative Assembly, the printing of the laws, and other incidental expenses of said Territory, nine thousand four hundred dollars.

For the public buildings and library of said Territory, twenty-five thousand dollars.

For enlarging and repairing the custom-house, and purchasing additional land therefor, at Bath, in the State of Maine, five thousand five hundred dollars.

Custom-house, Bath, Me.

For repairs of public buildings at Staten Island, four thousand five hundred dollars.

For defraying the expenses of a survey of lots in the town of Galena, Illinois, to be made by the Surveyor General of Missouri and Illinois, under an act of Congress, approved the fifth day of February, one thousand eight hundred and twenty-nine, one thousand [dollars].

Survey at Galena.

1829, ch. 15.

For a custom-house in Boston, in addition to a former appropriation, two hundred thousand dollars.

Custom-house, Boston.

For a marble bust of the late Chief Justice Marshall, five hundred dollars.

Bust of C. J. Marshall.

For payment for preparing, printing, and binding the documents ordered to be printed by Gales & Seaton under the same restrictions and reservations as were contained in the appropriation for the same object in the act of May the fifth eighteen hundred and thirty-two, fifteen thousand six hundred and six dollars; and the eight volumes of the second series of the said publication shall be distributed in the same manner as were the volumes of the first series by the joint resolution of the tenth of July, eighteen hundred and thirty-two.

Documents printing by Gales & Seaton.

1832, ch. 74.

Vol. 4. p. 606.

SEC. 2. *And be it further enacted*, That it shall be the duties of the Secretaries of State, of the Treasury, of the War and Navy Departments, and of the Postmaster General, and the Secretary of the Senate, and Clerk of the House of Representatives, to lay before Congress, in lieu of the statement now required by law, during the first week in each annual session of Congress, a statement of the expenditures made by them respectively from the contingent funds of their respective departments and offices; that of the Secretary of State to include all the contingent expenses of foreign intercourse, and of all the missions abroad except such expenditures as are settled upon the certificate of the President; said statements to be abstracts of the accounts with the names of all persons to whom payments have been made and the amount paid to each.

Statements to be presented to Congress by the Executive Departments, &c.

APPROVED, May 9, 1836.

STATUTE I.

May 9, 1836.

CHAP. LX.—*An Act providing for the salaries of certain officers therein named, and for other purposes.*

Translator
State Depart-
ment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the translator of foreign languages and the librarian in the Department of State, shall receive a salary of sixteen hundred dollars.

Disbursing
agent in do.

That the disbursing agent in said Department be allowed a salary, of fourteen hundred and fifty dollars.

Secretary of
Treasury to
employ two
clerks.

That the Secretary of the Treasury be, and he is hereby, authorized to employ two additional clerks, to enable him to carry into effect the provisions of the second section of the act of the third of March, eighteen hundred and thirty-five, one at a salary of eleven hundred and fifty dollars, and the other at a salary of one thousand dollars.

1835, ch. 48.
1842, ch. 202, § 5.
Assistant
messenger in
Treasury, sala-
ry.

That the assistant messenger in said Department be allowed the sum of six hundred and fifty dollars.

In office of
First Comp-
troller.

That the assistant messenger in the First Comptroller's office be allowed the annual compensation of five hundred dollars.

Clerks and
messengers in
office of Com-
missioner of
Pensions.

For the employment of clerks and messengers for the office of the Commissioner of Pensions, in addition to those authorized by law, twelve thousand two hundred dollars.

Messenger,
office of Indian
Affairs.

That the annual compensation of the messenger in the office of the Commissioner of Indian Affairs, be seven hundred dollars.

Additional
clerk in Navy
Board.

That the Commissioners of the Navy Board be authorized to employ a clerk in addition to those authorized by law, at the sum of nine hundred dollars.

Surveyor Ge-
neral of Ohio,
&c. to employ
additional
clerks.

That the Surveyor General of Ohio, Indiana, and Michigan, be authorized to employ two clerks at a sum not exceeding twenty-three hundred dollars, and that he be allowed the further sum of four thousand dollars for additional clerk hire.

Surveyor Ge-
neral of Illinois
to employ, &c.

That the Surveyor General of Illinois and Missouri be authorized to employ clerks at a sum not exceeding three thousand eight hundred and twenty dollars.

Surveyor Ge-
neral of Arkan-
sas for clerk
hire.

That the Surveyor General of Arkansas be allowed the sum of two thousand eight hundred dollars, for clerk hire in his office.

Surveyor of
Louisiana for
clerk hire.

That the Surveyor of Louisiana be allowed the sum of twenty-five hundred dollars for clerk hire in his office.

Surveyor Ge-
neral of Missis-
sippi, clerk hire.

That the Surveyor General of Mississippi be allowed the sum of five thousand dollars for clerk hire in his office.

Surveyor Ge-
neral of Alaba-
ma, clerk hire.

That the Surveyor General of Alabama be allowed the sum of two thousand dollars for clerk hire in his office.

Surveyor Ge-
neral of Florida
for clerks.

That the Surveyor General of Florida be allowed the sum of three thousand five hundred dollars for clerks in his office.

Clerks to be
employed in the
Department of
War.

That the Secretary of War be, and he is hereby authorized to employ, for the discharge of the various duties of the Department, the following clerks and messengers; one clerk at sixteen hundred dollars, and one clerk at fourteen hundred dollars; to be employed in the business of reservations and grants under Indian treaties: *Provided*, That the said clerks shall not be employed for a longer term than four years. Three clerks for the Pension office at one thousand dollars each, to be continued only during the present year.

Proviso.
Clerks in the
Pension Office.

In the Quar-
ter-master Ge-
neral's Office.

Six clerks and one messenger, in the Quartermaster General's office, whose compensation shall be as follows; one clerk at sixteen hundred dollars, one clerk at twelve hundred dollars, four clerks at one thousand dollars each, and one messenger at five hundred dollars, one clerk for the Ordnance Office at twelve hundred dollars, and four clerks at one thousand dollars each. One clerk for the Adjutant General's Office at twelve hundred dollars, and three clerks at one thousand dollars each.

One clerk in the Engineer Office at twelve hundred dollars, and one clerk at one thousand dollars. One clerk in the Commanding General's office at one thousand dollars. Six clerks and one messenger in the Emigrating Indian Bureau attached to the Subsistence Department, whose compensation shall be as follows: one clerk at sixteen hundred dollars, one clerk at fourteen hundred dollars, one clerk at twelve hundred dollars, three clerks at one thousand dollars each, and one messenger at five hundred dollars; *Provided*, That the authority claimed under the acts approved March twenty-eighth, eighteen hundred and twelve, and May twenty-second eighteen hundred and twelve, or by any other act for the employment of non-commissioned officers, or the appointment of extra clerks in any of the offices of the War Department be, and the same are hereby repealed. *Provided however*, That where express appropriations are made by law, for the employment of clerks, such employment shall not be deemed to be extra, within the meaning of the above act.

1812, ch. 46.

1812, ch. 92.

Clerk in Topographical Bureau.

Superintendent of Indian Affairs, St. Louis, to employ two clerks.

Superintendent south of Missouri to employ one.

For one clerk in the Topographical Bureau, one thousand dollars.

That the Superintendent of Indian Affairs at St. Louis be authorized to employ two clerks in his office, and no more, one of which shall receive a compensation of one thousand, and the other of eight hundred dollars.

That the Superintendent of Indian Affairs south of the Missouri river be authorized to employ one clerk in his office who shall receive a compensation of one thousand dollars.

SEC. 2. *And be it further enacted*, That the salaries provided for in this act, and payable for the year eighteen hundred and thirty-six, shall be paid out of any money in the Treasury not otherwise appropriated.

APPROVED, May 9, 1836.

STATUTE I.

May 14, 1836.

[Obsolete.]

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

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-six, in addition to the unexpended balances of former appropriations, viz:

For pay of commissioned, warrant, and petty officers, and of seamen, two millions three hundred and eighteen thousand and seventeen dollars and sixteen cents.

Pay of officers and seamen.

For pay of superintendents, naval constructors, and all the civil establishment at the several yards, sixty-eight thousand three hundred and forty dollars.

Superintendents, &c. at navy yards.

For provisions, seven hundred and eighty-two thousand two hundred and sixty-three dollars and seventy-five cents.

Provisions.

For repairs of vessels in ordinary, and the repairs and wear and tear of vessels in commission, one million and sixty-five thousand dollars.

Repairs, &c.

For medicines and surgical instruments, hospital stores, and other expenses on account of the sick, forty-one thousand one hundred dollars.

Medicines, &c.

For improvement and necessary repairs of the navy yard at Portsmouth, New Hampshire, sixty-seven thousand dollars.

Repairs, &c. navy yard, Portsmouth, N. H.

For improvement and necessary repairs of the navy yard at Charlestown, Massachusetts, one hundred and ninety-nine thousand five hundred and seventy-five dollars.

Charlestown, Mass.

For improvement and necessary repairs of the navy yard at Brooklyn, New York, eighty-four thousand three hundred dollars.

Brooklyn, N.Y.

For improvement and necessary repairs of the navy yard at Philadelphia, Pennsylvania, eleven thousand seven hundred and fifty dollars.

Philadelphia.

For improvement and necessary repairs of the navy yard at Washington, thirty-seven thousand five hundred dollars.

Washington.

- Gosport, Virginia. For improvement and necessary repairs of the navy yard at Gosport, Virginia, one hundred and sixty-seven thousand dollars.
- Pensacola. For improvement and necessary repairs of the navy yard at Pensacola, forty-nine thousand dollars.
- Wharves, &c. For wharves and their appendages at the navy yard at Pensacola, as recommended by the Secretary of the Navy, one hundred and fifty thousand dollars.
- Powder magazine. For powder magazine, seventeen thousand dollars.
- Brick wall. For wall or enclosure of brick three yards high, and a half yard thick, as recommended by Commodore Dallas, twenty-four thousand dollars.
- Ordnance and stores. For ordnance and ordnance stores, sixty-four thousand nine hundred dollars.
- Various contingent expenses enumerated. For defraying the expenses that may accrue for the following purposes, viz ; for the freight and transportation of materials and stores of every description ; for wharfage and dockage, storage and rent ; traveling expenses of officers and transportation of seamen ; house rent for pursers, when attached to yards and stations where no house is provided ; for funeral expenses ; for commissions, clerk hire, 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 allowance to persons attending courts martial and courts of inquiry ; for printing and stationery of every description, and working the lithographic press, and for books, maps, charts, mathematical and nautical instruments, chronometers, models, and drawings ; for the purchase and repair of fire engines and machinery, and for the repair of steam engines ; for the 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 and towing ships of war ; for cabin furniture for vessels in commission ; for taxes and assessments on public property ; for assistance rendered to vessels in distress ; for incidental labor at navy yards, not applicable to any other appropriation ; for coal and other fuel, and for candles and oil ; for repairs of magazines or powder-houses ; for preparing moulds for ships to be built ; and for no other purpose whatever, three hundred and twenty-one thousand six hundred dollars.
- Contingent expenses not enumerated. For contingent expenses for objects not hereinbefore enumerated, three thousand dollars.
- Steam vessel building at Brooklyn. For completing the steam vessel now building at the navy yard at Brooklyn, one hundred and fifty thousand dollars.
- Completing navy hospitals near New York and Boston, &c. For completing the navy hospitals near New York and Boston, regulating the grounds, making the necessary enclosures, repairing the naval asylum and all other hospitals, and the buildings wharves, and landings connected with them, and for preparing suitable burying grounds, forty-five thousand four hundred and ten dollars.
- Powder magazines, &c. For completing the powder magazines near New York and Boston, with the landings, enclosures, and dependancies, nineteen thousand two hundred dollars.
- Pay of marine corps. For pay of the officers, non-commissioned officers, musicians and privates, and for subsistence of the officers of the marine corps, one hundred and sixty-three thousand seventy-seven dollars and twenty-five cents.
- Pay of marine corps, &c. on shore. For provisions for non-commissioned officers, musicians, and privates of said corps, serving on shore, and for servants and washerwomen, thirty-three thousand five hundred and seventeen dollars and seventy-two cents.
- Clothing. For clothing, thirty-eight thousand six hundred and fifty-five dollars.
- Fuel. For fuel, fourteen thousand five hundred and eighty-nine dollars.
- Sites for barracks, &c. For the purchase of sites and the erection of barracks near the navy

yards at Charlestown, Gosport, and Pensacola, one hundred and fifty thousand dollars.

For repair of barracks near Portsmouth, New Hampshire, and for repairs at other stations, eight thousand nine hundred dollars.

For transportation of officers, non-commissioned officers, musicians, and privates, and expenses of recruiting, six thousand dollars.

For medicines, hospital stores, surgical instruments, and pay of matron, four thousand one hundred and thirty-nine dollars and twenty-nine cents.

For military stores, pay of armorers, keeping arms in repair, drums, fifes, flags, accoutrements, and ordnance stores, two thousand dollars.

For contingent expenses of said corps, seventeen thousand nine hundred and seventy-seven dollars and ninety-three cents.

For arrearages for defraying the extra services and expenses of the officers of the navy engaged in the survey of the coasts and harbors of the United States, for the year eighteen hundred and thirty, and prior thereto, being the amount appropriated in eighteen [hundred] and thirty-four, for the same object, but by that act made applicable only to arrearages for the year eighteen hundred and thirty, fifteen hundred dollars.

SEC. 2. *And be it further enacted*, That the President of the United States, be, and he hereby is authorized, to send out a surveying and exploring expedition to the Pacific ocean and [the] South seas, and for that purpose to employ a sloop of war, and to purchase or provide such other smaller vessels as may be necessary and proper to render the said expedition efficient and useful, and for this purpose the sum of one hundred and fifty thousand dollars be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and in addition thereto, if necessary, the President of the United States is authorized to use other means in the control of the Navy Department, not exceeding one hundred and fifty thousand dollars for the objects required.

APPROVED, May 14, 1836.

Repair of barracks.

Transportation of officers, recruiting, &c.

Medicines, hospital stores, &c.

Military stores, armorers, &c.

Contingent expenses.

Services in the coast survey for 1830, and prior thereto.

To enable the President to send out an exploring expedition to the south seas, &c.

Other means to the amount of \$150,000 may be used by him.

STATUTE I.

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

May 14, 1836.

[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 money in the Treasury not otherwise appropriated, for the support of the army for the year one thousand eight hundred and thirty-six; that is to say:

For the pay of the army, nine hundred and eighty-eight thousand three hundred and seventeen dollars.

Pay of the army.

For subsistence of officers, three hundred and fifteen thousand one hundred and eighteen dollars.

Subsistence of officers.

For forage of officers' horses, sixty thousand one hundred and thirty-nine dollars.

Forage.

For clothing for officers' servants, twenty-four thousand nine hundred and thirty dollars.

Clothing officers' servants.

For payments in lieu of clothing to discharged soldiers, thirty thousand dollars.

Discharged soldiers.

For subsistence, exclusive of that of officers, four hundred and ninety-five thousand four hundred dollars.

Subsistence.

For clothing of the army, camp and garrison equipage, cooking utensils, hospital furniture, two hundred and two thousand nine hundred and eighty-two dollars.

Clothing, &c.

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

Medical and hospital department.

Expenses of
Quarter-mas-
ter's depart-
ment.

For various expenses in the quartermaster's department, viz: fuel, forage, straw, stationery, blanks, and printing; repairing and enlarging barracks, quarters, storehouses, and hospitals, at the various posts; erecting temporary cantonments at such posts as shall be occupied during the year, including huts for the dragoons, and gun-houses at the Atlantic posts, and those on the Gulf of Mexico, with the necessary tools and materials; providing materials for the authorized furniture of the rooms of non-commissioned officers and soldiers; rent of quarters, barracks and storehouses, and of grounds for summer cantonments and encampments, including a farm at Fort Monroe for military practice; postage on public letters and packets; expenses of courts martial and courts of inquiry, including the compensation of judge advocates, members, and witnesses; extra pay to soldiers under an act of Congress of the second of March, eighteen hundred and nineteen; expenses of expresses from the frontier posts; of escorts to paymasters; hire of laborers; compensation to extra clerks in the offices of the quartermaster and assistants, at posts where their duties cannot be performed without such aid, and to temporary agents in charge of dismantled works and in the performance of other duties; coffins and other articles necessary at the interment of non-commissioned officers and soldiers; and purchase of horses, and various other expenditures necessary to keep the regiment of dragoons complete, three hundred and thirty-two thousand dollars.

1819, ch. 45.

Transporta-
tion of officers'
baggage.
For transporta-
tion of cloth-
ing, &c.

For the allowance made to the officers for the transportation of their baggage when travelling on duty without troops, fifty thousand dollars.

For transportation of clothing from the depot at Philadelphia, to the stations of the troops; of subsistence from the places of purchase and points of delivery, under contracts, to the posts where they are required to be used; of ordnance from the foundries and arsenals to the frontier posts and the fortifications and lead from the western mines to the several arsenals; and of the army, including officers when removing with troops, either by land or water; freight and ferriages; purchase or hire of horses, oxen, mules, carts, wagons, and boats for transportation of troops and supplies, and for garrison purposes; drayage and cartage at the several posts; hire of teamsters; transportation of funds for the pay department; the expense of sailing a public transport between the several posts on the Gulf of Mexico, and procuring water at such posts as from their situation require it, the sum of one hundred and forty-eight thousand dollars.

Contingencies.

For contingencies of the army, three thousand dollars.

Recruiting,
&c.

For two months' extra pay to re-enlisted soldiers, and for the contingent expenses of the recruiting service, in addition to the sum of twenty thousand seven hundred and sixty dollars and sixty-three cents, being an unexpended appropriation for bounties and premiums, ten thousand five hundred and sixty-four dollars and forty-four cents.

Arrearages.

For arrearages prior to the first of July, one thousand eight hundred and fifteen, payable through the office of the Third Auditor, in addition to an unexpended balance of two thousand one hundred and sixty-six dollars and thirty-one cents, three thousand dollars.

For removal
of troops and
building a fort.

For enabling the Secretary of War, under the direction of the President of the United States, to remove the troops from Fort Gibson to some eligible point on or near the western frontier line of Arkansas, and to cause a fort to be built upon the point so selected, for the accommodation of the troops of the United States, and for the better defence of the Arkansas frontier, the sum of fifty thousand dollars.

Post, p. 310.

Barracks at
Key West, &c.

For completing the barracks, quarters, storehouses, and hospital, at Key West, in the Territory of Florida, ten thousand dollars.

Hospitals, &c.

For hospitals at the various military posts at which they may be required by the proper officers of the medical department, where there are not proper accommodations for the sick, and which may be author-

ized by the Secretary of War to be erected, one hundred thousand dollars.

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

For the armament of the fortifications, two hundred thousand dollars.

For the current expenses of the ordnance service, seventy-five thousand six hundred and seventy dollars.

For the purchase of gunpowder, one hundred thousand dollars.

For arsenals, two hundred and thirty-one thousand five hundred and two dollars.

For supplying the arsenals with certain ordnance stores, one hundred and eighty-eight thousand five hundred and seventy-five dollars.

For the purchase of cannon balls, twenty-nine thousand four hundred and eighty-eight dollars.

For completing the Medal, heretofore ordered by Congress, for General Ripley, three hundred dollars.

APPROVED, May 14, 1836.

National armories.

Fortification.

Ordnance service.

Gunpowder.

Arsenals.

Supplying arsenals.

Cannon balls.

Medal to General Ripley.

STATUTE I.

CHAP. LXXVI.—*An Act to give effect to patents for public lands issued in the names of deceased persons.*

May 20, 1836.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases where patents for public lands have been or may hereafter be issued, in pursuance of any law of the United States, to a person who had died, or who shall hereafter die, before the date of such patent, the title to the land designated therein shall enure to, and become vested in, the heirs, devisees, or assignees of such deceased patentee, as if the patent had issued to the deceased person during life; and the provisions of this act shall be construed to extend to patents for lands within the Virginia Military District in the State of Ohio.

APPROVED, May 20, 1836.

Patents for public lands to issue to heirs, devisees, and assignees.

STATUTE I.

CHAP. LXXVII.—*An Act explanatory of the act entitled "An act to prevent defalcations on the part of the disbursing agents of the Government, and for other purposes."*

May 20, 1836.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, the act entitled "An act to prevent defalcations on the part of the disbursing agents of the Government, and for other purposes," approved the twenty-fifth of January, eighteen hundred and twenty-eight, shall not be construed to authorize the pension of any pensioner of the United States to be withheld.

APPROVED, May 20, 1836.

Act of Jan. 1828, ch. 2, not to apply to pensions.

STATUTE I.

CHAP. LXXIX.—*An Act for the relief of the several corporate cities of the District of Columbia.*

May 20, 1836.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to assume, on behalf of the United States, and discharge, to the holders of the evidences of debt contracted and entered into between the cities of Washington, Alexandria, and Georgetown, and certain individuals in Holland, negotiated by Richard Rush, Esquire, on behalf of said corporate bodies, the entire obligation of paying said debts, with the accruing interest thereon, together with the interest now due and remaining unpaid, according to the terms of said contract.

Debt contracted in Holland assumed by the United States.

Corporations to deposit the stock with the Treasurer of the United States, &c.

SEC. 2. *And be it further enacted*, That before the said Secretary of the Treasury, shall execute the duties prescribed by the first section of this act, the said corporate authorities of said cities shall deposit in the hands of the said Secretary of the Treasury, the stock in the Chesapeake and Ohio Canal Company, held by them respectively; and the said Secretary of the Treasury may, at such time within ten years, as may be most favorable for the sale of said stock, dispose thereof at public sale, and reimburse to the United States such sums as may have been paid under the provisions of this act; and if any surplus remain after said reimbursement, he shall pay over said surplus to said cities, in proportion to the amount of stock now held by them respectively.

APPROVED, May 20, 1836.

STATUTE I.

May 23, 1836.

[Expired.]

President may accept the services of ten thousand volunteers, &c.

To do military duty, &c.

To be received in companies, &c.

Proviso.

To be organized by the President.

CHAP. LXXX.—*An Act authorizing the President of the United States to accept the service of volunteers, and to raise an additional regiment of dragoons or mounted riflemen.*

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 hereby is authorized to accept volunteers who may offer their services either as infantry or cavalry not exceeding ten thousand men, to serve six or twelve months after they shall have arrived at the place of rendezvous, unless sooner discharged; and the said volunteers shall furnish their own clothes, and, if cavalry, their own horses, and when mustered into service, shall be armed and equipped at the expense of the United States.

SEC. 2. *And be it further enacted*, That the said volunteers shall be liable to be called upon to do military duty only in cases of Indian hostilities, or to repel invasions, whenever the President shall judge proper, and when called into actual service and while remaining therein, shall be subject to the rules and articles of war, and shall be in all respects, except as to clothing, placed on the same footing with similar corps of the United States army, and in lieu of clothing every non-commissioned officer and private, in any company, who may thus offer themselves, shall be entitled, when called into actual service, to receive in money a sum equal to the cost of the clothing of a non-commissioned officer or private (as the case may be) in the regular troops of the United States.

SEC. 3. *And be it further enacted*, That the said volunteers, so offering their services, shall be accepted by the President in companies, battalions, squadrons, regiments, brigades, or divisions, whose officers shall be appointed in the manner prescribed by law in the several States and Territories, to which such companies, battalions, squadrons, regiments, brigades, or divisions, shall respectively belong. *Provided*, That, where any company, battalion, squadron, regiment, brigade, or division, of militia, already organized, shall tender their voluntary service to the United States, such company, battalion, squadron, regiment, brigade, or division, shall continue to be commanded by the officers holding commissions in the same, at the time of such tender; and any vacancy thereafter occurring shall be filled in the mode pointed out by law in the State or Territory wherein the said company, battalion, squadron, regiment, brigade or division, shall have been originally raised.

SEC. 4. *And be it further enacted*, That the President of the United States be, and he is hereby authorized to organize companies, so tendering their services, into battalions or squadrons, battalions or squadrons into regiments, regiments into brigades, and brigades into divisions, as soon as the number of volunteers shall render such organization in his judgment expedient; and the President shall, if necessary, apportion the staff, field and general officers among the respective States or Territories from which the volunteers shall tender their services as

he may deem proper; but, until called into actual service, such companies, battalions, squadrons, regiments, brigades or divisions shall not be considered as exempt from the performance of militia duty as is required by law, in like manner as before the passage of this act.

SEC. 5. *And be it further enacted*, That the volunteers who may be received into the service of the United States, by virtue of the provisions of this act, shall be entitled to all the benefits which may be conferred on persons wounded in the service of the United States.

To be entitled to benefits, &c.

SEC. 6. *And be it further enacted*, That there shall be raised and organized, under the direction of the President of the United States, one additional regiment of dragoons or mounted riflemen, to be composed of the same number and rank of the officers, non-commissioned officers, musicians and privates, composing the regiment of dragoons now in the service of the United States, who shall receive the same pay and allowances, be subject to the same rules and regulations, and be engaged for the like term, and upon the same conditions, in all respects whatever as are stipulated for the said regiment of dragoons now in service.

A regiment of dragoons to be organized.

SEC. 7. *And be it further enacted*, That the President of the United States may disband the said regiment whenever, in his opinion, the public interest no longer requires their services; and that the sum of three hundred thousand dollars, required to carry into effect the provisions of this act is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

President may disband.
300,000 dollars appropriated.

SEC. 8. *And be it further enacted*, That so much of this act as relates to volunteers shall be in force for two years from and after the passage of this act, and no longer.

Act to remain in force two years.

APPROVED, May 23, 1836.

STATUTE I.

CHAP. LXXXI.—*An Act making appropriation for the suppression of hostilities by the Creek Indians.*

May 23, 1836.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of five hundred thousand dollars, be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to defray any expenses which have been, or may be incurred in suppressing hostilities by the Creek Indians, by calling out, by the President, of any part of the militia of the United States, according to the provisions of the constitution and laws; which sum, if expended, shall be expended under the direction of the Secretary of War, conformably to the provisions of the act of Congress, of second of January, seventeen hundred and ninety-five; of the act [of] fifth of April, eighteen hundred and thirty-two, making appropriations for the support of the army; and of the act of the nineteenth March, eighteen hundred and thirty-six, providing for the payment of volunteers and militia corps in the service of the United States.

Appropriation of 500,000 dollars.

Act of Jan. 2, 1795, ch. 9.
Act of April 5, 1832, ch. 64.
Act of March 19, 1836, ch. 44.

APPROVED, May 23, 1836.

STATUTE I.

CHAP. LXXXII.—*An Act to provide for the payment of expenses incurred and supplies furnished on account of the militia or volunteers received into the service of the United States for the defence of Florida.*

May 28, 1836.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, directed to cause to be paid the expenses that have been incurred, and the supplies that have been furnished, in the States of South Carolina, Georgia, Alabama, Louisiana, and the Territory of Florida, on account of the militia or volunteers received into the service of the United States for the defence of Florida. *Provided*,

Secretary of War to cause expenses incurred to be paid.

Proviso.

That the accounts for these claims shall be examined and audited at the Treasury, as in other cases.

Militia and volunteers regularly discharged, to be paid.

SEC. 2. *And be it further enacted*, That the Secretary of War be authorized to cause the militia called out to defend East Florida, by Generals Clinch and Hernandez, or by the Governor in Middle and West Florida, and such other militia and volunteers as have been received and mustered into the service of the United States and regularly discharged, to be paid in like manner with the volunteers and militia ordered into service under orders from the War Department.

APPROVED, May 28, 1836.

STATUTE I.

June 7, 1836.

CHAP. LXXXV.—*An Act to provide for the payment of certain pensioners in the States of Virginia and Ohio.*

A pension agency to be established at Wheeling.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he hereby is, authorized and empowered to establish a pension agency at the city of Wheeling in the State of Virginia, for the payment of pensioners of the United States resident in the counties of Brooke, Ohio, Marshall, Tyler, Wood, Lewis, Harrison, Randolph, Preston, and Monongalia, in Virginia, and Belmont, Jefferson, Guernsey, Harrison, and Monroe, in the State of Ohio: *Provided*, That the establishment of such agency can be made and continued without charge to the United States.

Proviso.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and hereby is, authorized to make the necessary arrangement for the payment of said pensioners.

SEC. 3. *And be it further enacted*, That this act shall take effect from and after the first day of August, eighteen hundred and thirty-six.

APPROVED, June 7, 1836.

STATUTE I.

June 7, 1836.

CHAP. LXXXVI.—*An Act to extend the western boundary of the State of Missouri to the Missouri river.*

The western boundary of the State extended. Act of March 6, 1820, ch. 22, sec. 2.

Sec Proclamation, Appendix No. 1.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when the Indian title to all the lands lying between the State of Missouri and the Missouri river shall be extinguished, the jurisdiction over said lands shall be hereby ceded to the State of Missouri, and the western boundary of said State shall be then extended to the Missouri river, reserving to the United States the original right of soil in said lands, and of disposing of the same: *Provided*, That this act shall not take effect until the President shall by proclamation, declare that the Indian title to said lands has been extinguished; nor shall it take effect until the State of Missouri shall have assented to the provisions of this act.

Proviso.

APPROVED, June 7, 1836.

STATUTE I.

June 7, 1836.

CHAP. LXXXVII.—*An Act to carry into effect a convention between the United States and Spain.*

1837, ch. 37.

A commissioner, secretary, and clerk to be appointed.

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 one commissioner, whose duty it shall be to receive and examine all claims which may be presented to him under the convention for the settlement of claims between the United States of America, and her Catholic Majesty the Queen of Spain, concluded at Madrid on the seventeenth day of February, one thousand eight hundred and thirty-four, 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 commissioner shall have a secretary, versed in the Spanish and French languages, and a clerk, both to be appointed by the President, by and with the advice and consent of the Senate; and the commissioner, 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 commissioner shall be, and he is 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 his said commission into full and complete effect.

Commissioner to make rules and regulations.

SEC. 3. *And be it further enacted,* That the commissioner, so to be appointed, shall attend at the city of Washington, and his salary shall begin to be allowed within thirty days after his appointment; and within twelve months from the time of his attendance as aforesaid, he shall terminate his duties. And the Secretary of State is required, as soon as the said commissioner shall be appointed, to give notice of his attendance at Washington as aforesaid, to be published in two newspapers in the city of Washington, and in such other newspapers as he may think proper.

Commissioner to attend at the city of Washington.

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 claim, shall be delivered to the commissioner aforesaid.

Records and documents to be delivered to him.

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 the said commissioner, at the rate of three thousand five hundred dollars per annum; to the secretary, 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 commissioner 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.

Compensation.

SEC. 6. *And be it further enacted,* That it shall be lawful for the Secretary of the Treasury to cause the inscription or inscriptions which shall be issued by the Spanish Government, in pursuance of the aforesaid convention, to be deposited in the archives of the Legation of the United States, at Paris, until otherwise ordered by the President of the United States; and it shall also be lawful for the Secretary of the Treasury, and he is hereby authorized and required, to cause the moneys which may from time to time be paid in pursuance of the said convention, to be duly received and accounted for at Paris, and the same to be remitted, on the most advantageous terms, to the United States of America; and the said moneys, so received and remitted, shall be deposited in the Treasury of the United States, and the same are hereby appropriated to be distributed and paid to those authorized to receive them, according [to] the provisions of this act.

Duties of the Secretary of the Treasury.

SEC. 7. *And be it further enacted,* That the commissioner aforesaid shall report to the Secretary of State a list of all the several awards made by him, a certified copy of which shall be by the said Secretary of State transmitted to the Secretary of the Treasury, who shall thereupon distribute in ratable proportions, among the persons in whose favor the award 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

Commissioner to report, &c.

received; first deducting such sums of money as may be due the United States from said persons in whose favor 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 nett proceeds of the general instalments, payable by the Government of Spain, shall have been received, such proportions thereof shall be paid to the legal holders of the said certificates.

Communica-
tions free of
postage.

SEC. 8. *And be it further enacted*, That all communications to and from the secretary of the commissioner appointed under this act, on the business of the commission, shall pass by mail free of 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.

APPROVED, JUNE 7, 1836.

STATUTE I.

June 14, 1836.

CHAP. LXXXVIII.—*An Act making appropriations for the current expenses of the Indian Department, for Indian annuities, and other similar objects, for the year one thousand eight hundred and thirty-six.*

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

Pay of Super-
intendent and
Agents.
1834, ch. 162.

For pay of the Superintendent of Indian affairs at St. Louis, and the several Indian Agents, as provided for by the act of thirtieth June, one thousand eight hundred and thirty-four, thirteen thousand five hundred dollars.

Pay of clerk
in Territory of
Wisconsin.

For the payment of a clerk in the office of Superintendent of Indian Affairs for the Territory of Wisconsin, eight hundred dollars.

Pay of Sub-
agents.

For the pay of Sub-agents, allowed by same act, ten thousand dollars.

Pay of Inter-
preters.

For the pay of Interpreters, allowed by same act, seven thousand eight hundred dollars.

Presents to
Indians.
Provisions for
Indians.

For presents to Indians, authorized by same act, five thousand dollars.

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

Buildings and
repairs.

For the necessary buildings required at the several agencies, and repairs thereof, two thousand dollars.

Postage, &c.

For postage, stationery, rent, and fuel, for offices, as authorized by the act of June thirtieth, eighteen hundred and thirty-four, three thousand dollars.

Contingen-
cies, Indian De-
partment.

For contingencies, Indian Department, four thousand dollars.

To the Six
Nations of In-
dians in New
York.

To the Six Nations of Indians in New York.—For the permanent annuity, stipulated in the sixth article of the treaty with them, of the eleventh of November, seventeen hundred and ninety-four, four thousand five hundred dollars.

For the annuity to the young king, a chief, for life, as provided for by the act of the twenty-sixth of April, eighteen hundred and twenty-six, two hundred dollars.

To the Seneca-
s of New
York.

To the Senecas of New York.—For the permanent annuity, in lieu of interest on stock, provided for by the act of the nineteenth of February, eighteen hundred and thirty-one, six thousand dollars.

To the Otta-
was.

To the Ottawas.—For the permanent annuity, stipulated in the fourth article of the treaty with them, of the third of August, seventeen hundred and ninety-five, one thousand dollars.

For the permanent annuity, stipulated in the second article of the treaty of the seventeenth of November, eighteen hundred and seven, eight hundred dollars.

For the permanent annuity, stipulated in the fourth article of the treaty of the seventeenth of September, eighteen hundred and eighteen, one thousand five hundred dollars.

For the permanent annuity, stipulated in the fourth article of the treaty of the twenty-ninth of August, eighteen hundred and twenty-one, one thousand dollars.

To the Wyandots.—For the permanent annuity, stipulated in the fourth article of the treaty of the third of August, seventeen hundred and ninety-five, one thousand dollars.

To the Wyandots.

For the permanent annuity, stipulated in the second article of the treaty of the seventeenth of November, eighteen hundred and seven, four hundred dollars.

For the permanent annuity, stipulated in the fourth article of the treaties of the twenty-ninth of September, eighteen hundred and seventeen, and the seventeenth of September, eighteen hundred and eighteen, four thousand five hundred dollars.

For the support of a blacksmith and assistant, stipulated in the tenth article of the treaty of the twenty-ninth of September, eighteen hundred and seventeen, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. for shop, two hundred and twenty dollars.

To the Wyandots, Munsees, and Delawares.—For the permanent annuity, stipulated in the fourth article of the treaty with them of the fourth of July, eighteen hundred and five, one thousand dollars.

To the Wyandots, Munsees and Delawares.

To the Christian Indians.—For the permanent annuity, per act of the thirtieth of May, eighteen hundred and twenty-six, four hundred dollars.

To the Christian Indians.

To the Miamies.—For the permanent annuity, stipulated in the fourth article of the treaty with them, of the twenty-third of October, eighteen hundred and twenty-six, twenty-five thousand dollars.

To the Miamies.

For the purposes of education, during the pleasure of Congress, stipulated in the sixth article of the same treaty, two thousand dollars.

For the pay of eight laborers, stipulated in the fourth article of the same treaty, four hundred and eighty dollars.

For the purchase of two thousand pounds of iron, two hundred and fifty pounds of steel, and one thousand pounds of tobacco, stipulated in the same, six hundred and twenty dollars.

For the support of a blacksmith and assistant, stipulated in the fifth article of the treaty of the sixth of October, eighteen hundred and eighteen, seven hundred and twenty dollars.

For the support of a miller, in lieu of a gunsmith, stipulated in the same, six hundred dollars.

For the purchase of one hundred and sixty bushels of salt, stipulated in the same, three hundred and twenty dollars.

To the Eel Rivers.—For the permanent annuity, stipulated in the fourth article of the treaty with them of the third of August, seventeen hundred and ninety-five, five hundred dollars.

To the Eel Rivers.

For the permanent annuity, stipulated in the third article of the treaty of the twenty-first of August, eighteen hundred and five, two hundred and fifty dollars.

For the permanent annuity, stipulated in the third and separate article of the treaty of the thirtieth of September, eighteen hundred and nine, three hundred and fifty dollars.

To the Pottawatamies.—For the permanent annuity, stipulated in the fourth article of the treaty with them of the third of August, seventeen hundred and ninety-five, one thousand dollars.

To the Pottawatamies.

For the purchase of salt, stipulated in the third article of the treaty

of the seventh of June, eighteen hundred and three, one hundred and forty dollars.

For the permanent annuity, stipulated in the third article of the treaty of the thirtieth of September, eighteen hundred and nine, five hundred dollars.

For the permanent annuity, stipulated in the third article of the treaty of the second of October, eighteen hundred and eighteen, two thousand five hundred dollars.

For the limited annuity, stipulated in the fourth article of the treaty of twenty-ninth of August, eighteen hundred and twenty-one, five thousand dollars.

For the limited annuity, stipulated in the third article of the treaty of the sixteenth of October, eighteen hundred and twenty-six, two thousand dollars.

For the purposes of education, during the pleasure of Congress, stipulated in the same, two thousand dollars.

For the support of a blacksmith and assistant, stipulated in the same, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. stipulated in the same, two hundred and twenty dollars.

For the support of a miller, stipulated in the third article of the treaty of the sixteenth of October, eighteen hundred and twenty-six, six hundred dollars.

For the purchase of one hundred and sixty bushels of salt, stipulated in the same, three hundred and twenty dollars.

For permanent annuity, stipulated in the second article of the treaty of the twentieth of September, eighteen hundred and twenty-eight, two thousand dollars.

For the limited annuities, stipulated in the same, one thousand dollars.

For the purposes of education, during the pleasure of Congress, stipulated in the same, one thousand dollars.

For the annuity to the principal chief, for life, stipulated in the same, one hundred dollars.

For the support of a blacksmith and assistant, stipulated in the same, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For the purchase of two thousand pounds of tobacco, stipulated in the same, two hundred and forty dollars.

For the pay of three laborers, stipulated in the same, three hundred and sixty dollars.

To the Pottawatamies of Huron.—For the permanent annuity, stipulated in the second article of the treaty with them, of the seventeenth of November, eighteen hundred and seven, four hundred dollars.

To the Pottawatamies of the Prairie.—For the limited annuity, stipulated in the third article of the treaty with them, of the twentieth of October, eighteen hundred and thirty-two, fifteen thousand dollars.

For the annuity of three chiefs, for life, stipulated in the same, one thousand dollars.

To the Pottawatamies of the Wabash.—For the limited annuity, stipulated in the third article of the treaty with them, of the twenty-sixth of October, eighteen hundred and thirty-two, twenty thousand dollars.

To the Pottawatamies of Indiana.—For the limited annuity, stipulated in the fourth article of the treaty with them, of the twenty-seventh of October, eighteen hundred and thirty-two, fifteen thousand dollars.

For the purpose of education, during the pleasure of Congress, stipulated in the same, two thousand dollars.

For the annuity, stipulated in the third article of the treaty with them, of the tenth of December, eighteen hundred and thirty-four, one thousand dollars.

To the Pottawatamies of Huron.

To the Pottawatamies of the Prairie.

To the Pottawatamies of the Wabash.

To the Pottawatamies of Indiana.

To the Chippewas, Ottawas and Pottawatamies.—For the support of a blacksmith and assistant, stipulated in the second article of the treaty with them, of the twenty-ninth of July, eighteen hundred and twenty-nine, seven hundred and twenty dollars. To the Chippewas, Ottawas and Pottawatamies.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For the permanent annuity, stipulated in the second article of the treaty of the twenty-ninth of July, eighteen hundred and twenty-nine, sixteen thousand dollars.

For the purchase of fifty barrels of salt, stipulated in the same, two hundred and fifty dollars.

For the limited annuity, stipulated in the third article of the treaty with them, of the twenty-sixth of September, eighteen hundred and thirty-three, fourteen thousand dollars.

For the limited annuity, stipulated in the second article of the supplement to the said treaty, two thousand dollars.

For the annuity, stipulated in the third article of the said treaty, to four chiefs, for life, one thousand one hundred dollars.

To the Winnebagoes.—For the limited annuities, stipulated in the second article of the treaty with them, of the first of August, eighteen hundred and twenty-nine, eighteen thousand dollars. To the Winnebagoes.

For the purchase of fifty barrels of salt, stipulated in the same, two hundred and fifty dollars.

For the purchase of three thousand pounds of tobacco, stipulated in the same, three hundred dollars.

For the support of three blacksmiths and assistant, stipulated in the third article of the same, two thousand one hundred and sixty dollars.

For iron, steel, &c. six hundred and sixty dollars.

For the pay of laborers and for oxen, stipulated in the same, three hundred and sixty-five dollars.

For the limited annuity, stipulated in the third article of the treaty of the fifteenth of September, eighteen hundred and thirty-two, ten thousand dollars.

For the purpose of education, stipulated in the fourth article of the same, three thousand dollars.

For the support of six agriculturists, and purchase of oxen, ploughs, and agricultural implements, stipulated in the fifth article of the same, two thousand five hundred dollars.

For the purchase of one thousand five hundred pounds of tobacco, stipulated in the same, one hundred and fifty dollars.

For the services of two physicians, stipulated in the same, four hundred dollars.

To the Menomonees.—For the support of five farmers and five females, housekeepers, stipulated in the second article of the treaty with them, of the fifth of February, eighteen hundred and thirty-one, four thousand dollars. To the Menomonees.

For the support of a miller, stipulated in the same, six hundred dollars.

For the support of three blacksmiths and assistant, stipulated in the same, two thousand one hundred and sixty dollars.

For the purchase of iron, steel, &c. six hundred and sixty dollars.

For the limited annuity, stipulated in the same, six thousand dollars.

For the purposes of education, stipulated in the fifth article of the same, five hundred dollars.

For the purchase of provisions, stipulated in the sixth article of the same, one thousand dollars.

To the Chippewas.—For the permanent annuity stipulated in the fourth article of the treaty with them, of the third of August, seven-
teen hundred and ninety-five, one thousand dollars. To the Chippewas.

For the support of a blacksmith and assistant, at Michilimackinac, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For the permanent annuity, stipulated in the second article of the treaty of the seventeenth of November, eighteen hundred and seven, eight hundred dollars.

For the permanent annuity, stipulated in the fourth article of the treaty of the twenty-fourth of September, eighteen hundred and nineteen, one thousand dollars.

For the support of a blacksmith at Saginaw, and for farming utensils and cattle, and for the employment of persons to aid them in agriculture, fixed by the act of the fifteenth of May, eighteen hundred and twenty, two thousand dollars.

For the purposes of education, during the pleasure of Congress, stipulated in the sixth article of the treaty of the fifth of August, eighteen hundred and twenty-six, one thousand dollars.

To the Chippewas, Menomonees, Winnebagoes, and New York Indians.

To the Chippewas, Menomonees, Winnebagoes, and New York Indians.—For the purposes of education during the pleasure of Congress, stipulated in the fifth article of the treaty with them, of the eleventh of August, eighteen hundred and twenty-seven, one thousand five hundred dollars.

To the Sioux of Mississippi.

To the Sioux of Mississippi.—For the limited annuity, stipulated in the fourth article of the treaty with them, of the fifteenth of July, eighteen hundred and thirty, two thousand dollars.

For the support of a blacksmith and assistant, stipulated in the same, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For agricultural implements, stipulated in the same, seven hundred dollars.

