

# ACTS OF THE TWENTY-FOURTH CONGRESS

OF THE

## UNITED STATES.

*Passed at the second session, which was begun and held at the City of Washington, in the district of Columbia, on Monday, the 5th day of December, 1836, and ended the 3d day of March, 1837.*

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 II.

CHAPTER I.—*An Act to regulate, in certain cases, the disposition of the proceeds of lands ceded by Indian tribes to the United States.*

Jan. 9, 1837.

*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 sales of lands, that have been, or may be hereafter, ceded to the United States by Indian tribes, by treaties providing for the investment or payment to the Indians, parties thereto, of the proceeds of the lands ceded by them, respectively, after deducting the expenses of survey and sale, any sums stipulated to be advanced, and the expenses of fulfilling any engagements contained therein, 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.

Moneys received to be paid into the Treasury.

SEC. 2. *And be it further enacted,* That all sums that are or may be required to be paid, and all moneys that are or may be required to be invested by said treaties, are hereby appropriated in conformity to them, 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.

Necessary appropriations made to be paid from the Treasury.

SEC. 3. *And be it further enacted,* That all investments of stock, that are or may be required by said treaties, shall be made under the direction of the President; and special accounts of the funds under said treaties shall be kept at the Treasury, and statements thereof be annually laid before Congress.

Investments of stock.

Special accounts of the funds to be kept, and laid before Congress.

SEC. 4. *And be it further enacted,* That the provisions of the 4th section of the act of June 14th, 1836, entitled "An act making appropriations for the Indian Department, &c.," be and are hereby extended, in such manner as to apply to the disposition of all moneys that may hereafter be received under the treaties therein named, or under any others containing similar stipulations for the payment to the Indians, annually, of interest upon the proceeds of the lands ceded by them.

Provisions of sec. 4, act 14th June, 1836, ch. 88, extended.

APPROVED, January 9, 1837.

STATUTE II.

Jan. 9, 1837.

CHAP. II.—*An Act making an appropriation for the suppression of Indian hostilities.*

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

[Obsolete.] \$2,000,000 appropriation.

(135)

How to be expended.

millions of 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; to be expended under the direction of the Secretary of War, conformably to the acts of Congress of the nineteenth of March, and the second of July last, and of the acts therein referred to.

APPROVED, January 9, 1837.

STATUTE II.

Jan. 18, 1837.

Act of April  
2, 1792, ch. 16.  
Act of March  
3, 1835, ch. 39.  
Act of Feb. 27,  
1843, ch. 46.  
Act of April 2,  
1844, ch. 7.  
Officers.

Duties of.  
Director.

Treasurer.

Assayer.

Melter and  
refiner.

Chief coiner.

Engraver.

CHAP. III.—*An Act supplementary to the act entitled "An act establishing a mint, and regulating the coins of the United States." (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the officers of the mint of the United States shall be a director, a treasurer, an assayer, a melter and refiner, a chief coiner and an engraver, to be appointed by the President of the United States, by and with the advice and consent of the Senate.

SEC. 2. *And be it further enacted,* That the respective duties of the officers of the mint shall be as follows:

*First.* The director shall have the control and management of the mint, the superintendence of the officers and persons employed therein, and the general regulation and supervision of the business of the several branches. And in the month of January of every year he shall make report to the President of the United States of the operations of the mint and its branches for the year preceding. And also to the Secretary of the Treasury, from time to time, as said Secretary shall require, setting forth all the operations of the mint subsequent to the last report made upon the subject.

*Second.* The treasurer shall receive, and safely keep all moneys which shall be for the use and support of the mint; shall keep all the current accounts of the mint, and pay all moneys due by the mint, on warrants from the director. He shall receive all bullion brought to the mint for coinage; shall be the keeper of all bullion and coin in the mint, except while the same is legally placed in the hands of other officers, and shall, on warrants from the director, deliver all coins struck at the mint to the persons to whom they shall be legally payable. And he shall keep regular and faithful accounts of all the transactions of the mint, in bullion and coins, both with the officers of the mint and the depositors; and shall present, quarter-yearly, to the Treasury Department of the United States, according to such forms as shall be prescribed by that department, an account of the receipts and disbursements of the mint, for the purpose of being adjusted and settled.