To the Yancton and Santie bands.

To the Yancton and Santie bands.—For the limited annuity, stipulated in the fourth article of the treaty with them, of the fifteenth of July, eighteen hundred and thirty, three thousand dollars.

For the support of a blacksmith and assistant, stipulated in the same, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For agricultural implements, stipulated in the same, four hundred dollars.

To the Omahas.

To the Omahas.—For the limited annuity, stipulated in the fourth article of the treaty with them, of the fifteenth of July, eighteen hundred and thirty, two thousand five hundred dollars.

For the support of a blacksmith and assistant, stipulated in the same, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For agricultural implements, stipulated in the same, five hundred dollars.

To the Sacs of Missouri.

To the Sacs of Missouri.—For the limited annuity, stipulated in the fourth article of the treaty with them, of the fifteenth of July, eighteen hundred and thirty, five hundred dollars.

For the support of a blacksmith and assistant, stipulated in the same, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For agricultural implements, stipulated in the same, two hundred dollars.

To the Sacs.

To the Sacs.—For the limited annuity, stipulated in the fourth article of the treaty with them, of the fifteenth of July, eighteen hundred and thirty, three thousand dollars.

To the Foxes.

To the Foxes.—For the limited annuity, stipulated in the fourth article of the treaty with them, of the fifteenth of July, eighteen hundred and thirty, three thousand dollars.

To the Ioways.

To the Ioways.—For the support of a blacksmith and assistant, stipulated in the fifth article of the treaty with them, of the fourth of August, eighteen hundred and twenty-four, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For agricultural implements, stipulated in the same, four hundred dollars.

For the limited annuity, stipulated in the fourth article of the treaty of the fifteenth of July, eighteen hundred and thirty, two thousand five hundred dollars.

For the support of an assistant blacksmith, stipulated in the same, four hundred and eighty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For agricultural implements, stipulated in the same, six hundred dollars.

To the Sacs and Foxes.—For the permanent annuity, stipulated in the third article of the treaty with them, of the third of November, eighteen hundred and four, one thousand dollars.

To the Sacs and Foxes.

For the support of a blacksmith and assistant, stipulated in the fourth article of the same, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For agricultural implements, stipulated in the same, sixty dollars.

For the limited annuity, stipulated in the third article of the treaty with them, of the twenty-first of September, eighteen hundred and thirty-two, twenty thousand dollars.

For the support of a blacksmith and assistant, stipulated in the fourth article of the same, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For the purchase of forty barrels of salt, stipulated in the same, two hundred dollars.

For the purchase of forty kegs of tobacco, stipulated in the same, four hundred dollars: *Provided*, that Quassucoma's band of said nation shall receive their proportion of the annuity at Fort Leavenworth.

To the Sacs, Foxes and Ioways.—For the purposes of education, stipulated in the fifth article of the treaty with them, of the fifteenth of July, eighteen hundred and thirty, three thousand dollars.

To the Sacs, Foxes and Ioways.

To the Ottos and Missourias.—For the limited annuity, stipulated in the fourth article of the treaty with them, of the fifth of July, eighteen hundred and thirty, two thousand five hundred dollars.

To the Ottos and Missourias

For the support of a blacksmith and assistant, stipulated in the same, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For agricultural implements, stipulated in the same, five hundred dollars.

For the purposes of education, stipulated in the fourth article of the treaty of the twenty-first of September, eighteen hundred and thirty-three, five hundred dollars.

For the support of two farmers, stipulated in the fifth article of the same, one thousand two hundred dollars.

To the Kansas.—For the limited annuity, stipulated in the third article of the treaty with them, of the third of June, eighteen hundred and twenty-five, three thousand five hundred dollars.

To the Kansas.

For the support of a blacksmith and assistant, stipulated in the fourth article of the same, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For agricultural assistance, stipulated in the same, one thousand six hundred dollars.

To the Osages.—For the permanent annuity, stipulated in the fifth article of the treaty with them, of the tenth of November, eighteen hundred and eight, one thousand five hundred dollars.

To the Osages.

For the limited annuity, stipulated in the third article of the treaty with them, of the second of June, eighteen hundred and twenty-five, seven thousand dollars.

For the support of a blacksmith and assistant, stipulated in the fourth article of the same, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For agricultural assistance, stipulated in the same, one thousand six hundred dollars.

To the Kickapoos.

To the Kickapoos.—For the limited annuity, stipulated in the fourth article of the treaty with them, of the twenty-fourth of October, eighteen hundred and thirty-two, five thousand dollars.

For the support of a blacksmith's establishment, stipulated in the fifth article of the same, one thousand dollars.

For the purposes of education, stipulated in the seventh article of the same, five hundred dollars.

To the Kaskaskias and Peorias.

To the Kaskaskias and Peorias.—For the limited annuity, stipulated in the fifth article of the treaty with them, of the twenty-seventh of October, eighteen hundred and thirty-two, three thousand dollars.

For agricultural implements, stipulated in the sixth article of the same, fifty dollars.

To the Kaskaskias, Peorias, Weas, and Piankeshaws.

To the Kaskaskias, Peorias, Weas, and Piankeshaws.—For the support of a blacksmith and assistant, stipulated in the fifth article of the treaty with them, of the twenty-ninth of October, eighteen hundred and thirty-two, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

To the Piankeshaws.

To the Piankeshaws.—For the permanent annuity, stipulated in the fourth article of the treaty with them, of the third of August, seventeen hundred and ninety-five, five hundred dollars.

For the permanent annuity, stipulated in the third article of the treaty of the thirtieth of December, eighteen hundred and five, three hundred dollars.

For the agricultural implements, stipulated in the third article of the treaty of the twenty-ninth of October, eighteen hundred and thirty-two, five hundred dollars.

To the Weas.

To the Weas.—For the permanent annuity, stipulated in the fifth article of the treaty with them, of the second of October, eighteen hundred and eighteen, three thousand dollars.

To the Delawares.

To the Delawares.—For the permanent annuity, stipulated in the fourth article of the treaty with them, of the third of August, seventeen hundred and ninety-five, one thousand dollars.

For the purchase of salt, stipulated in the third article of the treaty of the seventh of June, eighteen hundred and three, one hundred dollars.

For the permanent annuity, stipulated in the third article of the treaty of the thirtieth of September, eighteen hundred and nine, five hundred dollars.

For the permanent annuity, stipulated in the fifth article of the treaty of the third of October, eighteen hundred and eighteen, four thousand dollars.

For the support of a blacksmith and assistant, stipulated in the sixth article of the same, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For the permanent annuity, stipulated in the supplemental treaty of the fourteenth of September, eighteen hundred and twenty-nine, one thousand dollars.

For the annuity of three chiefs, stipulated in the supplemental treaty of the twenty-sixth of October, eighteen hundred and thirty-two, three hundred dollars.

To the Shawanees.

To the Shawanees.—For the permanent annuity, stipulated in the fourth article of the treaty with them, of the third of August, seventeen hundred and ninety-five, one thousand dollars.

For the purchase of salt, stipulated in the third article of the treaty of the seventh June, eighteen hundred and three, sixty dollars.

For the permanent annuity, stipulated in the fourth article of the

treaty of the twenty-ninth of September, eighteen hundred and seventeen, two thousand dollars.

For the support of a blacksmith and assistant, stipulated in the fourth article of the treaty of the seventh of November, eighteen hundred and twenty-five, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For the support of a blacksmith and assistant, stipulated in the fourth article of the treaty of the eighth of August, eighteen hundred and thirty-one, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For payment of the annuities secured to the Shawanee Indians, by the act of the fourteenth of July, eighteen hundred and thirty-two, deducting the sum of four hundred and fifty-nine dollars, paid to said Indians, and including the annuities under said act from eighteen hundred and thirty-two to eighteen hundred and thirty-six, inclusive, the sum of nine thousand five hundred and forty-one dollars.

To the Shawanees and Delawares.—For the support of a miller, stipulated in the second article of the treaty with them, of the twenty-sixth of October, eighteen hundred and thirty-two, five hundred dollars. To the Shawanees and Delawares.

To the Shawanees and Senecas of Lewistown.—For the permanent annuity, stipulated in the fourth article of the treaty with them, of the seventeenth of September, eighteen hundred and eighteen, one thousand dollars. To the Shawanees and Senecas of Lewistown.

For the support of a blacksmith and assistant, stipulated in the fourth article of the treaty of the twentieth of July, eighteen hundred and thirty-one, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

To the Senecas of Lewistown.—For the permanent annuity, stipulated in the fourth article of the treaty with them, of the twenty-ninth of September, eighteen hundred and seventeen, and the seventeenth of September, eighteen hundred and eighteen, one thousand dollars. To the Senecas of Lewistown.

For the support of a blacksmith and assistant, stipulated in the fourth article of the treaty of the twenty-eighth of February, eighteen hundred and thirty-one, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For the support of a miller, stipulated in the same, six hundred dollars.

To the Choctaws.—For the annuity, during the pleasure of the United States, stipulated in the fifth article of treaty with them of the seventeenth of December, eighteen hundred and one, two thousand dollars. To the Choctaws.

For the permanent annuity, stipulated in the second article of the treaty of the sixteenth of November, eighteen hundred and five, three thousand dollars.

For the limited annuity, stipulated in the second article of the treaty of the twenty-fourth of October, eighteen hundred and sixteen, six thousand dollars.

For the permanent annuity, stipulated in the thirteenth article of the treaty of the eighteenth of October, eighteen [hundred] and twenty, six hundred dollars.

For annuity to a chief, stipulated in the fourteenth article of the same, one hundred and fifty dollars.

For the permanent annuity, stipulated in the second article of the treaty of the twentieth of January, eighteen hundred and twenty-five, six thousand dollars.

For the limited annuity, stipulated in the third article of the same, six thousand dollars.

For annuity to a chief, stipulated in the tenth article of the same, one hundred and fifty dollars.

For the limited annuity, stipulated in the seventeenth article of the

treaty of the twenty-seventh of September, eighteen hundred and thirty, twenty thousand dollars.

For the purposes of education, stipulated in the twentieth article of the same, twelve thousand five hundred dollars.

For the support of three blacksmiths and assistants, stipulated in the same, two thousand one hundred and sixty dollars.

For the purchase of iron, steel, &c. six hundred and sixty dollars.

For the annuity to the chief, stipulated in the fifteenth article of the same, one thousand one hundred dollars.

For annuity to warriors, stipulated in the same, five hundred dollars.

To the Chick-
saaws.
1799, ch. 11.

To the Chickasaws.—For the permanent annuity, as provided for by the act of the twenty-fifth of February, seventeen hundred and ninety-nine, three thousand dollars.

For the purposes of education, stipulated in the second article of the treaty with them, of the twenty-fourth of May, eighteen hundred and thirty-four, three thousand dollars.

To the
Creeks.

To the Creeks.—For the permanent annuity, stipulated in the fourth article of the treaty with them, of the seventh of August, seventeen hundred and ninety, one thousand five hundred dollars.

For the permanent annuity, stipulated in the second article of the treaty of the sixteenth of June, eighteen hundred and two, three thousand dollars.

To the Creeks
east.

To the Creeks east.—For the limited annuity, stipulated in the eighth article of the treaty with them, of the twenty-fourth of March, eighteen hundred and thirty-two, twelve thousand dollars.

For the support of a blacksmith and assistant, stipulated in the thirteenth article of the same, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For the purposes of education, stipulated in the thirteenth article of the same, three thousand dollars.

For the annuity to three chiefs, stipulated in the eleventh article of the same, four hundred dollars.

To the Creeks
west.

To the Creeks west.—For the permanent annuity, stipulated in the fourth article of the treaty with them, of the twenty-fourth of January, eighteen hundred and twenty-six, twenty thousand dollars.

For the support of a blacksmith and assistant, stipulated in the eighth article of the same, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For the support of a wheelwright, stipulated in the same, six hundred dollars.

For agricultural implements, stipulated in the eighth article of the same, two thousand dollars.

For the support of a blacksmith and assistant, stipulated in the fifth article of the treaty of the fourteenth of February, eighteen hundred and thirty-three, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For the support of a wheelwright, or wagon maker, stipulated in the same, six hundred dollars.

For the purposes of education, during the pleasure of the President, stipulated in the same, one thousand dollars.

To the Che-
rokees.

To the Cherokees.—For the permanent annuity, stipulated in the third and sixth articles of the treaty with them, of the sixth of June, seventeen hundred and ninety-four, and the second of October, seventeen hundred and ninety-eight, six thousand dollars.

For the permanent annuity, stipulated in the second article of the treaty of the twenty-fourth of October, eighteen hundred and four, one thousand dollars.

For the permanent annuity, stipulated in the third article of the treaty

of the twenty-fifth of October, eighteen hundred and five, three thousand dollars.

For the payment of interest on an annuity of one thousand dollars, secured to the Cherokees by the treaty of the twenty-fourth October, eighteen hundred and four, and which was not paid till the year eighteen hundred and twenty-five, twelve thousand six hundred dollars, which sum shall be paid in the same manner and in the same proportions to the Cherokees east and west of the Mississippi that the annuity itself is payable.

To the Quapaws.—For the purposes of education, during the pleasure of the President, stipulated in the third article of the treaty with them, of the thirteenth of May, eighteen hundred and thirty-three, one thousand dollars. To the Quapaws.

For the limited annuity, stipulated in the fourth article of the treaty of the thirteenth of May, eighteen hundred and thirty-three. two thousand dollars.

For the support of a blacksmith and assistant, stipulated in the third article of the same, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For the support of a farmer, stipulated in the same, six hundred dollars.

To the Florida Indians.—For the limited annuity, stipulated in the third article of the treaty with them, of the eighteenth of September, eighteen hundred and twenty-three, four thousand six hundred and ten dollars. To the Florida Indians.

For the support of a blacksmith's establishment, stipulated in the sixth article of the same, one thousand dollars.

For the purposes of education, stipulated in the same, one thousand dollars. *Provided however,* That no part of the appropriation for the Florida Indians shall be paid to any Indians who have been engaged in hostilities against the United States, unless in such change of circumstances as may induce the President of the United States to direct the same to be paid. Proviso.

To the Pawnees.—For the limited annuity, stipulated in the third article of the treaty with them, of the ninth of October, eighteen hundred and thirty-three, four thousand six hundred dollars. To the Pawnees.

For agricultural implements, stipulated in the fourth article of the same, two thousand dollars.

For the purposes of education, stipulated in the fifth article of the same, one thousand dollars.

For the support of two blacksmiths' establishments, stipulated in the sixth article of the same, two thousand dollars.

For the support of four farmers, stipulated in the seventh article of the same, two thousand four hundred dollars.

To the Cherokees west.—For the purposes of education, stipulated in the fifth article of the treaty with them, of the sixth of May, eighteen hundred and twenty-eight, two thousand dollars. To the Cherokees west.

For the support of four blacksmiths and assistants, stipulated in the fourth article of the treaty with them, of the fourteenth of February, eighteen hundred and thirty-three, two thousand eight hundred and eighty dollars.

For the purchase of iron, steel, &c. eight hundred and eighty dollars.

For the support of a wagon maker and a wheelwright, stipulated in the same, one thousand two hundred dollars.

For the expenses of transportation and distribution of annuities, salt, agricultural implements, tobacco, tools, &c. and other incidental expenses, twenty-nine thousand five hundred dollars.

For carrying into effect certain stipulations in the treaties concluded with the Senecas of Sandusky on the twenty-eighth February, eighteen hundred and thirty-one, with the Senecas and Shawanees, on the twentieth July, eighteen hundred and thirty-one, and with the Shawanees

on the eighth August, eighteen hundred and thirty-one, sixteen hundred and ninety-five dollars and sixty-two cents.

For expenses attending the execution of the treaty with the Creeks, of the twenty-fourth of March, eighteen hundred and thirty-two, in relation to locating reservations and certifying contracts, seven thousand dollars.

For expenses attending the execution of the treaty with the Choctaws, of September, eighteen hundred and thirty, in relation to locating reservations, five thousand dollars.

For the purpose of carrying into effect the treaty made with the Caddo Indians on the first day of July, eighteen hundred and thirty-five, forty thousand dollars.

To defray the expense of removing the Winnebago Indians who reside south of the Wisconsin to the "neutral ground," or such other place as may be assigned by treaty, and for their subsistence for five months, forty thousand dollars. *Provided always* that no part of said sum of money shall be used unless the said Indians will agree to remove, and actually do remove to a country to be assigned to them on the south-west side of the river Missouri.

Proviso.

Treaties.

To defray the expense of holding treaties with the Indians in the vicinity of Green Bay, Indians within the State of New York, the Winnebagoes north and south of the Wisconsin; and with the Sacs and Foxes north of Missouri, twenty-two thousand dollars.

Proviso.

For holding a treaty with the Chippewas of Saginaw, five thousand two hundred dollars; *Provided*, That the compensation to the commissioners for holding said treaties, shall be a per-diem allowance only.

"For one hundred and seventy-five rifles for the Pottawatamies, two thousand four hundred dollars."

For the expenses of the Ross delegation of twenty Cherokees, thirteen thousand dollars, to be paid to John Martin.

To defray the expenses of Richard Field, a Cherokee Indian, who attended at the seat of Government, at the request of an agent of the Government, in the winter of eighteen hundred [and] thirty-four [and] thirty-five, four hundred and fifty dollars.

For expenses of three delegates from the Seneca nation of Indians who have attended at Washington during the present winter, six hundred dollars.

Removal of the Creeks.

For the removal of twenty-one thousand Creek Indians and their subsistence for one year, including subsistence of those recently removed, in addition to the balance of one hundred and fifty-five thousand dollars of former appropriations, one million and twenty-three thousand five hundred and fifty dollars. *Provided always*, That it shall not be lawful to make any contract with any person or persons for the removal of said Indians, or any part of them, at the expense of any individual or individuals, except such contract is made in pursuance of reasonable notice, publicly given, and with such person or persons as shall have offered the most favorable terms to the Government.

Removal of the Seminoles.

For the removal of Seminole Indians and their subsistence for one year, in addition to a balance of thirty-three thousand dollars of former appropriations, one hundred thousand dollars.

Treaties.

For holding treaties with the Indian tribes for the purpose of extinguishing the Indian title to the territory between the State of Missouri and the Missouri river, two thousand dollars.

Delegation of the Pottawatamies.

To defray the expenses of a delegation of the Pottawatamie Indians, on a visit to Washington city, two thousand six hundred and thirty dollars.

Secretary of War authorized to close certain accounts,

SEC. 2. *And be it further enacted*, That the Secretary of War be, and he is hereby authorized to cause the accounts of the commissioners, appointed under the act of Congress of third March, eighteen hundred

and twenty-five, to be closed by transferring from the appropriation therein made for "defraying the expenses of treating with the Indians," to the appropriation for "making the road from the western frontier of Missouri to the confines of New Mexico," such amount, as may be necessary for this purpose.

1825, ch. 50.

SEC. 3. *And be it further enacted*, That the Secretary of War be, and he is hereby authorized to allow and pay to David Brearly, out of any money in the Treasury, not otherwise appropriated, the amount charged to his account and accounted for by him on a draft drawn by him on the War Department, on the twenty-sixth January, eighteen hundred and twenty-nine, for the sum of two thousand three hundred twenty-seven dollars and twelve cents, for provisions purchased for and applied to the use of certain emigrating Creek Indians.

To be paid to David Brearly.

SEC. 4. *And be it further enacted*, That the Secretary of War be and he is hereby authorized and directed to invest, in a manner which shall be, in his judgment, most safe and beneficial for the fund, the sum of thirty-three thousand nine hundred and twelve dollars and forty cents, being money in the Treasury as the proceeds of lands purchased from the Seneca Indians of Sandusky by a treaty concluded on the twenty-eighth of February, eighteen hundred and thirty-one, from the Senecas and Shawanese by a treaty concluded on the twentieth of July, eighteen hundred and thirty-one, and from the Shawanese, by a treaty concluded on the eighth of August, eighteen hundred and thirty-one, and upon which sum the United States are, by stipulations in the said treaties, bound to pay to the said Indians an annual interest at the rate of five per centum per annum; *Provided*, That the said Secretary shall make no investment of the said sum, or any portion of it, at a lower rate of interest than five per centum per annum.

Secretary of War to invest certain funds. 1837, ch. 1.

Proviso.

SEC. 5. *And be it further enacted*, That it shall be competent for the President to assign to the Indian Agent at Michilimackinac, in addition to his proper duties, the duties of Superintendent of Indian Affairs for all that district of country heretofore constituting the Territory of Michigan and lying east of the line established as the eastern boundary of the Territory of Wisconsin, by the act of Congress of the twentieth April, eighteen hundred and thirty-six; *Provided, however*, That no additional compensation or emolument shall be granted on account of the said duties; and the President may require the said agent to reside at such place as he may think fit, within the said district.

President may assign certain duties to the Indian Agent at Michilimackinac.

Proviso. 1836, ch. 54.

APPROVED, June 14, 1836.

STATUTE I.

CHAP. LXXXIX.—*An Act to establish an arsenal of construction in the State of North Carolina.*

June 14, 1836.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of forty-five thousand dollars be, and the same is hereby appropriated, from any money in the Treasury, not otherwise appropriated, towards the purchase of a site and the building of an arsenal of deposite and general construction, near the town of Fayetteville, in the State of North Carolina.

Appropriation for purchase of a site and for building.

APPROVED, June 14, 1836.

STATUTE I.

June 15, 1836.

CHAP. XCVII.—*An Act repealing the fourteenth section of the "Act to incorporate the subscribers to the Bank of the United States," approved, April tenth, eighteen hundred and sixteen. (a)*

Fourteenth section repealed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fourteenth section of the act entitled "An act to incorporate the subscribers to the Bank of the United States," approved April tenth, eighteen hundred and sixteen, shall be, and the same is hereby, repealed.

APPROVED, June 15, 1836.

STATUTE I.

June 15, 1836.

CHAP. XCVIII.—*An Act to divide the Green Bay land district in Michigan, and for other purposes.*

Division how made.

1834, ch. 76.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the country on the western shore of Lake Michigan, embraced within the limits of the Green Bay land district, as established by the act of Congress, of the twenty-sixth day of June, eighteen hundred and thirty-four, shall be, and is hereby, divided by a line commencing on the western boundary of said district, and running thence, east, between townships ten and eleven north, to the line between ranges seventeen and eighteen, east; thence north, between said ranges of townships, to the line between townships twelve and thirteen north; thence east, between said townships twelve and thirteen, to Lake Michigan; and all the country bounded north by the division line here described, south by the base line, east by Lake Michigan, and west by the division line between ranges eight and nine east, shall constitute a separate district, and be called the Milwaukie land district.

Two additional land districts to be established.

SEC. 2. *And be it further enacted,* That two additional districts shall be, and are hereby established in the peninsula of Michigan, one to be called the Grand river, and the other the Saginaw, land district, the former of which shall be bounded as follows, to wit: beginning at the shore of Lake Michigan, on the line between townships three and four north, and running east on said line to the line between ranges number six and seven west of the principal meridian; thence, on said range line south, to the base line of the public surveys; thence, on said base line east, to the principal meridian line; thence north, on said meridian, to the north boundary of township ten north; thence west, on the line between townships ten and eleven north, to the western boundary of range two west; and thence north, following the line between ranges two and three west, so as to include all that portion of the peninsula of Michigan lying west of said line. The Saginaw district shall embrace all the tract of country bounded on the west by the Grand river district aforesaid; on the south, by the division line, between townships number five and six, north of the base line; on the east by the division line, between ranges eleven and twelve, east of the principal meridian; and on the north and northeast by Saginaw bay and Lake Huron.

Registers and receivers to be appointed in each.

SEC. 3. *And be it further enacted,* That for each of all the aforesaid districts there shall be appointed a register and receiver, who shall reside and superintend the sales of the public lands at such place, in each respective district, as the President of the United States may designate. They shall give security in the same manner and in the same sums, and their compensation, emoluments, duty, and authority, shall, in every respect, be the same, in relation to the lands which may be disposed of at their offices, as are, or may be, provided by law relative to the registers and receivers of public money in the several offices established for the sale of the public lands.

(a) Act of April 10, 1816, ch. 44.

SEC. 4. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, as soon as the same can be done, to cause the proper plats of the surveys of the said districts to be deposited in the land offices intended for them, respectively; and he is hereby authorized to allow and pay out of the proceeds of the sales of the public lands the reasonable expenses which may be incurred in carrying into effect the provisions of this act.

Proper plats and surveys to be deposited in the land offices.

SEC. 5. *And be it further enacted*, That the lands which were ceded to the United States by the treaty made with the confederated tribes of Sac and Fox Indians at Fort Armstrong, in the State of Illinois, on the twenty-first day of September, eighteen hundred and thirty-two, be, and the same are hereby, attached to, and made a part of, the Wisconsin land district, in the Territory of Michigan; and that said lands shall be liable to be surveyed and sold at Mineral Point, or wherever the President may direct, in the same manner as other public lands of the district.

Certain ceded lands to be attached to the Wisconsin land district.

SEC. 6. *And be it further enacted*, That this act shall take effect and be in force from and after the first day of August next.

Act to take effect on the 1st of August, 1836.

APPROVED, June 15, 1836.

STATUTE I.

June 15, 1836.

Act of June 23, 1836, ch. 121.

Northern boundary line. Act of Jan. 26, 1837, ch. 6.

CHAP. XCIX.—*An Act to establish the northern boundary line of the State of Ohio, and to provide for the admission of the State of Michigan into the Union upon the conditions therein expressed. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the northern boundary line of the State of Ohio shall be established at, and shall be a direct line drawn from the southern extremity of Lake Michigan, to the most northerly cape of the Maumee (Miami) bay, after that line, so drawn, shall intersect the eastern boundary line of the State of Indiana; and from the said north cape of the said bay, northeast to the boundary line between the United States and the province of Upper Canada, in Lake Erie; and thence, with the said last mentioned line, to its intersection with the western line of the State of Pennsylvania.

Constitution accepted.

SEC. 2. *And be it further enacted*, That the constitution and State Government which the people of Michigan have formed for themselves be, and the same is hereby, accepted, ratified, and confirmed; and that the said State of Michigan shall be, and is hereby, declared to be one of the United States of America, and is hereby admitted into the Union upon an equal footing with the original States, in all respects whatsoever: *Provided always*, and this admission is upon the express condition, that the said State shall consist of and have jurisdiction over all the territory included within the following boundaries, and over none other, to wit: Beginning at the point where the above described northern boundary of the State of Ohio intersects the eastern boundary of the State of Indiana, and running thence with the said boundary line of Ohio, as described in the first section of this act, until it intersects the boundary line between the United States and Canada, in Lake Erie; thence, with the said boundary line between the United States and Canada through the Detroit river, Lake Huron, and Lake Superior, to a point where the said line last touches Lake Superior; thence, in a direct line through Lake Superior, to the mouth of the Montreal river; thence through the middle of the main channel of the said river Montreal, to the middle of the Lake of the Desert; thence, in a direct line to the nearest head water of the Menomonic river; thence, through the middle of that fork of the said river first touched by the said line, to the main channel of the said Menomonic river; thence, down the centre of the main channel of the same, to the centre of the most usual ship channel of the Green bay of Lake Michigan; thence, through the centre of the most usual

Proviso.

(a) See notes to the act of February 16, 1819, ch. 22, for the acts relating to the Territory of Michigan.

1816, ch. 57. ship channel of the said bay to the middle of Lake Michigan; thence, through the middle of Lake Michigan, to the northern boundary of the State of Indiana, as that line was established by the act of Congress of the nineteenth of April, eighteen hundred and sixteen; thence, due east, with the north boundary line of the said State of Indiana, to the northeast corner thereof; and thence, south, with the east boundary line of Indiana, to the place of beginning.

The boundary to receive the assent of a convention.

SEC. 3. *And be it further enacted*, That, as a compliance with the fundamental condition of admission contained in the last preceding section of this act, the boundaries of the said State of Michigan, as in that section described, declared, and established, shall receive the assent of a convention of delegates elected by the people of the said State, for the sole purpose of giving the assent herein required; and as soon as the assent herein required shall be given, the President of the United States shall announce the same by proclamation; and thereupon, and without any further proceeding on the part of Congress, the admission of the said State into the Union, as one of the United States of America, on an equal footing with the original States in all respects whatever, shall be considered as complete, and the Senators and Representatives who have been elected by the said State as its representative in the Congress of the United States, shall be entitled to take their seats in the Senate and House of Representatives respectively, without further delay.

1837, ch. 6.

Vacant and unsold lands reserved to the United States.

SEC. 4. *And be it further enacted*, That nothing in this act contained, or in the admission of the said State into the Union as one of the United States of America upon an equal footing with the original States in all respects whatever, shall be so construed or understood as to confer upon the people, Legislature, or other authorities of the said State of Michigan, any authority or right to interfere with the sale by the United States, and under their authority, of the vacant and unsold lands within the limits of the said State, but that the subject of the public lands, and the interests which may be given to the said State therein, shall be regulated by future action between Congress, on the part of the United States, and the said State, or the authorities thereof. And the said State of Michigan shall in no case and under no pretence whatsoever, impose any tax, assessment or imposition of any description upon any of the lands of the United States within its limits.

APPROVED, June 15, 1836.

STATUTE I.

June 15, 1836.

Act of June 23, 1836, ch. 120.

CHAP. C.—*An Act for the admission of the State of Arkansas into the Union, and to provide for the due execution of the laws of the United States, within the same, and for other purposes.*

Whereas, the people of the Territory of Arkansas, did, on the thirtieth day of January in the present year by a convention of delegates, called and assembled for that purpose, form for themselves a constitution and State Government, which constitution and State Government, so formed, is republican: and whereas, the number of inhabitants within the said Territory exceeds forty-seven thousand seven hundred persons, computed according to the rule prescribed by the constitution of the United States; and the said convention have, in their behalf, asked the Congress of the United States to admit the said Territory into the Union as a State, on an equal footing with the original States:

Arkansas admitted into the Union.

Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Arkansas shall be one, and is hereby declared to be one of the United States of America, and admitted into the Union on an equal footing with the original States, in all respects whatever, and the said State shall consist of all the territory included within the following boundaries, to wit: beginning in the middle of the main channel of the Mis-

Mississippi river, on the parallel of thirty-six degrees north latitude, running from thence west, with the said parallel of latitude, to the Saint Francis river; thence up the middle of the main channel of said river to the parallel of thirty-six degrees thirty minutes north; from thence west to the southwest corner of the State of Missouri; and from thence to be bounded on the west, to the north bank of Red river, by the lines described in the first article of the treaty between the United States and the Cherokee nation of Indians west of the Mississippi, made and concluded at the city of Washington, on the 26th day of May, in the year of our Lord one thousand eight hundred and twenty-eight; and to be bounded on the south side of Red river by the Mexican boundary line, to the northwest corner of the State of Louisiana; thence east, with the Louisiana State line, to the middle of the main channel of the Mississippi river; thence up the middle of the main channel of the said river, to the thirty-sixth degree of north latitude, the point of beginning.

Boundaries.

SEC. 2. *And be it further enacted*, That until the next general census shall be taken, the said State shall be entitled to one representative in the House of Representatives of the United States.

To be entitled to one representative.

SEC. 3. *And be it further enacted*, That all the laws of the United States, which are not locally inapplicable, shall have the same force and effect within the said State of Arkansas, as elsewhere within the United States.

General laws extended.

SEC. 4. *And be it further enacted*, That the said State shall be one judicial district, and be called the Arkansas district; and a district court shall be held therein, to consist of one judge, who shall reside in the said district, and be called a district judge. He shall hold at the seat of Government of the said State, two sessions annually, on the first Mondays of April and November; and he shall, in all things, have and exercise the same jurisdiction and powers which were by law given to the judge of the Kentucky district under an act entitled "An act to establish the judicial courts of the United States." He shall appoint a clerk for the said district court, who shall reside and keep the records of the court at the place of holding the same; and shall receive, for the services performed by him, the same fees to which the clerk of the Kentucky district is entitled for similar services.

District Court of the United States.

Act of Sept. 24, 1789, ch. 20.

SEC. 5. *And be it further enacted*, That there shall be allowed to the judge of the said district court, the annual compensation of two thousand dollars, to commence from the date of his appointment, to be paid quarter-yearly at the Treasury of the United States.

Salary of the judge.

SEC. 6. *And be it further enacted*, That there shall be appointed in the said district, a person learned in the law, to act as attorney for the United States, who shall, in addition to his stated fees, be paid by the United States two hundred dollars, as a full compensation for all extra services.

Attorney to be appointed.

SEC. 7. *And be it further enacted*, That a marshal shall be appointed for the said district who shall perform the same duties, be subject to the same regulations and penalties, and be entitled to the same fees, as are prescribed to marshals in other districts; and he shall moreover be entitled to the sum of two hundred dollars annually, as a compensation for all extra services.

Marshal.

SEC. 8. *And be it further enacted*, That the State of Arkansas is admitted into the Union upon the express condition, that the people of the said State shall never interfere with the primary disposal of the public lands within the said State, nor shall they levy a tax on any of the lands of the United States within the said State; and nothing in this act shall be construed as an assent by Congress to all or to any of the propositions contained in the ordinance of the said convention of the people of Arkansas, nor to deprive the said State of Arkansas of the

Public lands reserved to the United States.

Act of March
1820, ch. 22.

same grants, subject to the same restrictions, which were made to the State of Missouri by virtue of an act entitled "An act to authorize the people of the Missouri Territory to form a constitution and State government, and for the admission of such State into the Union, on an equal footing with the original States, and to prohibit slavery in certain Territories," approved the sixth day of March, one thousand eight hundred and twenty.

APPROVED, June 15, 1836.

STATUTE I.

June 23, 1836.

[Repealed.]

Act of July 4,
1836, ch. 354.

Secretary of
the Treasury to
select banks.

CHAP. CXV.—*An Act to regulate the depositories of the public money.*(a)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the Secretary of the Treasury to select as soon as may be practicable and employ as the depositories of the money of the United States, such of the banks incorporated by the several States, by Congress for the District of Columbia, or by the Legislative Councils of the respective Territories for those Territories, as may be located at, adjacent or convenient to the points or places at which the revenues may be collected, or disbursed, and in those States, Territories or Districts in which there are no banks, or in which no bank can be employed as a deposite bank, and within which the public collections or disbursements require a depository, the said Secretary may make arrangements with a bank or banks, in some other State, Territory or District, to establish an agency, or agencies, in the States, Territories or Districts so destitute of banks, as banks of deposite; and to receive through such agencies such deposites of the public money, as may be directed to be made at the points designated, and to make such disbursements as the public service may require at those points; the duties and liabilities of every bank thus establishing any such agency to be the same in respect to its agency, as are the duties and liabilities of deposite banks generally under the provisions of this act: *Provided,* That at least one such bank shall be selected in each State and Territory, if any can be found in each State and Territory willing to be employed as depositories of the public money, upon the terms and conditions hereinafter prescribed, and continue to conform thereto; and that the Secretary of the Treasury shall not suffer to remain in any deposite bank, an amount of the public moneys more than equal to three-fourths of the amount of its capital stock actually paid in, for a longer time than may be necessary to enable him to make the transfers required by the twelfth section of this act; and that the banks so selected, shall be, in his opinion, safe depositories of the public money, and shall be willing to undertake to do and perform the several duties and services, and to conform to the several conditions prescribed by this act.

Proviso.

Where there
is no bank
which the Sec-
retary approves,
or where banks
refuse, a selec-
tion may be
made at some
place adjacent.

SEC. 2. *And be it further enacted,* That if, at any point or place at which the public revenue may be collected, there shall be no bank located, which, in the opinion of the Secretary of the Treasury, is in a safe condition, or where all the banks at such point or place shall fail or refuse to be employed as depositories of the public money of the United States, or to comply with the conditions prescribed by this act, or where such banks shall not have sufficient capital to become depositories of the whole amount of moneys collected at such point or place, he shall and may order and direct the public money collected at such point or place to be deposited in a bank or banks in the same State, or in some one or more of the adjacent States upon the terms and conditions hereinafter prescribed: *Provided,* That nothing in this act contained shall be so construed as to prevent Congress at any time from passing any law for the removal of the public money from any of the

Proviso.

(a) See act of July 4, 1840, chap. 41; act of August 13, 1841, chap. 7.

said banks, or from changing the terms of deposit, or to prevent the said banks at any time from declining any longer to be the depositories of the public money upon paying over, or tendering to pay, the whole amount of public moneys on hand, according to the terms of its agreement with the said Secretary.

SEC. 3. *And be it further enacted,* That no bank shall hereafter be selected and employed by the Secretary of the Treasury as a depository of the public money, until such bank shall have first furnished to the said Secretary a statement of its condition and business, a list of its directors, the current price of its stock; and also a copy of its charter; and likewise, such other information as may be necessary to enable him to judge of the safety of its condition.

Banks to furnish certain statements; copy of charter, &c.

SEC. 4. *And be it further enacted,* That the said banks, before they shall be employed as the depositories of the public money, shall agree to receive the same, upon the following terms and conditions, to wit:

First. Each bank shall furnish to the Secretary of the Treasury, from time to time, as often as he may require, not exceeding once a week, statements setting forth its condition and business, as prescribed in the foregoing section of this act, except that such statements need not, unless requested by said Secretary, contain a list of the directors, or a copy of the charter. And the said banks shall furnish to the Secretary of the Treasury, and to the Treasurer of the United States, a weekly statement of the condition of his account upon their books. And the Secretary of the Treasury shall have the right, by himself, or an agent appointed for that purpose, to inspect such general accounts in the books of the bank, as shall relate to the said statements: *Provided,* That this shall not be construed to imply a right of inspecting the account of any private individual or individuals with the bank.

Terms to be agreed to by the banks.

Secondly. To credit as specie, all sums deposited therein to the credit of the Treasurer of the United States, and to pay all checks, warrants, or drafts, drawn on such deposits, in specie if required by the holder thereof.

Thirdly. To give, whenever required by the Secretary of the Treasury, the necessary facilities for transferring the public funds from place to place, within the United States, and the Territories thereof, and for distributing the same in payment of the public creditors, without charging commissions or claiming allowance on account of difference of exchange.

Proviso.

Fourthly. To render to the Government of the United States all the duties and services heretofore required by law to be performed by the late Bank of the United States and its several branches or offices.

SEC. 5. *And be it further enacted,* That no bank shall be selected or continued as a place of deposit of the public money which shall not redeem its notes and bills on demand in specie; nor shall any bank be selected or continued as aforesaid, which shall after the fourth of July, in the year one thousand eight hundred and thirty-six, issue or pay out any note or bill of a less denomination than five dollars; nor shall the notes or bills of any bank be received in payment of any debt due to the United States which shall, after the said fourth day of July, in the year one thousand eight hundred and thirty-six, issue any note or bill of a less denomination than five dollars.

Banks issuing notes less than five dollars not to be selected.

1838, ch. 158.

SEC. 6. *And be it further enacted,* That the Secretary of the Treasury shall be, and he is hereby authorized, and it shall be his duty, whenever in his judgment the same shall be necessary or proper, to require of any bank so selected and employed as aforesaid, collateral or additional securities for the safe keeping of the public moneys deposited therein, and the faithful performance of the duties required by this act.

Secretary may require security.

Secretary authorized to enter into contracts.

SEC. 7. *And be it further enacted,* That it shall be lawful for the Secretary of the Treasury, to enter into contracts in the name and for and on behalf of the United States, with the said banks so selected or employed, whereby the said banks shall stipulate to do and perform the several duties and services prescribed by this act.

No bank selected to be discontinued but for certain causes.

SEC. 8. *And be it further enacted,* That no bank which shall be selected or employed as the place of deposite of the public money, shall be discontinued as such depository, or the public money withdrawn therefrom, except for the causes hereinafter mentioned, that is to say: if at any time, any one of said banks shall fail or refuse to perform any of said duties as prescribed by this act, and stipulated to be performed by its contract; or, if any of said banks shall at any time refuse to pay its own notes in specie if demanded; or shall fail to keep in its vaults such an amount of specie as shall be required by the Secretary of the Treasury, and shall be, in his opinion, necessary to render the said bank a safe depository of the public moneys, having due regard to the nature of the business transacted by the bank; in any and every such case it shall be the duty of the Secretary of the Treasury to discontinue any such bank as a depository, and withdraw from it the public moneys which it may hold on deposite at the time of such discontinuance. And in case of the discontinuance of any of said banks, it shall be the duty of the Secretary of the Treasury to report to Congress immediately if in session, and if not in session, then at the commencement of its next session, the facts and reasons which have induced such discontinuance. And in case of the discontinuance of any of said banks as a place of deposite of the public money for any of the causes herein before provided, it shall be lawful for the Secretary of the Treasury to deposite the money thus withdrawn in some other banks of deposite already selected, or to select some other bank as a place of deposite, upon the terms and conditions prescribed by this act. And in default of any bank to receive such deposite, the money thus withdrawn shall be kept by the Treasurer of the United States, according to the laws now in force; and shall be subject to be disbursed according to law.

Banks now employed to be continued until, &c.

SEC. 9. *And be it further enacted,* That until the Secretary of the Treasury shall have selected and employed the said banks as places of deposite of the public money, in conformity to the provisions of this act, the several State and District banks at present employed as depositories of the money of the United States, shall continue to be the depositories aforesaid upon the terms and conditions upon which they have been so employed.

Secretary to lay a statement before Congress.

SEC. 10. *And be it further enacted,* That it shall be the duty of the Secretary of the Treasury to lay before Congress, at the commencement of each annual session, a statement of the number and names of the banks employed as depositories of the public money, and of their condition, and the amount of public money deposited in each, as shown by their returns at the Treasury; and if the selection of any bank as a depository of the public money be made by the Secretary of the Treasury, while Congress is in session, he shall immediately report the name and condition of such bank to Congress; and if any such selection shall be made during the recess of Congress, he shall report the same to Congress during the first week of its next session.

Bank to pay interest under certain circumstances.

SEC. 11. *And be it further enacted,* That whenever the amount of public deposites to the credit of the Treasurer of the United States, in any bank shall, for a whole quarter of a year, exceed the one-fourth part of the amount of the capital stock of such bank actually paid in, the banks shall allow and pay to the United States, for the use of the excess of the deposites over the one-fourth part of its capital, an interest at the rate of two per centum per annum, to be calculated for each quarter, upon the average excesses of the quarter; and it shall be the duty of the

Secretary of the Treasury, at the close of each quarter, to cause the amounts on deposit in each deposit bank for the quarter, to be examined and ascertained, and to see that all sums of interest accruing under the provisions of this section, are, by the banks respectively passed to the credit of the Treasurer of the United States in his accounts with the respective banks.

SEC. 12. *And be it further enacted*, That all warrants or orders for the purpose of transferring the public funds from the banks in which they now are, or may hereafter be deposited, to other banks, whether of deposit or not, for the purpose of accommodating the banks to which the transfer may be made, or to sustain their credit, or for any other purpose whatever, except it be to facilitate the public disbursements, and to comply with the provisions of this act, be, and the same are hereby, prohibited and declared to be illegal; and in cases where transfers shall be required for purposes of equalization under the provisions of this act, in consequence of too great an accumulation of deposits in any bank, such transfers shall be made to the nearest deposit banks which are considered safe and secure, and which can receive the moneys to be transferred under the limitations in this act imposed: *Provided*, That it may be lawful for the President of the United States to direct transfers of public money to be made from time to time to the mint and branch mints of the United States, for supplying metal for coining.

Transfers under certain cases declared illegal.

SEC. 13. *And be it further enacted*, That the money which shall be in the Treasury of the United States, on the first day of January, eighteen hundred and thirty-seven, reserving the sum of five millions of dollars, shall be deposited with such of the several States, in proportion to their respective representation in the Senate and House of Representatives of the United States, as shall, by law, authorize their Treasurers, or other competent authorities to receive the same on the terms hereinafter specified; and the Secretary of the Treasury shall deliver the same to such Treasurers, or other competent authorities, on receiving certificates of deposit therefor, signed by such competent authorities, in such form as may be prescribed by the Secretary aforesaid; which certificates shall express the usual and legal obligations, and pledge the faith of the State, for the safe keeping and repayment thereof, and shall pledge the faith of the States receiving the same, to pay the said moneys, and every part thereof, from time to time, whenever the same shall be required, by the Secretary of the Treasury, for the purpose of defraying any wants of the public treasury, beyond the amount of the five millions aforesaid: *Provided*, That if any State declines to receive its proportion of the surplus aforesaid, on the terms before named, the same shall be deposited with the other States, agreeing to accept the same on deposit in the proportion aforesaid: *And provided further*, That when said money, or any part thereof, shall be wanted by the said Secretary, to meet appropriations by law, the same shall be called for, in rateable proportions, within one year, as nearly as conveniently may be, from the different States, with which the same is deposited, and shall not be called for, in sums exceeding ten thousand dollars, from any one State, in any one month, without previous notice of thirty days, for every additional sum of twenty thousand dollars, which may at any time be required.

The surplus in the Treasury above 5,000,000 dollars to be deposited with the several States.

Act of Oct. 2, 1837, ch. 1.

SEC. 14. *And be it further enacted*, That the said deposits shall be made with the said States in the following proportions, and at the following times, to wit: one quarter part on the first day of January, eighteen hundred and thirty-seven, or as soon thereafter as may be; one quarter part on the first day of April, one quarter part on the first day of July, and one quarter part on the first day of October, all in the same year.

Proportions in which the deposits shall be made.

SEC. 15. *And be it further enacted*, That to enable the Secretary of the Treasury to carry into effect the provisions of this act, he be author-

Secretary of the Treasury to

appoint three additional clerks.

ized to appoint three additional clerks for his Department, the one at a salary of one thousand six hundred dollars per annum, and the remaining two at a salary of one thousand dollars each per annum, and to pay the said clerks, quarter-yearly, out of any money in the Treasury not otherwise appropriated.

APPROVED, June 23, 1836.

STATUTE I.

June 23, 1836.

CHAP. CXVI.—*An Act authorizing the Secretary of the Treasury to act as the agent of the United States in all matters relating to their stock in the Bank of the United States.*

Secretary of the Treasury to assume and exercise the agency.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act it shall be the duty of the Secretary of the Treasury, to assume and exercise the agency and direction in behalf of the United States, over property in the Bank of the United States, whether the same be standing on the books of the bank in the name of the United States, or of the Treasurer of the United States, for the use of the Secretary of the Navy, for the payment of navy pensions; and the Secretary of the Treasury is hereby invested with the authority necessary for carrying into effect the duties of said agency, by voting in behalf of the United States at any meetings of the stockholders, and performing any other act in relation to the same which any stockholder would be authorized to do.

Directors of the bank to furnish statements to him.

SEC. 2. *And be it further enacted,* That, as agent of the United States, as aforesaid, the Secretary of the Treasury, shall be furnished, from time to time, as often as he may require—by the directors of the Bank of the United States, or by the trustees who shall have been, or may be, appointed, either by said directors or the stockholders of said bank, or in their behalf, or by such individuals as may have the custody, control, or possession of the books and effects of the same—with statements of the amount of the capital stock of the said corporation undivided, of the debts due beyond the same on account of said bank, of the moneys remaining on deposit, of the notes of said bank outstanding, and of the specie on hand on account of the same, and said Secretary shall have the same right as any stockholder to inspect and examine, or cause to be inspected and examined, all such accounts in the books of said bank, or of any trust arising out of or holding the effects of said corporation, as shall relate to the statements hereby required to be made.

To receive money from the bank, and deposit the same in the Treasury.

To receive capital stock, &c.

SEC. 3. *And be it further enacted,* That the Secretary of the Treasury be authorized and directed to receive and deposite in the Treasury of the United States, any dividends which may be made of the capital stock or of the surplus profits of said bank.

SEC. 4. *And be it further enacted,* That the Secretary of the Treasury shall be, and he hereby is, authorized and empowered to receive the capital stock belonging to the United States, in the late Bank of the United States, in such instalments, and payable at such times, and with such rates of interest, as he shall see fit to agree to; and also, to settle and adjust the claim for surplus profits, accruing on said capital stock, on such terms as he may think proper, and in like manner to receive the amount thereof in such instalments, and payable at such times, and with such rates of interest, as he may agree to.

APPROVED, June 23, 1836.

STATUTE I.

June 23, 1836.

CHAP. CXVII.—*An Act to settle and establish the northern boundary line of the State of Ohio.* (a)

Act of June 23, 1836, ch. 121.

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

(a) See notes of acts relating to the Territory of Michigan; act of February 16, 1819, chap. 22.

of the State of Ohio shall be established by, and extend to, a direct line running from the southern extremity of Lake Michigan to the most northerly cape of the Miami bay; thence, northeast, to the northern boundary line of the United States; thence, with said line, to the Pennsylvania line.

Northern boundary.

SEC. 2. *And be it further enacted*, That the boundary line surveyed, marked, and designated, agreeably to "An act to authorize the President of the United States to ascertain and designate the northern boundary of the State of Indiana," approved March the second, eighteen hundred and twenty-seven, shall be deemed and taken as the east and west line mentioned in the constitution of the State of Indiana, drawn through a point ten miles north of the southern extreme of Lake Michigan, and shall be and for ever remain the northern boundary of said State.

Which line shall be deemed the east and west line.

Act of March 2, 1827, ch. 57.

SEC. 3. *And be it further enacted*, That the northern boundary line, ascertained, surveyed, and marked, agreeably to a law of Congress entitled "An act to ascertain and mark the line between the State of Alabama and the Territory of Florida, and the northern boundary of the State of Illinois, and for other purposes," approved March second, eighteen hundred and thirty-one, shall be deemed and taken as the line west from the middle of Lake Michigan, in north latitude forty-two degrees thirty minutes, to the middle of the Mississippi river, as defined in the act of Congress entitled "An act to enable the people of the Illinois Territory to form a constitution and State Government, and for the admission of such State into the Union on an equal footing with the original States," approved eighteenth of April, eighteen hundred and eighteen, and shall be and for ever remain the northern boundary line of said state.

Which line shall be taken as the line west from the middle of Lake Michigan.

Act of March 2, 1831, ch. 86.

Act of April 18, 1818, ch. 67.

APPROVED, June 23, 1836.

STATUTE I.

CHAP. CXVIII.—*An Act to remove the Land Office from Clinton to Jackson, in the State of Mississippi.*

June 23, 1836.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Land Office at present established at Clinton in the State of Mississippi be hereafter kept at Jackson, in the same State.

APPROVED, June 23, 1836.

STATUTE I.

CHAP. CXIX.—*An Act to amend 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, Cahaba and Black Warrior river.*

June 23, 1836.

Act of May 23, 1828, ch. 75.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the second section of the act above recited as restricts the State of Alabama from having the power to sell, dispose of, or grant the residue of the lands granted by the act to which this is a supplement, at a price not less than the minimum price of the public lands, be, and the same is hereby repealed.

Part of the former act repealed.

SEC. 2. *And be it further enacted*, That the assent of the United States is hereby given, to any act which the Legislature of the State of Alabama may pass for imposing a toll on the use of such parts of the canal or canals, which have been or may be, constructed at or around the Muscle and Colbert's shoals of the river Tennessee: *Provided*, That such tolls shall be expended exclusively on the said canals, and shall not exceed in amount, the sum required to keep them in repair, and to defray the expenses of lock tenders, collectors, superintendents, and managers; and that no part of this act shall be construed as a repeal of the exemption, contained in the seventh section of the afore-

State of Alabama may impose tolls on canals, &c.

Proviso.

Proviso. said act, of the property of the United States, and all persons in their service, from any toll whatever: *And provided further*, That an annual report shall be made to the Secretary of the Treasury of the United States, of the rate and amount of tolls charged or collected on said canals, and their application.

APPROVED, June 23, 1836.

STATUTE I.

June 23, 1836.

Act of June 15, 1836, ch. 100.

Propositions offered for the acceptance of the General Assembly of Arkansas.

Sections of land for schools.

Salt springs.

1847, ch. 56, § 3.

Proviso.

Proviso.

1832, ch. 70.

Per centage upon lands sold, to be applied to roads and canals.

Completion of the public buildings.
1831, ch. 67.
1832, ch. 172.

CHAP. CXX.—*An Act supplementary to the act entitled "An act for the admission of the State of Arkansas into the Union, and to provide for the due execution of the laws of the United States within the same, 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 lieu of the propositions submitted to the Congress of the United States, by an ordinance passed by the convention of Delegates at Little Rock, assembled for the purpose of making a constitution for the State of Arkansas, which are hereby rejected; and that the following propositions be, and the same are hereby, offered to the General Assembly of the State of Arkansas, for their free acceptance or rejection, which if accepted, under the authority granted to the said General Assembly, for this purpose, by the convention which framed the constitution of the said State, shall be obligatory upon the United States:

First. That section numbered sixteen in every township, and when such section has been sold, or otherwise disposed of, other lands equivalent thereto, and as contiguous as may be, shall be granted to the State for the use of the inhabitants of such township for the use of schools.

Second. That all salt springs not exceeding twelve in number, with six sections of land adjoining to each, shall be granted to the said State, for the use of said State, the same to be selected by the General Assembly thereof on or before the first day of January, one thousand eight hundred and forty; and the same, when so selected, to be used under such terms, conditions, and regulations, as the General Assembly of the said State shall direct: *Provided*, That no salt spring, the right whereof is now vested in any individual or individuals, or which may hereafter be confirmed or adjudged to any individual or individuals, shall, by this section, be granted to said State: *And provided also*, That the General Assembly shall never sell or lease the same, at any one time, for a longer period than ten years, without the consent of Congress; and that nothing contained in the act of Congress entitled "An act authorizing the Governor of the Territory of Arkansas to lease the salt springs in said Territory, and for other purposes," or in any other act, shall be construed to give to the said State any further or other claim whatsoever, to any salt springs or lands adjoining thereto, than to those hereby granted:

Third. That five per cent. of the nett proceeds of the sale of lands lying within the said State, and which shall be sold by Congress, from and after the first day of July next, after deducting all expenses incident to the same, shall be reserved for making public roads and canals within the said State, under the direction of the General Assembly thereof.

Fourth. That a quantity of land not exceeding five sections be, and the same is hereby, granted to the said State in addition to the ten sections which have already been granted, for the purpose of completing the public buildings of the said State at Little Rock; which said five sections shall, under the direction of the General Assembly of said State, be located, at any time, in legal divisions of not less than one-quarter section, in such townships and ranges as the General Assembly aforesaid may select, on any of the unappropriated lands of the United States within the said State.

Fifth. That the two entire townships of land which have already been located by virtue of the act entitled "An act concerning a seminary of learning in the Territory of Arkansas," approved the second of March, one thousand eight hundred and twenty-seven, are hereby vested in and confirmed to the General Assembly of the said State, to be appropriated solely to the use of such seminary by the General Assembly: *Provided*, That the five foregoing propositions herein offered, are on the condition that the General Assembly or Legislature of the said State, by virtue of the powers conferred upon it by the convention which framed the constitution of the said State, shall provide by an ordinance irrevocable without the consent of the United States, that the said General Assembly of said State shall never interfere with the primary disposal of the soil within the same by the United States, nor with any regulations Congress may find necessary for securing the title in such soil to the *bona fide* purchasers thereof; and that no tax shall be imposed on lands the property of the United States; and that in no case shall non-resident proprietors be taxed higher than residents; and that the bounty lands granted, or hereafter to be granted, for military services during the late war, shall, whilst they continue to be held by the patentees or their heirs, remain exempt from any tax laid by order or under the authority of the State, whether for State, county, township, or any other purpose, for the term of three years from and after the date of the patents respectively.

APPROVED, June 23, 1836.

Seminary of learning, 1827, ch. 53.

Proviso.

CHAP. CXXI.—*An Act supplementary to the act entitled "An act to establish the northern boundary line of the State of Ohio, and to provide for the admission of the State of Michigan into the Union on certain conditions."*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in lieu of the propositions submitted to the Congress of the United States by an ordinance passed by the convention of delegates at Detroit, assembled for the purpose of making a constitution for the State of Michigan, which are hereby rejected; and that the following propositions be, and the same are hereby offered to the Legislature of the State of Michigan, for their acceptance or rejection, which if accepted, under the authority conferred on the said Legislature by the Convention which framed the constitution of the said State, shall be obligatory upon the United States.

First. That section numbered sixteen in every township of the public lands, and where such section has been sold or otherwise disposed of, other lands equivalent thereto, and as contiguous as may be, shall be granted to the State for the use of schools.

Second. That the seventy-two sections of land set apart and reserved for the use and support of a university by an act of Congress approved on the twentieth day of May, eighteen hundred and twenty-six, entitled "An act concerning a seminary of learning in the Territory of Michigan," are hereby granted and conveyed to the State, to be appropriated solely to the use and support of such university, in such manner as the Legislature may prescribe; *And provided, also*, That nothing herein contained shall be so construed as to impair or affect in any way the rights of any person or persons claiming any of said seventy-two sections of lands, under contract or grant from said university.

Third. That five entire sections of land, to be selected and located under the direction of the Legislature, in legal divisions of not less than one quarter section, from any of the unappropriated lands belonging to the United States within the said State, are hereby granted to the State for the purpose of completing the public buildings of the said State, or for the erection of public buildings at the seat of Government of the said State, as the Legislature may determine and direct.

STATUTE I.

June 23, 1836.

Act of June 15, 1836, ch. 99.

Propositions offered for the acceptance of the Legislature of Michigan.

Sections of land for schools.

Sections of land for university.

Act of May 20, 1826, ch. 90.

Proviso.

Erection of public buildings.

Salt springs. *Fourth.* That all salt springs within the State, not exceeding twelve in number, with six sections of land adjoining, or as contiguous as may be to each, shall be granted to the said State for its use, the same to be selected by the Legislature thereof, on or before the first of January, eighteen hundred and forty; and the same, when so selected, to be used on such terms, conditions, and regulations, as the Legislature of the said State shall direct: *Provided*, That no salt spring, the right whereof is now vested in any individual or individuals, or which may hereafter be confirmed or adjudged to any individual or individuals, shall, by this section, be granted to said State: *And provided, also*, That the General Assembly shall never sell or lease the same, at any one time, for a longer period than ten years, without the consent of Congress.

1852, ch. 87.
 Proviso.
 Proviso.
 Per centage upon lands sold, to be applied to roads and canals.
 Proviso.
Fifth. That five per cent. of the nett proceeds of the sales of all public lands lying within the said State, which have been or shall be sold by Congress, from and after the first day of July, eighteen hundred and thirty-six, after deducting all the expenses incident to the same, shall be appropriated, for making public roads and canals within the said State, as the Legislature may direct: *Provided*, That the five foregoing propositions herein offered, are on the condition that the Legislature of the said State, by virtue of the powers conferred upon it by the convention which framed the constitution of the said State, shall provide, by an ordinance irrevocable without the consent of the United States, that the said State shall never interfere with the primary disposal of the soil within the same by the United States, nor with any regulations Congress may find necessary for securing the title in such soil to the *bona fide* purchasers thereof: and that no tax shall be imposed on lands the property of the United States; (a) and that in no case shall non-resident proprietors be taxed higher than residents; and that the bounty lands granted, or hereafter to be granted, for military services during the late war, shall, whilst they continue to be held by the patentees or their heirs, remain exempt from any tax laid by order or under the authority of the State, whether for State, county, township, or any other purpose, for the term of three years from and after the date of the patents respectively.

APPROVED, June 23, 1836.

STATUTE I.

June 28, 1836. CHAP. CCXXX.—*An Act to provide for the paying of certain pensioners of the United States, at Pulaski, in the State of Tennessee.*

Secretary of War to establish an agency at Pulaski.
 Proviso.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and required to establish a pension agency, at Pulaski, in the State of Tennessee, for the payment of all pensioners of the United States, resident in the counties of Lincoln, Giles, Lawrence, and Wayne, in said State; *Provided*, That the establishment of such agency can be made without any charge to the United States.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and hereby is authorized to make the necessary arrangement for the payment of said pensioners.

(a) Taxes by the laws of Michigan upon lands sold by the United States:

When the purchaser of land from the United States has paid for it, and received a final certificate, it is taxable property, according to the statutes of Michigan; although a patent has not yet been issued. Carroll v. Safford, 3 Howard, 441.

Taxation upon lands so held, is not a violation of the ordinance of 1787, as "an interference with the primary disposition of the soil by Congress;" nor, is it a tax on the lands of the United States. The State of Michigan could rightfully impose the tax. *Ibid.*

It was competent for the State to assess and tax the lands at their full value, as the absolute property of the holder of the final certificate; and in default of payment, to sell them as if the holder of the certificate owned them in fee. *Ibid.*

SEC. 3. *And be it further enacted*, That this act shall take effect from and after the first day of August next.

APPROVED, June 28, 1836.

To take effect
1st of August.

STATUTE I.

CHAP. CCXXXI.—*An Act to disapprove and annul certain acts of the Territorial Legislature of Florida, and for other purposes.*

July 1, 1836.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no act of the Territorial Legislature of any of the Territories of the United States, incorporating any bank or any institution with banking powers or privileges, hereafter to be passed, shall have any force or effect whatever, until approved and confirmed by Congress.

Territorial Legislatures not to grant banking privileges until, &c.

SEC. 2. *And be it further enacted*, That the following acts of the Territorial Legislature of Florida, namely: an act entitled "An act to incorporate the Bank of St. Joseph," passed February twelfth, eighteen hundred and thirty-six; an act entitled "An act to incorporate the Florida Insurance and Banking Company," passed February tenth, eighteen hundred and thirty-six; an act passed February fourteenth, eighteen hundred and thirty-six, entitled "An act to incorporate the St. Joseph Insurance Company," and all other acts and parts of acts, passed by the said Territorial Legislature of Florida, in the year eighteen hundred and thirty-six, creating banks or extending banking corporations, or corporations with banking powers, or conferring banking powers on any corporation or institution whatever, be, and the same hereby are disapproved and annulled.

Acts of Legislature of Florida annulled.

APPROVED, July 1, 1836.

STATUTE I.

CHAP. CCXXXII.—*An Act to change the time of holding the district court of the United States for the western district of Virginia, holden at Clarksburg.*

July 1, 1836.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of August, next, the sessions of the district court of the United States for the western district of Virginia, required by law to be holden at Clarksburg, shall be held on the first Mondays of April and September annually.

Courts to be held on the first Mondays of April and September.

APPROVED, July 1, 1836.

STATUTE I.

CHAP. CCXXXIII.—*An Act explanatory of an act entitled "An act to release from duty, iron prepared for, and actually laid on, railways and inclined planes.*

July 1, 1836.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act of the fourteenth of July, eighteen hundred and thirty-two, entitled "An act to release from duty, iron prepared for, and actually laid on, railways and inclined planes," shall not be so construed as to include spikes, pins, or chains, as railroad iron.

Construction of the act of July 14, 1832, ch. 250.

APPROVED, July 1, 1836.

STATUTE I.

CHAP. CCXXXIV.—*An Act to provide for the due execution of the laws of the United States within the State of Michigan.*(a)

July 1, 1836.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the laws of the United States which are not locally inapplicable, shall have the same force and effect within the State of Michigan, as elsewhere within the United States.

Laws of the United States in force.

(a) Notes of the acts which have been passed relative to Michigan; act of Feb. 16, 1819, chap. 22.

District court.

SEC. 2. *And be it further enacted*, That the said State shall be one district, and be called the District of Michigan; and a district court shall be held therein, to consist of one judge, who shall reside in the said district, and be called a district judge. He shall hold, at the seat of government of the said State, two sessions of the said district court annually on the first Mondays in May and October; and he shall, in all things, have and exercise the same jurisdiction and powers which were by law given to the judge of the Kentucky district under an act entitled "An act to establish the judicial courts of the United States." He shall appoint a clerk for the said district, who shall reside and keep the records of the said court at the place of holding the same, and shall receive, for the services performed by him, the same fees to which the clerk of the Kentucky district is by law entitled for similar services.

Act of June 15, 1836, ch. 99.

Act of June 23, 1836, ch.

121.

Act of Sept. 24, 1789, ch. 20.

Salary to be paid the judge.

SEC. 3. *And be it further enacted*, That there shall be allowed to the judge of the said district court, the annual compensation of fifteen hundred dollars, to commence from the date of his appointment, to be paid quarterly at the Treasury of the United States.

Attorney.

SEC. 4. *And be it further enacted*, That there shall be appointed in the said district, a person learned in the law, to act as attorney for the United States, who shall, in addition to his stated fees, be paid annually by the United States, two hundred dollars, as a full compensation for all extra services; the said payment to be made quarter-yearly at the Treasury of the United States.

Marshal.

SEC. 5. *And be it further enacted*, That a marshal shall be appointed for the said district, who shall perform the same duties, be subject to the same regulations and penalties, and be entitled to the same fees as are prescribed and allowed to marshals in other districts, and shall, moreover, be entitled to the sum of two hundred dollars annually, as a compensation for all extra services: *Provided, however*, That this act shall not take effect until the State of Michigan shall be admitted into the Union, according to the provisions of the act entitled "An act to establish the northern boundary line of the State of Ohio, and to provide for the admission of the State of Michigan into the Union on certain conditions."

Proviso.

1836, ch. 99.

APPROVED, July 1, 1836.

STATUTE I.

July 1, 1836.

[Obsolete.]

CHAP. CCXXXV.—*An Act making appropriation for the payment of charges incurred for the support of the Penitentiary in the District of Columbia, for the year eighteen hundred and thirty-five, and for the support of said Penitentiary for the year one thousand eight hundred and thirty-six.*

Pay of officers, &c. for 1835,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in addition to the unexpended balance of six thousand four hundred and seventy-one dollars and fifty-eight cents of a former appropriation, there shall be, and hereby is, appropriated, out of any money in the Treasury not otherwise appropriated, the sum of eight thousand eighty-four dollars and seventy-three cents, for the pay of officers, the purchase of materials and implements, the support of prisoners, and other contingent expenses of the said penitentiary, for and during the year eighteen hundred and thirty-five.

for 1836.

SEC. 2. *And be it further enacted*, That, for the support of the penitentiary for the year one thousand eight hundred and thirty-six, including the pay of the officers, the purchase of materials and implements, the support of prisoners, and other contingent expenses of the said penitentiary, the sum of fourteen thousand dollars be, and hereby is, appropriated out of any money in the Treasury not otherwise appropriated.

APPROVED, July 1, 1836.

STATUTE I.

July 1, 1836.

CHAP. CCXXXVI.—*An Act to authorize the Governor and Legislative Council of the Territory of Florida, to sell the lands heretofore reserved for the benefit of a general seminary of learning in said Territory.*

Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That the Governor and Legislative Council of the Territory of Florida shall be, and they are hereby, authorized to sell and convey, in fee simple, for the benefit of the University of Florida, of which, Joseph M. White, R. K. Call, Thomas Randall, John G. Gamble, Thomas Eston Randolph, Louis M. Goldsborough, Ben. Chaires, Turbutt R. Betton, F. Eppes, E. Loockerman, Fitch W. Taylor, J. Loring Woart, Ashbeel Steel, and J. Edwin Stewart are trustees, any part not exceeding one half of the two townships of land heretofore reserved and appropriated by Congress for the establishment and support of a seminary of learning in the Territory of Florida, and to appropriate so much of the money arising from the sale thereof, as may be deemed expedient for the erection of commodious and durable buildings for said University; for the purchase of apparatus, and whatever else may be suitable for such University; and to invest the remainder in some productive funds, the proceeds of which shall be devoted for ever to the benefit of said University of Florida.

APPROVED, July 1, 1836.

Lands may be sold.

1823, ch. 29, sec. 11.

STATUTE I.

July 1, 1836.

CHAP. CCXLVIII.—*An Act authorizing the Winnisimmet Company to lay out and make a way on lands of the United States, in Chelsea, in the State of Massachusetts.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, the Winnisimmet Company, in the Commonwealth of Massachusetts, be, and they hereby are, authorized and empowered to lay out and make a way or street over lands of the United States situated in Chelsea, in said Commonwealth, in front of the United States marine hospital; said way or street to be in continuation of the marginal street of said company: *Provided*, That said way shall not exceed fifty feet in width, and shall be so constructed, under the supervision of the collector for the district of Boston and Charlestown, as not to injure or prejudice the upland or wharf belonging to said hospital.*

APPROVED, July 1, 1836.

A street may be laid out.

Proviso.

STATUTE I.

July 1, 1836.

CHAP. CCXLIX.—*An Act to authorize the Shenandoah Bridge Company, at Harper's Ferry, to erect a bridge on the lands of the United States, at or near the town of Harper's Ferry.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Shenandoah bridge company, at Harper's Ferry, be, and they are hereby, authorized to erect a bridge across the river Shenandoah, on the lands belonging to the United States, at or near the town of Harper's Ferry, and to connect the same, by a sufficient road or passway through the said lands, with the road on the east side of the said river, and the main street of the said town; *Provided*, That in the construction of the said bridge, and the road or passway to and from it, the said company shall not, in virtue of this act, interfere with the rights or privileges of any individuals or existing corporation; *And provided, also*, That the location of the said bridge upon the public lands aforesaid, shall be submitted to and approved by the Secretary of War, prior to the erection thereof.*

SEC. 2. *And be it further enacted, That on the said terms and conditions the said Shenandoah bridge company shall be, and they are hereby, empowered to erect a toll-house adjacent to the said bridge on*

A bridge at Harper's Ferry, on the land of the United States.

Proviso.

Proviso.

May erect a toll-house.

Proviso.

the lands, aforesaid of the United States; *Provided*, That should the said bridge never be constructed, or having been constructed, shall be abandoned, by the said company, the rights vested therein, by this act, shall cease and determine.

APPROVED, July 1, 1836.

STATUTE I.

July 1, 1836.

CHAP. CCLII.—*An Act to authorize and enable the President to assert and prosecute with effect, the claim of the United States to the legacy bequeathed to them by James Smithson, late of London, deceased, to found at Washington, under the name of the Smithsonian Institution, an establishment for the increase and diffusion of knowledge among men.*

May appoint an agent to prosecute the claim.

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 constitute and appoint an agent or agents, to assert and prosecute for and in behalf of the United States, and in their name, or otherwise, as may be advisable, in the Court of Chancery, or other proper tribunal of England, the right of the United States to the legacy bequeathed to them by the last will and testament of James Smithson, late of London, deceased, for the purpose of founding, at Washington, under the name of the Smithsonian Institution, an establishment for the increase and diffusion of knowledge among men: and to empower such agent or agents, so appointed, to receive and grant acquittances for all such sum or sums of money, or other funds, as may or shall be decreed or adjudged to the United States, for, or on account of, said legacy.

Agent to give bonds.

SEC. 2. *And be it further enacted*, That the said agent or agents shall, before receiving any part of the said legacy, give a bond or bonds, in the penal sum of five hundred thousand dollars, to the Treasurer of the United States, and his successors in office, with good and sufficient securities to the satisfaction of the Secretary of the Treasury, for the faithful performance of the duties of the said agency, and for the faithful remittance to the Treasurer of the United States, of all and every sum or sums of money, or other funds, which he or they may receive, for payment in whole or in part of the said legacy. And the Treasurer of the United States is hereby authorized and required to keep safely all sums of money or other funds which may be received by him in virtue of the said bequest, and to account therefor separately from all other accounts of his office, and subject to such further disposal thereof as may be hereafter provided by Congress.

SEC. 3. *And be it further enacted*, That any and all sums of money, and other funds, which shall be received for, or on account of, the said legacy, shall be applied in such manner as Congress may hereafter direct, to the purpose of founding and endowing at Washington, under the name of the Smithsonian Institution, an establishment for the increase and diffusion of knowledge among men; to which application of the said moneys, and other funds, the faith of the United States is hereby pledged.

To defray the expenses.

SEC. 4. *And be it further enacted*, That, to the end that the claim to the said bequest may be prosecuted with effect, and the necessary expenses in prosecuting the same be defrayed, the President of the United States be, and he is hereby, authorized to apply to that purpose, any sum not exceeding ten thousand dollars, out of any moneys in the Treasury not otherwise appropriated.

APPROVED, July 1, 1836.

CHAP. CCLIII.—*An Act to regulate the compensation of certain officers of revenue cutters.*

STATUTE I.
July 2, 1836.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in lieu of pay, rations, and all other allowances now authorized by law to the captains and first, second, and third lieutenants of the revenue cutters of the United States, there shall be allowed and paid, quarterly, from and after the passage of this act, to each captain, at the rate of twelve hundred dollars per annum; to each first lieutenant, at the rate of nine hundred and sixty dollars per annum; to each second lieutenant, at the rate of eight hundred and sixty dollars per annum; to each third lieutenant, at the rate of seven hundred and ninety dollars per annum.

Compensation to captains, &c. of revenue cutters.

APPROVED, July 2, 1836.

CHAP. CCLIV.—*An Act making appropriations for the suppression of Indian hostilities and for other purposes.*

STATUTE I.
July 2, 1836.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the balance of the appropriation of one million of dollars, made by the act of April twenty-nine, eighteen hundred and thirty-six, and now remaining in the Treasury, shall be, and the same is hereby, made applicable to the payment of any expenditures authorized by the said act, and rendered necessary by the calling out by the President of the United States, of any part of the militia or volunteers of the United States for the suppression or prevention of any Indian hostilities.

Balance of appropriation of 1,000,000 dollars of April 29, 1836, ch. 57, applicable to payment, &c.

SEC. 2. *And be it further enacted,* That the sum of two millions four hundred thousand dollars shall be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to defray any expenses which have been or may be incurred in preventing or suppressing the hostilities of any Indians, by calling out, under the direction of the President of the United States, any part of the militia or volunteers according to the provisions of the constitution and laws; which sum, if expended, shall be expended under the direction of the Secretary of War, conformably to the provisions of the act of Congress of January second, seventeen hundred and ninety-five, of the act of April fifth, eighteen hundred and thirty-two, making appropriations for the support of the army, and of the act of March nineteen, eighteen hundred and thirty-six, providing for the payment of volunteers and militia corps in the service of the United States.

To defray expenses, &c.

APPROVED, July 2, 1836.

1795, ch. 9.
1832, ch. 64.
1836, ch. 44.

CHAP. CCLV.—*An Act to grant to the New Orleans and Nashville Rail-road Company, the right of way through the public lands of the United States.*

STATUTE I.
July 2, 1836.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby granted to the New Orleans and Nashville Rail-road Company incorporated by the several States through which the said road is intended to pass, the right of way through such portion of the public lands as remain unsold, *Provided,* That the portion of the public lands occupied therefor, shall not exceed eighty feet in breadth; that the route of the said road shall be surveyed and designated through the public lands, by plain marks, or monuments, and copies of the notes of survey, with a plat or plats thereof, and a description of the said landmarks or monuments and their connection with the prior official surveys of the adjacent lands, be transmitted to the General Land Office in Washington, within sixty days after the said surveys and plats are completed, and that they be completed within two years from the date of this act.

Right of way granted.

Proviso.

Land for workshops, &c.

SEC. 2. *And be it further enacted*, That for such depots, watering places and work-shops as may be essential to the convenient use of the said road; there shall be also granted to the said company, such portions of the public land, as they may, under like restrictions and conditions, select, on either side of the said road: *Provided*, That not more than five acres, to be laid off in a square form, shall be selected for such use or purpose, at any one place; *Provided, also*, That not more than one such square shall be granted for every fifteen miles of the said road lying within the public lands; *And provided, moreover*, That such selections shall be approved by the Secretary of the Treasury for the time being.

Proviso.

Proviso.

Proviso.

Materials may be taken.

SEC. 3. *And be it further enacted*, That so long as the public lands in the vicinity of the said road shall remain unsold, the said company shall have power to take therefrom, such materials of earth, stone, or wood, as may be necessary for the construction of the said road, *Provided*, That the grants herein contained, as well of the use of the public lands, as of the materials for the construction of the said road, shall cease and determine, unless the road be begun within the period of two years from the date of this act, and completed within eight years thereafter. *And provided, moreover*, That if the said road shall, at any time after its completion, be discontinued or abandoned by the said company, the grants, hereby made, shall cease and determine.

Proviso.

Proviso.

APPROVED, July 2, 1836.

STATUTE I.

July 2, 1836.

CHAP. CCLVI.—*An Act to renew the gold medal struck and presented to General Morgan, by order of Congress, in honor of the battle of the Cowpens.*

Medal to be struck by the Director of the Mint.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in pursuance of the request of Morgan Neville, in his memorial presented at the present session of Congress, the director of the mint, be and he is hereby, authorized and directed to cause to be struck, a gold medal of the intrinsic value of one hundred and fifty dollars, in honor of the battle of the Cowpens, which was fought on the seventeenth day of January, seventeen hundred and eighty-one, to replace the original medal presented by a resolution of the continental Congress, of March ninth, seventeen hundred and eighty-one, to Brigadier General Daniel Morgan; the said medal to be struck from the original die, and delivered, when executed, to the said Morgan Neville, the lineal heir of General Morgan; the expense of the same to be paid out of any money in the Treasury not otherwise appropriated.

Act of March 3, 1837, ch. 33.

APPROVED, July 2, 1836.

STATUTE I.

July 2, 1836.

[Obsolete.]

CHAP. CCLVII.—*An Act to repair and extend the United States Arsenal at Charleston, South Carolina.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby authorized and directed to cause such repairs and improvements to be made to the United States arsenal in Charleston, South Carolina, as may be deemed necessary for the public service; and that the sum of twenty thousand dollars be, and the same is hereby, appropriated for this purpose, out of any moneys in the Treasury not otherwise appropriated.

APPROVED, July 2, 1836.

CHAP. CCLVIII.—*An Act to provide for the better protection of the western frontier.*

STATUTE I.
July 2, 1836.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby, authorized to cause to be surveyed and opened, a military road, from some point upon the right bank of the Mississippi river, between the mouth of the St. Peter's and the mouth of the Desmoines river, upon such route as may appear best calculated to effect the purposes of this act, to Red river.

President to cause a military road to be surveyed.

SEC. 2. *And be it further enacted,* That the said road shall pass west of the State of Missouri and of the Territory of Arkansas, on condition that the assent of the Indian tribes who have not heretofore given their assent, through whose territory said road is to pass, shall be first obtained; and if such assent cannot be obtained, then east of the western boundaries of said State and Territory; and shall be so constructed as to enable troops to move along the same with proper facility. And the following mode of construction shall be adopted, subject to such alterations and additions as the President may, from time to time, direct to be made. The timber shall be cut down to a reasonable width, and the wet and marshy places shall be causewayed or otherwise rendered passable; cheap bridges shall be erected over the smaller streams, not having good fords across them; and, where it may be found necessary, the road may be thrown up in the centre.

To pass west of Missouri and Arkansas, on condition, &c.

SEC. 3. *And be it further enacted,* That the military posts shall be constructed at such places along said road as in the opinion of the President, may be most proper for the protection of the frontier, and for the preservation of the necessary communication.

Military posts to be established.

SEC. 4. *And be it further enacted,* That the troops of the United States shall be employed in performing the labor herein required, whenever, in the opinion of the President, the same can be done with a just regard to their other duties; and the other labor rendered necessary shall be procured in such manner as the President may direct.

Troops of the United States may be employed in the labor, &c.

SEC. 5. *And be it further enacted,* That the sum of one hundred thousand dollars shall be, and the same is hereby, appropriated, to be applied towards the accomplishment of the objects specified by this act.

Appropriation.

APPROVED, July 2, 1836.

STATUTE I.

CHAP. CCLIX.—*An Act making additional appropriations for the Delaware breakwater, and for certain harbors, and removing obstructions in and at the mouths of certain rivers, and for other purposes, for the year one thousand eight hundred and thirty-six.*

July 2, 1836.

[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 money in the Treasury not otherwise appropriated, for carrying on and completing certain works heretofore commenced, viz :

For continuing the Delaware breakwater, one hundred thousand dollars.

Delaware breakwater.

For continuing the improvement of the harbor of Chicago, Illinois, thirty-two thousand dollars.

For Chicago, Illinois.

For continuing the improvement of Big Sodus bay, twelve thousand six hundred dollars.

Big Sodus bay.

For the continuation of the works for the preservation of the beach at Provincetown harbor, Massachusetts, four thousand four hundred dollars.

Provincetown, Mass.

For the continuation of the works for the preservation of Plymouth beach, Massachusetts, five hundred dollars.

Plymouth beach.

- Mouth of river Raisin. For the continuation of the works at the harbor near the mouth of the river Raisin, Michigan Territory, fifteen thousand dollars.
- Black river, Ohio. For continuing the removal of obstructions at Black river, Ohio, six thousand six hundred and sixty dollars.
- Cleveland harbor. For continuing the permanent improvement of Cleveland harbor, Ohio, fifteen thousand dollars.
- Grand river, Ohio. For continuing the removal of obstructions at Grand river, Ohio, six thousand dollars.
- Cunningham creek. For continuing the removal of obstructions at Cunningham creek, Ohio, one thousand two hundred and seventy-five dollars.
- Conneaut creek. For continuing the removal of obstructions at Conneaut creek, Ohio, two thousand five hundred dollars.
- Presque Isle. For continuing the improvement of the harbor of Presque Isle, Pennsylvania, according to Colonel Totten's recommendation, fifteen thousand dollars.
- Dunkirk, N. Y. For continuing the improvement at Dunkirk harbor, New York, eleven thousand dollars.
- Dredging machine. For a dredging machine on Lake Erie, eight thousand dollars.
- Mouth of Genesee river. For continuing the works at the mouth of Genesee river, New York, twenty thousand dollars.
- Oswego harbor. For continuing the pier and mole at Oswego harbor, New York, twenty thousand dollars.
- Kennebunk. For continuing the pier at Kennebunk, Maine, seven thousand five hundred dollars.
- Hudson river. For continuing the improvement of the navigation of the Hudson river, above and below Albany, in the State of New York, one hundred thousand dollars, to be expended according to the plan and estimate recommended by the Secretary of War.
- Newcastle, Del. For continuing the improvement of the harbor of New Castle, Delaware, twenty-five thousand dollars.
- Ocracock inlet. For continuing the removal of obstructions at Ocracock inlet, North Carolina, nine thousand dollars.
- Cape Fear river. For continuing the improvement of the navigation of the Cape Fear river, below Wilmington, North Carolina, twenty thousand dollars.
- Ohio river. For the improvement of the navigation of the Ohio river, between Pittsburg and the falls of the Ohio, twenty thousand dollars, which, together with the unexpended balance of the appropriation for this purpose by the act of the third of March, A. D. eighteen hundred and thirty-five, shall be expended by direction of the Secretary of War, under the superintendence of the officers of the engineer corps heretofore employed on that service.
- 1835, ch. 26.
- Ohio and Mississippi rivers. For the improvement of the navigation of the Ohio and Mississippi rivers from Louisville to New Orleans, sixty thousand dollars.
- Mississippi and Missouri rivers. For the improvement of the Mississippi river above the mouth of the Ohio river, and for the Missouri river, forty thousand dollars, to be expended in such manner and for the removal of such obstructions as the Secretary of War shall direct.
- Red river. For continuing the removal of obstructions in Red river, Louisiana, and Territory of Arkansas, forty thousand eight hundred dollars.
- Boat, and working it. For constructing a boat to prevent a new accumulation of obstruction in said river, within the old limits of the Great Raft, so called, fifteen thousand dollars, and the additional sum of fifteen thousand dollars to work and support the same.
- Cumberland river, Ky. For continuing the improvement of the Cumberland river, in Kentucky and Tennessee, twenty thousand dollars.
- Chipola river, Florida. For continuing the removal of obstructions in the Chipola river, in the Territory of Florida, four thousand dollars.
- Channel between St. Ma. For completing the inland channel between St. Mary's and St. John's, in the Territory of Florida, in addition to unexpended appropriations,

according to the estimate of the Engineer Department, five thousand dollars.

ry's and St. John's.

For continuing the removal of obstructions in, and improving the navigation of, the Escambia river, in the Territory of Florida, five thousand five hundred dollars.

Escambia river.

For further improvements at the mouth of Huron river, in the State of Ohio, four thousand three hundred dollars.

Huron river.

And the following sums, necessary to close accounts, in the office of the Third Auditor, viz.

To close accounts in the Third Auditor's office.

For removing obstructions at Cunningham creek, Ohio, thirty-two dollars and thirty-six cents.

Cunningham creek.

For completing the pier at La Plaisance bay, Michigan Territory, three hundred and twenty-three dollars and fifteen cents.

Michigan Territory.

For removing obstructions at Cleaveland harbor, Ohio, six dollars and fifty-nine cents.

Cleaveland, Ohio.

For repairing breach in the peninsula at Presque Isle, one hundred and twenty-two dollars and eighty cents.

Presque Isle.

For erecting a beacon light at Erie, Pennsylvania, sixty-nine dollars and sixty-nine cents.

Erie, Pennsylvania.

For erecting a light-house at Buffalo, New York, four hundred and ninety-four dollars and seventy-eight cents.

Buffalo, New York.

For improvement of the navigation of the Ohio and Mississippi rivers from Pittsburg to New Orleans, under the act of second of March, eighteen hundred and thirty-one, seventeen thousand eight hundred dollars and five cents.

Ohio and Mississippi.

For defraying the expenses incidental to making examinations and surveys, under the act of the thirtieth of April, eighteen hundred and twenty-four, of which sum five thousand dollars shall be appropriated and applied to geological and mineralogical surveys and researches in the Indian country on the public lands and in the Territories of the United States, thirty thousand dollars.

Geological and mineralogical surveys.

1824, ch. 46.

APPROVED, July 2, 1836.

STATUTE I.

CHAP. CCLX.—*An Act to extend the charters of certain Banks in the District of Columbia, and for other purposes.*

July 2, 1836.

[Expired.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the charters of the several Banks herein enumerated, namely; the Union Bank, and Farmers and Mechanics Bank of Georgetown; the Bank of the Metropolis, Patriotic Bank of Washington, and Bank of Washington, in the city of Washington; and the Farmers Bank of Alexandria, and Bank of Potomac, in the town of Alexandria, be, and the same are hereby extended till the fourth day of July, eighteen hundred and thirty-eight.

Charters extended to July 4, 1838.

APPROVED, July 2, 1836.

STATUTE I.

CHAP. CCLXI.—*An Act regulating the terms of the superior courts of the middle district of Florida, and for other purposes.*

July 2, 1836.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an act entitled "An act to alter and change the terms of the superior court for the middle district of Florida," passed by the Governor and Legislative Council of said Territory, and approved February twelfth, eighteen hundred and thirty-six, be, and the same is hereby, approved, so far as it does not interfere with the terms of the court directed to be holden in the county of Franklin, which has been annexed to the said middle district.

Act of Territorial Legislature of 12th Feb. 1836 approved.

SEC. 2. *And be it further enacted,* That if, in any prosecution for piracy, or any other criminal offence against the laws of the United States, or of the Territory of Florida, it shall be found impracticable

Trials may be removed from the southern to the eastern or middle district.

to obtain a sufficient number of jurors for the trial of any person or persons charged with said criminal offences in the southern judicial district of Florida, it shall be lawful for the judge to send said person or persons, with the indictment and other papers, to the eastern or middle district for trial, and to take recognizances from the witnesses to appear in the said eastern or middle district, in the same manner as he is empowered by law to do, in the district of which he is the judge.

Acts relating to Appalachiecola and to Franklin county, annulled.

SEC. 3. *And be it further enacted*, That an act to amend the act entitled "An act incorporating the town of Appalachiecola," approved twelfth of February, eighteen hundred and thirty-six, and "An act to change the county seat of the county of Franklin," passed January fourteenth, and approved January seventeenth, eighteen hundred and thirty-six, be, and the same are hereby, annulled.*

Act respecting a superior court, annulled.

SEC. 4. *And be it further enacted*, That so much of the act of the Legislative Council as directs a superior court for the southern judicial district at Indian Key be, and the same is hereby, annulled.

APPROVED, July 2, 1836.

STATUTE I.

July 2, 1836.

1853, ch. 67.
1837, ch. 36.