*Third.* The assayer shall carefully assay all metals used in coinage, whenever such assays are required in the operations of the mint; and he shall also make assays of coins whenever instructed to do so by the director.

*Fourth.* The melter and refiner shall execute all the operations which are necessary in order to form ingots of standard silver or gold, suitable for the chief coiner, from the metals legally delivered to him for that purpose.

*Fifth.* The chief coiner shall execute all the operations which are necessary in order to form coins, conformable in all respects to the law, from the standard silver and gold ingots, and the copper planchets, legally delivered to him for this purpose.

*Sixth.* The engraver shall prepare and engrave, with the legal devices and inscriptions, all the dies used in the coinage of the mint and its branches.

(a) See notes of the acts relating to the Mint, and to Coins of the United States, vol. 1, 246.

SEC. 3. *And be it further enacted*, That the director shall appoint, with the approbation of the President, assistants to the assayer, melter and refiner, chief coiner, and engraver, and clerks for the director and treasurer, whenever, on representation made by the director to the President, it shall be the opinion of the President that such assistants or clerks are necessary. And it shall be the duty of the assistants to aid their principals in the execution of their respective offices, and of the clerks to perform such duties as shall be prescribed for them by the director.

Appointment of assistants and clerks.

Their duties.

SEC. 4. *And be it further enacted*, That whenever any officer of the mint shall be temporarily absent, on account of sickness, or any other sufficient cause, it shall be lawful for the director, with the assent of said officer, to appoint some person attached to the mint, to act in the place of such officer during his absence, and that the director shall employ such workmen and servants in the mint as he shall from time [to time] find necessary.

Vacancies in case of temporary absence how filled.

Employment of workmen and servants.

Oath to be taken.

SEC. 5. *And be it further enacted*, That every officer, assistant, and clerk of the mint, shall, before he enters upon the execution of his office, take an oath or affirmation before some judge of the United States, or judge of the superior court or any court of record of any State, faithfully and diligently to perform the duties thereof.

SEC. 6. *And be it further enacted*, That the following officers of the mint, before entering upon the execution of their respective offices, shall become bound to the United States, with one or more sureties, to the satisfaction of the Secretary of the Treasury, in the sums hereinafter mentioned, with condition for the faithful and diligent performance of the duties of their offices, viz: The treasurer in the sum of ten thousand dollars; the assayer in the sum of five thousand dollars; the melter and refiner in the sum of ten thousand dollars; the chief coiner in the sum of ten thousand dollars. And that similar bonds may also be required of the assistants and clerks, in such sums as the director shall determine, with the approbation of the Secretary of the Treasury.

Bonds required.

SEC. 7. *And be it further enacted*, That there shall be allowed to the officers of the mint the following salaries per annum: To the director, for his services, including travelling expenses incurred in visiting the different branches, and all other charges whatever, three thousand five hundred dollars; to the treasurer, assayer, melter and refiner, chief coiner, and engraver, each, two thousand dollars; to the assistants and clerks, such annual salaries shall be allowed as the director may determine, with the approbation of the President: *Provided*, That an assistant shall not receive more than fifteen hundred dollars; and that a clerk shall not receive more than twelve hundred dollars; to the workmen and servants shall be allowed such wages, to be determined by the director, as may be customary and reasonable, according to their respective stations and occupations; and that the salaries provided for in this section shall be payable in quarterly instalments.

Salaries of officers, clerks, and assistants.

Proviso.

Wages of workmen and servants.

SEC. 8. *And be it further enacted*, That the standard for both gold and silver coins of the United States shall hereafter be such, that of one thousand parts by weight, nine hundred shall be of pure metal, and one hundred of alloy; and the alloy of the silver coins shall be of copper; and the alloy of the gold coins shall be of copper and silver, provided that the silver do not exceed one-half of the whole alloy.

Standard for gold and silver coins.

Alloys.

SEC. 9. *And be it further enacted*, That of the silver coins, the dollar shall be of the weight of four hundred and twelve and one-half grains; the half dollar of the weight of two hundred and six and one-fourth grains; the quarter dollar of the weight of one hundred and three and one-eighth grains; the dime, or tenth part of a dollar, of the weight of forty-one and a quarter grains; and the half dime, or twentieth part of a dollar, of the weight of twenty grains, and five-eighths of a grain.

Weight of silver coins.

1853, ch. 79.