CHAP. CCLXII.—*An Act for laying off the towns of Fort Madison and Burlington, in the county of Des Moines, and the towns of Belleview, Du Buque, and Peru, in the county of Du Buque, Territory of Wisconsin, and for other purposes.*

Towns of Fort Madison, Burlington, Belleview, Du Buque and Peru, Wisconsin Territory.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tracts of land in the Territory of Wisconsin including the towns of Fort Madison and Burlington, in the county of Des Moines; Belleview, Du Buque, and Peru, in the county of Du Buque; and Peru, in the county of Du Buque; and Mineral Point, in the county of Iowa, shall, under the direction of the Surveyor General of the public lands, be laid off into town lots, streets, avenues, and the lots for public use called the public squares, and into out-lots having regard to the lots and streets already surveyed, in such manner and of such dimensions as he may think proper for the public good and the equitable rights of the settlers and occupants of the said towns: *Provided*, The tracts of land so to be laid off into town-lots, &c. shall not exceed the quantity of one entire section, nor the town-lots one-half of an acre; nor shall the out-lots exceed the quantity of four acres each. When the survey of the lots shall be completed, a plat thereof shall be returned to the Secretary of the Treasury, and within six months thereafter the lots shall be offered to the highest bidder, at public sale, under the direction of the President of the United States, and at such other times as he shall think proper; *Provided*, That no town-lot shall be sold for a sum less than five dollars: *And provided further*, That a quantity of land of proper width, on the river banks, at the towns of Fort Madison, Belleview, Burlington, Du Buque, and Peru, and running with the said rivers the whole length of said towns, shall be reserved from sale, (as shall also the public squares,) for public use, and remain for ever for public use, as public highways, and for other public uses.

Proviso.

Surveyor to class the lots.

SEC. 2. *And be it further enacted*, That it shall be the duty of the said Surveyor to class the lots already surveyed in the said towns of Fort Madison, Burlington, Belleview, Du Buque, Peru, and Mineral Point, into three classes, according to the relative value thereof, on account of situation and eligibility for business, without regard however to the improvements made thereon; and previous to the sale of said lots as aforesaid, each and every person or persons, or his, her, or their legal representatives, who shall heretofore have obtained from the agent of the United States a permit to occupy any lot or lots in the said towns, or who shall have, by building or enclosure, actually occupied

or improved any lot or lots in the said towns, or within the tracts of land hereby authorized to be laid off into lots, shall be permitted to purchase such lot or lots by paying therefor, in cash, if the same fall within the first class as aforesaid, at the rate of forty dollars per acre; if within the second class, at the rate of twenty dollars per acre; and if within the third class, at the rate of ten dollars per acre: *Provided*, That no one of the persons aforesaid shall be permitted to purchase, by authority of this section, more than one acre of ground to embrace improvements already made.

Proviso.

SEC. 3. *And be it further enacted*, That the sum of three thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to defray the expenses of surveying the lands covering the said towns of Fort Madison, Burlington, Belleview, Du Buque, Peru, and Mineral Point.

Surveying.

APPROVED, July 2, 1836.

CHAP. CCLXIII.—*An Act for the payment of certain companies of the militia of Missouri and Indiana, for services rendered against the Indians in eighteen hundred and thirty-two.*

STATUTE I.

July 2, 1836.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he hereby is, authorized and directed to ascertain the sums severally due to those persons who performed duty in the companies commanded by Captains Smith Crawford, George Wallis, and Matthew P. Long, of the militia of Missouri, and in the company of Captain D. Siglor, of the militia of Indiana, for the protection of the frontiers of those States against the Indians; and to cause them to be paid for the time they were actually engaged in said service in the year eighteen hundred and thirty-two, at the rate, and according to the principles established for the payment of similar services rendered the United States; for the purpose of effecting which, the sum of four thousand three hundred dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

To be paid to certain militia companies.

APPROVED, July 2, 1836.

CHAP. CCLXIV.—*An act for the continuation of the Cumberland Road in the States of Ohio, Indiana and Illinois. (a)*

STATUTE I.

July 2, 1836.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of two hundred thousand dollars be, and the same is hereby appropriated, for the purpose of continuing the Cumberland Road in the State of Ohio; that the sum of two hundred and fifty thousand dollars be, and the same is hereby appropriated, for continuing the Cumberland Road in the State of Indiana, including materials for erecting a bridge across the Wabash river; and that the sum of one hundred and fifty thousand dollars be, and the same is hereby appropriated, for continuing the Cumberland Road in the State of Illinois; which sums shall be paid out of any money not otherwise appropriated, and replaced out of the fund reserved for laying out and making roads under the direction of Congress, by the several acts passed for the admission of the States of Ohio, Indiana, Illinois, and Missouri into the Union on an equal footing with the original States: *Provided*, That the expenditure of the appropriation herein made for the State of Illinois shall be limited to the graduation and bridging of the road therein, and shall not be construed as pledging Congress to future appropriations for the purpose of McAdamizing the same.

State of Ohio.

State of Indiana.

State of Illinois.

Proviso.

(a) See notes of the acts which have been passed relating to the Cumberland Road, vol. 2, 357.

SEC. 2. *And be it further enacted*, That the moneys hereby appropriated for the construction of the said road in the States of Ohio and Indiana, be expended in completing the greatest possible continuous portion of said road in the said States, so that such finished parts thereof may be surrendered to the said States, respectively.

APPROVED, July 2, 1836. (a)

STATUTE I.

July 2, 1836.

[Obsolete.]

CHAP. CCLXV.—*An Act making appropriations for the Military Academy of the United States, for the year eighteen hundred and thirty-six.*

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 support of the Military Academy, for the year one thousand eight hundred and thirty-six, viz:

For pay of the officers, cadets, and musicians, fifty-six thousand and twelve dollars.

For subsistence of officers and cadets, thirty-nine thousand five hundred and sixty-six dollars.

For forage of officers' horses, one thousand one hundred and fifty-two dollars.

For clothing of officers' servants, three hundred and thirty dollars.

For defraying the expenses of the Board of Visitors at West Point, two thousand dollars.

For arrearages of the same in eighteen hundred and thirty-four and eighteen hundred and thirty-five, three hundred and eighty-two dollars and forty-eight cents.

For fuel, forage, stationery, printing, transportation, and postage, twelve thousand five hundred and thirty-five dollars.

For repairs, improvements, and expenses of buildings, grounds, roads, wharves, boats, and fences, nine thousand and sixty-six dollars.

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

For philosophical apparatus and repairs of the same, three hundred dollars.

For models for the department of engineering, five hundred dollars.

For models for the drawing department, apparatus and contingencies for the department of chemistry, and instruments and repairs for the mathematical department, one thousand two hundred and thirty-five dollars.

For the purchase and repairs of instruments for the band, three hundred and ninety-two dollars.

For incidental expenses of the department of artillery, fifty dollars.

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

For miscellaneous items and incidental expenses, two thousand two hundred and ninety-three dollars.

For completing the chapel, three thousand five hundred dollars.

For compensation to the acting professor of chemistry for services in his department from September first, eighteen hundred and thirty-five, to September first, eighteen hundred and thirty-six, at twenty-five dollars per month, three hundred dollars; for the ensuing year, three hundred dollars.

APPROVED, July 2, 1836.

(a) By the act of March 3, 1837, chap. 46, sec. 2, this section is repealed.

CHAP. CCLXVI.—*An Act to confirm the sales of public lands in certain cases.*(a)

STATUTE I.
July 2, 1836.
[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases where public lands, taken from the bounds of a former land district, and included within the bounds of a new district, have been sold by the officers of such former district, under the pre-emption laws or otherwise, at any time prior to the opening of the land office in such new district, and in which the Commissioner of the General Land Office shall be satisfied that the proceedings in other respects have been fair and regular, such entries and sales shall be, and are hereby, confirmed; and patents shall be issued thereupon, as in other cases.

Sales confirmed.

SEC. 2. *And be it further enacted,* That in all cases where any entry has been made under the pre-emption laws, pursuant to instructions sent to the Register and Receiver from the Treasury Department, and the proceedings have been in all other respects fair and regular, such entries and sales are hereby confirmed, and patents shall be issued thereon, as in other cases.

APPROVED, July 2, 1836.

CHAP. CCLXVII.—*An Act making further appropriations for carrying into effect certain Indian treaties.*

STATUTE I.
July 2, 1836.
[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 they are hereby, appropriated out of any money in the Treasury not otherwise appropriated, to carry into effect certain Indian treaties, viz :

Appropriations.

For the amount stipulated to be paid for the lands ceded in the first article of the treaty with the Cherokees of the twenty-ninth of December, one thousand eight hundred and thirty-five, deducting the cost of the land to be provided for them west of the Mississippi, under the second article of said treaty, four million five hundred thousand dollars.

Cherokees.

For extinguishing the title of certain half breeds to reservations, granted them in the treaty with the Osages, in eighteen hundred and twenty-five, according to the fourth article of the aforesaid treaty with the Cherokees, fifteen thousand dollars.

Osages.

For payment for the improvements on the missionary reservations at Union and Harmony, according to the same article of the said treaty with the Cherokees, twenty-five thousand dollars.

Cherokees.

For commutation of the permanent annuity of ten thousand dollars, according to the eleventh article of said treaty, two hundred and four-teen thousand dollars.

For compensation of two commissioners, for two years, to examine claims, according to the seventeenth article of said treaty, at eight dollars per day each, eleven thousand six hundred and eighty dollars.

For compensation to a secretary for two years, at five dollars per day, according to the same article of said treaty, three thousand six hundred and fifty dollars.

For compensation to an interpreter for two years, at two dollars and fifty cents per day, according to the same article of said treaty, one thousand eight hundred and twenty-five dollars.

For the advance of two years' annuity on the fund of seven hundred and fifty thousand dollars, to be invested for the Cherokees according to the eighteenth article of said treaty, seventy-five thousand dollars.

For the removal of the Cherokees and for spoliations, according to the third article of the supplementary treaty with the Cherokees, of the first of March, one thousand eight hundred and thirty-six, six hundred thousand dollars.

(a) See notes to the act of July 4, 1836, chap. 352.

For expenses attending the negotiation of the said treaty, and of the delegation, according to the fifth article of said supplemental treaty, thirty-seven thousand two hundred and twelve dollars.

For surveying the land set apart by treaty stipulations for the Cherokee Indians west of the Mississippi river, seven thousand dollars.

Ottawas and
Chippewas.

For carrying into effect the stipulations of the fourth article of the treaty concluded with the Ottawa and Chippewa nations of Indians, twenty-eighth March, and an article supplementary thereto, the thirty-first of March, one thousand eight hundred and thirty-six, viz :

For the annuity in specie, thirty thousand dollars.

For education, teachers, and expenses incidental thereto, five thousand dollars.

For missions, three thousand dollars.

For agricultural implements, cattle, mechanics' tools, and such other objects as the President may deem proper, ten thousand dollars.

For vaccine matter, medicines, and services of physicians, three hundred dollars.

For provisions, two thousand dollars.

For six thousand five hundred pounds of tobacco, eight hundred and twenty-five dollars.

For one hundred barrels salt, two hundred and fifty dollars.

For five hundred fish-barrels, four hundred and fifty dollars.

For goods and provisions to be delivered at Michillimackinac, one hundred and fifty thousand dollars.

For interest to be paid annually as annuities, on the sum of two hundred thousand dollars, per resolution of the Senate, appended to the treaty, twelve thousand dollars.

For the payment of the just debts against the Indians, according to the fifth article of said treaty as ratified by the Senate, three hundred thousand dollars.

For carrying into effect the sixth article of said treaty, viz.

For commutation in lieu of reservations to half breeds, one hundred and forty-five thousand dollars.

For taking a census of the Indian half breed population, one thousand two hundred dollars.

For the pay and travelling expenses of a commissioner, one thousand dollars.

For compensation and expenses of clerk, and for stationery, postage, witnesses, messengers to collect Indians, and canoes for them, subsistence for two thousand Indians for twenty days, fuel for them while on the island, and other incidental expenses attending the commission, three thousand dollars.

For carrying into effect the seventh article of said treaty, viz.

For pay of two additional blacksmiths, nine hundred and sixty dollars.

For two strikers, four hundred and eighty dollars.

For building a blacksmith shop on reservation north of Grand river, seven hundred and fifty dollars.

For iron, steel, coal, and tools for two shops, five hundred dollars.

For the purchase of one new set of blacksmith's tools for shop on reservation, one hundred and seventy-five dollars.

For rebuilding shop at Mackinac, and adding an armorer's room, eight hundred and fifty dollars.

For a gunsmith, four hundred and eighty dollars.

For purchasing a set of gunsmith's tools, one hundred dollars.

For two additional interpreters, six hundred dollars.

For building a dormitory at Mackinac, and for stoves and furniture, four thousand eight hundred dollars.

For the keeper of the dormitory, six hundred dollars.

For one hundred and fifty cords of wood for the dormitory, three hundred and seventy-five dollars.

For two farmers, one thousand dollars.

For two assistant farmers, six hundred dollars.

For two mechanics, twelve hundred dollars.

For carrying into effect the eighth article of said treaty, viz.

For the expenses of a delegation of twenty Indians, with an officer, three assistants, an interpreter, a guide with two assistants to explore the country, and for the purchase of horses, and other expenses incidental to the expedition, twelve thousand dollars.

Expenses of a delegation of Indians.

For payment of such improvements as give additional value to the land ceded, twenty thousand dollars.

For payment for the church on the Cheboigan, nine hundred dollars.

For extinguishing the claim of certain half breeds, in lieu of reservations, according to the ninth article of said treaty, viz.

To Rix Robinson, in lieu of a section at thirty-six dollars per acre, twenty-three thousand and forty dollars.

To Leonard Slater, in trust for Chiminoaquat, one section at ten dollars per acre, six thousand four hundred dollars.

To John A. Drew, one and three quarter sections at four dollars per acre, four thousand four hundred and eighty dollars.

To Edward Biddle, one section at three dollars per acre, one thousand nine hundred and twenty dollars.

To John Holiday, five sections at one dollar twenty-five cents per acre, four thousand dollars.

To Eliza Cook, Sophia Biddle, and Mary Holiday, one section each, at two dollars and fifty cents per acre, four thousand eight hundred dollars.

To Augustin Hamelin, Jr. two sections at one dollar and twenty-five cents per acre, one thousand six hundred dollars.

To William Lusley, Joseph Daily, Joseph Trotier, and Henry A. Lenake, two sections each, at one dollar and twenty-five cents per acre, six thousand four hundred dollars.

To Luther Rice, Joseph Leframbois, Charles Butterfield, George Moran, Louis Moran, G. D. Williams, and Daniel Marsac, one section each, at one dollar and twenty-five cents per acre, five thousand six hundred dollars.

For payment to the chiefs on ratification of the treaty, according to the tenth article of the same, thirty thousand dollars.

For life annuity to two chiefs, provided for in the eleventh article of said treaty, one hundred and fifty dollars.

For expenses attending the conclusion of the treaty at Washington, according to the twelfth article of the same, fifteen thousand four hundred and three dollars and twenty-five cents.

Treaty of Washington.

For transportation and other incidental expenses in executing said treaty, two thousand dollars.

Provided, however, That no part of the above appropriations for carrying into effect the treaty with the Chippewas and Ottawas, shall be drawn from the Treasury except what may be necessary for the expenses of collecting and subsisting the Indians, and for the expenses of concluding the treaty, heretofore incurred, and to enable a commissioner to proceed to Michillimackinac for the purpose of examining the claims of the half breeds, until the assent of the said Indians shall be given to the change proposed by the resolution of the Senate. Arrangements may be made under the direction of the President for paying to the Indians the money and goods as soon as their assent to such change is given. But no responsibility in relation to such delivery shall be incurred by the United States previous thereto, nor shall the said commissioner enter upon his duties.

Proviso.

Chippewas.

For carrying into effect the stipulations of the third article of the treaty concluded with the Swan creek, and Black river bands of the Chippewa nation, of the ninth of May, eighteen hundred and thirty-six, viz :

For an advance in money on the ratification of the treaty, two thousand five hundred dollars.

For the purchase of goods, four thousand dollars.

Journeys to
Washington.

For expenses of the treaty, the journeys of the Indians to and from Washington, subsistence and other expenses, three thousand eight hundred and two dollars and sixty-seven cents.

For transportation and incidental expenses, one thousand dollars.

Pottawatamies.

For carrying into effect the stipulations of the treaties concluded with certain bands of the Pottawatamie Indians of Indiana, in March, and April, eighteen hundred and thirty-six, viz :

For payment of the sum stipulated in the second article of the treaty of twenty-sixth March, eighteen hundred and thirty-six, with Mes-quaback and his band, for a cession of land to the United States, two thousand five hundred and sixty dollars.

For payment of the sum stipulated in the third article of the treaty of the twenty-ninth March, eighteen hundred and thirty-six, with Waw-kewa and his band, for a cession of land to the United States, two thousand five hundred and sixty dollars.

For the payment of the sum stipulated in the second article of the treaty of eleventh April, eighteen hundred and thirty-six, with Aub-naub-ba and his band, for a cession of land to the United States, eleven thousand five hundred and twenty dollars.

For payment of the sum stipulated in the second article of the treaty of twenty-second April, eighteen hundred and thirty-six, with Kee-waw-nee and his band, for a cession of land to the United States, six thousand four hundred dollars.

For payment of the sum stipulated in the second article of the treaty of twenty-second April, eighteen hundred and thirty-six, with Nas-waw-bee and his band, for a cession of land to the United States, one thousand nine hundred and twenty dollars.

For expenses attending the negotiation of the said treaties with the Pottawatamies, six hundred and thirty-six dollars and seventy-five cents.

To defray the expense of removing the Choctaw Indians residing in the State of Mississippi to the country provided for them, west of the Mississippi river, thirty thousand dollars.

Secretary of
War to close
account, &c.

SEC. 2. *And be it further enacted*, That the Secretary of War is hereby authorized to direct the account to be closed, upon the production of proper vouchers, for blankets delivered to the Cherokees by order of the commissioner.

Pension to
Col. G. Morgan.

1836, ch. 71.

SEC. 3. *And be it further enacted*, That the pension allowed by an act of the present session of Congress to Colonel Gideon Morgan, shall be paid to him from the date of his disability, to the twenty-seventh of March, eighteen hundred and fourteen, agreeably to the fourteenth article of the said treaty with the Cherokees; and that the sum of eight thousand dollars be appropriated for that purpose.

Money not to
be paid to hos-
tile eastern
Creeks.

SEC. 4. *And be it further enacted*, That no part of the appropriation heretofore made, for the eastern Creeks, shall be paid to any Indians who have been engaged in hostilities against the United States, unless in such change of circumstances as may induce the President of the United States to direct the same to be paid. *Provided, however*, That the whole of the annuity due to the Seminole Indians and to the eastern Creeks may be paid to the friendly portion of those tribes respectively, unless otherwise directed by the President.

Money appro-
priated for re-

SEC. 5. *And be it further enacted*, That the funds appropriated by the act of June fourteenth, eighteen hundred and thirty-six, entitled "An

act making appropriations for the current expenses of the Indian Department for Indian annuities and other similar objects for the year eighteen hundred and thirty-six, for the removal of the Winnebago Indians, may be expended upon such of the said Indians as actually remove, and upon no others. And the said Indians shall be removed either to the neutral ground or to such country as may be assigned to them by treaty on the southwest side of the river Missouri.

APPROVED, July 2, 1836.

removal of Winnebagoes, how to be expended. 1836, ch. 88.

STATUTE I.

July 2, 1836.

[Obsolete.]

CHAP. CCLXVIII.—*An Act making appropriations for certain fortifications of the United States for the year one thousand eight hundred and thirty-six, 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 following sums be, and the same are hereby appropriated, to be paid out of any unappropriated money in the Treasury, for certain fortifications, viz :

For the preservation of Castle Island and repairs of Fort Independence, Boston harbor, one hundred thousand dollars.

Castle Island, &c.

For Fort Warren, Boston harbor, two hundred thousand dollars.

Fort Warren.

For Fort Adams, Rhode Island, two hundred thousand dollars.

Fort Adams.

For Fort Schuyler, East river, New York, two hundred thousand dollars.

Fort Schuyler.

For repairs of Fort Columbus and Castle Williams, and officers' quarters, on Governor's Island, New York harbor, twenty thousand dollars.

Fort Columbus, &c.

For Fort Delaware, Delaware river, one hundred and fifty thousand dollars.

Fort Delaware.

For Fort Calhoun, Virginia, one hundred and fifty thousand dollars.

Fort Calhoun.

For Fort Caswell, Oak Island, North Carolina, sixty thousand dollars.

Fort Caswell.

For fortifications, Charleston harbor, South Carolina, and preservation of the site of Fort Moultrie, one hundred and fifty thousand dollars.

Forts, Charleston harbor.

For Fort Pulaski, Cockspur Island, Georgia, one hundred and seventy thousand dollars.

Fort Pulaski.

For Fort Pickens, Pensacola, Florida, fifty thousand dollars.

Fort Pickens.

For the fort at Foster's Bank, Florida, one hundred and sixty thousand dollars.

Fort at Foster's Bank.

For incidental expenses attending repairs of fortifications, and for the purchase of additional land in their neighbourhood, one hundred thousand dollars.

Incidental expenses.

For contingencies of fortifications, ten thousand dollars.

Contingencies.

For the purchase of land and the right of way on Throg's Point, in Long Island Sound, being the balance of the appropriation of one thousand eight hundred and twenty-six, carried to the surplus fund the first of January, one thousand eight hundred and twenty-nine, two thousand dollars.

Re-appropriated for Throg's Point. 1826, ch. 73.

And the following sums, necessary to close accounts in the Office of the Third Auditor, viz.

To close accounts in Third Auditor's office.

For a fort on Cockspur Island, Georgia, two thousand three hundred and eight dollars and fifty-six cents.

Fort on Cockspur Island.

For contingencies of fortifications, sixty-one dollars and eight cents.

Contingencies.

For fortifications at Pensacola, one thousand two hundred and twenty-three dollars and thirty-one cents.

Fortifications at Pensacola.

For the armament of fortifications, in addition to the amount included in the bill making appropriations for the support of the army for one thousand eight hundred and thirty-six, including cannon, mortars, howitzers, gun carriages, howitzer carriages, mortar beds, powder, cannon balls, shells, and for the transportation of ordnance and ordnance

Armament of fortifications, &c. Act of 1836, ch. 62.

- Kennebec arsenal, &c. stores; and for the purchase of twenty acres of land adjoining the Kennebec arsenal, Maine; and the purchase of land and enclosing the rear of the public ground with a brick wall and coping at the Frankford arsenal, Pennsylvania; and constructing a forging shop, one story high, seventy-five by forty feet, of brick, at the arsenal, Watertown, Massachusetts; and in the purchase of a steam-engine of eight horse power; and for the quarters of officers at Fort Monroe arsenal, four hundred thousand dollars.
- Fort, &c. near Baltimore. For Fort McHenry, Redoubt Wood, and Covington Battery, near Baltimore, fifty thousand dollars.
- Fort Monroe. For Fort Monroe, one hundred and fifty thousand dollars.
- Fort Marion, &c. For the repairs of Fort Marion, and the sea-wall at St. Augustine, Florida, fifty thousand dollars.
- Knapsacks, &c. For knapsacks and camp equipage, authorized by the act approved nineteenth of March, one thousand eight hundred and thirty-six, for volunteers or militia, fifty-two thousand seven hundred and five dollars.
- Act of 1836, ch. 44. For accoutrements for the army, one hundred and two thousand three hundred and five dollars.
- Accoutrements, &c. For the purchase of sites, and the construction of arsenals, for the deposite of arms in Arkansas, Missouri, and at Memphis, in Tennessee, forty-two thousand two hundred and fifty-six dollars. *Provided*, That the cost of such arsenal shall not exceed fourteen thousand dollars each.
- Purchase of sites, &c. in Arkansas, &c. Proviso.
- Fire engines. For the purchase of twenty-eight fire engines, and the necessary apparatus, twenty-two thousand four hundred dollars.
- Storehouses, Newport, Ken. For storehouses at Newport, Kentucky, one thousand five hundred dollars.
- Purchase of land at St. Louis, Missouri. Proviso. For purchasing seven acres of land, including the site of the powder magazine attached to the arsenal at Saint Louis, Missouri, *Provided* the same shall be ascertained not to be on land of the United States, two thousand one hundred dollars.
- Piazza, Augusta, Ga. For erecting a piazza in front of the building occupied as barracks by the troops at Augusta arsenal, Georgia, four hundred and fifty dollars.
- Fort Jesup. For barracks, quarters, storehouses, hospital, stables, and materials for the same, at Fort Jesup, Louisiana, twenty-five thousand dollars.
- Wharf at Fort Wolcott. For rebuilding the wharf, and materials for the same, at Fort Wolcott, Newport, Rhode Island, five hundred dollars.
- Fort Monroe. For constructing a wood-yard, and a wood-yard wharf, and for materials for the same, at Fort Monroe, Virginia, one thousand dollars.
- Fort Severn. For constructing a wharf, and for materials for the same, at Fort Severn, Maryland, one thousand dollars.
- Fort Brady. For rebuilding and repairing barracks, quarters, hospital, store-houses, and materials for the same, at Fort Brady, Michigan Territory, five thousand dollars.
- Fort Sullivan, &c. For the purchase of land adjoining Fort Sullivan, and the buildings thereon, three thousand seven hundred and fifty dollars.
- For the following objects, in addition to former appropriations for the same:
- Armory, Harper's Ferry. For national armory at Harper's Ferry, seventy-seven thousand eight hundred and ninety-seven dollars.
- Armory at Springfield. For national armory at Springfield, forty-five thousand dollars.
- Light artillery, &c. For the purchase or manufacture of light brass and iron field artillery, and for construction of field artillery carriages, caissons, and travelling forges, one hundred and thirty-seven thousand one hundred and ninety dollars.
- Furnaces. For the construction of furnaces for heating cannon balls, twelve thousand dollars.
- President may make transfers of appropriations. 1820, ch. 52. *Sec. 2. And be it further enacted*, That the President of the United States is hereby authorized, under the restrictions of the act of the first of May, eighteen hundred and twenty, to make transfers from one head

of appropriations for fortifications, to that of another for a like object, whenever, in his opinion, the public interest shall require it.

SEC. 3. *And be it further enacted*, That the several sums of money appropriated by this act and all other sums which have been or may be appropriated during the present session of Congress, shall be drawn from the Treasury, or paid over to the disbursing officers or agents of the Government, only as the same may be required by the several objects of expenditure authorized by law.

APPROVED, July 2, 1836.

STATUTE I.

July 2, 1836.

CHAP. CCLXIX.—*An Act to amend an act entitled, "An act authorizing the laying off a town on Bean river, in the State of Illinois, and for other purposes," approved fifth February, eighteen hundred and twenty-nine.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all acts and duties required to be done and performed by the surveyor of the States of Illinois and Missouri, and the Territory of Arkansas, under the act to which this is an amendment, shall be done and performed by a board of commissioners of three in number, any two of whom shall form a quorum to do business; said commissioners to be appointed by the President of the United States, and shall, previous to their entering upon the discharge of their duties, take an oath or affirmation to perform the same faithfully and impartially.

Board of Commissioners.

Act of Feb. 5, 1829, ch. 15.

SEC. 2. *And be it further enacted*, That the said commissioners shall also have power to hear evidence and determine all claims to lots of ground arising under the act to which this is an amendment, and for this purpose the said commissioners are authorized to administer all oaths that may be necessary, and reduce to writing all the evidence in support of claims to pre-emption presented for their consideration; and when all the testimony shall have been heard and considered, the said commissioners shall file with the register and receiver of the land office at Galena, the testimony in each case, together with a certificate in favor of each person having the right of pre-emption; and upon making payment to the receiver at Galena, for the lot or lots to which such person is entitled, the receiver shall grant a receipt therefor, and issue certificates of purchase, to be transmitted to the General Land Office, as in other cases of the sale of public land.

Power of commissioners.

SEC. 3. *And be it further enacted*, That the register and receiver at Galena, after the board of commissioners have heard and determined all the cases of pre-emption under the act to which this is an amendment, shall expose the residue of lots to public sale to the highest bidder, after advertising the same in three public newspapers at least six weeks prior to the day of sale, in the same manner as is provided for the sale of the public lands in other cases; and after paying to the commissioners the compensation hereinafter allowed them, and all the other expenses incident to the said survey and sale, the receiver of the land office shall pay over the residue of the money he may have received from the sale of lots aforesaid, by pre-emption as well as at public auction, into the hands of the county commissioners of Jo Daviess county, to be expended by them in the erection of public buildings, and the construction of suitable wharves in the town of Galena.

Duties of Register and Receiver.

SEC. 4. *And be it further enacted*, That the commissioners appointed to carry this act into effect, shall be paid by the receiver six dollars each, per day, for their services, for every day they are necessarily employed.

Commissioners to be paid by the Receiver.

APPROVED, July 2, 1836.

STATUTE I.

July 2, 1836.

Act of March
3, 1845, ch. 43.Revenues to
be paid into the
Treasury.Postmaster
General to sub-
mit estimates,
&c.Appropriation
made from rev-
enues of the
Post Office De-
partment.To be paid by
the Treasurer.

Proviso.

Proviso.

Proviso.

Treasurer to
give receipts.Payments to
be made on
warrants.

CHAP. CCLXX.—*An Act to change the organization of the Post Office Department, and to provide more effectually for the settlement of the accounts thereof. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the revenues arising in the Post Office Department, and all debts due to the same, shall, when collected, be paid, under the direction of the Postmaster General, into the Treasury of the United States.

SEC. 2. *And be it further enacted,* That the Postmaster General shall submit to Congress at the next, and each succeeding annual session, specific estimates of the sums of money expected to be required for the service of the Department in the subsequent year, commencing on the first day of July, under the following heads, viz: "Compensation of postmasters," "Transportation of the mails," "Ship, steam-boat, and way letters," "Wrapping paper," "Office furniture," "Advertising," "Mail bags," "Blanks," "Mail locks, keys, and stamps," "Mail deprecations, and special agents," "Clerks, for offices," and "Miscellaneous." And the Postmaster General shall render an account to Congress, at each succeeding annual session, of the amounts actually expended for each of the purposes above specified.

SEC. 3. *And be it further enacted,* That the aggregate sum required "for the service of the Post Office Department," in each year, shall be appropriated by law out of the revenue of the Department, and that all payments of the receipts of the Post Office Department into the Treasury, shall be to the credit of the said appropriation.

SEC. 4. *And be it further enacted,* That the sums appropriated for the service aforesaid shall be paid by the Treasurer in the manner herein directed: *Provided,* That the compensation of postmasters, the expenses of post offices, and such other expenses of the Department for which appropriations have been made, as may be incurred by postmasters, may be deducted out of the proceeds of their offices, under the direction of the Postmaster General: *And provided, also,* That all charges against the Department by postmasters, on account of such expenses, shall be submitted for examination and settlement, to the auditor herein provided for; and that no such deduction shall be valid, unless the expenditure so deducted, be found to have been made in conformity to law: *And provided, also,* That the Postmaster General shall have power to transfer debts due on account of the Department, by postmasters and others, in satisfaction of the legal demands for which appropriations have been made, of such contractors who may be creditors of the Department, as shall have given bonds, with security, to refund any moneys that may come into their hands over and above the amount which may be found due to them on the settlement of their accounts.

SEC. 5. *And be it further enacted,* That the Treasurer of the United States shall give receipts for all moneys received by him to the credit of the appropriation for the service of the Post Office Department; which receipts shall be endorsed upon warrants drawn by the Postmaster General, and without such warrant, no acknowledgment for money received as aforesaid shall be valid.

SEC. 6. *And be it further enacted,* That the appropriations for the service of the Post Office Department shall be disbursed by the Treasurer out of the moneys paid into the Treasury for the service of the Post Office Department, upon the warrants of the Postmaster General, registered and countersigned as herein provided, and expressing on their faces the appropriation to which they should be charged.

(a) For notes of the decisions of the courts of the United States on the duties and obligations of the Postmaster General, "Postmasters," and "Post Office," see vol. 1, 363.

SEC. 7. *And be it further enacted*, That the Treasurer shall render his accounts of the moneys received and paid by him on account of the Post Office Department, quarterly to the Auditor for the Post Office Department, hereinafter provided for, and shall transmit copies of the same, when adjusted by him, to the two Houses of Congress.

Accounts rendered quarterly to the Auditor.

SEC. 8. *And be it further enacted*, That there shall be appointed by the President, with the consent of the Senate, an Auditor of the Treasury for the Post Office Department, whose duty it shall be to receive all accounts arising in the said Departments, or relative thereto, to audit and settle the same, and certify their balances to the Postmaster General: *Provided*, That if either the Postmaster General, or any person whose account shall be settled, be dissatisfied therewith, he may, within twelve months, appeal to the First Comptroller of the Treasury, whose decision shall be final and conclusive. The said auditor shall report to the Postmaster General, when required, the official forms of papers to be used by postmasters, and other officers or agents of the Department concerned in its receipts and payments, and the manner and form of keeping and stating its accounts. He shall keep and preserve all accounts, with the vouchers, after settlement. He shall promptly report to the Postmaster General all delinquencies of postmasters in paying over the proceeds of their offices. He shall close the accounts of the Department quarterly, and transmit to the Secretary of the Treasury quarterly statements of its receipts and expenditures. He shall register, charge and countersign, all warrants upon the Treasury for receipts and payments issued by the Postmaster General, when warranted by law. He shall perform such other duties, in relation to the financial concerns of the Department, as shall be assigned to him by the Secretary of the Treasury, and shall make to them respectively, such reports as either of them may require respecting the same. The said auditor may frank, and receive, free of postage, letters and packets under the regulations provided by law for other officers of the Government. And all letters and packets to and from the Chief Engineer which may relate to the business of his office shall be free of postage.

Auditor to be appointed; and his duties.

Proviso.

SEC. 9. *And be it further enacted*, That it shall be the duty of the Postmaster General to decide on the official forms of all papers to be used by postmasters, and other officers or agents of the Post Office Department, concerned in its receipts and payments, and the manner and form of keeping and stating its accounts; to enforce the prompt rendition of the returns of postmasters, and of all certificates, acknowledgments, receipts, and other papers, by postmasters and contractors, relative to the accounts of the Department; to control, according to law, and subject to the settlement of the auditor, the allowances to postmasters, the expenses of post offices, and all other expenses incident to the service of the Department; to regulate and direct the payment of the said allowances and expenses for which appropriations have been made; to superintend the disposition of the proceeds of post offices and other moneys of the Department; to prescribe the manner in which postmasters shall pay over their balances; to grant warrants for money to be paid into the Treasury, and out of the same, in pursuance of appropriations by law, to persons to whom the same shall be certified to be due by the said auditor: *Provided*, That advances of necessary sums to defray expenses may be made by the Postmaster General to agents of the Department employed to investigate mail depredations, examine post routes, and post offices, and perform other like services, to be charged by the auditor for the Post Office Department, and be accounted for in the settlement of their accounts.

Duties of Postmaster General.

Proviso.

SEC. 10. *And be it further enacted*, That the auditor for the Post Office Department shall state and certify, quarterly, to the Postmaster General, accounts of the moneys paid pursuant to appropriations, in

Other duties of the Auditor.

each year, by postmasters, out of the proceeds of their offices; towards the expenses of the Department, under each of the heads of the said expenses specified in the second section of this act; upon which the Postmaster General shall issue warrants to the Treasurer of the United States, as in case of the receipt and payment of the said moneys into and out of the Treasury, in order that the same may be carried to the credit and debit of the appropriation for the service of the Post Office Department, on the books of the auditor for said Department.

Duplicates of contracts, &c.

SEC. 11. *And be it further enacted*, That the Postmaster General shall, within sixty days after the making of any contract, cause a duplicate thereof to be lodged in the office of the auditor of the Post Office Department. Upon the death, resignation, or removal of any postmaster, he shall cause his bond of office to be delivered to the said auditor; and shall also cause to be promptly certified to him all establishments and discontinuances of post offices, and all appointments, deaths, resignations, and removals of postmasters, together with all orders and regulations which may originate a claim, or in any manner affect the accounts of the Department.

Accounts, how to be kept.

SEC. 12. *And be it further enacted*, That the accounts of the Post Office Department shall be kept in such manner as to exhibit the amounts of its revenues, derived respectively from "letter postages," "newspapers and pamphlets," and "fines;" and the amount of its expenditures for each of the following objects, namely: "compensation of postmasters," "transportation of the mails," "ship, steamboat, and way letters," "wrapping paper," "office furniture," "advertising," "mail bags," "blanks, mail locks, keys, and stamps," "mail depredations and special agents," "clerks for offices," and "miscellaneous."

Bonds and contracts with the United States, and all suits in its name.

SEC. 13. *And be it further enacted*, That the bonds and contracts of postmasters mail contractors, and other agents of the Post Office Department, shall hereafter be made to and with the United States of America; and all suits to be commenced for the recovery of debts or balances due by postmasters and others, or upon bonds or contracts made to or with the present or any former Postmaster General, or for any fines, penalties, or forfeitures, imposed by the laws respecting the Post Office Department, or by the Postmaster General, pursuant thereto, shall be instituted in the name of the United States of America; and the demands in such suits shall have all the privileges and priorities in adjudication and payment secured to other claims of the United States, by the existing laws: *Provided*, That actions and suits which may have been instituted in the name of the Postmaster General, previous to the passage of this act, shall not be affected by the provisions of this section.

Proviso.

Auditor to superintend collection of debts.

SEC. 14. *And be it further enacted*, That the auditor for the Post Office Department shall superintend the collection of all debts due to the Department, and all penalties and forfeitures imposed on postmasters, for failing to make returns, or pay over the proceeds of their offices; he shall direct suits and legal proceedings, and take all such measures as may be authorized by law, to enforce the prompt payment of moneys due to the Department.

Certified copies of quarterly returns, &c. to be evidence, &c.

SEC. 15. *And be it further enacted*, That copies of the quarterly returns of postmasters, and of any papers pertaining to the accounts in the office of the auditor for the Post Office Department, certified by him under his seal of office, shall be admitted as evidence in the courts of the United States; and in every case of delinquency of any postmaster or contractor, in which suit may be brought, the said auditor shall forward to the attorney of the United States certified copies of all papers in his office, tending to sustain the claim; and in every such case, a statement of the account, certified as aforesaid, shall be admitted as evidence; and the court trying the cause shall be thereupon au-

thorized to give judgment and award execution, subject to the provisions of the thirty-eighth section of the act to reduce into one the several acts establishing and regulating the Post Office Department, approved March third, eighteen hundred and twenty-five. No claim for a credit shall be allowed upon the trial but such as shall have been presented to the said auditor, and by him disallowed in whole or in part, unless it shall be proved to the satisfaction of the court that the defendant is at the time of the trial in possession of vouchers not before in his power to procure, and that he was prevented from exhibiting to the said auditor a claim for such credit, by some unavoidable accident. In suits for balances due from postmasters, interest, at the rate of six per cent. per annum, shall be recovered from the time of the default until payment.

1825, ch. 64.

SEC. 16. *And be it further enacted*, That the attorneys of the United States, in the prosecution of suits for moneys due on account of the Post Office Department, shall obey the directions which may, from time to time, be given to them by the auditor for the Post Office Department; and it shall be the duty of each of the said attorneys, immediately after the end of every term of any court in which any of the suits aforesaid shall have been pending, to forward to the said auditor a statement of all the judgments, orders, and steps which have been made or taken in the same, during the said term, accompanied by a certificate of the clerk, showing the parties to, and amount of, each judgment, with such other information as may be required by the said auditor. The said attorneys shall direct speedy and effectual process of execution upon the said judgments; and it shall be the duty of the marshals of the United States to whom the same shall be directed, to make to the said auditor, at such times as he may direct, returns of the proceedings which have taken place upon the said process of execution.

Duties of U. S. Attorneys.

SEC. 17. *And be it further enacted*, That in all cases where any sum or sums of money have been paid out of the funds of the Post Office Department to any individual or individuals, under pretence that service has been performed therefor when in fact such service has not been performed, or by way of additional allowance for increased service actually rendered, when the additional allowance exceeds the sum which, by the provisions of law, might rightfully have been allowed therefor, and in all other cases where the moneys of the Department have been paid over to any person in consequence of fraudulent representations, or by the mistake, collusion or misconduct of any officer or clerk of the Department, it shall be the duty of the Postmaster General to cause suit to be brought in the name of the United States of America, to recover back the same, or the excess, as the case may be, with interest thereon.

Sums wrongfully paid to be recovered by suit.

SEC. 18. *And be it further enacted*, That the auditor for the Post Office Department shall adjust and settle all balances due from postmasters on account of transactions prior to the first day of July eighteen hundred and thirty-six. He shall, when necessary, institute suits for the same, and cause them to be effectually prosecuted to judgment and execution; and in cases in which proceedings at law for these or any other balances that are or may become due on account of the Post Office Department, have been or shall be fruitless, may direct the institution of suits in chancery, to set aside fraudulent conveyances or trusts, or attach debts due to the defendants, or obtain any other proper exercise of the powers of equity, to have satisfaction of the said judgments; and the courts of the United States, sitting in chancery, shall have jurisdiction to entertain such bills, and make such decrees and orders thereupon as may be consonant to the principles and usages of equity. The said auditor shall report to the Postmaster General, to be by him submitted to Congress, at its next annual session, a statement

Auditor to adjust balances due from postmasters, &c.

of all the balances and debts due to the Post Office Department as aforesaid, by late postmasters, showing, in each case, the name and office of the principal debtor, the names of the sureties, if any, the amount of the debt, the time at which it accrued, the steps taken to collect the same, and whether they have been successful or not. The said statement shall also classify such of the said balances as may then remain due, into such as are considered collectible, and such as are not, with the whole amount of each class.

Auditor, mayors, &c. may administer oaths, &c.

SEC. 19. *And be it further enacted,* That the auditor for the Post Office Department, or any mayor of a city, justice of the peace, or judge of any court of record in the United States, by him especially designated, shall be authorized to administer oaths and affirmations, in relation to the examination and settlement of the accounts committed to his charge; and if any person shall knowingly swear or affirm falsely, touching the expenditures of the Post Office Department, or in relation to any account of, or claim against, or in favor of, the said Department, he or she shall, upon conviction thereof, suffer as for wilful and corrupt perjury.

Third Assistant Postmaster General.

Clerks, &c.

SEC. 20. *And be it further enacted,* That there shall be employed by the Postmaster General, a third Assistant Postmaster General, who may receive and send letters and packets free of postage, and in lieu of the clerks now employed in the Department, one chief clerk, three principal clerks, and thirty-three other clerks, one messenger, and three assistant messengers, and two watchmen.

Clerks to be employed in the office of the Auditor.

SEC. 21. *And be it further enacted,* That there shall be employed by the Secretary of the Treasury, in the office of the auditor for the Post Office Department, one chief clerk, four principal clerks, and thirty-eight other clerks, one messenger, and one assistant messenger, also three clerks one at a salary of fourteen hundred dollars per annum, one at a salary of twelve hundred dollars, and one at a salary of one thousand dollars, in the office of the Treasurer of the United States, in lieu of the same number of clerks now employed in the office of the Fifth Auditor of the Treasury, in adjusting the accounts of the Post Office Department.

And in that of the Treasurer of the United States.

Reports to be made to Congress by the Postmaster General.

SEC. 22. *And be it further enacted,* That it shall be the duty of the Postmaster General to make to Congress, at each annual session thereof, the following several reports:

First, A report of all contracts made for the transportation of the mail within the preceding year, stating in each case of contract its date and duration, the name of the contractor, the route or routes embraced in the contract, with the length of each, with the times of arrival and departure at the ends of each route, the mode of transportation contracted for, and the price stipulated to be paid by the Department; also a statement of all such land and water mails as may have been established or ordered by the Department within the year preceding, other than those let to contract at the annual lettings of mail contracts, specifying, in each case the route or water course on which the mail is established, the name of the person employed to transport it, the mode of transportation, the amount paid or to be paid, and the proposed duration of the order or contract.

Second, A report of all allowances made to contractors within the year preceding, beyond the sums originally stipulated in their respective contracts, and the reasons for the same; and of all orders made by the Department, whereby additional expense is, or will be incurred, beyond the original contract price on any land or water route, specifying, in each case, the route to which the order relates, the name of the contractor, the original service provided by the contract, the original price, the date of the order for additional service, the additional service required, and the additional allowance therefor; also, a report of all

curtailments of expenses effected by the Department within the preceding year, specifying, in each case, the same particulars as required in cases of additional allowances.

Third, A report of all incidental expenses of the Department for the year ending on the thirtieth day of June preceding, arranged according to their several objects as for "wrapping paper," "office furniture," "advertising," "mail bags," "blanks," "mail locks, keys, and stamps," "mail depreddations, and special agents," "clerks for offices," "miscellaneous," showing the sum paid under each head of expenditures, and the names of the persons to whom paid, except only that the names of persons employed in detecting depreddations on the mail, and other confidential agents, need not be disclosed in said report.

Fourth, A report of the finances of the Post Office Department for the year ending on the thirtieth day of June preceding, showing the whole amount of balances due to the Department at the beginning of the year, from postmasters and all others, the whole amount of postage that accrued within the year, the whole amount of the engagements and liabilities of the Department for mail transportation during the year, the amount actually paid during the year, for and on account of mail transportation, and otherwise, stating separately so much of the said amount as may have been paid on account of the transportation of the mail, and for other debts for the same object, in preceding years.

Fifth, A report of all fines imposed, and deductions from the pay of contractors made during the preceding year, for failures to deliver the mail, or for any other cause, stating the names of the delinquent contractors, the nature of the delinquency, the route on which it occurred, the time when it occurred, the time when the fine was imposed, and whether the fine has been remitted, or order for deduction rescinded, and for what reason.

SEC. 23. *And be it further enacted,* That it shall be the duty of the Postmaster General, before advertising for proposals for the transportation of the mail, to form the best judgment practicable as to the mode, time, and frequency of transportation on each route, and to advertise accordingly. No consolidated or combination bid shall be received, and no additional compensation shall be made to any mail contractor, so as that the compensation for additional regular service shall exceed the exact proportion which the original compensation bears to the original services stipulated to be performed: and no extra allowance shall be made to any contractor, by the Postmaster General, for an increase of expedition in the transportation of the mail, unless thereby the employment of additional stock or carriers, by the contractor, shall be rendered necessary; and in such case, the additional compensation shall never bear a greater proportion to the additional stock or carriers rendered necessary, than the sum stipulated in the original contract bears to the stock and carriers necessarily employed in its execution, and when any extra service shall be ordered, the amount of the allowance therefor, in dollars and cents, shall be signified in the order for such service, and be forthwith entered upon the books of the Post Office Department, and no additional compensation shall be paid for any extra regular service rendered before the issuing of such order, and the making of such entry, and every order, entry, or memorandum whatever, on which any action of the Department is to be had, allowance made, or money paid, and every contract, paper or obligation drawn up in said office, by any officer thereof, shall have affixed to it its true date: and every paper relating to contracts or allowances filed in said office shall have the date of its filing endorsed thereon. And whenever it shall become necessary to change the terms of any existing contract in any other manner than that designated in this act, or to enter into a contract for the transportation of the mail at any other time

Advertisements for contracts, and regulations respecting them.

Act of March 3, 1845, ch. 43, sec. 18.

than at the annual letting, the Postmaster General shall give notice in one newspaper published at Washington City, and in one newspaper published as near as may be to the route on which the services are to be performed for at least four weeks before changing or making such contract, inviting proposals therefor; which proposals shall be received and opened, and such proceedings thereon had, in all things, as at the annual lettings. *Provided however*, That the Postmaster General may make temporary contracts until a regular letting can take place.

Proviso.

Proposals for contracts.

SEC. 24. *And be it further enacted*, That proposals for mail contracts shall be delivered to the Department sealed, and shall be kept sealed until the biddings are closed, and shall then be opened and marked in the presence of the Postmaster General and of one of the Assistant Postmasters General, or in the presence of two of the Assistant Postmasters General. And the contracts in all cases shall be awarded to the lowest bidder, except when his bid is not more than five per centum below that of the last contractor, on the route bid for, who shall have faithfully performed his contract. *Provided however*, That the Postmaster General shall not be bound to consider the bid of any person who shall have wilfully or negligently failed to execute or perform a prior contract.

Proviso.

Offers for carrying the mail to be recorded.

SEC. 25. *And be it further enacted*, That it shall be the duty of the Postmaster General to have recorded in a well-bound book, a true and faithful abstract of offers made to him for carrying the mail, embracing as well those which are rejected, as those which are accepted. The said abstract shall contain the names of the party or parties offering; the terms on which he or they propose to carry the mail, the sum for which it is offered to contract; and the length of time the agreement is to continue. And it shall also be the duty of the Postmaster General to put on file and preserve the originals of the propositions of which abstracts are here directed to be made, and to report at each session of Congress a true copy from the said record of all offers made for carrying the mail as aforesaid.

Persons employed in the Post Office not to be interested in contracts.

SEC. 26. *And be it further enacted*, That if any person employed in the Post Office Department or postmaster shall become interested in any mail contract or act as agent, with or without compensation, in any matter or thing relating to business in said Department, for any contractor, or person offering to become a contractor, he shall be forthwith dismissed from office and shall be liable to pay so much money as would have been realized from said contract, to be recovered in an action of debt in any court having jurisdiction thereof, in the name of the United States, for the use of the Post Office Department; and it shall be the duty of the Postmaster General to cause prosecution to be instituted.

Proposals for transporting the mail to be accompanied by a guaranty, &c.

SEC. 27. *And be it further enacted*, That every proposal for the transportation of the mail shall be accompanied by a written guaranty, signed by one or more responsible persons, to the effect that he or they undertake that the bidder or bidders will, if his or their bid be accepted, enter into an obligation in such time as may be prescribed by the Postmaster General, with good and sufficient sureties, to perform the service proposed. No proposal shall be considered, unless accompanied by such guaranty. If, after the acceptance of a proposal, and notification thereof to the bidder or bidders, he or they shall fail to enter into an obligation within the time prescribed by the Postmaster General, with good and sufficient sureties for the performance of the service, then the Postmaster General shall proceed to contract with some other person or persons, for the performance of the said service, and shall forthwith cause the difference between the amount contained in the proposal so guarantied, and the amount for which he may have contracted for the performance of said service, for the whole period of the proposal, to be charged up against the said bidder or bidders, and his or their guarantor

or guarantors, and the same may be immediately recovered by the United States, for the use of the Post Office Department, in an action of debt against either or all of the said persons.

SEC. 28. *And be it further enacted,* That no contract for the transportation of the mail shall knowingly be made by the Postmaster General, with any person who shall have entered into any combination, or proposed to enter into any combination, to prevent the making of any bid for a mail contract by any other person or persons; or who shall have made any agreement, or shall have given or performed, or promised to give or perform, any consideration whatever, or to do or not to do any thing whatever, in order to induce any other person or persons not to bid for a mail contract. And if any person so offending be a mail contractor, he may be forthwith dismissed from the service of the Department: *Provided,* That whenever the Postmaster General shall exercise the power conferred on him by this section, he shall transmit a copy or statement of the evidence on which he acts to Congress, at its next session.

Contracts not to be made with persons who have entered into combination.

Proviso.

SEC. 29. *And be it further enacted,* That no person whose bid for the transportation of the mail may be accepted, shall receive any pay, until he shall have executed his contract according to law and the regulations of the Department; nor shall any payment be made for any additional regular service in the transportation of the mail, unless the same shall have been rendered in obedience to a prior legal order of the Postmaster General.

No payment to be made until after the execution of contract.

SEC. 30. *And be it further enacted,* That so much of the act concerning the Post Office Department; approved March third, eighteen hundred and twenty-five, as directs that duplicates or copies of contracts or orders made by the Postmaster General shall be lodged in the office of the Comptroller of the Treasury, be repealed.

Part of act of March 3, 1825, ch. 65, repealed.

SEC. 31. *And be it further enacted,* That it shall be the duty of the Postmaster General to furnish to the postmasters at the termination of each route, a schedule, specifying the times of arrival and departure at their offices, respectively, of each mail, a copy of which the postmaster shall post up in some conspicuous place in his office; and the Postmaster General shall also furnish a notice in like manner, of any change or alteration in the arrivals and departures which may be ordered by him. And it shall be the duty of every postmaster promptly to report to the Department every delinquency, neglect, or malpractice of the contractors, their agents or carriers, that may come to his knowledge. And the Postmaster General shall cause to be kept, and returned to the Department, at short and regular intervals, by postmasters at the ends of routes, and such others as he may think proper, registers, showing the exact times of the arrivals and departures of the mails.

Postmasters to be furnished with schedule of times of arrival and departure.

SEC. 32. *And be it further enacted,* That if any postmaster shall unlawfully detain in his office any letter, package, pamphlet, or newspaper, with intent to prevent the arrival and delivery of the same to the person or persons to whom such letter, package, pamphlet or newspaper may be addressed or directed in the usual course of the transportation of the mail along the route; or if any postmaster shall, with intent as aforesaid, give a preference to any letter, package, pamphlet, or newspaper, over another, which may pass through his office, by forwarding the one and retaining the other, he shall, on conviction thereof, be fined in a sum not exceeding five hundred dollars, and imprisoned for a term not exceeding six months, and shall, moreover, be for ever thereafter incapable of holding the office of postmaster in the United States.

Penalty for detaining letters, &c. in a post office.

SEC. 33. *And be it further enacted,* That there shall be appointed by the President of the United States, by and with the advice and consent of the Senate, a Deputy Postmaster for each post office at which the

Certain postmasters to be appointed by and with the

consent of the Senate.

commissions allowed to the postmaster amounted to one thousand dollars or upwards in the year ending the thirtieth day of June, one thousand eight hundred and thirty-five, or which may, in any subsequent year, terminating on the thirtieth day of June, amount to or exceed that sum, who shall hold his office for the term of four years, unless sooner removed by the President.

Postmasters and clerks to be exempt from military duty.

SEC. 34. *And be it further enacted*, That assistant postmasters and clerks regularly employed and engaged in post offices, shall be exempt from militia duty, and serving on juries, and from any fine or penalty for neglect thereof.

Advertisements of letters may be made in more than one paper.

SEC. 35. *And be it further enacted*, That advertisements of letters remaining in the post offices may, under the direction of the Postmaster General, be made in more than one newspaper: *Provided*, That the whole cost of advertising shall not exceed four cents for each letter.

Proviso.

Postmasters not to receive or frank any package other than such as contain paper or money.

Act of March 3, 1845, ch. 43.

SEC. 36. *And be it further enacted*, That no postmaster shall receive free of postage, or frank, any letter or packet composed of, or containing any thing other than paper or money; and for a violation of this provision, the offender shall be dismissed from office, and upon conviction in any court of competent jurisdiction, pay a fine of twenty dollars. And no person shall hold the office of postmaster who shall not be an actual resident of the city or town wherein the office is situated, or the district of country usually supplied by said office.

Release of sureties of a postmaster.

SEC. 37. *And be it further enacted*, That when any one or more of the sureties of a postmaster shall notify to the Postmaster General their desire to be released from their suretyship, or when the Postmaster General shall deem it necessary, he shall require the said postmaster to execute a new bond, with security, which, when accepted by the Postmaster General, shall be as valid as the bond given upon the original appointment of said postmaster, and the sureties in the prior bond shall be released from responsibility for all acts or defaults of said postmaster, which may be done or committed subsequent to the acceptance of the new bond, the date of which shall be endorsed thereon. *Provided*, That payments made subsequent to the execution of the new bond by said postmaster shall be applied first to discharge any balance which may be due on the old bond, unless he shall, at the time of payment, expressly direct them to be applied to the credit of his new account.

Proviso.

Penalty for stealing or taking letters, &c. from the mail.

SEC. 38. *And be it further enacted*, That if any person shall be accessory after the fact, to the offence of stealing or taking the mail of the United States, or of stealing or taking any letter or packet, or enclosure in any letter or packet sent or to be sent in the mail of the United States, from any post office in the United States, or from the mail of the United States, by any person or persons whatever, every person so offending as accessory, shall, on conviction thereof, pay a fine not exceeding one thousand dollars, and be imprisoned for a term not exceeding five years; and such accessory after the fact may be tried, convicted, and punished in the district in which his offence was committed, though the principal offence may have been committed in another district, and before the trial of the principal offender: *Provided*, such principal offender has fled from justice, or cannot be arrested to be put upon his trial.

Proviso.

Express mail.

SEC. 39. *And be it further enacted*, That in case the Postmaster General shall deem it expedient to establish an express mail, in addition to the ordinary mail, on any of the post roads in the United States, for the purpose of conveying slips from newspapers in lieu of exchange newspapers, or letters, other than such as contain money, not exceeding half an ounce in weight, marked "express mail," and public despatches, he shall be authorized to charge all letters and packets carried by such express mail with triple the rates of postage to which letters and packets, not free, may be by law subject, when carried by the ordinary mails.

SEC. 40. *And be it further enacted*, That in case of the death, resignation, or absence of the Postmaster General, all his powers and duties shall devolve, for the time being, on the First Assistant Postmaster General.

Duties of P. M. General to devolve on Assistant P. M. G.

SEC. 41. *And be it further enacted*, That the Postmaster General shall be authorized, whenever the same may be proper for the accommodation of the public in any city, to employ letter carriers for the delivery of letters received at the post office in said city; except such as the persons to whom they are addressed may have requested, in writing, addressed to the postmaster, to be retained in the post office; and for the receipt of letters at such places in the said city as the Postmaster General may direct, and for the deposit of the same in the post office; and for the delivery by a carrier of each letter received from the post office, the person to whom the same may be delivered shall pay not exceeding two cents; and for the delivery of each newspaper and pamphlet, one half cent; and for every letter received by a carrier to be deposited in the post office, there shall be paid to him, at the time of the receipt, not exceeding two cents; all of which receipts, by the carriers in any city, shall, if the Postmaster General so direct, be accounted for to the postmaster of said city, to constitute a fund for the compensation of the said carriers, and be paid to them in such proportions and manner as the Postmaster General may direct. Each of the said carriers shall give bond with sureties, to be approved by the Postmaster General, for the safe custody and delivery of letters, and for the due account and payment of all moneys received by him.

Letter carriers.

SEC. 42. *And be it further enacted*, That the Postmaster General shall be authorized, in his discretion, to contract for carrying the mail on the navigable canals of the several States, in all cases where, in his opinion, the public interests and convenience shall require it, and for the time during which mails may be carried on such canals, or any parts thereof, the same are hereby declared to be post roads.

Carrying the mail on canals.

SEC. 43. *And be it further enacted*, That the following annual salaries shall be allowed to the Assistant Postmasters General, and to the clerks, messengers, and watchmen provided for the service of the Post Office Department, viz :

Salaries of Assistant Postmasters General and others.

To the three Assistant Postmasters General, each twenty-five hundred dollars.

To the chief clerk, two thousand dollars.

To the three principal clerks, each one thousand six hundred dollars.

To ten clerks, each one thousand four hundred dollars.

To fifteen clerks, each one thousand two hundred dollars.

To eight clerks, each one thousand dollars.

To the messenger, seven hundred and fifty dollars.

To the three assistant messengers, each three hundred and fifty dollars.

To the two watchmen, each three hundred dollars.

SEC. 44. *And be it further enacted*, That the following annual salaries shall be allowed to the Auditor of the Post Office Department, and to the clerks and messengers herein provided for the service of his office, viz :

Salaries of Auditors and others.

To the auditor, three thousand dollars.

To the chief clerk, two thousand dollars.

To the four principal clerks, each one thousand six hundred dollars.

To ten clerks, each one thousand four hundred dollars.

To twenty clerks, each one thousand two hundred dollars.

To eight clerks, each one thousand dollars.

To the messenger, seven hundred and fifty dollars, and to the assistant messenger, three hundred and fifty dollars.

Appropriation
for 1836.

SEC. 45. *And be it further enacted*, That the sum of three millions one hundred and fifty thousand dollars be, and the same is hereby appropriated for the service of the Post Office Department for the year commencing on the first day of July one thousand eight hundred and thirty-six, out of any moneys in the Treasury, arising from the revenues of the said Department, to be accounted for in the manner pointed out in the second section of this act.

Act to go into
immediate
effect.

SEC. 46. *And be it further enacted*, That this act shall be in force and take effect from the passage thereof.

APPROVED, July 2, 1836.

STATUTE I.

July 2, 1836.

CHAP. CCLXXI.—*In Act to establish certain post roads, and to alter and discontinue others, 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 following be established as post roads;

In Maine.

In Maine.—From Lincolnville to Islesborough. From Wilton, through Weld and Byron, to Andover. From Topsham, through Lisbon, by Little River village and Mayalls Factory village, to Lewistown falls. From Dennysville, through Charlotte, Cooper, and Baring, to Calais. From Saco, by Salmon falls, Bar mills, Moderation falls, Bonny Eagle falls, to East Baldwin. From Wayne village, by Norris ferry, Isaac Strickland's, and William H. Britton's, in Livermore, to Hayford's mills, in Canton, and Peru, to East Rumford. From Brunswick to Harpswell. From Portland, by Falmouth Centre, Cumberland, Upper Yarmouth, New Gloucester, East Poland, Minot, West Minot, East Hebron, to Buckfield village. From Calais, through Baleyville and Princeton, to Houlton. From Gardiner, through Pittston, Hallowell, Whitefield, Windsor, Patrickstown, Washington, Liberty, Appleton, Searsmont, and Belmont, to Belfast. From Portland, through Cumberland Centre, Pownal, Durham, Lisbon, Wales, and Winthrop, to Augusta. From Waterville, by China, to Palermo. From North New Portland, through Lexington, to Dead river. From Vinalhaven to Isle of Haute. From Portland, through Stroudwater village, and Buxton, to Salem falls. From Thomaston, via Cushing, to Friendship. From East Thomaston to Owl's Head. From Thomaston to Vinalhaven. From Doughty's falls (or Berwick), to Great Falls, New Hampshire. From Brunswick, by South Durham, Southwest Bend, Goff's corner, East Minot, and East Turner, to Turner. From Warren, by Jefferson, and North Whitfield, to Augusta. From Madison, by Madison Centre and South Anson, to West New Vineyard.

In New Hamp-
shire.

In New Hampshire.—From Guilford, through Meredith, to New Hampton. From Hebron, through Alexandria, to Bristol. From Hillsboro bridge, through the south part of Antrim, and Hancock, to Peterboro. From South Deerfield to Pittsfield. From Ossipee to Tuftenboro. From Groton, Massachusetts, to Dunstable, New Hampshire. From Dunstable, by Hudson, Londonderry, Derry, Hampstead, Hawke, and Kingston, to Exeter, in New Hampshire. From Exeter, by Hampton falls, to Hampton beach. From Dover, by Durham, Lee, Epping, and Chester, to Derry. From Lebanon, by Springfield, New London, and Sutton, to Warner. From Hillsborough bridge, by Antrim, North Branch, Stoddard, and Sullivan, to Keene. From Hillsborough bridge, by South Antrim and Hancock, to Peterborough. From Tuftonborough and Ossipee, in New Hampshire, Newfield, Limerick, Waterborough and Buxton, to Portland, in Maine. From Hillsborough bridge, by Hillsborough centre, Bradford centre, and Sutton, to Sutton village. From Amherst, by Milford, Wilton, and Mason, to New Ipswich. From Windham, via Londonderry, to Hooksett. From Claremont to Cornish flat.

In Massachusetts.—From East Middleboro, through Plympton, to Kingston, in Plymouth county. From Taunton to Norton. From Foxboro to Wrentham. From Franklin, through Bellingham, to South Milford. From North Woodstock, through Woodstock, Wilkinson's factory, Killingly, in Connecticut, to Chephetchet, in Rhode Island. From Yarmouth to South Yarmouth. From Sandisfield to Sheffield. From Boston, through Lynn, Danvers, Topsfield, New Rowley, West Newbury, to Amesbury. In Massachusetts.

In Rhode Island.—From Woonsocket falls, Rhode Island, through South Bellingham, Massachusetts, to Franklin, and thence to East Wickford. From Newport, Rhode Island, by water, to Wickford. In Rhode Island.

In Connecticut.—From Furnace Village, through Lime Rock, and Falls village, to South Canaan. From Worcester, to Charlton, through Southbridge, Massachusetts, through the west part of Woodstock, to Tolland, in Connecticut. From Jewett's city, by Packersville, to Canterbury. From Plainfield, by Mossup and Central village, to Brooklyn. From Hartford, via Windsor, Poconoc, East Granby, West Sheffield, and Feedinghills, to Westfield. From Westport, via the Academy in Weston, Stepney Post Office, and Zoar, to Bennet's bridge. From New Haven, by East Haven, North Branford, North Guilford, North Bristol, and North Killingworth, to Essex. From Essex, by Hamburg, and North Lyme, to Norwich City. In Connecticut.

In Vermont.—From Johnston, through Eden, Lowell, Westfield, Troy, and Newport, to Derby. From Bellows falls, through Athens, Brookline, Newfane, and Dover, to Wilmington. From Mount Holley, through Mechanicsville, to Weston. From Alburgh to West Alburgh. From Windsor, by Hartland, Queechey Village, West Hartford, Snow's store, Sharon, and South Stafford, to Stafford. From Practorsville, via Cavendish, Greenbush, and Corner's, in Vermont, to Claremont, in New Hampshire. From Williston to Jericho. In Vermont.

In New York.—From Watertown to Rodman, by Burrville, in the county of Jefferson. From Carthage, through the village of Great Bend, Le Raysville, Felt's mills, Lockport, and Huntingdon's mills, to the village of Watertown, in the county of Jefferson. From Theresa, in the county of Jefferson, by the Glass works, and South Hammond, to Hammond, in the county of Saint Lawrence. From Hudson, by Glencoe, Curtis's settlement, North East, to Salisbury, in the State of Connecticut. From Silver creek, in the county of Chautauque, by Versailles, in the county of Cattaraugus, to Angola, in the county of Erie. From Jamaica to Rockaway, in the county of Queens. From Greenfort, across Shelter island, to Sag Harbor, in the county of Suffolk. From Setauket, by Coram, Patchogue, in Suffolk county. From Mayville, in the county of Chautauque, through Panama, to the mouth of Broken Straw creek, in the county of Warren, in the State of Pennsylvania. From Smithsboro to Spencer, in the county of Tioga. From Goshen, in the county of Orange, in the State of New York, through Phillipsburg, Middletown, Mount Hope, Cuddebackville, Clowesville, Forrestburg, Stewartsburg, Half-way brook, Beaver Brook, Ten-mile river, and Narrowsburg, to Honesdale, in the State of Pennsylvania. From Herkimer to Utica, on the south side of the Mohawk river, through the villages of Mohawk, German Flats, and Frankfort, in the county of Herkimer, to the city of Utica, in the county of Oneida. From Lockport, in the county of Niagara, by way of Benedict's bridge, to Akron, in the town of Newstead, in the county of Erie. From Youngstown, in the county of Niagara, by way of Wilson, Kempville, Somerset, Yates, Centre, West Carlton, East Carlton, and Davis' mills, to Gaines' corner, in the county of Orleans. From Preble, in the county of Cortland, through Otisco Hollow, Amber, Marietta, and Marcellus, to Camillus, in the county of Onondaga. From Luzerne, in Warren county, to Caldwell. From Carmel, in Putnam county, to Pawlings, in Dutchess. From In New York.

Franklin, in the county of Delaware, to Oneonta, in the county of Otsego. From Somerset, in Niagara county, by Yates, Centre, West Carlton, East Carlton, and Davis' mills, to Gaines corners, in the county of Orleans. From Groveland, on East road, to Geneseo. From Stamfordville to Sharon, in Connecticut. From Gibbonsville, by way of Cohoes, to Waterford. From Schenectady, by Princetown and Duaneburg, to Schoharie. From Poughkeepsie, by Pleasant Valley, Dover, Bullsbridge, and Kent Post Office, to Washington, in Connecticut. From Ithaca, through Green, Oxford, Guilford, Mount Upton, Gilbertsville, Otsewa, Oneonta, Davenport Centre, Davenport, West Harpersfield, Harpersfield, and Stamford, to Catskill; and that the post route from Oxford to Gilbertsville, and from Oneonta to Gilbertsville, and from Harpersfield to Oneonta, be, and the same are hereby, discontinued. From Rochester, along the Erie canal, to Brockport and Lockport, in the county of Niagara. From Union village, by the villages of Battenkill, and Shaws mills, to the village of Salem, in the county of Washington; and that the post road from Battenkill to Jackson be discontinued. From Waterborough, in the county of Chautauque, by Connewango, to Persia, in the county of Cattaraugus. From Westfield, in the county of Chautauque, to Columbus, in the county of Warren, in the State of Pennsylvania. From Sand Bank to Mannsville. From Clintonville to Rhinebeck. From Russia to Moorehouse village.

In New Jersey.

In New Jersey.—From Belvidere, in Warren county, to Port Colden. From Pompton, by Wenokey, Boardsville, Long Pond, and The Green Woods, to the post office, at Warwick, in New York. From Jersey city, in Bergen county, to Belleville. From Princeton, by Hightstown, to Freehold. From Hightstown, by Ewingville, Clarksburg, Horners-town, Cassville, Charlestown, and Smithfield, to Freehold. From Philadelphia, by Camden, Burlington, Hightstown, and South Amboy, to the city of New York. From Dover, by Suckasunny and Flanders, to Hackettstown. From Hamburg, by Franklin furnace and Sparta, to Newton. From Kingston to Somerville, by way of Rocky Hill, Griggstown, Millstone, and Weston. From New Egypt, by Cookstown, Jacobstown, Recklesstown, Crosswicks, to Bordentown.

In Pennsylvania.

In Pennsylvania.—From Reamstown, in Lancaster county, by the way of Sheonuk, Whitehall, and Springville, in said county, to Shaeferstown, in Lebanon county. From Columbus, Luzerne county, Pennsylvania, by the way of Fairmount, Colesville, in Columbia county, and Davidson, to Taneyville, in Lycoming county. From Chambersburg, Franklin county, Pennsylvania, by way of Mercersburg, to Hancock, Washington county, Maryland. From Karthaus, Clearfield county, to the town of Clearfield, in said county; the route to go on the north side of the west branch of the Susquehanna river. From Hart's cross roads, in Crawford county, Pennsylvania, to Andover, in the State of Ohio. From Oil creek, Crawford county, by the way of Spring creek, in Warren county, to Sugar grove, in the same county. From the Spring house, Montgomery county, by the way of David Acuff's Gwynedd, Heisler's tavern, Franconia, Gerhart's tavern, Trumbaursville, in Bucks county, Everhart's, Jacob Hertzels, to Coopersburg, in Lehigh county. From Abington centre, in Luzerne county, by the way of Factoryville, Nicholson, to Brooklyn, Susquehanna county. From Wyalusing centre, Bradford county, to Orwell, in the same county. From Erie, Erie county, by the way of McKean, Washington, and Venango, to Rockdale, in Crawford county. From Coatesville, in Chester county, by way of Doe run, Chatham, West Grove, Roscommon, and Boyd's store, to Strickersville. From Florence, in Washington county, by Mill Creek meeting house, East Liverpool, Faulkstown, Clarkson, East Fairfield, and Lima, in Columbiana county, to Poland, in Trumbull county, Ohio. From Cross Creek village, Washington county, to West Liberty, in

Ohio county, Virginia. From West Alexander, Washington county, to West Liberty, in Ohio county, Virginia. From West Alexandria, Washington county, to Waynesburg, in Green county. From Zelenople, Butler county, by Evansburg, Glade Mills, to Freeport. From Beaver, in Beaver county, to Frankfort. From Skinner's Eddy post office, in Luzerne county, by Springhill, and Jones's mills, to intersect the post route from Wyalusing to Rushville, at Stevensville. From Wind gap, in Northampton county, by Fleeksville and Richmond, to Belvidere, in New Jersey. From Ligonier, Westmoreland county, to Johnstown, in Cambria county. From Mahonoy post office, in Northumberland county, by the State road, to Minersville, in Schuylkill county. From Taneyville, in Lycoming county, by Heddlleston's to Columbus, in Luzerne county. From Butler, in Butler county, by Whitestown, Zelenople. From Juniata Crossings, in Bedford county, by Brush valley, Whips cove, Warfordsburg, to Hancock, in Maryland. From Wilkesbarre, in Luzerne county, by White Haven, Lowrytown, to Lausanne. From Reading, in Berks county, by Yocums forge, and Bowman's store, to Blue Ball, in Lancaster county. From Smethport, McKean county, by the forks of Tunuangwat creek, to Great valley, in Cattaraugus county, New York. From Butler, in Butler county, to Franklin, in Venango county, by the graded or turnpike road. From Carbondale, in Luzerne county, by the way of Greenville, Wallsville, Abington, and Nicholson, to Tunkhannock. From Kutztown, Berks county, by the way of New Jerusalem, Lobacksville, Klausner's, Shoenersville, Boyertown, New Hanover, to The Trappe, in Montgomery county. From Minersville, in Schuylkill county, by the way of Waynesburg, Klingerstown, to Gratztown, in Dauphin county. From Easton, Northampton county, by the way of William Kessler's, Wootings' mills, Roxbury, to Williamsburg. From Norristown, Montgomery county, by the way of Shannonville and Lumberville, to Phoenixville, in Chester county. From Stoddardsville to Clifton, in Luzerne county. From Honesdale, Wayne county, down the Lackawaxen creek, and along the line of the Delaware and Hudson canal, to the Narrows; thence along the same creek and canal, up the Delaware river, through Big Eddy settlement to Damascus post office; thence through Berlin township to Honesdale. From Venango furnace to Wesley, Venango county. From Damascus to Stockport, via the mouth of the Little Equinunk creek and the English settlement, in Manchester township, and the mouth of the Great Equinunk creek, in Buckingham township, Wayne county. From Liverpool to Mifflintown. From Montrose, through the townships of Lawsville and Franklin, to Binghampton, New York. From Danville to Cattawissa. From York, by Quigley's church, and Strinestown, to Newberrytown.

In Delaware.—From Milford, in Delaware, to Easton, in Maryland. In Delaware.

In Maryland.—From Davidsonville, via Higgin's store, to Patuxent forge, and thence to Elkridge landing. From Boonsborough, via Rohrersville, Brownsville, Burketsville and Petersville, to Barry. From Port Deposit to North East. From Churchill to Dover, in the State of Delaware. From Cambridge, by Church creek and Tobacco-stick, to Robinson and Griffith's store. From Belle Air, by Hartford Furnace and Abington, to Michaelville. In Maryland.

In Virginia.—From Poplar Hill, Giles county, to Sharon, Wythe county. From Waynesboro to Greenville. From Fishing creek, in Tyler county, Pine Grove, and Mount Linnæus, to Polsley's mills, in the county of Monongalia. From Weston, in the county of Lewis, to Charlestown, in the county of Kenawha. From Louisa court-house to Yanceysville. From Prillemon's post office, in the county of Franklin, via Rake's store, and Canada's, in said county, to Floyd court-house. From Marion to Greenville, Grayson court-house. From Charlottesvile, via

Scottsville, to Buckingham court-house. From Belfield, in the county of Greensville, to Newsom's depot, in the county of Southampton. From Polsley's mills, in the county of Monongalia, via Armett's store, to Blacks ville. From Staunton, via Buffalo gap, and Joseph Bell's, to Milborough. From the town of Weldon, North Carolina, via Syke's Old Store, Randal's Ordinary, Powellton, James' Square, Gholsonville, Oakgrove, Nicholson's, Wartman's, Charles Ogburn's, Shackelford's, Christiansville, Dupree's Store, Charlotte court-house, Armistead and Fuqua's store, and Brookneal, to Green Hill, Campbell county, Virginia. From Wythe court-house, via James H. Piper's, to Blue Springs, Smythe county. From Bickley's mills, Russel county, via Osborn ford, to Pendleton, Scott county. From Broadford, Smythe county, via Cook's store, to Sharon, Wythe county. From Laurel post office, Washington county, to Captain Levi Bishop's, in the county of Smythe. From Princess Ann, Maryland, via Newtown, Maryland, and Bloxom's tavern, Virginia, Riley's store, Jenkin's bridge, Guilford, and Bagwell's mills, to Drummondtown, in the county of Accomack, Virginia. From Horntown to Bloxom's tavern, Accomack county, Virginia. From Greenville, Virginia, to Jefferson, North Carolina. From Winchester to Staunton, by way of Lane's old works, Huddle's school-house, Columbia furnace, Moore's store, Pennybacker's furnace, Turley's town, and Miller's furnace, and thence to Staunton. From Kingwood to Evansville. From Orange court-house to Stanardville. From Culpeper court-house, via Plain's mills, to Timberville. From Leadsville to Western Fords, in the county of Randolph, in Virginia. From Danville, by Franklin court-house, to Salem. From Jerusalem to Urquhart's store, in Southampton county. From Surry court-house to Wall's bridge, in Surry county. From Richmond, by Bellona arsenal, Sublett's and Jefferson, to Catersville. From Lynchburg, by Pedlar's mills, to Buffalo Spring. From Tye-river warehouse, to Lynchburg. From Littleton to Urquhart's store. From West Alexandria, Pennsylvania, to Grave Creek.

In North Carolina.

In North Carolina.—From Franklin, North Carolina, to Jamesville, Grady's store, and Huntington, to Blairsville, Georgia. From Wadesboro', by White's store, Jesse Llewellen's, Hasty's store, Alexander N. Bell's, the Anson Gold mines, and thence by Burns's store and Diamond Hill. From Limestone post office, in Buncombe county, by Edneysville and E. S. Porter's, to Earlsville, Spartansburg district, South Carolina. From Carthage, in Moore county, thence to Eli Phillips's, and Farish and McNeill's store, to Tyson's store. From Morgantown, in Burke county, up John's river, to John Mosts, on Watauga, in Ashe county. From Fallsville, in Lincoln county, to William Oats', Buffaloe post office, Joshua Beam's, Rushy creek, Hamilton's store, and Webb's ford, to Rutherford, Rutherford county. From Bethania, Stokes county, by Vienna and Shores' ferry, to Doweltown, Surry county. From Greensboro', by Thompson's store and David Thomas's, to Mooresville, in Orange county. From Milton, by Sergeantsville, and Blackwell's Store, to Rawlingsburg, in Rockingham county. From Yadkin post office, Stokes county, by William Wolf's, Reeve's and Johnson Clement's, to Rockford, Surry county. From Taylor's bridge, in Sampson county, by The Piney Woods, and the house of Lewis High Smith, to Long Creek bridge, in New Hanover county. From Beatiesford to Sherrillsford post office, and Hokesville, to Fisher's post office; returning, to pass Eavesville, the neighborhood of Thomas L. May's, to the Dry Ponds. For Salisbury, by Mount Pleasant, in Cabarras county, to Cobourn's store, in Mecklenburg county. From Washington to Durham creek. From Newbern to James Riggs', on Bay river, in Craven county. From Beaufort to Portsmouth, and thence to Ocracock. From Kingston, by Hookertown, to Snow Hill. From Mockville to Hunts-

ville. From Franklin, in Macon county, down Valley river, to Huntingdon, thence to Clarksville, Habersham county, Georgia. From New Castle, by Trap Hill, in Wilkes county, to Grayson court house, Virginia. From Greenville, in Pitt county, by Johnson's mills, Scuffletown, in Green county, to Kinston in Lenoir county. From Elizabethtown, by Lennon's Cross Roads, to Fair Bluff, thence by Whiteville and the Prong, at Wooten's back, to Elizabethtown. From Winton, by Gates court-house and Sunbury, to Edenton. From Tomlinson's store to Ashe court-house. From Louisburg, by Lenay's cross roads, Wilton, Melbame's store, Wellborn's meeting-house, Red Mountain, and Turner's Mills, to Hillsboro'. From Germantown to Little Yadkin.

In South Carolina.—From Hamburg, via Red hill, to Liberty hill. From Corbettsville to Blacksville, in Orangeburg district. From Greenville court-house, by Liggon's mills, to Mush creek. From Abbeville court-house, by Faggart's store, and Covington's mills, to Maffattsville, in Anderson district. From Greenville court-house, South Carolina, via Sutton's bridge, on Saluda river, Cedar rock, Wolf creek, Pickens court-house, Falls post office, West Union, Earlsford, on Chatuga river, and Warwoman's creek, to Clayton, in the county of Rabun, State of Georgia. From Camden, via Longtown, Winsborough, Bell, Halls, Ashford's ferry, and Baskett's, to Newberry court-house. From Union court-house to Newberry court-house, Young's ferry to Aikin. From Barnwell court-house to Rosney. From Pocotaligo, via Hickory Hill, to the Cross roads, in Prince William's parish. From Draytonville, by Limestone springs, Smith Lipscomb's, Rowland's store, and the Rolling mills, to Spartanburg court-house. From Fishdam post office, on Broad river, to Pinckneyville, in Union district. From Greenville court-house, by Sherman's store, Bouby's store, Line creek, Nealey's ferry, Cambridge, Meeting street, to Edgefield court-house. From Greenville, South Carolina, by Clarksville, Georgia, to Dahlonega.

In South Carolina.

In Georgia.—From Franklinville, Lowndes county, Georgia, via Warner's Ferry, to Townsend post office, in Madison county, Territory of Florida. From Carrollton, via Villarica post office, in Carroll county, Georgia, to Paulding court-house, Cassville, in Cass county, and Adairville, in Cass county. From Rome, in Floyd county, Georgia, via Vann's valley, Morgan's cross roads, Jacksonville, in Benton county, Alabama, Alexandria post office, Conner's, Kelly's Spring, Talladega, Mardisville, in Talladega county, Syllacogy post office, Rockford, in Coosa county, to Wetumpka, in Montgomery county, Alabama. From Centreville, Wilkes county, via Wright's store, on the Skull shoal road, Bowling Green, John M. Coxe's store, and Poulain's bridge, to Salem, in Clark county. From Flat shoals, in Pike county, via Perdue's store, Rocky Mount, Carter's store, all in Merriwether county, and Corinth, in Heard county, to Franklin, in Heard county. From Newnan, Coweta county, via Sellman's store, and Turrentine's ferry, on Flint river, to Zebulon, in Pike county. From Auraria, in Lumpkin county, via Coal Mountain post office, Cumming, in Forsyth county, Social Hill, post office, in Cherokee county, Lebanon post office, and Marietta, in Cobb county, Big Spring, and Sweetwater town, in Cobb county, to Campbellton, in Campbell county. From Cassville, via Pine Log post office, and Benton post office, in Cass county, to Ellejay, Gilmer county. From Marietta, via Altoony gold mines, Cassville, Adairsville, Cass county, New Echota, to Springplace, Murray county. From Lumpkin, in Stewart county, to Starkville, in Lee county. From Talbotton, via Boston post office, Uchee village post office, in Marion county, and Pondtown post office, to Americus, in Sumpter county. From Talbotton, via Bellevue post office, Buchanan's store, Warm springs, and Greenville, in Merriwether county, to Newnan, in Coweta county. From Elberton, by Montevideo, in Elbert county, Georgia, to Anderson

In Georgia.

court-house, in South Carolina. From Paulding court-house, via Rome, in Floyd county, Treadway's Island ford, at Story's farm, to Walker court-house. From Clayton, in Rabun county, via Blairsville, in Union county, Ellejay, in Gilmer county, and Spring place, in Murray county, to Walker court-house, in Walker county. From Dahlonega, in Lumpkin county, via Hightower post office, and Canton, in Cherokee county, to Cassville, in Cass county. From Dahlonega, in Lumpkin county, to Blairsville, in Union county. From Canton, in Cherokee county, via Woodstock post office, Marietta, in Cobb county, and Paulding court-house, Paulding county, to Cedar town, in Paulding county. From Hawkinsville, in Pulaski county, to House creek, in Irwin county; the mail to be carried down on the western side of the Ockmulgee river. From Lagrange, Troup county, via Liberty Hill post office, Franklin, in Heard county, and Laurel hill, to Carrollton, in Carroll county. From Franklin, Heard county, Georgia, to Randolph court-house, in Alabama. From Jacksonville, Telfair county, via Holmesville, in Appling county, and Wearesboro', in Ware county, to Franklinville, in Lowndes county. From McDonough, Henry county, via Tucker's cabin, to Decatur, De Kalb county. From Holloca, in Muscogee county, via Pineville and Jenkins's mill, to Americus, Sumpter county. From Drayton, in Dooley county, via Danville, Americus, in Sumpter county, and Lannahassee, in Stewart county, to Columbus, in Muscogee. From Dahlonega, in Lumpkin county, to Ellejay, in Gilmer county. From Wrightsboro', via Raytown, Crawfordsville, Temperance, at Green and Baldwin's store, to Greenboro'. From Decatur, in De Kalb county, via Stone Mountain, Rockbridge, to Monroe, in Walton county. From Fort Gaines, in Early county, to Spring creek post office. From Archibald Hunter's ferry, on Highwassee, North Carolina, to Blairsville, in Union county, Georgia. From Milledgeville, by Monticello, Indian Springs, Greenville, La Grange, Wetumpka, to Tuscaloosa, Alabama. From Decatur, by Key's, Martin's ferry, on the Chattahoochee, to Lebanon, in Cobb county. From Columbus, by Lumpkin, Cuthbert, Fort Gaines, and Blakely, to Bainbridge. From Rome, by Livingston, Pleasant Green, or Gamble's seminary, near the line of Walker and Floyd counties, to Islandtown, on Chatooga river.

In Kentucky.

In Kentucky.—From Gainesboro, Tennessee, via Thomas Butler's Salina, mouth of Obed river, Kettle creek, Hanover, near Cary's ferry, to Burkesville, in Kentucky, thence via Creelsborough to Jamestown, in Russel county. From Jamestown, Tennessee, via Abraham Vanwinkle's, to Monticello, in Wayne county, Kentucky. From Louisa, in Lawrence county, to West Liberty, in Morgan county. From Richmond, in Madison county, to London, in Laurel county. From Perry court-house, via the mouth of Leatherwood creek, Hezekiah Bransan's, in Harlam county, and Neal's post office, at Stone gap, to Scott court-house, in Virginia. From Richmond, in Madison county, via Slaughter's salt works, Mount Vernon, Somerset, Faris's stone coal mines, and mouth of Laurel, to Charles Rockholt's, in Whitley county. From Neville, in the State of Ohio, to Falmouth, in Pendleton county, Kentucky. From Bowling Green to Scottsville, via Allen springs. From Stanford, in Lincoln county, via Colonel Jesse Coffee's, and Liberty, in Casey county, to Jamestown, in Russel county. From Covington, in Campbell county, via Taylor's mill, on Banklick Creek, and up the Licking road, to intersect the mail route from Washington, in Mason county, via Falmouth, in Pendleton county, to Gaines's cross roads, on the Dry ridge, in Boon county, at Richard Mullin's on Grassy creek, in said county of Pendleton. From Gallatin, in Tennessee, via Dunn's cross roads, in Smith county, Tennessee, down the Long fork of Barren river, by John B. Lowrey's store, to Tomkinsville, in Kentucky. From Cloverport, in Brackenridge county, via John Haynes's, Taylor's mills, Hartford and

William Browns', in Ohio county, to Worthington, in Muhlenberg county. From Hawesville, in Hancock county, to Nottsville, in Davis county. From the mouth of Sandy, in Henry county, Tennessee, via Concord and Belgrade, to Wadesborough, in Calloway county, Kentucky. From Mount Sterling, via the mouth of Aaron's run, and North Middletown, to Paris. From Cloverport, by the Great falls of Rough creek, to Brownsville. From Tomkinsville, via John Meadow's, on the East fork of Barren river, John Meadow's, on Salt lick of Barren river, Bratton's post office, and Dabney Cooper's, on White oak of Barren river, to Gallatin, in Tennessee. From the town of Bedford, in Oldham county, to the town of Port William, in Gallatin county. From the town of New Castle, in Henry county, to Port Royal, in the same county. From Hartford to V. W. Peyton's, in the county of Ohio. From Hawesville to Viles's, in the county of Hancock.

In Tennessee.—From Randolph, by Portersville and Concordia, to Belmont, in Fayette county. From Somerville to Egypt, in Fayette county, and from Mount Pleasant, Murray county, by Rock House creek, J. C. Gullick's, Perrysville, Lexington, and Independence, to Jackson. From Knoxville, via Reed's mill, on Beaver creek, Low's ferry, on Clinch river, Scarborough's mills, Watson's ferry, and from thence to Kingston. From Philadelphia, Monroe county, by Pryse's ferry, on Tennessee river, to Washington, Rhea county. From Leesburg, in Washington county, via Newmansville, in Green county, to Rogersville, in Hawkins county. From Williamsport, by True's store and Snow creek, in Maury county, to Franklin, in Williamson county. From Samuel Wilson's, on Jack's creek, Henderson county, to Burns's store. From McMinnville, Warren county, to Liberty, Smith county. From Columbus, in Hickman county, Kentucky, by Dyersburg, Lauderdale court-house, and Covington, to La Grange, Tennessee. From Jackson, by Mount Pinson, to Purdy, McNairy county. From Durhamville, Lauderdale county, to Ashport, on the Mississippi river. From Ten-mile stand, in Rhea county, by George Gordon's iron works, from thence through Grassy cove to George Dawson's, on Cumberland mountain. From Pikeville, Bledsoe county, by Blythe's ferry, on Tennessee river, to David McNaire's, on Conasauga. From McMinnville, by James Gardiner's, esqr., to Dallas, Hamilton county. From Athens, in McMinn county, by way of Haynes's store, to Mount Vernon, in Monroe county. From Van Buren to Moore's cross roads, in Hardeman county. From Humphrey's court-house, in Humphrey's county, and by Point Mason, to Paris, Henry county. From Brownsville, by Wesley, to Covington. From Perrysville, in Perry county, by Morgan's creek, to Benton county court-house, and to Paris. From Huntingdon, in Carroll county, by Lexington and Jack's creek, to Purdy, in McNairy county. From Bolivar, by Nubbin ridge, Simpson's bridge, on Hatchie river, Cypress, Chamberlain, and Wolf's ferry, on the Tennessee river, to the Brick house, or Cherryville, in Hardin county. From Rogerville, in Hawkins county, by Morgan's mill, to James's store, in Greene county. From Jackson, by Oakland, and Chalk bank and Shiloe, Tennessee, by Trenton, Yorkville and Troy, to Mills point, Kentucky. From Waynesboro', by David Gallaher's, and Pinhook, in Wayne county, to the Brick house, in Hardin county, on the stage road from Savannah, Tennessee, to Florence, Alabama. From La Grange, Tennessee, via Spring Hill, to Walnut grove, Mississippi. From Murfreesboro', by Salem cross roads, to Wilkinson's cross roads, in Rutherford county. From Florence, Alabama, to Waynesboro', Tennessee, via John Spain's, Alabama, and Sessum's store, Tennessee. From East-aula to Wesley. From Monroe, via Locust Shades, in Overton county, by Salina, Jackson county, by Garret Moore's to Tomkinsville, Kentucky. From Elkton, Tennessee, to Decatur, Alabama, and from

In Tennessee.

Franklin, Tennessee, to Charlotte, by Turnbull. From Dover, by Tobaccoport, to Cadiz, in Kentucky. From Purdy, Tennessee, by Colonel John Reeves's, in the Chickasaw cession, to Pontitoc, in the State of Mississippi. From Marysville, in Blount county, by Mount Vail springs, to Chilhowee post office, on the Tennessee river, Monroe county. From Bean's station, Morestown, Colonel McFarland's, mouth of Nolachucky, to Newport. From Campbell's station, Low's ferry, on the Holston river, to Louisville, in Blount county. From Pulaski, by Rogersville, to Courtland, Alabama. From Reedyville, by David Patton's, in Rutherford county, to Beech grove, in Bedford county. From Waynesboro' to Savannah. From Long Savannah, Hamilton county, to Walker court-house, Georgia. From Brownsville, Haywood county, by Cherryville, Lanefield, and Chestnut bluffs, to Dyersburg, in Dyer county. From Nashville, by Ellison's mills, on South Harpeth, to Centreville. From Fayetteville to Robertson's store. From Clarksville, Tennessee, to Cadiz, Kentucky. From seat of justice in Humphreys county to the seat of justice in Benton county. From Clinton, by Oliver's, to Morgan court-house.

In Ohio.

In Ohio.—From Perrysburg, in Wood county, through Risdon, and Rome, in Seneca county, and McCutchinville, to Bucyrus, in Crawford county. From Bucyrus, in Crawford county, to Tiffin, in Seneca county. From Finley, in Hancock county, to Lima, in Allen county. From Jeromeville, in Wayne county, by Olivesburg, and Rome, to Runner's, in Richland county. From Plymouth, by Gamble's mills, Martin's mills, and Lexington, in Richland county, to Frederick, in Knox county. From Mount Gilead, in Marion county, by Galeon, and Leesville, to De Kalb, in Richland county. From Cincinnati, by Cummingsville, Vernon, and Bevis in Hamilton county, by Ross, and Millville, to Stilwell, in Butler county. From Finley, in Hancock county, by Mount Blanchard, to Burlington, in Marion county. From Tiffin, in Seneca county, by York Centre, to North Ridge, in Sandusky county. From Finley, in Hancock county, by Big spring, in Seneca county, McCutchinville, and Mexico, in Crawford county, to Mellmore, in Seneca county. From Lower Sandusky, by Rome, in the county of Seneca, and Risdon, to Finley, in the county of Hancock. *From Bellefontaine, in Logan county, to Roundheads-town, in Hardin county, thence to Lima, in Allen county, thence to Kalida, in Putnam county, and to Sugar Grove. From Dayton, in Montgomery county, by Germantown, and Jacksonborough, to Oxford, in Butler county. From Jefferson to Mechanicsburg. From Urbana to Sidney. From Sidney, by Waupakonetta, to Lima. From Toledo, in Lucas county, to Dundee. From Parkman, in Geauga county, to Auburn. From Lancaster, in Fairfield county, by Bremen, and Bristol, to McConnellsville, in the county of Morgan. From Cadiz, in Harrison county, by Deersville, Shane's mills, to Port Washington, in Tuscarawas county. From Cambridge, in Guernsey county, to Plainfield, Coshocton county. From Saint Clairsville, in Belmont county, by Uniontown, and Moorefield, to Freeport. From Rush to Port Washington, in Tuscarawas county. From New Washington, by New Birmingham, to Port Washington, in Tuscarawas county. From Millersburg, in Holmes county, by Shanesville, to Tuscarawas, in Tuscarawas county. From Jackson court-house, Ohio, by way of Simms's creek and Clark's mills, to Guyandotte, Virginia. From Carrollton, in Carroll county, by Pekin, and Paris, in Stark county, to Randolph, in Portage county. From Finley to Kalida, in Putnam county. From Salem, by Lexington, New Baltimore, Midmay, Green, Manchester, Doylestown, Milton, Jackson, and Canaan, to Waynesburg, in Wayne county. From Fredericktown, in Knox county, to Bucyrus, in Crawford county. From New Hagerstown, by Kilgore, and Shober's mills, in Carroll county, to McCullough's, in Jefferson county. From

Paris, in Stark county, by Brown's post office, and New Harrisburg, to Leesville, in Tuscarawas county. From Waynesburg, in Wayne county, by Perrysburg, and Vermillion, to Paris, in Richland county. From Carrollton, in Carroll county, by Leavitt and New Cumberland, to New Philadelphia, in Tuscarawas county. From New Lancaster, by Baltimore, Grandville, and Homer, to Mount Vernon. From Pickerington, in the county of Fairfield, by Waterloo, Winchester, Middletown, and Kennedy's store, to Circleville, in Pickaway county, Ohio. From New Richmond, via Knoxville, to the mouth of Big Yellow creek. From Canal Dover, to Zoir. From Delaware, in Delaware county, via Rador, Big island, in Marion county, to Upper Sandusky. From Delaware, by Maysville, and Milford, in Union county, to Urbana, in Champaign county. From Sunbury, in Delaware county, by Woodbury and Mount Gilead, in Marion county, to Leesville, in Richland county. From Reynoldsburgh, in Franklin county, by Hedley's mills, Plain four corners, Harlem, and Geneo, to Galena post office, in Delaware county. From Dublin, in Franklin county, up the west side of the Scioto, by Bell Point, to Middletown, in Delaware county, thence to Big island, in Marion county. From Wilkesville, in Gallia county, by Salem, Salisbury, and Lebanon, in Meigs county, crossing the Ohio river near the mouth of Oldtown creek, to Ripley, in Jackson county, Virginia. From Bedford, in the county of Cuyahoga, by Northfield, Brandywine, Boston, Northampton, and Portage, to Akron, in the county of Portage. From Edwardsville, in Warren county, to Cuba, in Clinton county. From Fairview to Smyrna. From Freeport to Shotwell's mills, Shane's mills, Newport, and Waterford, to Eastport. From Minerva, in Stark county, by Franklin, Williamsport, Lexington, Mahoning post office, and Lima, to Atwater, in Portage county. From Chesterville, in Knox county, to Johnstown, in Licking county. From Decatur, in Ohio, to Maysville, in Kentucky. From Plato, in Lorraine county, to Wilhelm. From Bucyrus to Little Sandusky. From New Lisbon, in Columbiana county, to Hanoverton. From Wilmington, in Clinton county, via Cuba, Martinsville, and Lynchburg, to Hillsboro'. From Cedarville, in Brown county, to Cuba, in Clinton county. From Granger, in Medina county, by Sharon, to Wadsworth. From Baker's mills to Millbrook, in Wayne county, to Nashville, in Holmes county. From Saint Clairsville to Port Washington. From Grafton, in Lorraine county, to Lodi, in Medina county. From Athens to McConnellsville. From Edwardsville, in Warren county, to Cedarville, in Brown county. From Wooster to Perrysville, in Richland county. From Defiance, in Williams county, by Evansport, to Lafayette. From Grassy point, by Charleston, to Springfield. From Akron, by Ravenna, in Portage county, to Warren, in the county of Trumbull, by Newton falls. From Winchester to West Union, in Adams county. From Canton, Stark county, by Sandy and North Georgetown, to Salem, in Columbiana county. From Petersburg, by Lima, Greenford, and New Albany, to Salem, in Columbiana county. From New Garden, by Bennett's cross-roads, to Damascus, and from Damascus to Salem. From Wellsville, by Cope's mills and Croxton, to Scroggsfield. From New Hagerstown and West Chester, in Carroll county, to Cambridge, in Guernsey county. From New Lisbon, Columbiana county, by Clarkson and West Salem, to Beavertown, in Pennsylvania. From Russellville, in Brown county, to New Market, in Highland county. From New Lexington to Millfield. From New Richmond, by Coombe's store, Batavia, and Owenville, to Wilmington. From Kenton to Bucyrus. From Hebron, on the national road, to Lockbourne, in Franklin county. From Greenville, Ohio, by Huntington, to Goshen, Indiana.

In Louisiana.—From Grand Gulf, in the State of Mississippi, via Lake Saint Joseph, New Carthage, Roundaway, Walnut, and Bushy

In Louisiana.

Bayou, to Milligan's bend, in the parish of Carroll. From Drew's landing, in the parish of Claiborne, to the Long Prairie, in the Territory of Arkansas. From Opelousas, via Washington, Holmesville, Prairie Rouge, Bayou Rouge, and Deglaise, and Point Coupee, to St. Francisville. From Lake Providence, in the parish of Carroll, via Monroe, Russellville, and Drew's landing, to the mouth of Loggy Bayou, on Red river. From Calcasieu, in Opelousas county, to Ballew's ferry, on Sabine river. From Harrisburg, in the parish of Catahoola, by Deer creek, and the Bayou Macon, to Lake Providence, in the parish of Carroll. From Port Hudson, by Jackson, Clinton, and Greensburg, to intersect the Holmesville and New Orleans route at or near Colonel Edwards's. From William Faulkner's plantation to Donaldsonville. From Baton Rouge to Clinton. From Campiti, by the Loggy Bayou, up Red river, to Coate's bluff, thence to the settlements on the Grand Cane, in the parish of Natchitoches.

In Indiana.

In Indiana.—From Strawtown, in Hamilton county, to Kirk's cross roads, in Clinton county. From Martinsville, in Morgan county, via Lyon's mills, Mooresville, Danville, Alexander's tavern, and Lebanon, to Frankfort, in Clinton county. From Shelbyville, in Shelby county, via Manwarring's, on Sugar creek, Greenwood, Farwest, and Mooresville, to Monrovia, Morgan county. From Noblesville, via Westfield, in Hamilton county, Northfield, Lebanon, Jamestown, and Russellville, to Montezuma, in Park county. From Indianapolis to Mooresville. From Rising Sun, in Dearborn county, via Hartford, Guionville, Dillsborough, and Hart's mill, to Versailles, in Ripley county. From Napoleon, in Ripley county, via Harden's store, Wilmington, and Aurora, to Burlington, in Boone county, Kentucky. From Lawrenceburg, in Dearborn county, via Hubbles and McKenzie's cross roads, to Brookville, in Franklin county. From Harrison, in Dearborn county, via Edinburg, to Scipio, in Franklin county. From Napoleon, in Ripley county, via Versailles, Cross plains, Vevay, and Ghent, to Georgetown, in Scott county, Kentucky. From Brookville, in Franklin county, via Sunman's, to Versailles, in Ripley county. From Knightstown, via Greensborough, to Pendleton. From Fort Wayne, via McCormick's, Noblesville, and Allisonville, to Indianapolis. From Toledo, via Whitemansville, Lima, Bristol, Carrollton, Elkhart, Mishawaka, South Bend, Terre Coupee, Kankakee, Laporte, and Morgans prairie, Indiana, to Juliet, in Illinois. From Whitepigeon, in Michigan, via Bristol, to Elkhart, in Indiana. From the town of Elkhart, Indiana, via Adamsville, Casapolis, Whitemansville, and Little Praipree, to Bronson, in Michigan. From Newtown, in Fountain County, via Rob Roy, Attica, Williamsport, Rainesville, and Parish's Grove, to Iroquois, in Illinois. From Indianapolis, via Danville, Bainbridge, Rockville, Montezuma, and Newport, to Danville, in Illinois. From Danville, in Hendricks county, via New Maysville, Bainbridge, Poplar spring, Blakesburg, and Russellville, to Rockville, in Park county. From Rockville, in Park county, via the narrows of Sugar creek and Jacksonville, to Hillsborough, in Fountain county. From Charlestown, Clark county, via Vienna, to the Slate ford, on the Muskataack, to Rockford, Jackson county. From Brownstown, Jackson county, via Sage's ferry, on the Muskataack, to Charlestown, in Clark county. From Peru, in Miami county, to Fulton court-house, in Fulton county. From Evansville, in Vandeburg county, via Diamond island, to Mount Vernon, in Posey county. From New Harmony, in Posey county, via Jesse Nashe's and Blairs Mills, on Big Creek, to Evansville, in Vandeburg county. From New Albany, in Floyd county, via Georgetown, Salisbury, Milltown, Mount Prospect, Jasper, Petersburg, Princeton, and Columbia, to Mount Carmel, in Illinois. From Laporte, in Indiana, via Salt creek, Adela, Vanness, on the Vincennes road, the head of Hickory creek, and down the same to

Juliet, in Illinois. From Bloomington, in Monroe county, via Bloomfield, Fairplay, and New Jerusalem, in Greene county, Merom, in Sullivan county, via Hudsonville, Newtown, Ewington, in Illinois, to Vandalia. From Brownstown, Jackson county, via Vernon, to Marion, in Ripley county. From Greencastle, in Putnam county, via Manhattan, Bowling Green, and Point Commerce, to Bloomfield, in Greene county. From Mount Pleasant, in Martin county, via Scotland and Clark's prairie, to Bloomfield, in Greene county. From Napoleon, in Ripley county, to Lewisville, in Henry county, via Clarksburg, in Decatur county, New Salem and Smelson's mills, in Rush county. From Indianapolis, via Frankfort, Delphi, Monticello, Jasper, Lake court-house, Porter and Laporte counties, to Michigan city. From Leavenworth, in Crawford county, to Mount Prospect, in said county. From Kirk's cross roads, via Frankfort, Delphi, Monticello, and Laporte, to Michigan city. From Prairie river post office, in Branch county, Michigan, to Lima post office, in La Grange county, Indiana. From Burlington to Delphi. From Charlestown, in Clark county, via Sturdevant's store, to Salem, in Washington county. From Indianapolis, via Germantown, in Marion county, Pendleton, and Huntsville, in Madison county, to Strawtown, in Hamilton county. From Strawtown to Peru, in the county of Miami. From Bloomington, in Monroe county, via Baile's bridge, to Salem, in Washington county. From Mount Tabor, in Monroe county, to Stilesville, in Hendricks county. From Thorntown, in Boone county, to Kirk's cross roads, in Clinton county. From Carlisle, via Busron mills, Rawley's mill, to Bowling Green, Clay county. From Indianapolis, along the Cumberland road, to Terre Haute. From Richmond, via Newport and Winchester, to Fort Wayne. From Connersville, via Harrisburg, Louisville, and New Castle, to Munceytown. From Oxford, Ohio, via Bath Springs, in Indiana, Fairfield, via West Union Columbia, and Orange post office, in Fayette county, to Rushville. From Knightstown, via Greenborough, to Pendleton. From Grant court-house to Lagro, in Wabash county. From Peru, and Sparta, to Lima, in La Grange county. From Kirk's cross roads, via Frankfort and Jefferson, to Lafayette. From Fredonia to Mount Prospect, in Crawford county. From Eaton, in Ohio, New Boston, Abington, and Philomith, to Centerville, in Indiana. From Princeton, Indiana, to Mount Carmel, Illinois. From Mooresville, by Bridgeport, Clermont, Picketon, and Westfield, to Strawtown. From Martinsville to Gosport. From Peru, by Wilkinson's settlement on Eel river, Rochester, Chippewa, Plymouth, and Oakland, to Laporte. From Greenville, Ohio, by Huntington, Indiana, Turkey Creek Prairie, to Goshen. From Strawtown to Logansport. From Fort Wayne, by Chippewa, to Ottawa. From Wabash, by Goshen, to Bristol. From White Pigeon, Michigan, to Pulaski, Indiana. From Burlington, Kentucky, by Rising Sun, Hartford, Dillsboro' and Hartville, to Versailles. From Lafayette, by Battle Ground, Pleasant Run, Barnes, and Georgetown, to Logansport. From Crawfordsville to Rob Roy. From Crawfordsville, by Darlington and Thornton, to Frankfort. From South Bend to Edwardsburg. From Michigan City, by Baileytown, Deep river, Robinson's Prairie, and the crossings of Kankakee, to Peoria, Illinois. From Strawtown, by Camden, to Delphi. From Marion, by Lagro, to Goshen. From Fort Wayne, in Indiana, by Turkey Creek Prairie, to Ottawa, in Illinois. From Logansport to Goshen. From Madison, by Marion and Moore's tavern, to Napoleon.

In Mississippi.—From Canton, via Warsaw, to Beattie's bluff. From Vicksburg, via Benton, Lexington, Blackhawk, Carrollton, Grenada, Coffeeville, Holly Spring, and Patawpha court-house, via La Grange, to Bolivar, Tennessee. From Madisonville, via Canton and Montgomery, Franklin, to Lexington, in Holmes county. From Memphis,

In Mississippi.

via Holly Spring, Chulohomo, Mitchell's bluffs, Sardinia, Pharsalia, Fanning's store, Tillotoba, Tuscahama, Chocchuma, Point Veto, La Flore, Quiela, and Chulah, to Manchester. From La Grange, Tennessee, via Spring hill, Matthew's store, Foster's store, and Pontitoc, to Coffeerville. From Carrolton, via Shongola, Choctaw court-house, Starksville, and Mayheu, to Columbus. From Livingston, Alabama, via Suquancitchee valley, Lauderdale and Scott court-house, and Brandon, to Jackson. From Pickensville, Alabama, via Warlock and Macon, in Noxuba county, Mississippi, to Louisville, in Winston county. From Winchester, via Paulding, Garlandville, Newton, and Neshoba court-house, Louisville. From Paulding, via Smith court-house, Westville, and Georgetown, to Gallatin. From Gallatin, via Holden's store, Hugh's store, and Malcolm, to Fayette. From Lexington, via Attala and Leake court-house, to Scott court-house. From Rodney, via Paine's store, Selsertown. From Columbus, via Macon, Waholock, De Kalb, Lauderdale, and Clark court-house, to Winchester. From De Kalb court-house, in Kemper county, Mississippi, via Yanuaky, Old town, Mozelusha, and Kellings, to Scott court-house, Mississippi. From Clinton, by Spring Branch, and Summerville, to Satartia. From Fort Gibson, by Darwin, Shelby, Lloydsville, and Casey's store, to Raymond. From Jackson, Mississippi, to Memphis, Tennessee. From the Robertson road, by Leake court-house, and Nashoba court-house, to De Kalb. From De Kalb, by Fearn's Spring, Louisville, and Choctaw court-house, to Chocchuma. From Augusta to the Bay of Biloxi. From Columbus to Westport. From Louisville, by Double Springs, to De Kalb. From Fairfield, Alabama, by Knowville, Waholock, Summerville, to Carthage. From Madisonville, by Attala court-house, through Choctaw and Oke-ti-be-ha counties, Plymouth, to Columbus.

In Illinois.

In Illinois.—From Pittsfield, in Pike county, by Greggsville and McKee's creek, to Rushville, in Schuyler county, and a post office on said route at Chamberburg, in Pike county. From Desmoines, in Clarke county, Missouri, to Warsaw, in Hancock county, Illinois, thence via Carthage and Smith's store, to Monmouth, in Warren county. From Hennepin, in Putnam county, passing through Boyd's Grove, Spoon river and Knoxville, to Venus, in Hancock county. From Carrolton, in Greene county, to intersect the mail route leading from Springfield, in Sangamon county, to Vandalia, at Hillsboro', in Montgomery county, by the way of Fayette, in Greene county, to Carlinville, in Macoupin county. From Springfield, in Sangamon county, to the Buffalo Hart Grove; thence to Georgetown; thence to Waynesville, Bloomington and Lexington, in McLean county, Dresden, and Mount Juliet, to Chicago, in Cook county. From Laporte, in Indiana, via Hickory creek, Juliet, mouth of the Dupage, Ausable, Nettle creek, and Grand Rapids of Illinois river, to Ottawa. From Beardstown, in Morgan county, to Petersburg, in Sangamon county. From Quincy, in Adams county, via Fairfield, to Carthage, Franklin, and Monmouth, in Warren county. From Mount Carmel, in Illinois, via Albion, Leach's mills, Fairfield, and Malding's mills, to Mount Vernon. From Montezuma, in Indiana, west, to Bloomfield, in Edgar county, Illinois. From Macomb, in McDonough county, via Saint Augustine, to Knoxville. From Crawfordville, Indiana, via Newtown, Rob Roy, Williamsport, Warren post office, and Parish Grove, to Iroquois, in Illinois. From Alton, via Staunton, to Hillsboro. From Paducha, in McCracken county, Kentucky, via Wilcox's ferry to Frankfort, in Illinois. From Peoria, in Peoria county, to Knoxville, in Knox county. From Ottawa, Lasalle county, to Dixon's ferry, on Rock river. From Hennepin, in Putnam county, via Princeton and Windsor, to Rock island, on the Mississippi. From Terre Haute, in Indiana, to Paris, in Illinois, Decatur, Clear creek, Springfield, and Sylvan Grove, to Beardstown. From Michigan

city, Indiana, to Juliet, in Cook county, Illinois, thence to Dixon's ferry, on Rock river, and thence to Savannah, on the Mississippi river. From New Boston, in Mercer county, via the Pine bluffs, in township sixteen north, of range five west, to Rock island. From Canton, in Fulton county, via Farmington, to Peoria, in Peoria county. From Chicago, via Meacham's Grove, Elgin, on the Fox river, Squaw prairie, on the Kishwaka, and Midway, on Rock river, to Galena. From Chicago, northwestwardly, to cross the Duplain river, at Talcott's, via Elk Grove, to Fox river, at George McClure's. From Ottawa, in LaSalle county, up Fox river, until it intersects the State road from Chicago to Galena, at or near Pawpaw. From Lower Alton, via the head of Piasa creek, at Simmon's towns of Delaware, Greenfield, Athens, Brown's point, to Jacksonville. From Charleston, in Coles county, to the town of Greenup. From Frankford, via Brownsville, Gills's ferry, on the Mississippi, to Jackson, Cape Girardeau county, in Missouri. From Danville, via Decatur, to Springfield. From Carrollton and Grafton, to Portage Des Sioux and Saint Charles, in Missouri. From Danville to Ottawa. From Princeton, in Putnam county, via Brigham's and Dimmick's grove, to the Pawpaw grove. From Bayville, Pike county, to Pittsfield. From Knoxville, via Henderson, White Oak grove, Cleveland, and mouth of Plumb river, to Galena. From Mount Carmel, in Wabash, to Maysville, in Clay county. From Fairfield, in Wayne county, to Salem, in Marion county. From Terre Haute, in Indiana, to Vandalia, in Illinois, along the National road. From McLeansboro', in Hamilton county, via Crouch's, to Malden's mills, in Wayne county. From Alton, on the State road, to Carlinville, on the State road. From Carthage, Illinois, to Fort Madison, in Desmoine county, Michigan. From Carlisle, in Clinton county, via Greenville, to Hillsboro'. From Meredosia, in Morgan county, via Vandeventer, to Rushville. From Liberty, in Adams county, to Davidson's, Mount Sterling and Rushville. From Logansport, Cass county, Indiana, to the seat of justice in Iroquois county, in Illinois. From Monmouth, in Warren county, to the Yellow banks, on the Mississippi. From Buffalo grove, in Joe Daviess county, to the mouth of Plumb river, on the Mississippi. From Mount Carmel to Lawrenceville. From Charleston, in Coles county, via Greenup, Newton, and Stringtown, to Lawrenceville, in Lawrence county. From Unity to the mouth of the Ohio river. From Jacksonville, via Havannah, to Pekin. From Pleasant grove, in Tazewell county, via Pekin and Canton, to Lewistown, Fulton county. From Frankfort, via Bainbridge's store, to Jonesboro'. From Frankfort, via Whiteside's, to Golconda. From Unity to Smithfield, on the Mississippi. From Alton, via Terry's landing, on the Illinois river, to Gilead, in Calhoun county. From Belleville to Pinckneyville. From Mount Carmel, by Albion and Fairfield, to Salem. From Vandalia, by Hillsboro', to Carlinville. From Jacksonville to Carlinville. From Danville to Springfield. From Jacksonville, by Pittsfield, to Burnett's ferry. From Golconda, by Frankfort, to Mount Vernon. From St. Louis, Missouri, by Jacksonville, Beardstown, Rushville, Macomb, Monmouth, and Fort Armstrong, to Galena. From Chicago, by Ottawa, Utica, Peoria, Canton, Lewiston, and Rushville, to Quincy. From Carthage, by Commerce, to Fort Desmoines. From Richlandtown, by Burlington, to Macomb. From Stephenson to Davenport, Wisconsin Territory. From Kaskaskia, by Pollocks, to Belleville, and from Nashville to Mount Vernon. From Lawrenceville to Palestine. From Savannah, Illinois, to Bellevue, Wisconsin Territory.

In Alabama.—From Columbiana, in the county of Shelby, via Mineral Springs, to Syllacogy, in Talladega county. From Jacksonville, in Benton county, to Bennettville, in St. Clair county. From Tuscaloosa, via Romulus, Mosely and Cook's store, to Pleasant Ridge post office, in Pickens

In Alabama.

county. From Livingston, in Sumpter county, via Horner's old store Mount Sterling, McCarty's, and Carrollton, to Washington court-house, Washington county. From Mesopotamia, in Greene county, via Daniel's prairie and Jones' Bluff, to Livingston, in Sumpter county. From Burnt Corn, Monroe county, via Godbold's old store, to Allentown, in Wilcox county. From Linden, in Marengo county, via Flat settlement, Moscow, and Perryman's store, to Livingston, in Sumpter county. From Livingston, in Sumpter county, Alabama, to Marion, in Lauderdale county, Mississippi. From Manningham, in Butler county, to Mount Willing and Haynesville, in Lowndes county, thence to Washington, Autauga county. From Dallas, in Hamilton county, Tennessee, through the Lookout and Wills valleys, via Reason, Rollins, the seat of justice for De Kalb county, to Bennettsville, Saint Clair county, Alabama. From Monticello, in Pike county, to Tuskegee, in Macon county. From Calhoun, McMinn county, Tennessee, via Walker's place, McDaniel's, Richard Taylor's, Walker court-house, Georgia, William Henry's, Charles Price's, Dougherty's mills, Chatooga, or Gaylesville, Smith's ferry, on Coosa river, Francis Adams, and Rawden's store, to Jacksonville, Benton county. From Knoxville, Green county, via Gainesville, in Sumpter county, to Narketa, Kemper county, Mississippi. From Fort Mitchell, via Roanoke post office, Stewart county, Georgia, Irwinton, in Barbour county, Alabama, to Fort Gaines, in Early county, Georgia (the mail to be carried on the west side of the Chattahoochee river). From Uniontown, Perry county, via Athens, Bogue Chitto, to Portland, on Alabama river. From Monticello, in Pike county, to Daleville, in Dale county. From Rockford, in Coosa county, via Montreal, in Tallapoosa county, to Lafayette, in Chambers county. From Irwinton, on the Chattahoochee river, via Clayton, in Barbour county, Midway, and through the southwest part of Macon county, to Mount Meigs, in Montgomery county. From Mount Willing, via Maule's store, to Benton, in Lowndes county. From Montgomery, along the Patsalaggo road, to the nearest point on the route running from Greenville, to Gaines's store, Pike county. From Mount Meigs, in Montgomery county, via Carter's store, to Haynesville, in Lowndes county. From La Grange, in Troup county, Georgia, via Dickson's mills, Randolph court-house, to Talladega, in Talladega county, Alabama. From Haynesville, via Hickory grove, to the nearest point on the road from Montgomery to Palsalaggo, and from thence to the nearest point on the route from Monticello, in Pike county, to Gaines's store. From Vernon, in Troup county, Georgia, via Hurst's store, to Lafayette, in Chambers county, Alabama. From Jacksonville, Benton county, via White plains and Boiling springs, Randolph court-house, Lafayette and Cassitah, to Gerard, thence to Columbus, Georgia. From Talladega court-house to Lafayette, in Chambers county. From West Point, in Troup county, Georgia, via Cassitah and Tallassee, to Wetumpka, in Montgomery county, Alabama. From Tuskeega, in Macon county, via Tuckabatchee, to Tallassee, in Tallapoosa county. From Greensboro' to Candy's landing, on the Black Warrior river. From Washington, Autauga county, via Kingston, Independence, Hamilton, Oakridge, and Valley creek, to Marion, in Perry county. From Rockford, in Coosa county, via Chesnut creek, to Maplesville, in Bibb county. From Greenville, in Butler county, via Robb's store, to Sparta, thence to Pensacola, Florida. From Dale court-house to Valambrosa, in Florida. From Tallahassee, via Tuckabatchee, to Line creek post office. From Bellefonte, in Jackson county, via De Kalb court-house, and Cherokee court-house, to Jacksonville, Benton county. From Lafayette, in Chambers county, via Randolph court-house, crossing Talapoosa river at Sawyers' ferry, via White plains, Jacksonville, in Benton county, thence crossing Coosa river at Walker's ferry, by Double spring, by

Bennettsville, to Ashville, in Saint Clair county. From Greenville, in Butler county, via Fort Dale, to Hayneville, in Lowndes county. From Tuscaloosa to Fairfield. From Mount Meigs to Irwinton. From Pickensville, by Macon and Louisville, to Winston court-house, Mississippi. From Portland, by Athens, to Uniontown. From Manningham to Mount Willing. From New Market, by Madison Springs, to Hazle-green. From Rockford to Mardisville. From Columbus, Georgia, by Chambers court-house, Randolph court-house, and Benton court-house, to Huntsville. From Salina, by Cahawba, Pleasant Hill, and Bragg's store, to Greenville. From Jacksonville, in Benton county, Alabama, to Rome, in Georgia. From Cahawba, by Marion, to Centreville.

In Michigan.—From Marshall by way of Lyon lake and West Gerard, to Coldwater. From Elkhart, in Indiana, to Cassapolis, via Adamsville and Edwardsburg. From Niles to New Buffalo, via Hudson. From Battle creek to the county seat of Eaton county, via Verona and Bellevue. From Detroit to Lapeer, via Rochester. From Saline to Grass Lake, via Columbia Lake and Richfield. From St. Clair to Grand Blanc, via Romeo, Bristol, Lapeer, Farmers creek, and Davidson's mills. From Detroit to Fort Gratiot, on the United States road, via Mount Clemens. From Pontiac to Ionia, via White Lake to the county seat of Clinton. From Toledo to Adrian, by Blissfield and Palmyra. From Ypsilanti to Pontiac, via Plymouth. From Adrian to Ionia, via Jonesville and Marshall. From Manhattan to Adrian. From Marshall to Coldwater, via Tekonsha. From Detroit, in Wayne county, to Fort Gratiot, in Saint Clair county, on the United States military road. From Mount Clemens, in Macomb county, to Lapeer, in Lapeer county. From Plymouth, in Wayne county, to Dexter, in Washtenaw county, through Salem, Northfield, and Webster. From Monroe, in Monroe county, to Tecumseh, in Lenawee county, on the Laplaisance bay road. From Toledo, in Monroe county, to Adrian, in Lenawee, through Whiteford and Palmyra. From Maumee, in Ohio, to Jonesville, in Hillsdale county, through Whiteford, Canandagua, and Lanesville. From Saline, in Washtenaw county, to London, in Monroe county, through York. From Detroit, in Wayne county, to Utica, in Macomb county, on the territorial road. From Detroit, in Wayne county, to Kent, in Kent county, by Howell's. From Clinton, in Lenawee county, to Kent, in Kent county, by Napoleon and Jacksonburg. From Coldwater, in Branch county, to St. Joseph, in Berrien county, by Centreville and Cassopolis. From Kalamazoo, in Kalamazoo county, to Kalamazoo, in Allegan county, by Allegan. From Battle creek, in Calhoun county, to Kent, in Kent county, by Geloster. From Ann Arbor, in Washtenaw county, to Pontiac, in Oakland county, by Whitmore's Lake, Green Oak, Lyon and Wall Lake. From Battle creek, in Calhoun county, to Schoolcraft, in Kalamazoo county, by Climax prairie. From Bellevue, in Eaton county, to Middle village, in Barry county, by Hastings. From Fort Defiance, in Ohio, to Adrian, in Lenawee county, by Canandagua. From Michigan city, in Indiana, to Grand Haven, in Ottawa county, by New Buffalo, St. Joseph, Kalamazoo, in Allegan county, to Saugatuck, in Ottawa county. From Ionia, in Ionia county, to Saginaw, in Saginaw county, by the mouth of Maple river. From Schoolcraft, in Geloster, by Kalamazoo, in Kalamazoo county. From Saganaw, by Mackinac, to the Sault St. Marie. From Saganaw to the mouth of the river Saganaw. From Kalamazoo, in Kalamazoo county, to the mouth of North Black river. From Grand River Rapids to Grand Haven. From Kalamazoo to the mouth of the South Black river. From Northfield, by Hamburg, to Howell. From New Buffalo, Michigan, to Laporte, Indiana. From Adrian by Hillsdale, to Coldwater. From Marshall, via Johnson, Athens, and Durham, to White Pigeon. From Kalamazoo to Kent. From Ann Arbor to Ionia.

In Michigan.

In Florida. *In Florida.*—From Marianna to Daleville, Alabama. From Marianna to Saint Josephs. From Pensacola, by Florida Town, Pittman's ferry, to Campbelltown.

In Arkansas. *In Arkansas.*—From the mouth of Arkansas river, via mouth of White river, Helena, and mouth of Saint Francis, up the west bank of the Mississippi river, to Greenock, and the county seat of Mississippi county, to New Madrid, in Missouri. From Pine bluffs, by Cabean's, to Monroe, in Louisiana. From Columbia, Ecore a Fabre, to Washington, in Hempstead county. From Batesville, by Clinton, to Lewisburg, and from Clinton, by Glass's village, to Dardanelle, in Pope county. From the county seat, in Izard county, to Dardanelle, and from thence, by the county seat of Scott, to Zebulon, county seat of Pike, and thence to Washington, Hempstead county. From Washington to Miller court-house, and from thence on the south side of Red river, to Lafayette court-house. From Carrollton to Springfield, in Missouri.

In Missouri. *In Missouri.*—From Columbia, by Roacheport, Boonville, and Jonesboro, to Lexington. From Columbia, by Younger's mills, Paris, Richard Sharp's, to Palmyra. From Jefferson city, by Versailles, Benton court-house, Equality, Springfield, to Carroll court-house, in Arkansas. From Benton court-house, by the county seat of Rives and Allensville, to the county seat of Van Buren, and from thence by the county seat of Johnson to Saint Helena. From Jefferson city to Waynesville. From the county seat of Crawford, by Massey's iron works, to Union, in Franklin county. From Greenville to Castor, and thence by Johnson's, in the West prairie, to the Grand prairie, in Stoddard county. From Caledonia, in Washington county, by Van Buren, in Ripley county, to Jackson, in Arkansas Territory. From Jonesboro, by Arrowrock, to Fayette. From Saint Genevieve to Farmington. From the county seat of Morgan to the county seat of Pulaski. From Springfield to the county seat of Barry. From Keytesville to Compton's store, on Grand river. From Fulton, by James Harrison's, in the Grand prairie, to Paris. From Jefferson city to Columbia. From Columbia, by Rock mills, to Nashville, in Boon county. From Jefferson city, by Portland, to Loutre island. From Huntsville, by the county seat of Shelby and Cooper's settlement, to Monticello. From Fulton, by Portland, to Mount Sterling. From McMurtry's, in Callaway county, by Thomas Harrison's, in the Grand prairie, to Huntsville. From Johnson court-house, by Blackwater settlement, to Lexington. From Hannibal, by Florida, Paris, and Huntsville, to Fayette. From Louisiana to Atlas, Illinois. From Old mines, in Washington county, by the Rich woods and Virginia, to Union. From Benton to Commerce. From Bowling Green, by Bandurant's and Cove spring to Florida. From Bolivia, by the cross roads, to Fredericktown. From Monticello, in Lewis county, westwardly, to Sandy Hill. From Richmond to Compton's store, on Grand river. From Liberty to Plattsburg. From Helena to Benton court-house. From Columbus, Kentucky, by Benton, Jackson, Fredericktown, Farmington, Caledonia, seats of justice of Crawford, Pulaski, and Pettis counties to Blackwater, and thence to Independence. From Boonville, by seat of justice of Pettis county, to the seat of justice in Johnson county. From Springfield to Pulaski court-house, Crawford court-house, Massie's iron works, to Union. From Jefferson city, by Mt. Sterling, to Crawford court-house. From Castor to Greenville. From Castor, by Grand Prairie, in Stoddard county.

an Wisconsin. *In Wisconsin.*—From Macomb, county of McDonough, Illinois, by Burlington, to Mount Pleasant, Desmoines county. From Racine, on Root river, by the outlet of Lake Koskenong and Mineral point, to Cassville. From Richlandtown to Burlington, thence to Monmouth, Illinois. From Milwaukee to the outlet of Lake Koskenong. From Galena, via Sinsinawa mound, Sinsinawa post office, Gibraltar, Van Buren, Cass-

ville, and Prairie du Chien, to Fort Snelling. From Bellevue to Galena, Illinois. From Mineral point, by way of T. J. Parish's, to the English prairie. From Galena, Illinois, by way of White Oak springs, Gratiot's Grove, and Wioata, McNutt's Diggings and Wisconsin city, to intersect the Root river and Cassville route. From Coldwater, in Branch county, to Michigan city, in the State of Indiana, via Centreville, Constantine, Mottville, Bristol, Elkhart, Mishawaulkie, South Bend, and Laporte. From Jacksonburg to White Pigeon, via Spring Arbor, Concord, Homer, Tekonsha, Goodwinville, Durham, Nottawa and Centreville. From Warsaw, Illinois, by Keokuck, Fort Desmoines, Fort Madison, Gibson's ferry, Burlington, Iowa, Clark's ferry, Davenport, Parkhurst, Bellevue Du Buque, Peru, Durango, Weyman's, Cassville, and Prairie du Chien, to Fort Snelling. From Du Buque, by Sinsinawa, and Blast Furnace, to Elkgrove. From Mineral point, by Dodgville and Helena, to Arena. From Galena, by Vinegarhill, Elkgrove, and Bellemont, to Mineral point. From Fort Winnebago, by Fond du Lac, Calumet village, to Grand Kalkalin. From Chicago, by Pike river, Racine, Milwaukee, Chebawgan, Pigeon, Manlitowack, to Green bay. From Wisconsin to the city of the Four Lakes. From the city of the Four Lakes, by Fond du Lac, and the city of Winnebago, at the northeast end of Lake Winnebago, to a point of intersection with the route from Prairie du Chien, to Green bay. From Fond du Lac, at the south end of Lake Winnebago, to Milwaukee. From Milwaukee, by the city of the Four Lakes, to the Blue mound, there to intersect the route from Green bay to Prairie du Chien.

Post routes discontinued. Maine. Ohio.

South Carolina.

In Maine.—From Camden to Vinal Haven.

In Ohio.—From Waupakonetta to Sugar Grove. From Piqua to Waupakonetta.

In South Carolina.—From Mount Hill to Varennes. From Stauntonville, by Golden Grove, to Greenville court-house.

APPROVED, July 2, 1836.

CHAP. CCXC.—*An Act to extend the privilege of franking letters and packages to Dolly P. Madison.*

STATUTE I.
July 2, 1836.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all letters and packages to and from Dolly P. Madison, relict of the late James Madison, shall be received and conveyed by post, free of postage, for and during her life.

Act of March 3, 1845, ch. 43.

APPROVED, July 2, 1836.

CHAP. CCCLII.—*An Act to reorganize the General Land Office.*(a)

STATUTE I.
July 4, 1836.

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, the executive duties now prescribed, or which may hereafter be prescribed by law, appertaining to the surveying and sale

Duties relating to public lands under supervision of the commissioner.

(a) Decisions of the courts of the United States upon land titles from the United States, and titles to the public lands:

Under the act of Congress of March 3, 1803, entitled "An act regulating the grants of land, and providing for the sale of the lands of the United States, south of the State of Tennessee," such lands only were authorized to be sold as had not been appropriated by the previous sections of the law, and certificates granted by the commissioners in pursuance thereof. A right, therefore, to a particular tract of land, derived from a donation certificate given under that law, is superior to the title of any one who purchased the same land at the public sales, unless there is some fatal infirmity in the certificate, which renders it void. *Ross v. Barland et al.* 1 Peters, 666.

An act of Congress requires no precise form for the donation certificate. It is sufficient if the proofs be exhibited to the court of commissioners, to satisfy them of the facts entitling the party to the certificate. It is sufficient if the consideration, to wit, the occupancy, and the quantity granted, appears. Nothing more is necessary to certify to the government the party's right, or to enable him, after it is surveyed by the proper officer, to obtain a patent. *Ibid.*

of the public lands of the United States, or in anywise respecting such public lands, and, also, such as relate to private claims of land, and the issuing of patents for all grants of land under the authority of the Government of the United States, shall be subject to the supervision and control of the Commissioner of the General Land Office, under the direction of the President of the United States.

The second section of the act of Congress of March 3, 1803, was intended to confer a bounty on a numerous class of individuals, and in construing the ambiguous words of the section, it is the duty of the court to adopt that construction which will best effect the liberal intentions of the Legislature. *Ibid.* 667.

The time when the territory over which this law operated was evacuated by the Spanish troops; was very important, as the law was intended to provide for those who were actually at that time inhabitants of, and cultivated the soil within it; but whether it was in 1797 or 1798, was comparatively unimportant. The decision of the commissioners upon the period when the evacuation took place, is sufficient; and the court are disposed to adopt the construction of the act given by the commissioners west of Pearl river; that the evacuation took place on the 30th March 1798, by which persons coming within the objects of the section were entitled to donation certificates. *Ibid.* 667.

Congress have treated as erroneous the construction given to the law by the commissioners to settle claims to lands east of Pearl river, who have decided that only those who were settled on the lands within the territory in the year 1797 were entitled to donation certificates, and who had granted to others pre-emption certificates. *Ibid.* 668.

The commissioners appointed under the act of Congress relative to claims to lands of the United States south of the State of Tennessee, were authorized to hear evidence as to the time of the actual evacuation of the territory by the Spanish troops, and to decide upon the fact. The law gave them power to hear and decide all matters respecting such claims, and to determine thereon, according to justice and equity; and declared their deliberations shall be final. The court are bound to presume that every fact necessary to warrant the certificate, in the terms of it, was proved before the commissioners; and that, consequently, it was shown to them that the final evacuation of the territory by the Spanish troops took place on the 30th of March 1798. *Ibid.*

By the treaty of St. Ildefonso, made on the 1st of October 1800, Spain ceded Louisiana to France; and France, by the treaty of Paris, signed the 30th of April 1803, ceded it to the United States. Under this treaty, the United States claimed the countries between the Iberville and the Perdido. Spain contended that her cession to France comprehended only that territory which at the time of the cession was denominated Louisiana, consisting of the island of New Orleans, and the country which had been originally ceded to her by France, west of the Mississippi. The land claimed by the plaintiffs in error, under a grant from the crown of Spain, made after the treaty of St. Ildefonso, lies within the disputed territory; and this case presents the question, to whom did the country between the Iberville and Perdido belong after the treaty of St. Ildefonso? Had France and Spain agreed upon the boundaries of the retroceded territory before Louisiana was acquired by the United States, that agreement would undoubtedly have ascertained its limits. But the declarations of France, made after parting with the province, cannot be admitted as conclusive. In questions of this character, political considerations have too much influence over the conduct of nations, to permit their declarations to decide the course of an independent government, in a matter vitally interesting to itself. Foster et al. v. Neilson, 2 Peters, 306.

If a Spanish grantee had obtained possession of the land in dispute so as to be the defendant, would a court of the United States maintain his title under a Spanish grant, made subsequent to the acquisition of Louisiana, singly on the principle that the Spanish construction of the treaty of St. Ildefonso was right, and the American construction wrong? Such a decision would subvert those principles which govern the relations between the legislative and judicial departments, and mark the limits of each. *Ibid.* 309.

The sound construction of the eighth article of the treaty between the United States and Spain, of the 22d of February 1829, will not enable the court to apply its provisions to the case of the plaintiff. *Ibid.* 314.

The article does not declare that all the grants made by his catholic majesty before the 24th of January, 1818, shall be valid to the same extent as if the ceded territories had remained under his dominion. It does not say that those grants are hereby confirmed. Had such been its language, it would have acted directly on the subject, and it would have repealed those acts of Congress which were repugnant to it; but its language is, that those grants shall be ratified and confirmed to the persons in possession, &c. By whom shall they be ratified and confirmed? This seems to be the language of contract; and, if it is, the ratification and confirmation which are promised must be the act of the Legislature. Until such act shall be passed, the court is not at liberty to disregard the existing laws on the subject. *Ibid.*

A title to lands, under grants made by Indian tribes or nations, north-west of the river Ohio, to private individuals, in the years 1773 and 1775, cannot be sustained in the courts of the United States. Lessee of Johnson et al. v. McIntosh, 8 Wheat. 543; 5 Cond. Rep. 515.

The title to lands depends entirely upon the law of the nation in which they lie. *Ibid.*

Discovery constitutes the original foundation of title to lands on the American continent, as between the different European nations; the title thus derived, was the exclusive right of acquiring the soil from the natives, and establishing settlements upon it; the title was to be consummated by possession. *Ibid.*

The rights of the original inhabitants were, to a considerable extent, impaired, but in no instance entirely disregarded. The Europeans respected the right of the natives as occupants, but asserted the ultimate dominion to be in themselves; and claimed and exercised, as a consequence of this ultimate dominion, a power to grant the soil while yet in the possession of the natives. *Ibid.*

By the treaty between Great Britain and the United States, which concluded our revolution, the powers of government and the right to soil which had previously been in Great Britain, passed definitively to these States. *Ibid.*

The United States, or the several States, have a clear title to all the lands within the boundary lines described in the treaty, subject only to the Indian right of occupancy; and the exclusive power to extinguish that right was vested in that government which might constitutionally exercise it. *Ibid.*

It is a principle of universal law, that, if an uninhabited country be discovered by a number of indivi-

SEC. 2. *And be it further enacted,* That there shall be appointed in said office, by the President, by and with the advice and consent of the Senate, two subordinate officers, one of whom shall be called Principal Clerk of the Public Lands, and the other Principal Clerk of Private Land Claims, who shall perform such duties as may be assigned to them by the Commissioner of the General Land Office; and in case

A principal clerk of public lands, and one on private land claims, to be appointed.

duals, who acknowledge no connection with, and owe no allegiance to any government whatever, the country becomes the property of the discoverers in common, so far as they can use it. *Ibid.*

If the discovery be made and possession taken under the authority of an existing government, which is acknowledged by the emigrants, the discovery is made for the whole nation; the country becomes a part of the nation; and the vacant soil is to be disposed of by that organ of the government which has the constitutional power to dispose of the national domains. *Ibid.*

According to the theory of the British constitution, all vacant lands are vested in the crown as representing the nation; and the exclusive power to grant them is admitted to reside in the crown as a branch of the royal prerogative. *Ibid.*

Congress, in order to guard against imposition, declared by the law of 1804 that all grants of land made by the Spanish authorities in the territory west of the Perdido, after the treaty of St. Ildefonso, should be null and void, excepting those to actual settlers, acquired before December 20, 1803. *Garcia v. Lee, 12 Peters, 511.*

The controversy relative to the country lying between the Mississippi and the Perdido rivers, and the validity of the grants made by Spain in the disputed territory after the cession of Louisiana to the United States, were carefully examined in the case of *Foster & Elam v. Neilson*. The Supreme Court in that case decided that the question of boundary between the United States and Spain was a question for the political departments of the government: that the legislative and executive branches having decided the question, the courts of the United States are bound to regard the boundary determined by them as the true one; that grants made by the Spanish authorities of lands, which, according to this boundary line, belonged to the United States, gave no title to the grantees in opposition to those claiming under the United States, unless the Spanish grants were protected by the subsequent arrangements made between the two governments; and that no such arrangements were to be found in the treaty of 1819, by which Spain ceded the Floridas to the United States, according to the fair import of its words, and its true construction. *Ibid.*

In the case of *Foster & Elam v. Neilson*, the Supreme Court said that the Florida treaty of 1819 declares that all grants made before the 24th of January 1818, by the Spanish authorities, "shall be ratified and confirmed to the persons in possession of the lands, to the same extent that the same grants would be valid, if the territories had remained under the dominion of his catholic majesty:" and in deciding the case of *Foster & Elam*, the court held, that even if this stipulation applied to lands in the territory in question, yet the words used did not import a present confirmation by virtue of the treaty itself, but that they were words of contract: "that the ratification and confirmation which were promised must be the act of the Legislature; and until such shall be passed, the court is not entitled to disregard the existing laws on the subject." Afterwards, in the case of the *United States v. Percheman, 7 Peters, 86*, in reviewing the words of the eighth article of the treaty, the court, for the reasons there assigned, came to a different conclusion, and held that the words were words of present confirmation, by the treaty, where the land had been rightfully granted before the cession, and that it did not need the aid of an act of Congress to ratify and confirm the grant. This language was, however, applied by the court, and was intended to apply, to grants made in a territory which belonged to Spain at the time of the grant. The case then before the court was one of that description. It was in relation to a grant of land in Florida, which unquestionably belonged to Spain at the time the grant was made, and where the Spanish authorities had an undoubted right to grant, until the treaty of cession in 1819. It is of such grants that the court speak, when they declare them to be confirmed and protected by the true construction of the treaty, and that they do not need the aid of an act of Congress to ratify and confirm the title of the purchaser. The court do not apply this principle to grants made within the territory of Louisiana. The case of *Foster & Elam v. Neilson* must, in all other respects, be considered as affirmed by the case of *Percheman*; as it underwent a careful examination in that case, and as none of its principles were questioned except that referred to. *Ibid.*

The power over the public lands is vested in Congress by the constitution without limitation, and has been considered as the foundation on which the territorial government rests. *The United States v. Gratiot et al., 14 Peters, 529.*

The words "dispose of" the public lands, used in the constitution of the United States, cannot, under the decisions of the Supreme Court, receive any other construction than that Congress has the power in its discretion to authorize the keeping of the lead-mines on the public lands in the territories of the United States. There can be no apprehensions of encroaching on State rights by the creation of a numerous tenantry within the borders of a State, from such reasons. *Ibid.*

The authority as given to the President of the United States to lease the lead-mines, is limited to a term not exceeding five years. This limitation, however, is not to be construed to be a prohibition to renew the leases from time to time, if he thinks proper so to do. The authority is limited to a short period, so as not to interfere with the power of Congress to make other dispositions of the mines, should they think the same necessary. *Ibid.*

The law of 1807, authorizing the leasing of the lead-mines, was passed before Illinois was organized as a State. She cannot now complain of any disposition or regulation of the lead-mines previously made by Congress. She, secondly, cannot claim a right to the public lands within her limits. *Ibid.*

Under the acts of 1805, chap. 26, 1806, chap. 39, 1807, chap. 36, it was necessary to file the evidence of an incomplete claim under French or Spanish authority, which bore date anterior to the 1st of October 1800, as well as those which were dated subsequent to that day; and in cases of neglect, the bar provided in the act applied to both classes. *Ibid.*

A title resting on a permit to settle and warrant of survey, dated before the 1st of October 1800, without settlement or survey of any kind having been made, was an incomplete title within that act. *Ibid.*

of vacancy in the office of the Commissioner of the General Land Office, or of the absence or sickness of the Commissioner, the duties of said office shall devolve upon and be performed, ad interim, by the Principal Clerk of the public lands.

SEC. 3. *And be it further enacted,* That there shall be appointed by the President, by and with the advice and consent of the Senate, an

In making an entry of land, where mistakes occur which are occasioned by the impracticability of ascertaining the relative positions of the objects called for, the court will correct those mistakes, so as to carry out the intentions of the locator. *Croghan's lessee v. Nelson*, 3 Howard, 187.

There is no principle of the common law which forbids individuals from associating together to purchase lands from the United States, on joint account, at public sale. *Olnor v. Pratt*, 3 Howard, 333.

Where the purchaser of land from the United States has paid for it, and received a final certificate, it is taxable property, according to the statute of Michigan, although a patent has not been issued. *Carroll v. Safford*, 3 Howard, 441.

Taxation upon lands so held is not a violation of the ordinance of 1787, as "an interference with the primary disposition of the soil by Congress;" nor is it a tax on the lands of the United States. The State of Michigan could rightfully impose the tax. *Ibid.*

It was competent to the State to assess and tax lands at their full value, as the absolute property of the holder of the final certificate; and, in default of payment, to sell them as if he owned them in fee. *Ibid.*

The act of 26th May 1830, chap. 106, providing for the final settlement of land claims in Florida, must be construed to contain the same limitation of time, within which claims are to be presented, as that provided by the act of May 23, 1828, chap. 70. *The United States v. Marvin*, 3 Howard, 620.

Under the act of Congress providing for the subdivision of the public lands, and the instructions of the Secretary of the Treasury, made under the act of 24th April 1820, chap. 49, entitled, An act making further provision for the sale of the public lands, it is the duty of the Surveyor General to leave out a fractional section in such a manner as that an entire quarter section may be had, if the fraction will admit of it. *Brown's Lessee v. Clements*, 3 Howard, 650.

The Surveyor General has no right to divide a fractional section by arbitrary lines, so as to prevent an entire quarter section from being taken up. *Ibid.*

The treaty by which Louisiana was ceded to the United States, recognised complete grants, issued anterior to the cession; and the decision of a State court against the validity of a grant set up under such a title, would be subject to reversal by the Supreme Court, under the 25th section of the Judiciary Act. *M'Donogh v. Millaudon*, 3 Howard, 693.

But if the State court only applies the laws of the State to the construction of the grant, it is not a decision against the validity of the grant, and the Supreme Court has no jurisdiction. *Ibid.*

Congress, in asking a complete grant, recognised them as they stood; and the act of May 11, 1820, chap. 87, confirming such as were recommended for confirmation by the register and receiver, had no reference to any particular surveys. A decision of a State court, therefore, which may be in opposition to one of these surveys, is not against the validity of a title existing under an act of Congress; and the Supreme Court has no jurisdiction. *Ibid.*

By the treaty of 1795 between the United States and Spain, by which Spain admitted that she had no title to land north of the 31st degree of north latitude, her previous grants of land so situated were of course void. The country thus belonging to Georgia was ceded to the United States in 1802, with a reservation that all persons who were actual settlers on the 27th October 1795, should have their grants confirmed. Congress provided a board of commissioners to examine these grants, and declared that their decision should be final. The Court of Chancery of Mississippi had no right to establish one of these grants which had not been brought within the provisions of the act of Congress. The claim itself being utterly void, and no power having been conferred by Congress on that court to take or exercise jurisdiction over it, for the purpose of imparting to it legality, the exercise of jurisdiction was a mere usurpation of judicial power, and the whole proceeding of the court void. *Lessor of Hickey, v. Stewart*, 3 Howard, 750.

The Supreme Court has repeatedly declared, and in cases too where the instrument contained clear words of grant, that if the description was vague and indefinite, and there was no official survey to give a certain location, it could give no right of private property in any particular parcel of land, which could be maintained in a court of justice. *The United States v. King et al.* 3 Howard, 773.

An equitable title is no defence in a suit at law brought by the United States. An imperfect title, derived from Spain before the cession, cannot be supported against a party claiming under a grant from the United States. *Ibid.*

The act of Congress of 29th April 1816, chap. 159, confirming the grant to a league square, restricted it to that quantity, and cannot be construed as confirming the residue. *Ibid.*

The act of Congress, entitled "An act to create additional land districts in the States of Illinois and Missouri, and the territories north of the State of Illinois," approved June 26, 1834, chap. 76, does not require the President of the United States to cause to be offered for sale the public lands containing lead-mines, situated in the land districts created by the said act. *United States v. Gear*, 3 Howard, 120.

The lands containing lead-mines in the Indiana territory, or in that part of it made into a new land district by the act of 26th June 1834, chap. 76, are not subject, under any of the pre-emption laws which have been passed by Congress, to pre-emption by settlers upon the public lands. *Ibid.*

Digging lead-ore from the lead-mines upon the public lands of the United States, is such a waste as entitles the United States to a writ of injunction to restrain it. *Ibid.*

The United States now hold the public lands in the new States by force of the deeds of cession, and the statutes connected with them, and not by any municipal sovereignty which it may be supposed they possess or have received, by compact with the new States for that purpose. *Pollard's Lessee v. Hagan*, 3 Howard, 212.

The shores of navigable rivers, and the soil under them, were not granted to the United States, but were reserved to the States respectively; and the new States have the same rights, sovereignty and jurisdiction over this subject, as the original States. *Ibid.*

officer to be styled the Principal Clerk of the Surveys, whose duty it shall be to direct and superintend the making of surveys, the returns thereof, and all matters relating thereto, which are done through the officers of the Surveyor General; and he shall perform such other duties as may be assigned to him by the Commissioner of the General Land Office.

A principal clerk of the surveys.

SEC. 4. *And be it further enacted*, That there shall be appointed by the President, by and with consent of the Senate, a Recorder of the General Land Office, whose duty it shall be, in pursuance of instructions from the Commissioner, to certify and affix the seal of the General Land Office to all patents for public lands, and he shall attend to the correct engrossing, and recording, and transmission of such patents. He shall prepare alphabetical indexes of the names of patentees, and of persons entitled to patents; and he shall prepare such copies and exemplifications of matters on file, or recorded in the General Land Office, as the Commissioner may from time to time direct.

A recorder of the general land office.

SEC. 5. *And be it further enacted*, That there shall be appointed by the President, by and with the advice and consent of the Senate, an officer to be called the Solicitor of the General Land Office, with an annual salary of two thousand dollars, whose duty it shall be to examine and present a report to the Commissioner of the state of facts in all cases referred by the Commissioner to his attention which shall involve questions of law, or where the facts are in controversy between the agents of the Government and individuals, or there are conflicting claims of parties before the Department, with his opinion thereon; and also, to advise the Commissioner, when required thereto, on all questions growing out of the management of the public lands, or the title thereto, private land claims, Virginia military scrip, bounty lands, and pre-emption claims; and to render such further professional services in the business of the Department as may be required, and shall be connected with the discharge of the duties thereof.

A solicitor of the general land office.

1844, ch. 45.

SEC. 6. *And be it further enacted*, 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 fifteen 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 land sold or granted under the authority of the United States.

A secretary to sign patents for lands.

1848, ch. 4.

SEC. 7. *And be it further enacted*, That it shall be the duty of the Commissioner to cause to be prepared, and to certify, under the seal of the General Land Office, such copies of records, books, and papers on file in his office, as may be applied for, to be used in evidence in courts of justice.

Certified copies of records, &c.

1843. ch. 95.

SEC. 8. *And be it further enacted*, That whenever the office of Recorder shall become vacant, or in case of the sickness or absence of the Recorder, the duties of his office shall be performed, ad interim, by the Principal Clerk on Private Land Claims.

Duties of recorder may devolve on principal clerk on private land claims.

SEC. 9. *And be it further enacted*, That the Receivers of the land offices shall make to the Secretary of the Treasury monthly returns of the moneys received in their several offices, and pay over such money pursuant to his instructions. And they shall also make to the Commissioner of the General Land Office like monthly returns, and transmit to him quarterly accounts current of the debits and credits of their several offices with the United States.

Receivers to make monthly returns.

SEC. 10. *And be it further enacted*, That the Commissioner of the General Land Office shall be entitled to receive an annual salary of three thousand dollars; the recorder of the General Land Office, an annual salary of fifteen hundred dollars; the principal clerk of the surveys, an annual salary of eighteen hundred dollars; and each of the said principal clerks an annual salary of eighteen hundred dollars; from

Salary of commissioner and others.

and after the date of their respective commissions; and that the said commissioner be authorized to employ, for the service of the General Land Office, one clerk, whose annual salary shall not exceed fifteen hundred dollars; four clerks, whose annual salary shall not exceed fourteen hundred dollars each; sixteen clerks, whose annual salary shall not exceed thirteen hundred dollars each; twenty clerks, whose annual salary shall not exceed twelve hundred dollars each; five clerks, whose annual salary shall not exceed eleven hundred dollars each; thirty-five clerks, whose annual salary shall not exceed one thousand dollars each; one principal draughtsman, whose annual salary shall not exceed fifteen hundred dollars; one assistant draughtsman, whose annual salary shall not exceed twelve hundred dollars; two messengers, whose annual salary shall not exceed seven hundred dollars each; three assistant messengers, whose annual salary shall not exceed three hundred and fifty dollars each; and two packers, to make up packages of patents, blank forms, and other things necessary to be transmitted to the district land offices, at a salary of four hundred and fifty dollars each.

Provisions of acts inconsistent with this repealed.

1812, ch. 68.

The General Land Office and other offices to be open during certain hours.

SEC. 11. *And be it further enacted*, That such provisions of the act of the twenty-fifth of April, in the year one thousand eight hundred and twelve, entitled "An act for the establishment of a General Land Office in the Department of the Treasury," and of all acts amendatory thereof, as are inconsistent with the provisions of this act, be, and the same are hereby, repealed.

SEC. 12. *And be it further enacted*, That from the first day of the month of October, until the first day of the month of April, in each and every year, the General Land Office and all the bureaus and offices therein, as well as all those in the Departments of the Treasury, War, Navy, State, and General Post Office, shall be open for the transaction of the public business at least eight hours in each and every day, except Sundays and the twenty-fifth day of December; and from the first day of April, until the first day of October, in each year, all the aforesaid offices and bureaus shall be kept open for the transaction of the public business at least ten hours in each and every day, except Sundays and the fourth day of July.

Penalty of Register for false information given by him.

SEC. 13. *And be it further enacted*, That if any person shall apply to any register of any land office to enter any land whatever, and the said register shall knowingly and falsely inform the person so applying that the same has already been entered, and refuse to permit the person so applying to enter the same, such register shall be liable therefor to the person so applying, for five dollars for each acre of land which the person so applying offered to enter, to be recovered by action of debt in any court of record having jurisdiction of the amount.

Officers of the land office prohibited from purchasing, &c. public lands.

SEC. 14. *And be it further enacted*, That all and every of the officers whose salaries are hereinbefore provided for, are hereby prohibited from directly or indirectly purchasing, or in any way becoming interested in the purchase of any of the public land; and in case of a violation of this section by such officer, and on proof thereof being made to the President of the United States, such officer, so offending, shall be forthwith removed from office.

APPROVED, July 4, 1836.

STATUTE I.

July 4, 1836.

[Obsolete.]

1836, ch. 7.

CHAP. CCCLIII.—*An Act in addition to the act entitled "An act making appropriations, in part, for the support of Government, for the year eighteen hundred and thirty-six, and for other purposes."*

Appropriations for members of the Senate and House of Rep-

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 compen-

sation granted by law to the members of the Senate and House of Representatives, in addition to the appropriation heretofore made for that object, seventy-two thousand two hundred and sixteen dollars; for compensation of the Senators and Representatives elected by Michigan, seven thousand seven hundred and seventy-six dollars; for the contingent expenses of Senate, twelve thousand dollars; for allowance for wastage in gold and silver coinage at the mint: for labour and for alloy, in addition to the former appropriation, thirty-three thousand dollars; for extra clerk hire in the General Land Office, for the year eighteen hundred and thirty-six, fourteen thousand six hundred and sixty-six dollars and sixty-four cents; for messengers in the offices of the Chief Engineer, Adjutant General, the commanding General, Surgeon General and Inspector General, and in the Clothing Bureau, Topographical, Ordnance, and Subsistence Departments, two thousand five hundred and sixty-eight dollars; for the assistant messenger in the First Comptroller's Office, in addition to a former appropriation, fifty dollars; for compensation to the surveyor in Alabama, in addition to a former appropriation, five hundred dollars; for compensation to the clerks in the office of the Secretary of the Navy, and in the Navy Commissioner's Office, in addition to the sums already appropriated for the present year, nineteen hundred dollars.

representatives, and for various other purposes.

SEC. 2. *And be it further enacted*, That so much of the act of the ninth of May, eighteen hundred and thirty-six, "providing for the salaries of certain officers therein named, and for other purposes," as provides for the employment of an additional clerk in the office of the Navy commissioners, and for his compensation for the year eighteen hundred and thirty-six, be, and the same is hereby, repealed.

Provision of act of May 9, 1836, ch. 60, relating to a clerk in Naval Commissioners' office, repealed.

SEC. 3. *And be it further enacted*, That the third section of the act making appropriations for the civil and diplomatic expenses of the Government, for the year one thousand eight hundred and thirty-five, is hereby repealed; and that the Secretary of the Treasury be, and he is hereby, authorized to pay to the collectors, deputy collectors, naval officers, surveyors, and their respective clerks, together with the weighers, gaugers, measurers, and markers, 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-six, according to the importations of that year, as they would have been entitled to receive, if the act of the fourteenth of July, one thousand eight hundred and thirty-two, had not gone into effect: *Provided*, That no officer shall receive, under this act, a greater annual salary or compensation than was paid to such officer for the year one thousand eight hundred and thirty-two; and that, in no case shall the compensation of any other officers than collectors, naval officers, surveyors, and clerks, whether by salaries, fees, or otherwise, exceed the sum of fifteen hundred dollars each per annum; nor shall the union of any two or more of those offices in one person, entitle him to receive more than that sum per annum: *Provided, further*, That the said collectors, naval officers, and surveyors, shall render an account quarterly to the Treasury, and the other officers herein named, or referred to, shall render an account quarterly to the respective collectors of the customs where they are employed, to be forwarded to the Treasury, of all the fees and emoluments whatever by them respectively received; and of all expenses incidental to their respective offices; which accounts shall be rendered on oath or affirmation, and shall be in such form, and be supported by such proofs, to be prescribed by the Secretary of the Treasury, as will, in his judgment, best enforce the provisions of this section, and show its operation and effect: *Provided, also*, That any salary or compensation due for the year one thousand eight hundred and thirty-

Third section of act making certain appropriations for 1835 repealed, and Secretary of Treasury authorized to pay collectors, &c. Act of March 3, 1835, ch. 30.

1832, ch. 227. Proviso.

Proviso.

Proviso.

Proviso.

five, shall not be affected by this section: *Provided, however,* That in the event of any act being passed by Congress at the present session to regulate and fix the salaries or compensation of the respective officers of the customs, then this section shall operate and extend to the time such act goes into effect, and no longer.

Appropriations
for consulates
in Turkey, and
for other pur-
poses.

SEC. 4. *And be it further enacted,* That the following sums are hereby appropriated to be paid out of any money in the Treasury not otherwise appropriated, for interpreters, guards, and other expenses incidental to the consulates in the Turkish dominions, five thousand five hundred dollars. For refunding the duty paid upon the Belgian vessel *Antonius* and her cargo beyond the amount which would have been paid by a Dutch vessel, fourteen hundred and twenty-six dollars and seven cents. For compensation to the clerks in the office of the Commissioner of Indian Affairs, in addition to a former appropriation, fifty dollars. For an outfit of a Charge d'Affaires to Russia, four thousand five hundred dollars. For compensation to the third Assistant Postmaster General, one thousand two hundred and fifty dollars. For compensation to the clerks, messengers and watchmen in the Post Office Department, as provided by the act to change the organization of the said Department, in addition to the sum heretofore appropriated for compensation to the clerks and messengers in the office of the Postmaster General, four thousand and fifty dollars. For compensation to the Auditor for the Post Office Department, one thousand five hundred dollars; for compensation to the clerks and messengers in the office of the Auditor for the Post Office Department, as provided by the act to change the organization of said Department, twenty-seven thousand seven hundred and fifty dollars. For contingencies in the office of the Auditor for the Post Office Department, fifteen hundred dollars. For alterations and repairs of the Capitol, including repairs of the roof over the principal stairway to the Representatives' hall, and coppering the projecting steps and top surface of the cornice round the base of the dome of the rotunda, six thousand three hundred and eighteen dollars and seventy-five cents. For lighting lamps, and keeping the grounds and walks of the Capitol square in order, including the cost of trees and shrubs, four thousand five hundred dollars. For the gardener employed in superintending the Capitol square and other public grounds, one thousand dollars. For alterations and repairs of the President's house, for the gardener's salary, and for keeping the grounds and walks in order, including the cost of trees and shrubs, three thousand four hundred and sixty dollars. For the annual expenses of two fire engines, two hundred dollars. For gravelling the yard east of the Capitol, two thousand dollars. For repairing culverts, two hundred and thirty-one dollars. For purchase of Smith's spring, including one acre of land, and for enclosing the same, for building culverts and keeping the water-pipes in order, five thousand three hundred dollars. For attendants on the furnaces of the rotunda during the recess, one hundred and fifty dollars. For replanting trees and keeping boxes in order on the Pennsylvania Avenue, purchase of trees and planting in Fountain square, Lafayette square, and across the public reservation at Seventh street, one thousand two hundred dollars. For a workshop, one thousand two hundred dollars. For conveying the surplus water of the Capitol to the Botanic garden, making a basin, and purchasing a fountain of Hiram Powers, five thousand dollars.

For enclosing the garden and grounds of the Magazine and Marine Hospital, near the Eastern Branch, five hundred dollars. For a dwarf wall and fence between the executive buildings and the President's house, one thousand one hundred and sixty-five dollars and fifty cents. For extending the Capitol square, and improving the grounds within and adjacent to the same, as far west as the first street intersecting the Pennsylvania Avenue from the east, the sum of twenty-five thousand

dollars, to be paid out of any money in the Treasury not otherwise appropriated. For enlarging the folding-room of the House, three hundred and fifty dollars.

SEC. 5. *And be it further enacted*, [That] the President of the United States be, and he hereby is authorized to cause to be erected on or near the site of the former treasury building, or on any other public lot which he may select, a fire-proof building of such dimensions as may be required for the present and future accommodations of the Treasury Department, upon such plan and of such materials as he may deem most advantageous; and that for this purpose there be appropriated out of any money in the Treasury not otherwise appropriated, the sum of one hundred thousand dollars.

For a treasury building.

SEC. 6. *And be it further enacted*, That the material of which the walls of the Capitol and President's Mansion are constructed, shall be adopted for the construction of the aforesaid building: *Provided*, upon full inquiry, a cheaper and more suitable material cannot be obtained. *And provided always*, That the foundation walls of the said buildings below the surface of the earth and two feet above shall be of the hardest and most solid rock.

Material for the walls.

Proviso.

Proviso.

SEC. 7. *And be it further enacted*, That there be erected, on some appropriate site, under the direction of the President of the United States, a fire-proof building with suitable accommodations for the Patent Office, and to be provided with the necessary cases and furniture; the expense of which shall not exceed one hundred and eight thousand dollars.

Building, &c. for patent office.

SEC. 8. *And be it further enacted*, That there be and hereby is appropriated for defraying the expense of such building and cases, the sum of one hundred and eight thousand dollars, to be paid out of the patent fund in the Treasury not otherwise appropriated.

Appropriation therefor.

SEC. 9. *And be it further enacted*, That the same kind of material of which the walls of the Capitol and the Mansion of the President are constructed shall be adopted for the construction of the aforesaid building: *Provided* a cheaper and more suitable material cannot be procured.

Material for the walls.

Proviso.

SEC. 10. *And be it further enacted*, That the duties and powers of the commissioners of the sinking fund are hereby suspended until revived by law, and that the records of the commissioners be transferred to the custody of the Secretary of the Treasury, who is hereby authorized and directed to pay out of any money in the Treasury not otherwise appropriated any outstanding debts of the United States and the interest thereon.

Duties and powers of the commissioners of the sinking fund transferred to the Secretary of the Treasury.

SEC. 11. *And be it further enacted*, That for the purchase of eight acres of land with the improvements thereon near the Barracks at Key West, if in the opinion of the Secretary of War the public service and health of the troops require it, a sum not exceeding six thousand dollars is hereby appropriated.

For purchase of land, &c. at Key West.

SEC. 12. *And be it further enacted*, That so much of the third section of the act entitled "An act making appropriations for the civil and diplomatic expenses of Government for the year eighteen hundred and thirty-five," as provides that "the whole number of custom-house officers in the United States on the first of January, eighteen hundred and thirty-four, shall not be increased until otherwise allowed by Congress," be and the same is hereby suspended until the fourth day of March next.

Provisions of an act relating to the number of custom-house officers, suspended. March 3, 1835, ch. 30.

1836, ch. 48.

STATUTE I.

July 4, 1836.

[Obsolete.]

Act of June 23, 1836, ch. 115.

APPROVED, July 4, 1836.

CHAP. CCCLIV.—*An Act supplementary to an act entitled "An act to regulate the deposits of the public money," passed twenty-third [of] June eighteen hundred and thirty-six.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing in the act to

Secretary of the Treasury may make transfers from banks in one State or Territory to those in another.

which this is a supplement, shall be so construed as to prevent the Secretary of the Treasury from making transfers from banks in one State or Territory, to banks in another State or Territory, whenever such transfers may be required, in order to prevent large and inconvenient accumulations in particular places, or in order to produce a due equality, and just proportion, according to the provisions of said act.

APPROVED, July 4, 1836.

STATUTE I.

July 4, 1836.

1845, ch. 25.
A sum equivalent to the 5 per cent. &c. reserved from sales of Chickasaw lands in Mississippi.

1817, ch. 23.

Certain lands vested in the State of Mississippi for the use of schools.

1842, ch. 40.

A sum equivalent to the 5 per cent. &c. reserved in Alabama.

1819, ch. 47.

Certain lands vested in the State of Alabama for the use of schools.

CHAP. CCCLV.—*An Act to carry into effect, in the States of Alabama and Mississippi, the existing compacts with those States in regard to the five per cent. fund, and the school reservations.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a sum equivalent to five per cent. of the nett proceeds of the lands within the State of Mississippi, ceded by the Chickasaws by the treaty of the twentieth of October, eighteen hundred and thirty-two, which have been or may hereafter be sold by Congress, shall be, and is hereby, reserved, out of any moneys in the Treasury not otherwise appropriated, to be applied in the same manner, and for the same uses and purposes, as is designated by the fifth section of the act of Congress of the first of March, eighteen hundred and seventeen.

SEC. 2. *And be it further enacted,* That there shall be reserved from sale, in the State of Mississippi, a quantity of land, equal to one-thirty-sixth part of the lands ceded by said Chickasaws as aforesaid, within said State of Mississippi, which land shall be selected under the direction of the Secretary of the Treasury, in sections, or half sections, or quarter sections, out of any public lands remaining unsold, that shall have been offered at public sale within either of the land districts in said State of Mississippi, contiguous to said lands within said State, so ceded by the Chickasaws as aforesaid; which lands, when so selected as aforesaid, the same shall vest in the State of Mississippi, for the use of schools within said territory in said State, so ceded as aforesaid by the Chickasaws; and said lands, thus selected, shall be holden by the same tenure, and upon the same terms and conditions, in all respects, as the said State now holds the lands heretofore reserved for the use of schools in said State.

SEC. 3. *And be it further enacted,* That a sum equivalent to five per cent. of the nett proceeds of the lands within the State of Alabama, ceded by the Chickasaws by the treaty aforesaid, which have been or may hereafter be sold by Congress, shall be, and is hereby, reserved, out of any moneys in the Treasury not otherwise appropriated, to be applied in the same manner, and for the same uses and purposes, as is designated by the sixth section of the act of Congress of the second of March, eighteen hundred and nineteen.

SEC. 4. *And be it further enacted,* That there shall be reserved from sale in the State of Alabama, a quantity of land equal to one-thirty-sixth part of the lands ceded by the Chickasaws as aforesaid, within said State of Alabama, which land shall be selected under the direction of the Secretary of the Treasury, in sections, or half sections, or quarter sections, out of any public lands remaining unsold, that shall have been offered at public sale within any land district in said State of Alabama, contiguous to said lands within said State, so ceded by the Chickasaws, as aforesaid; which lands, when so selected, as aforesaid, the same shall vest in the State of Alabama, for the use of schools within said territory, in said State, so ceded, as aforesaid, by the Chickasaws; and said lands thus selected, shall be holden by the same tenure, and upon the same terms and conditions, in all respects, as the said State now holds the lands heretofore reserved for the use of schools in said State.

APPROVED, July 4, 1836.

STATUTE I.

July 4, 1836.

CHAP. CCCLVI.—*An Act to authorize the appointment of additional Paymasters, 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 President of the United States be and he hereby is authorized and empowered to appoint three additional Paymasters, to be attached to the Pay Department of the army: *Provided,* That the appointments be submitted to the Senate for their confirmation, in the same manner as other officers of the army.

President may appoint three additional paymasters.

Proviso.

SEC. 2. *And be it further enacted,* That the officers appointed in virtue of this act shall perform the same duties and receive the same pay and allowances as the present Paymasters of the army; and shall in like manner be subject to the rules and articles of war; and previous to entering upon the duties of their office shall give such bonds to the United States as the Secretary of War may direct for the faithful performance of their duties.

To perform the same duties and be subject to the same rules as other paymasters.

SEC. 3. *And be it further enacted,* That when volunteers or militia are called into the service of the United States, so that the Paymasters authorized by law shall not be deemed sufficient to enable them to pay the troops with proper punctuality, it shall be lawful for the President to assign to any officer of the army the duty of Paymaster, who, while so assigned, shall perform the same duty, give the same bond, be subject to the same liability and receive the same emoluments as are now provided for Paymaster of the army: *Provided however,* That the number of officers so assigned shall not exceed one for every two regiments of militia or volunteers; *And provided also,* That the whole emoluments of the said officers, including their pay and allowances in the line, shall not exceed the pay and emoluments of a Paymaster.

President, when necessary, may assign the duties of a paymaster to any officer of the army.

Proviso.

Proviso.

SEC. 4. *And be it further enacted,* That the President of the United States be and he hereby is authorized and empowered to appoint three additional Surgeons and five assistant Surgeons, to be attached to the medical staff of the army.

May appoint additional surgeons and assistant surgeons.

SEC. 5. *And be it further enacted,* That during the absence of the Quartermaster General, or the chief of any other military bureau of the War Department, the President be authorized to empower some officer of the Department or corps whose chief is absent to take charge thereof and to perform the duties of Quartermaster General or chief of the Department or corps, as the case may be, during such absence: *Provided,* That no additional compensation be allowed therefor.

In absence of Quartermaster General, &c., President may empower others to perform the duties.

Proviso.

SEC. 6. *And be it further enacted,* That it shall be the duty of the Secretary of the Senate and Clerk of the House of Representatives as soon as may be after the close of the present session, and of each succeeding session, to prepare and publish a statement of all appropriations made during the session, and also a statement of the new officers created and the salaries of each, and also a statement of the offices the salaries of which are increased and the amount of such increase.

Secretary of the Senate, and Clerk of House of Representatives, to prepare and publish statements of appropriations, &c.

APPROVED, July 4, 1836.

STATUTE I.

July 4, 1836.

CHAP. CCCLVII.—*An Act to promote the progress of useful arts, and to repeal all acts and parts of acts heretofore made for that purpose. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be established and attached to the Department of State, an office to be denominated the Patent Office; the chief officer of which shall be called the Commissioner of Patents, to be appointed by the President, by and with the

March 3, 1837, ch. 45.

Commissioner of Patents to be appointed, and his duties.

August 29, 1842, ch. 263.

(a) For notes of the acts relating to patents for useful inventions, see vol. 1, 109, 318. Notes of the decisions of the courts of the United States on patents for useful inventions, vol. 1, 109, 318.

advice and consent of the Senate, whose duty it shall be, under the direction of the Secretary of State, to superintend, execute, and perform, all such acts and things touching and respecting the granting and issuing of patents for new and useful discoveries, inventions, and improvements, as are herein provided for, or shall hereafter be, by law, directed to be done and performed, and shall have the charge and custody of all the books, records, papers, models, machines, and all other things belonging to said office. And said Commissioner shall receive the same compensation as is allowed by law to the Commissioner of the Indian Department, and shall be entitled to send and receive letters and packages by mail, relating to the business of the office, free of postage.

Chief clerk.

SEC. 2. *And be it further enacted*, That there shall be, in said office, an inferior officer, to be appointed by the said principal officer, with the approval of the Secretary of State, to receive an annual salary of seventeen hundred dollars, and to be called the Chief Clerk of the Patent Office; who, in all cases during the necessary absence of the Commissioner, or when the said principal office shall become vacant, shall have the charge and custody of the seal, and of the records, books, papers, machines, models, and all other things belonging to the said office, and shall perform the duties of Commissioner during such vacancy. And the said Commissioner may also, with like approval, appoint an examining clerk, at an annual salary of fifteen hundred dollars; two other clerks at twelve hundred dollars each, one of whom shall be a competent draughtsman; one other clerk at one thousand dollars; a machinist at twelve hundred and fifty dollars; and a messenger at seven hundred dollars. And said Commissioner, clerks, and every other person appointed and employed in said office, shall be disqualified and interdicted from acquiring or taking, except by inheritance, during the period for which they shall hold their appointments, respectively, any right or interest, directly or indirectly, in any patent for an invention or discovery which has been, or may hereafter be, granted.

Examining clerk, and other officers.

Officers to make oath, &c.

SEC. 3. *And be it further enacted*, That the said principal officer, and every other person to be appointed in the said office, shall, before he enters upon the duties of his office or appointment, make oath or affirmation, truly and faithfully to execute the trust committed to him. And the said Commissioner and the chief clerk shall also, before entering upon their duties, severally give bonds with sureties to the Treasurer of the United States, the former in the sum of ten thousand dollars, and the latter in the sum of five thousand dollars, with condition to render a true and faithful account to him or his successor in office, quarterly, of all moneys which shall be by them respectively received for duties on patents, and for copies of records and drawings, and all other moneys received by virtue of said office.

A seal to be provided.

SEC. 4. *And be it further enacted*, That the said Commissioner shall cause a seal to be made and provided for the said office, with such device as the President of the United States shall approve; and copies of any records, books, papers, or drawings, belonging to the said office, under the signature of the said Commissioner, or, when the office shall be vacant, under the signature of the chief clerk, with the said seal affixed, shall be competent evidence in all cases in which the original records, books, papers, or drawings, could be evidence. And any person making application therefor, may have certified copies of the records, drawings, and other papers deposited in said office, on paying, for the written copies, the sum of ten cents for every page of one hundred words; and for copies of drawings, the reasonable expense of making the same.

Patents to be signed by the

SEC. 5. *And be it further enacted*, That all patents issued from said office shall be issued in the name of the United States and under the

seal of said office, and be signed by the Secretary of State, and countersigned by the Commissioner of the said office, and shall be recorded, together with the descriptions, specifications, and drawings, in the said office, in books to be kept for that purpose. Every such patent shall contain a short description or title of the invention or discovery, correctly indicating its nature and design, and in its terms grant to the applicant or applicants, his or their heirs, administrators, executors, or assigns, for a term not exceeding fourteen years, the full and exclusive right and liberty of making, using, and vending to others to be used, the said invention or discovery, referring to the specifications for the particulars thereof, a copy of which shall be annexed to the patent, specifying what the patentee claims as his invention or discovery.

Secretary of State, and by the Commissioner.

SEC. 6. *And be it further enacted,* That any person or persons having discovered or invented any new and useful art, machine, manufacture, or composition of matter, or any new and useful improvement on any art, machine, manufacture, or composition of matter, not known or used by others before his or their discovery or invention thereof, and not, at the time of his application for a patent, in public use or on sale, with his consent or allowance, as the inventor or discoverer; and shall desire to obtain an exclusive property therein, may make application in writing to the Commissioner of Patents, expressing such desire, and the Commissioner, on due proceedings had, may grant a patent therefor. But before any inventor shall receive a patent for any such new invention or discovery, he shall deliver a written description of his invention or discovery, and of the manner and process of making, constructing, using, and compounding the same, in such full, clear, and exact terms, avoiding unnecessary prolixity, as to enable any person skilled in the art or science to which it appertains, or with which it is most nearly connected, to make, construct, compound, and use the same; and in case of any machine, he shall fully explain the principle and the several modes in which he has contemplated the application of that principle or character by which it may be distinguished from other inventions; and shall particularly specify and point out the part, improvement, or combination, which he claims as his own invention or discovery. He shall, furthermore, accompany the whole with a drawing, or drawings, and written references, where the nature of the case admits of drawings, or with specimens of ingredients, and of the composition of matter, sufficient in quantity for the purpose of experiment, where the invention or discovery is of a composition of matter; which descriptions and drawings, signed by the inventor and attested by two witnesses, shall be filed in the Patent Office; and he shall moreover furnish a model of his invention, in all cases which admit of a representation by model, of a convenient size to exhibit advantageously its several parts. The applicant shall also make oath or affirmation that he does verily believe that he is the original and first inventor or discoverer of the art, machine, composition, or improvement, for which he solicits a patent, and that he does not know or believe that the same was ever before known or used; and also of what country he is a citizen; which oath or affirmation may be made before any person authorized by law to administer oaths.

Applications, how made.

Specification.

Drawings, &c.

Models.

Oath or affirmation.

SEC. 7. *And be it further enacted,* That, on the filing of any such application, description, and specification, and the payment of the duty hereinafter provided, the Commissioner shall make or cause to be made, an examination of the alleged new invention or discovery; and if, on any such examination, it shall not appear to the Commissioner that the same had been invented or discovered by any other person in this country prior to the alleged invention or discovery thereof by the applicant, or that it had been patented or described in any printed publication in this or any foreign country, or had been in public use or on sale with the applicant's consent or allowance prior to the application, if the

Examination of invention to be made, and proceedings thereon, should it not be deemed new.

Commissioner shall deem it to be sufficiently useful and important, it shall be his duty to issue a patent therefor. But whenever, on such examination, it shall appear to the Commissioner that the applicant was not the original and first inventor or discoverer thereof, or that any part of that which is claimed as new had before been invented or discovered, or patented, or described in any printed publication in this or any foreign country, as aforesaid, or that the description is defective and insufficient, he shall notify the applicant thereof, giving him, briefly, such information and references as may be useful in judging of the propriety of renewing his application, or of altering his specification to embrace only that part of the invention or discovery which is new. In every such case, if the applicant shall elect to withdraw his application, relinquishing his claim to the model, he shall be entitled to receive back twenty dollars, part of the duty required by this act, on filing a notice in writing of such election in the Patent Office, a copy of which, certified by the Commissioner, shall be a sufficient warrant to the Treasurer for paying back to the said applicant the said sum of twenty dollars. But if the applicant in such case shall persist in his claim for a patent, with or without any alteration of his specification, he shall be required to make oath or affirmation anew, in manner as aforesaid. And if the specification and claim shall not have been so modified as, in the opinion of the Commissioner, shall entitle the applicant to a patent, he may, on appeal, and upon request in writing, have the decision of a board of examiners, to be composed of three disinterested persons, who shall be appointed for that purpose by the Secretary of State, one of whom at least, to be selected, if practicable and convenient, for his knowledge and skill in the particular art, manufacture, or branch of science to which the alleged invention appertains; who shall be under oath or affirmation for the faithful and impartial performance of the duty imposed upon them by said appointment. Said board shall be furnished with a certificate in writing, of the opinion and decision of the Commissioner, stating the particular grounds of his objection, and the part or parts of the invention which he considers as not entitled to be patented. And the said board shall give reasonable notice to the applicant, as well as to the Commissioner, of the time and place of their meeting, that they may have an opportunity of furnishing them with such facts and evidence as they may deem necessary to a just decision; and it shall be the duty of the Commissioner to furnish to the board of examiners such information as he may possess relative to the matter under their consideration. And on an examination and consideration of the matter by such board, it shall be in their power, or of a majority of them, to reverse the decision of the Commissioner, either in whole or in part, and their opinion being certified to the Commissioner, he shall be governed thereby in the further proceedings to be had on such application: *Provided, however,* That before a board shall be instituted in any such case, the applicant shall pay to the credit of the Treasury, as provided in the ninth section of this act, the sum of twenty-five dollars, and each of said persons so appointed shall be entitled to receive for his services in each case a sum not exceeding ten dollars, to be determined and paid by the Commissioner out of any moneys in his hands, which shall be in full compensation to the persons who may be so appointed, for their examination and certificate as aforesaid.

Proviso.

Interfering applications.

SEC. 8. *And be it further enacted,* That whenever an application shall be made for a patent which, in the opinion of the Commissioner, would interfere with any other patent for which an application may be pending, or with any unexpired patent which shall have been granted, it shall be the duty of the Commissioner to give notice thereof to such applicants, or patentees, as the case may be; and if either shall be dissatisfied with the decision of the Commissioner on the question of pri-

ority of right or invention, on a hearing thereof, he may appeal from such decision, on the like terms and conditions as are provided in the preceding section of this act; and the like proceedings shall be had, to determine which or whether either of the applicants is entitled to receive a patent as prayed for. But nothing in this act contained shall be construed to deprive an original and true inventor of the right to a patent for his invention, by reason of his having previously taken out letters patent therefor in a foreign country, and the same having been published, at any time within six months next preceding the filing of his specification and drawings. And whenever the applicant shall request it, the patent shall take date from the time of the filing of the specification and drawings, not however exceeding six months prior to the actual issuing of the patent; and on like request, and the payment of the duty herein required, by any applicant, his specification and drawings shall be filed in the secret archives of the office until he shall furnish the model and the patent be issued, not exceeding the term of one year, the applicant being entitled to notice of interfering applications.

SEC. 9. *And be it further enacted,* That before any application for a patent shall be considered by the commissioner as aforesaid, the applicant shall pay into the Treasury of the United States, or into the Patent Office, or into any of the deposit banks to the credit of the Treasury, if he be a citizen of the United States, or an alien, and shall have been resident in the United States for one year next preceding, and shall have made oath of his intention to become a citizen thereof, the sum of thirty dollars; if a subject of the King of Great Britain, the sum of five hundred dollars; and all other persons the sum of three hundred dollars; for which payment duplicate receipts shall be taken, one of which to be filed in the office of the Treasurer. And the moneys received into the Treasury under this act shall constitute a fund for the payment of the salaries of the officers and clerks herein provided for, and all other expenses of the Patent Office, and to be called the patent fund.

Thirty dollars to be paid to the credit of the U. S. Treasurer by a citizen, or, &c.

Five hundred dollars by a subject of Great Britain, and three hundred by other persons.

SEC. 10. *And be it further enacted,* That where any person hath made, or shall have made, any new invention, discovery, or improvement, on account of which a patent might by virtue of this act be granted, and such person shall die before any patent shall be granted therefor, the right of applying for and obtaining such patent shall devolve on the executor or administrator of such person, in trust for the heirs at law of the deceased, in case he shall have died intestate; but if otherwise, then in trust for his devisees, in as full and ample manner, and under the same conditions, limitations, and restrictions, as the same was held, or might have been claimed or enjoyed by such person in his or her lifetime; and when application for a patent shall be made by such legal representatives, the oath or affirmation provided in the sixth section of this act shall be so varied as to be applicable to them.

Inventors dying without taking a patent, their executors, &c. may, &c.

SEC. 11. *And be it further enacted,* That every patent shall be assignable in law, either as to the whole interest, or any undivided part thereof, by any instrument in writing; which assignment, and also every grant and conveyance of the exclusive right under any patent, to make and use, and to grant to others to make and use, the thing patented within and throughout any specified part or portion of the United States, shall be recorded in the Patent Office within three months from the execution thereof, for which the assignee or grantee shall pay to the Commissioner the sum of three dollars.

Assignment of a patent, and record thereof.

SEC. 12. *And be it further enacted,* That any citizen of the United States, or alien who shall have been resident in the United States one year next preceding, and shall have made oath of his intention to become

Caveat may be entered.

a citizen thereof, who shall have invented any new art, machine, or improvement thereof, and shall desire further time to mature the same, may, on paying to the credit of the Treasury, in manner as provided in the ninth section of this act, the sum of twenty dollars, file in the Patent Office a caveat, setting forth the design and purpose thereof, and its principal and distinguishing characteristics, and praying protection of his right till he shall have matured his invention; which sum of twenty dollars, in case the person filing such caveat shall afterwards take out a patent for the invention therein mentioned, shall be considered a part of the sum herein required for the same. And such caveat shall be filed in the confidential archives of the office, and preserved in secrecy. And if application shall be made by any other person within one year from the time of filing such caveat, for a patent of any invention with which it may in any respect interfere, it shall be the duty of the Commissioner to deposit the description, specifications, drawings, and model, in the confidential archives of the office, and to give notice, by mail, to the person filing the caveat, of such application, who shall, within three months after receiving the notice, if he would avail himself of the benefit of his caveat, file his description, specifications, drawings, and model; and if, in the opinion of the Commissioner, the specifications of claim interfere with each other, like proceedings may be had in all respects as are in this act provided in the case of interfering applications: *Provided, however,* That no opinion or decision of any board of examiners, under the provisions of this act, shall preclude any person interested in favor of or against the validity of any patent which has been or may hereafter be granted, from the right to contest the same in any judicial court in any action in which its validity may come in question.

Proviso.

Patents invalid from defective specifications may be surrendered, and new patents may be issued in certain cases.

SEC. 13. *And be it further enacted,* That whenever any patent which has heretofore been granted, or which shall hereafter be granted, shall be inoperative, or invalid, by reason of a defective or insufficient description or specification, or by reason of the patentee claiming in his specification as his own invention, more than he had or shall have a right to claim as new; if the error has, or shall have arisen by inadvertency, accident, or mistake, and without any fraudulent or deceptive intention, it shall be lawful for the Commissioner, upon the surrender to him of such patent, and the payment of the further duty of fifteen dollars, to cause a new patent to be issued to the said inventor, for the same invention, for the residue of the period then unexpired for which the original patent was granted, in accordance with the patentee's corrected description and specification. And in case of his death, or any assignment by him made of the original patent, a similar right shall vest in his executors, administrators, or assignees. And the patent, so reissued, together with the corrected description and specification, shall have the same effect and operation in law, on the trial of all actions hereafter commenced for causes subsequently accruing, as though the same had been originally filed in such corrected form, before the issuing out of the original patent. And whenever the original patentee shall be desirous of adding the description and specification of any new improvement of the original invention or discovery which shall have been invented or discovered by him subsequent to the date of his patent, he may, like proceedings being had in all respects as in the case of original applications, and on the payment of fifteen dollars, as hereinbefore provided, have the same annexed to the original description and specification; and the Commissioner shall certify, on the margin of such annexed description and specification, the time of its being annexed and recorded; and the same shall thereafter have the same effect in law, to all intents and purposes, as though it had been embraced in the original description and specification.

Patentee may make additions to his patent.

SEC. 14. *And be it further enacted*, That whenever, in any action for damages for making, using, or selling the thing whereof the exclusive right is secured by any patent heretofore granted, or by any patent which may hereafter be granted, a verdict shall be rendered for the plaintiff in such action, it shall be in the power of the court to render judgment for any sum above the amount found by such verdict as the actual damages sustained by the plaintiff, not exceeding three times the amount thereof, according to the circumstances of the case, with costs; and such damages may be recovered by action on the case, in any court of competent jurisdiction, to be brought in the name or names of the person or persons interested, whether as patentees, assignees, or as grantees of the exclusive right within and throughout a specified part of the United States.

Courts may render judgment for a sum not exceeding three times the amount of actual damages.

SEC. 15. *And be it further enacted*, That the defendant in any such action shall be permitted to plead the general issue, and to give this act and any special matter in evidence, of which notice in writing may have been given to the plaintiff or his attorney, thirty days before trial, tending to prove that the description and specification filed by plaintiff does not contain the whole truth relative to his invention or discovery, or that it contains more than is necessary to produce the described effect; which concealment or addition shall fully appear to have been made for the purpose of deceiving the public, or that the patentee was not the original and first inventor or discoverer of the thing patented, or of a substantial and material part thereof claimed as new, or that it had been described in some public work anterior to the supposed discovery thereof by the patentee, or had been in public use, or on sale, with the consent and allowance of the patentee before his application for a patent, or that he had surreptitiously or unjustly obtained the patent for that which was in fact invented or discovered by another, who was using reasonable diligence in adapting and perfecting the same; or that the patentee, if an alien at the time the patent was granted, had failed and neglected for the space of eighteen months from the date of the patent, to put and continue on sale to the public, on reasonable terms, the invention or discovery for which the patent issued; in either of which cases judgment shall be rendered for the defendant, with costs. And whenever the defendant relies in his defence on the fact of a previous invention, knowledge, or use of the thing patented, he shall state, in his notice of special matter, the names and places of residence of those whom he intends to prove to have possessed a prior knowledge of the thing, and where the same had been used: *Provided, however*, That whenever it shall satisfactorily appear that the patentee, at the time of making his application for the patent, believed himself to be the first inventor or discoverer of the thing patented, the same shall not be held to be void on account of the invention or discovery or any part thereof having been before known or used in any foreign country, it not appearing that the same or any substantial part thereof had before been patented or described in any printed publication. *And provided, also*, That whenever the plaintiff shall fail to sustain his action on the ground that in his specification of claim is embraced more than that of which he was the first inventor, if it shall appear that the defendant had used or violated any part of the invention justly and truly specified and claimed as new, it shall be in the power of the court to adjudge and award as to costs as may appear to be just and equitable.

Defendant may plead the general issue &c.

Proviso.

Proviso.

SEC. 16. *And be it further enacted*, That whenever there shall be two interfering patents, or whenever a patent on application shall have been refused on an adverse decision of a board of examiners, on the ground that the patent applied for would interfere with an unexpired patent previously granted, any person interested in any such patent, either by assignment or otherwise, in the one case, and any such appli-

Interfering patents, &c.

1839, ch. 33, § 10.

cant in the other case, may have remedy by bill in equity; and the court having cognizance thereof, on notice to adverse parties and other due proceedings had, may adjudge and declare either the patents void in the whole or in part, or inoperative and invalid in any particular part or portion of the United States, according to the interest which the parties to such suit may possess in the patent or the inventions patented, and may also adjudge that such applicant is entitled, according to the principles and provisions of this act, to have and receive a patent for his invention, as specified in his claim, or for any part thereof, as the fact of priority of right or invention shall in any such case be made to appear. And such adjudication, if it be in favor of the right of such applicant, shall authorize the Commissioner to issue such patent, on his filing a copy of the adjudication, and otherwise complying with the requisitions of this act. *Provided, however,* That no such judgment or adjudication shall affect the rights of any person except the parties to the action and those deriving title from or under them subsequent to the rendition of such judgment.

Proviso.

Actions cognizable in circuit courts of United States, &c.

SEC. 17. *And be it further enacted,* That all actions, suits, controversies, and cases arising under any law of the United States, granting or confirming to inventors the exclusive right to their inventions or discoveries, shall be originally cognizable, as well in equity as at law, by the circuit courts of the United States, or any district court having the powers and jurisdiction of a circuit court; which courts shall have power, upon bill in equity filed by any party aggrieved, in any such case, to grant injunctions, according to the course and principles of courts of equity, to prevent the violation of the rights of any inventor as secured to him by any law of the United States, on such terms and conditions as said courts may deem reasonable: *Provided, however,* That from all judgments and decrees, from any such court rendered in the premises, a writ of error or appeal, as the case may require, shall lie to the Supreme Court of the United States, in the same manner and under the same circumstances as is now provided by law in other judgments and decrees of circuit courts, and in all other cases in which the court shall deem it reasonable to allow the same.

Proviso.

Patents may be extended seven years in certain cases.

SEC. 18. *And be it further enacted,* That whenever any patentee of an invention or discovery shall desire an extension of his patent beyond the term of its limitation, he may make application therefor, in writing, to the Commissioner of the Patent Office, setting forth the grounds thereof; and the Commissioner shall, on the applicant's paying the sum of forty dollars to the credit of the Treasury, as in the case of an original application for a patent, cause to be published, in one or more of the principal newspapers in the city of Washington, and in such other paper or papers as he may deem proper, published in the section of country most interested adversely to the extension of the patent, a notice of such application and of the time and place when and where the same will be considered, that any person may appear and show cause why the extension should not be granted. And the Secretary of State, the Commissioner of the Patent Office, and the Solicitor of the Treasury, shall constitute a board to hear and decide upon the evidence produced before them both for and against the extension, and shall sit for that purpose at the time and place designated in the published notice thereof. The patentee shall furnish to said board a statement, in writing, under oath, of the ascertained value of the invention, and of his receipts and expenditures, sufficiently in detail to exhibit a true and faithful account of loss and profit in any manner accruing to him from and by reason of said invention. And if, upon a hearing of the matter, it shall appear to the full and entire satisfaction of said board, having due regard to the public interest therein, that it is just and proper that the term of the patent should be extended, by reason of the

patentee, without neglect or fault on his part, having failed to obtain, from the use and sale of his invention, a reasonable remuneration for the time, ingenuity, and expense bestowed upon the same, and the introduction thereof into use, it shall be the duty of the Commissioner to renew and extend the patent, by making a certificate thereon of such extension, for the term of seven years from and after the expiration of the first term; which certificate, with a certificate of said board of their judgment and opinion as aforesaid, shall be entered on record in the Patent Office; and thereupon the said patent shall have the same effect in law as though it had been originally granted for the term of twenty-one years. And the benefit of such renewal shall extend to assignees and grantees of the right to use the thing patented, to the extent of their respective interest therein: *Provided, however,* That no extension of a patent shall be granted after the expiration of the term for which it was originally issued.

Proviso.

SEC. 19. *And be it further enacted,* That there shall be provided for the use of said office, a library of scientific works and periodical publications, both foreign and American, calculated to facilitate the discharge of the duties hereby required of the chief officers therein, to be purchased under the direction of the Committee of the Library of Congress. And the sum of fifteen hundred dollars is hereby appropriated, for that purpose, to be paid out of the patent fund.

Library of Patent Office.

SEC. 20. *And be it further enacted,* That it shall be the duty of the Commissioner to cause to be classified and arranged, in such rooms or galleries as may be provided for that purpose, in suitable cases, when necessary for their preservation, and in such manner as shall be conducive to a beneficial and favorable display thereof, the models and specimens of compositions and of fabrics and other manufactures and works of art, patented or unpatented, which have been, or shall hereafter be deposited in said office. And said rooms or galleries shall be kept open during suitable hours for public inspection.

Models to be classified and arranged.

SEC. 21. *And be it further enacted,* That all acts and parts of acts heretofore passed on this subject, be, and the same are hereby repealed: *Provided, however,* That all actions and processes in law or equity sued out prior to the passage of this act, may be prosecuted to final judgment and execution, in the same manner as though this act had not been passed, excepting and saving the application to any such action, of the provisions of the fourteenth and fifteenth sections of this act, so far as they may be applicable thereto: *And provided, also,* That all applications or petitions for patents, pending at the time of the passage of this act, in cases where the duty has been paid, shall be proceeded with and acted on in the same manner as though filed after the passage hereof.

Former acts repealed.

Proviso.

Proviso.

APPROVED, July 4, 1836.

STATUTE I.

July 4, 1836.

CHAP. CCCLIX.—*An Act to suspend the discriminating duties upon goods imported in vessels of Portugal, and to reduce the duties on wines. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the several acts of Congress as imposes a discriminating duty upon goods, wares, and merchandise, imported in foreign vessels, be, and hereby is, suspended, so far as respects the produce or manufactures of Portugal proper, including Madeira, Porto Santo, and the Azores, when imported in vessels wholly and truly belonging to the subjects or citizens of said places; so that such produce or manufactures shall be subject to the same duties only as if imported in vessels of the United States: *Provided, however,* And [that] this suspension shall continue no longer than this section remains in force.

Acts suspended.

Proviso.

(a) For notes of the acts relating to discriminating duties, vol. 4, page 2.

Duties on wines reduced one-half, after 30th July, 1836.

Wines may be put into custom-house stores, &c.

Proviso.

Proviso.

SEC. 2. *And be it further enacted*, That from and after the thirtieth day of July, eighteen hundred and thirty-six, the duty on all kinds of wine imported into the United States shall be reduced one-half, so that no more than one-half the amount now assessed shall be thereafter assessed.

SEC. 3. *And be it further enacted*, That all kinds of wine, whether imported before or after the passage of this act, may be put into the custom-house stores, under the bond of the importer or owner; and such of the said wines as shall remain under the control of the proper officer of the customs, on the thirtieth day of July, one thousand eight hundred and thirty-six, shall be subject to no other duty than if the same were imported after that day; and if the duties or any part thereof, on the wines deposited, as aforesaid, shall have been paid previous to the said thirtieth day of July, one thousand eight hundred and thirty-six, the amount of excess of duty shall be refunded to the person importing and depositing the same: *Provided*, That no wines shall be so deposited unless in the casks or bottles as imported: *And provided, further*, That the benefit of this act shall not be extended to any wines not entitled to debenture.

APPROVED, July 4, 1836.

STATUTE I.

July 4, 1836.

CHAP. CCCLX.—*An act for the purchase of certain rights or inventions of William H. Bell, of North Carolina.*

To be paid to him for his interest in two patent rights.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be hereby authorized to pay to Captain William H. Bell, out of any money in the Treasury not otherwise appropriated, the sum of twenty thousand dollars, whenever said Bell shall transfer and convey to the United States all his, said Bell's, right, interest, and title, in and to two certain patents, viz: one called a machine for elevating heavy cannon, the other called a traverse board for pointing cannon; together with all the right to the United States to use every improvement that has been made by said Bell on the said inventions, since patenting the same; *Provided, however*, That said sum of twenty thousand dollars shall be in full for all claims against the United States for using said patents

APPROVED, July 4, 1836.

STATUTE I.

July 4, 1836.

CHAP. CCCLXI.—*An Act confirming claims to land in the State of Missouri, and for other purposes.*

Decisions of the recorder confirmed.

Act of July 9, 1832, ch. 180.

Act of March 2, 1833, ch. 84.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the decisions in favor of land claimants, made by the recorder of land titles in the State of Missouri, and the two commissioners associated with him by virtue of an act entitled "An act for the final adjustment of private land claims in Missouri," approved July ninth, eighteen hundred and thirty-two, and an act supplemental thereto, approved March second, eighteen hundred and thirty-three, as entered in the transcript of decisions transmitted by the said recorder and commissioners to the Commissioner of the General Land Office, and by him laid before Congress at the two last and present sessions, be, and the same are hereby, confirmed, saving and reserving, however, to all adverse claimants, the right to assert the validity of their claims in a court or courts of justice: *Provided*, That nothing in this act contained shall apply to, or be in confirmation of the claim of Don Carlos D. Vilemont, for a tract of land at Point Chicot: *And provided, also*, That nothing in this act contained shall apply to, or be in confirmation of the following claims, to wit: Manuel Liza, six thousand arpens; J. Coontz, and Hempstead,

Proviso.

Proviso.

four hundred and fifty arpens; Matthew Saucier, one thousand two hundred arpens; Charles Tayon, one thousand six hundred arpens; sons of Joseph M. Pepin, five thousand six hundred arpens; Louis Lorimiere, thirty thousand arpens; Bartholomew Cousin, ten thousand arpens; Manuel Gonzales Moro, eight hundred arpens; Seneca Rollins, four hundred arpens; William Long, four hundred arpens; James Journey, four hundred arpens; Joachim Lisa, six thousand arpens; Francois Lacombe, four hundred arpens; Israel Dodge, seven thousand [and] fifty six arpens; Andrew Chevalier, four hundred arpens; Joseph Silvain, two hundred and fifty arpens; John P. Cabanis, two thousand arpens; William Hartly, six hundred and fifty arpens; William Morrison, seven hundred and fifty arpens; Solomon Bellew, three hundred and fifty arpens; Paschal Detchemendez, seven thousand [and] fifty-six arpens; Baptiste Aunure, two hundred and forty arpens; Alexander Maurice, four hundred arpens; Jean Baptiste Valle, twenty thousand arpens; Israel Dodge, one thousand arpens; Walter Fenwick, ten thousand arpens; John Smith T., ten thousand arpens; and Mackey Wherry, sixteen hundred arpens.

SEC. 2. *And be it further enacted*, That if it shall be found that any tract or tracts confirmed as aforesaid, or any part thereof, had been previously located by any other person or persons under any law of the United States, or had been surveyed and sold by the United States, this act shall confer no title to such lands in opposition to the rights acquired by such location or purchase; but the individual, or individuals, whose claims are hereby confirmed, shall be permitted to locate so much thereof as interferes with such location or purchase, on any unappropriated land of the United States within the State of Missouri, or Territory of Arkansas, in whichever the original claim may be, that may be subject to entry at private sale: *Provided*, That such location shall conform to legal divisions and subdivisions, and shall not interfere with the rights of other persons.

SEC. 3. *And be it further enacted*, That the locations authorized by this act, shall be entered with the register of the proper land office, who shall, on application for that purpose, make out for such claimant a certificate of location, which, with the certificate of confirmation, shall be transmitted to the Commissioner of the General Land Office; and if it shall appear to the satisfaction of the said Commissioner that such certificate shall have been fairly obtained, according to the true intent and meaning of this act and the laws of the United States, then, and in that case, patents shall be granted in like manner as is provided by law for the other lands of the United States. And for each certificate of location to be issued as aforesaid, the register shall be entitled to receive from the person applying therefor, the sum of one dollar.

APPROVED, July 4, 1836.

Other land may be located, should any of that be occupied, the title to which is confirmed.

Proviso.

Locations to be entered with the Register, &c.

CHAP. CCCLXII.—*An Act granting half pay to widows or orphans, where their husbands and fathers have died of wounds received in the military service of the United States, in certain cases, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when any officer, non-commissioned officer, musician or private of the militia, including rangers, sea fencibles, and volunteers, shall have died while in the service of the United States, since the twentieth of April, eighteen hundred and eighteen, or who shall have died in consequence of a wound received whilst in the service, since the day aforesaid, and shall have left a widow, or, if no widow, a child or children under sixteen years of age, such widow, or if no widow, such child or children, shall be entitled to receive half the monthly pay to which the deceased was

STATUTE I.

July 4, 1836.

1837, ch. 42.
1842, ch. 191.
1848, ch. 108.

Five years' half pay to widows or orphans of those who have died, &c. in the service of United States since 20th April 1818.

1853, ch. 41.

Proviso.

Proviso.

Benefit of the act of 7th June, 1832, extended to widows or children under certain circumstances.

Act of June 7, 1832, ch. 126.

Extended to widows in other cases.

Act of June 7, 1832, ch. 126.

Post, p. 311.

Transfers of any claim under this act declared void.

Secretary of War to adopt forms.

STATUTE I.

July 4, 1836.

[Obsolete.]

Appropriations.

Maine.
Breakwater in
Portland har-
bor.

entitled at the time of his death or receiving such wound, for and during the term of five years; and in case of the death or marriage of such widow before the expiration of said five years, the half pay for the remainder of the time shall go to the said decedent: *Provided*, That the half pay aforesaid shall be half the monthly pay of the officers, non-commissioned officers, musicians and privates of the infantry of the regular army, and no more: *Provided, also*, That no greater sum shall be allowed to the widow or to the child or children of any officer, than the half pay of a lieutenant colonel.

SEC. 2. *And be it further enacted*, That if any officer, non-commissioned officer, musician, soldier, Indian spy, mariner or marine, whose service during the revolutionary war was such as is specified in the act passed the seventh day of June eighteen hundred and thirty-two, entitled "An act supplementary to the act for the relief of certain surviving officers and soldiers of the revolution," have died since the fourth day of March, eighteen hundred and thirty-one, and before the date of said act, the amount of pension which would have accrued from the fourth day of March, eighteen hundred and thirty-one, to the time of his death, and become payable to him by virtue of that act, if he had survived the passage thereof, shall be paid to his widow; and if he left no widow, to his children, in the manner prescribed in the act hereby amended.

SEC. 3. *And be it further enacted*, That if any person who served in the war of the revolution, in the manner specified in the act passed the seventh day of June, eighteen hundred and thirty-two, entitled "An act supplementary to the act for the relief of certain surviving officers and soldiers of the revolution," have died, leaving a widow whose marriage took place before the expiration of the last period of his service, such widow shall be entitled to receive, during the time she may remain unmarried, the annuity or pension which might have been allowed to her husband, by virtue of the act aforesaid, if living at the time it was passed.

SEC. 4. *And be it further enacted*, That any pledge, mortgage, sale, assignment, or transfer of any right, claim, or interest in any money or half pay granted by this act, shall be utterly void and of no effect; each person acting for and in behalf of any one entitled to money under this act, shall take and subscribe an oath, to be administered by the proper accounting officer and retained by him and put on file, before a warrant shall be delivered to him, that he has no interest in said money by any pledge, mortgage, sale, assignment or transfer, and that he does not know or believe that the same has been so disposed of to any person whatever.

SEC. 5. *And be it further enacted*, That the Secretary of War shall adopt such forms of evidence, in applications under this act, as the President of the United States shall prescribe.

APPROVED, July 4, 1836.

CHAP. CCCLXIII.—*An Act making appropriations for the improvement of certain harbors therein mentioned, for the year one thousand eight hundred and thirty-six, 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 security of the navigation and commerce of the United States, the following sums of money be, and the same are hereby directed to be paid out of any money in the Treasury not otherwise appropriated, and placed at the disposition of the President, for the following objects, viz:

For erecting a breakwater on Stanford ledge, in Portland harbor, according to the plan reported by John Anderson, of the Engineer corps, in the year eighteen hundred and thirty-two, ten thousand dollars.

For the survey of a ledge near Owl's-head harbour, to determine the expediency of erecting thereon a breakwater to improve said harbor, four hundred dollars.

Survey near Owl's head harbor.

For the examination and survey of the passage into Cobscook bay, in the State of Maine, for the purpose of ascertaining the practicability of removing two ledges whereby the navigation of said bay is materially obstructed, three hundred dollars.

Survey at Cobscook bay.

For deepening the channel of the Cochecho branch of the Piscataqua river, leading into Dover harbour, five thousand dollars.

N. Hampshire. Deepening Piscataqua river. Massachusetts. Harbor of Bass river.

For the improvement of the harbor at the mouth of Bass river, ten thousand dollars and forty-one cents.

For removing the wreck in the harbor of New Bedford, ten thousand dollars.

Removing wreck, New Bedford harbor. Breakwater at Sandy bay.

For the construction of a breakwater at Sandy bay, agreeably to the report of a survey made by direction of the Department of War, transmitted to Congress by the President, April twenty-third, eighteen hundred and thirty, ten thousand dollars.

For preserving the point of land leading to the fort and lighthouse at the Gurnet, in Duxbury, by hurdles or double ranges of piles, five thousand dollars.

Point of land in Duxbury.

For the preservation of Rainsford island, in the harbor of Boston, fifteen thousand dollars.

Rainsford island.

For a breakwater at Church's cove harbor, in the town of Little Compton, ten thousand dollars, agreeably to a survey made by Lieutenant Colonel Anderson, of the United States topographical engineers, in eighteen hundred and twenty-seven.

Rhode Island. Breakwater at Church's cove harbor.

For improving the harbor of Saybrook, by removing the bar at the mouth of Connecticut river, twenty thousand dollars.

Connecticut. Saybrook harbor.

For improving the harbor of Westport, agreeably to the report of John Anderson, of the Engineer corps, three thousand dollars.

Westport harbor.

For a sea-wall to preserve Fairweather island, near Black Rock harbor, ten thousand dollars.

Fairweather island.

For securing the public works at the harbor of Southport, one thousand five hundred dollars.

Southport.

For further securing the beach at Cedar point, in Connecticut, one thousand dollars.

Cedar Point.

For deepening the channel leading into Bridgeport harbor, ten thousand dollars.

Bridgeport harbor.

For deepening the channel of the river Thames, leading into Norwich harbor, ten thousand dollars.

Norwich harbor.

For building a breakwater or pier at the harbor of Burlington, ten thousand dollars.

Vermont. Breakwater, Burlington harbor.

For deepening the channel to eight feet between the islands of North and South Hero, near Saint Alban's in Lake Champlain, in Vermont, fifteen thousand dollars.

Channel near St. Albans.

For the improvement of the harbor of Portland, on Lake Erie, ten thousand dollars.

New York. Portland harbor, Lake Erie.

For the improvement of the harbor at the mouth of Salmon river, on Lake Ontario, according to the several plans of said harbor, submitted through the Department of War, five thousand dollars.

Salmon river, Lake Ontario.

For the improvement of the harbor at the mouth of Oak Orchard creek, on Lake Ontario, according to the plan thereof made by Joseph G. Swift, civil engineer, five thousand dollars.

Oak Orchard creek, Lake Ontario.

For the improvement of the harbor at the mouth of Black river, in the county of Jefferson, five thousand dollars.

Black river.

For building a breakwater or pier at the harbor of Plattsburg, ten thousand dollars.

Breakwater at Plattsburg.

For improving the harbor at the mouth of Cattaraugus creek, on Lake Erie, fifteen thousand dollars.

Cattaraugus creek, lake Erie.

Whitehall harbor.

For improving the entrance of Whitehall harbor, on Lake Champlain, eight thousand dollars.

Ice-breaker, Staten Island.

For building an ice-breaker on Staten island, nineteen thousand five hundred dollars.

New Jersey. New Brunswick harbor.

For improving the harbor at New Brunswick, by removing the obstructions in the Raritan river, according to a plan reported to the War Department by Hartman Bache, seven thousand dollars.

Little Egg harbor.

For the protection and improvement of Little Egg harbor, according to the plan reported to the War Department, five thousand dollars.

Survey of Crow Shoal.

For a survey of Crow Shoal in Delaware bay, to ascertain the expediency of constructing a breakwater or artificial harbor, one thousand dollars.

Pennsylvania. Chester harbor.

For repairs at the harbor of Chester, three thousand dollars.

Delaware river, near Fort Mifflin.

For removing the bar on the river Delaware, in the neighborhood of Fort Mifflin, with the view of improving the harbor of Philadelphia, fifteen thousand dollars.

Delaware. Wilmington harbor.

For improving the harbor of Wilmington, by removing the bar at the mouth of Christiana river, according to the plan recommended by Hartman Bache, of the engineer corps, fifteen thousand dollars.

Maryland. Baltimore harbor.

For deepening the harbor of Baltimore, twenty thousand dollars.

Survey, Chesapeake bay.

For a survey of the head waters of Chesapeake bay, pursuant to a resolution of the Legislature of Maryland, five hundred dollars.

Virginia. Survey of James river.

For a survey of James river, with the view of improving the harbor of Richmond, five hundred dollars.

Channels of Dismal Swamp Canal.

For improving the navigation of the natural channels at the northern and southern entrances of the Dismal Swamp canal, fifteen thousand dollars.

N. Carolina. Shoal in Pamlico river.

For removing a sand shoal in Pamlico river, five thousand dollars, by means of the dredging machine now in operation at Ocracock inlet.

Shoal in New river.

For removing the oyster shoal in New river, Onslow county, by means of the dredging machine now in operation in the collection district of Wilmington, five thousand dollars.

Beaufort harb'r. S. Carolina.

To improve the harbor of Beaufort, five thousand dollars.

Survey Georgetown harbor.

For a survey of the bar and harbor at Georgetown, one thousand dollars.

Georgia. Removing Brunswick bar.

For the removal of the Brunswick bar, with the view of improving the harbor of Brunswick, ten thousand dollars.

Ohio. Mouth of Vermillion river.

For constructing two piers and improving the navigation at the mouth of Vermillion river, ten thousand dollars, according to the plan reported to the War Department.

Indiana.

For the construction of a harbor at Michigan city, according to the plan reported to the War Department, twenty thousand dollars.

Michigan city harbor.

For increasing the depth of water in the mouth of the Mississippi river, by closing some of the passages leading out of it, or by cutting a ship channel, or by any other means which shall be deemed expedient by the Secretary of War, with the approbation of the President of the United States, seventy-five thousand dollars; the said sum to be expended in whole or in part, as may be thought proper by the War Department, after the necessary survey shall have been made.

Louisiana.

Mouth of Mississippi river.

For a pier to give direction to the current of the Mississippi river, near the city of St. Louis, fifteen thousand dollars.

Missouri. Pier near St. Louis.

For the survey of Saint Francis, Black, and White rivers, in Arkansas and Missouri, to determine upon the expediency of removing the natural rafts thereon, one thousand dollars.

Survey of rivers in Arkansas and Missouri.

Florida.

Removing Bulk Head shoal.

For removing a mud shoal, called the Bulk Head, in the channel from East Pass to Appalachicola, ten thousand dollars.

Michigan.

Mouth of St. Joseph river.

For the construction of a pier or breakwater at the mouth of the river Saint Joseph, twenty thousand dollars.

For the survey of the mouth of Milwaukie river, on Lake Michigan, to determine the practicability of making a harbor by deepening the channel, four hundred dollars.

Wisconsin.
Survey of Milwaukie river.

SEC. 2. *And be it further enacted*, That the reports upon all the aforesaid surveys shall contain a statement of all such facts within the knowledge of the engineers respectively making the surveys, as are or may be in any way materially connected with the proposed improvements, and also with estimates, in detail, of the sums of money necessary for such improvements, respectively.

Reports upon surveys to contain estimates, &c.

APPROVED, July 4, 1836.

STATUTE I.

July 4, 1836.

CHAP. CCCLXIV.—*An Act to repeal so much of the act of March second, seventeen hundred and ninety-nine, as respects the issuing of certificates on the importation of wines.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the act of Congress, passed second March, seventeen hundred and ninety-nine, as requires that the surveyor or chief officers of inspection of any port, where wines may be landed, shall give to the proprietor, importer or consignee thereof, or his or her agent, a certificate, as mentioned in the fortieth and forty-first sections of said act, is hereby repealed.

Repeal of sec. 7, act of March 2, 1799, ch. 22.

APPROVED, July 4, 1836.

RESOLUTIONS.

No. 1. *Resolution authorizing the President to furnish rations to certain inhabitants of Florida.*

Feb. 1, 1836.

Be it Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be authorized to cause rations to be delivered from the public stores to the unfortunate sufferers, who are unable to provide for themselves, and who have been driven from their homes by Indian depredations in Florida, until they can [be] re-established in their possessions, or so long as the President shall consider it necessary.

Rations from the public stores to be delivered, &c.

APPROVED, February 1, 1836.

No. 2. *Resolution to establish certain post roads in Missouri and Arkansas.*

Mar. 19, 1836.

Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General be, and he is hereby authorized to establish the following post roads; From Fort Towson, in the Territory of Arkansas, to Fort Gibson, and from Fort Gibson, by Fayette, in Arkansas Territory, Barry court-house, Van Buren court-house, Jackson court-house, Fort Leavenworth, Liberty, in Clay county, Plattsburgh, in Clinton county, Fort Des Moines, to the town of Dubuque on the Mississippi river. And the same shall be continued until otherwise provided for by law.

Post roads to be established.

APPROVED, March 19, 1836.

No. 3. *Resolution to suspend the sale of a part of the public lands acquired by the treaty of Dancing Rabbit creek.*

May 9, 1836.

Be it Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the public lands, acquired by the treaty concluded with the Choctaw nation of Indians, at Dancing Rabbit creek, on the twenty-eighth day of September, eighteen hundred and thirty, as has been conditionally, or otherwise located by the locating agent of the United States to persons claiming reservations under the fourteenth article of said treaty, be

Reservations of lands to be withheld from public sale until 1st December, 1836.

Proviso.

withheld from public sale until the first day of December next: *Provided*, That nothing herein contained, shall be taken or construed as indicating any intention on the part of Congress to confirm said claims.
APPROVED, May 9, 1836.

May 14, 1836.

No. 4. *A Resolution to change the time of making contracts for the transportation of the mail.*

The contract year for carrying the mail to end on the 30th of June.

Act of July 2, 1836, ch. 270.

Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General be authorized, provided the same can be done at the present rates of compensation, to extend the term of the existing contracts for the transportation of the mail, to the thirtieth day of June inclusive, next succeeding the thirty-first day of December, in each year in which said contracts expire, so that the contract year may, after the first day of January next, commence on the first day of July, instead of the first day of January.

APPROVED, May 14, 1836.

May 14, 1836.

No. 5. *A Resolution to authorize the Secretary of War to receive additional evidence in support of the claims of Massachusetts and other States of the United States, for disbursements, services, &c. during the late war.*

Evidence, if satisfactory, to be received, although not conforming to existing rules.

Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War, in preparing his report pursuant to a resolve of the House of Representatives, agreed to on the twenty-fourth of February, eighteen hundred and thirty-two, be, and he hereby is, authorized, without regard to existing rules and requirements, to receive such evidence as is on file, and any further proofs which may be offered tending to establish the validity of the claims of Massachusetts upon the United States, or any part thereof, for services, disbursements, and expenditures during the late war with Great Britain; and in all cases where such evidence shall in his judgment prove the truth of the items of claim, or any part thereof, to act on the same in like manner as if the proof consisted of such vouchers and evidence, as is required by existing rules and regulations touching the allowance of such claims: And that in the settlement of claims of other States upon the United States for services, disbursements, and expenditures during the late war with Great Britain, the same kind of evidence, vouchers and proof shall be received as is herein provided for in relation to the claim of Massachusetts, the validity of which shall be, in like manner, determined and acted upon by the Secretary of War.

APPROVED, May 14, 1836.

June 7, 1836.

No. 6. *A Resolution authorizing the repair of the bridge across the river Potomac, at Washington.*

Unexpended balance appropriated to repairs.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized to have all repairs made to the bridge across the Potomac river, which have become necessary from the late flood, and that the expenses of said repairs be paid out of the money heretofore appropriated for the erection of said bridge, and which is now in the Treasury, unexpended.

APPROVED, June 7, 1836.

No. 7. *A Resolution providing for the distribution of weights and measures.*

June 14, 1836.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is directed to cause a complete set of all the weights and measures adopted as standards, and now either made or in the progress of manufacture for the use of the several custom-houses, and for other purposes, to be delivered to the Governor of each State in the Union, or such person as he may appoint, for the use of the States respectively, to the end that a uniform standard of weights and measures may be established throughout the United States.

A complete set of such weights and measures as are intended for custom-houses to be delivered to each State.

APPROVED, June 14, 1836.

No. 8. *A Resolution to furnish the Rotundo with paintings.*

June 23, 1836.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That a joint committee be appointed to contract with one or more competent American artists for the execution of four historical pictures upon subjects serving to illustrate the discovery of America; the settlement of the United States; the history of the Revolution; or of the adoption of the Constitution; to be placed in the vacant pannels of the Rotundo; the subjects to be left to the choice of the artists under the control of the committee.

Contract to be made with four American artists.

APPROVED, June 23, 1836.

No. 9. *A Resolution referring the petition and papers of the heirs of Robert Fulton, deceased, to the Secretary of the Navy, to report thereon to Congress.*

June 23, 1836.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the petition and papers of the heirs of Robert Fulton, be referred to the Secretary of the Navy, to state an account between the United States and said heirs, by debiting them with all the moneys paid to the said Robert Fulton, and not settled on the books of the Treasury Department.

Moneys paid to Robert Fulton to be debited to his heirs.

Second. To credit the said heirs with all moneys advanced or expended by the said Fulton, in and about the business of the United States, committed to his care, or about which he had an agency.

Moneys expended by R. F. for the U. S. to be credited.

Third. To credit the said heirs a compensation commensurate with the value and importance of the services rendered by the said Robert Fulton, to the United States, in inventing a system of coast and harbor defence, and in testing its utility so far as he was employed or engaged to render such services by the authorities of the United States, or when such services were recognised as having been rendered for the United States, previous to, or during, the late war with Great Britain.

A compensation commensurate with the value of his system of harbor defence to be allowed.

Fourth. To credit the said heirs with the like compensation, for the services of the said Robert Fulton, for inventing and in superintending the construction of a steam frigate, at New York, during and after said war.

Compensation for inventing and superintending steam frigate.

Fifth. To credit the said heirs with a just and equitable compensation, for the detention of the steam-boat Vesuvius, at New Orleans, from the thirtieth of December, eighteen hundred and fourteen, to the twelfth of March, eighteen hundred and fifteen, both days inclusive, being the time the said boat remained aground by reason of her being impressed into the service of the United States, and grounded when in said service.

Allowance to be made for detention of the Vesuvius.

Sec. 2. Be it further resolved, That the said Secretary of the Navy be authorized to take such further testimony as he shall think necessary, and that he ascertain what defence was made to the suit in favor of the United States, against the representatives of Robert Fulton in the

Secretary of Navy may take further testimony, &c. relating to a suit in favor

of the United States, and report to Congress.

southern district of New York, and what composed the items of set-off to the claim of the United States; and that said Secretary report his proceedings at the next session of Congress.

APPROVED, June 23, 1836.

July 1, 1836.

No. 10. *A resolution to apply the unexpended balance of the appropriation for the Potomac bridge to the improvement of Maryland avenue leading thereto, and for other purposes.*

The balance of the appropriation to be expended on Maryland avenue.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the balance of the appropriation for the construction of the bridge across the Potomac, at the city of Washington, remaining unexpended after the said bridge shall have been repaired in obedience to the directions contained in the joint resolution passed for that purpose at the present session of Congress, be, and the same hereby is, appropriated, to be applied under the direction of the Commissioner of the Public Buildings, towards the graduation, gravelling and planting of the Maryland avenue, in said city, from its eastern extremity to the said bridge, in equal proportions on the east and west of the Capitol, according to distance.

Commissioner of public buildings to attend to the draws, &c. He may employ three assistants.

SEC. 2. *And be it further resolved,* That it shall be the duty of the Commissioner of Public Buildings to attend to the draws, cause the bridge to be properly lighted, to guard against wanton injuries and obstructions, and to preserve a due police on and near it, so as to ensure the safety of passengers and of the public property; that said Commissioner shall receive for his services the yearly compensation of three hundred dollars, and be authorized to employ three assistants, at a compensation not exceeding one dollar and fifty cents a day.

APPROVED, July 1, 1836.