Dollars, &c., shall be legal tenders, &c.

Weight of gold coins.

Eagles, &c., shall be a legal tender, &c.

Silver coins heretofore issued, and gold coins issued since 31st July, 1834, shall continue to be legal tenders.

Weight of copper coins.

Proportional value of a dollar.

Devices and legends of coins.

Gold and silver bullion brought for coinage shall be received and coined.

Proviso. Further proviso.

Receipt to be given for bullion.

Proviso.

Bullion deposited for coinage to be assayed.

Assayer to report the quality, &c.

Charges to which the depositor is subjected.

And that dollars, half dollars, and quarter dollars, dimes, and half dimes, shall be legal tenders of payment, according to their nominal value, for any sums whatever.

SEC. 10. *And be it further enacted*, That of the gold coins, the weight of the eagle shall be two hundred and fifty-eight grains; that of the half eagle one hundred and twenty-nine grains; and that of the quarter eagle sixty-four and one-half grains. And that for all sums whatever, the eagle shall be a legal tender of payment for ten dollars; the half eagle for five dollars; and the quarter eagle for two and a half dollars.

SEC. 11. *And be it further enacted*, That the silver coins heretofore issued at the mint of the United States, and the gold coins issued since the thirty-first day of July, one thousand eight hundred and thirty-four, shall continue to be legal tenders of payment for their nominal values, on the same terms as if they were of the coinage provided for by this act.

SEC. 12. *And be it further enacted*, That of the copper coins, the weight of the cent shall be one hundred and sixty-eight grains, and the weight of the half-cent eighty-four grains. And the cent shall be considered of the value of one hundredth part of a dollar, and the half-cent of the value of one two-hundredth part of a dollar.

SEC. 13. *And be it further enacted*, That upon the coins struck at the mint there shall be the following devices and legends: upon one side of each of said coins there shall be an impression emblematic of liberty, with an inscription of the word LIBERTY, and the year of the coinage; and upon the reverse of each of the gold and silver coins, there shall be the figure or representation of an eagle, with the inscription United States of America, and a designation of the value of the coin; but on the reverse of the dime and half dime, cent and half cent, the figure of the eagle shall be omitted.

SEC. 14. *And be it further enacted*, That gold and silver bullion brought to the mint for coinage, shall be received and coined, by the proper officers, for the benefit of the depositor: *Provided*, That it shall be lawful to refuse, at the mint, any deposit of less value than one hundred dollars, and any bullion so base as to be unsuitable for the operations of the mint; *And provided also*, That when gold and silver are combined, if either of these metals be in such small proportion that it cannot be separated advantageously, no allowance shall be made to the depositor for the value of such metal.

SEC. 15. *And be it further enacted*, That when bullion is brought to the mint for coinage, it shall be weighed by the treasurer, in the presence of the depositor, when practicable, and a receipt given which shall state the description and weight of the bullion: *Provided*, That when the bullion is in such a state as to require melting before its value can be ascertained, the weight after melting shall be considered as the true weight of the bullion deposited.

SEC. 16. *And be it further enacted*, That from every parcel of bullion deposited for coinage, the treasurer shall deliver to the assayer a sufficient portion for the purpose of being assayed; but all such bullion remaining from the operations of the assay shall be returned to the treasurer by the assayer.

SEC. 17. *And be it further enacted*, That the assayer shall report to the treasurer the quality or standard of the bullion assayed by him; and he shall also communicate to the treasurer such information as will enable him to estimate the amount of the charges hereinafter provided for, to be made to the depositor, for the expenses of converting the bullion into standard metal fit for coinage.

SEC. 18. *And be it further enacted*, That the only subjects of charge by the mint to the depositor shall be the following: For refining when

the bullion is below standard; for toughening when metals are contained in it which render it unfit for coinage; for copper used for alloy when the bullion is above standard; for silver introduced into the alloy of gold; and for separating the gold and silver when these metals exist together in the bullion: and that the rate of these charges shall be fixed, from time to time, by the director, with the concurrence of the Secretary of the Treasury, so as not to exceed, in their judgment, the actual expense to the mint of the materials and labor employed in each of the cases aforementioned; and that the amount received from these charges shall be accounted for, and appropriated for defraying the contingent expenses of the mint.

Rate of, how fixed.

Disposition of amount received.

Value of deposit, &c., how estimated.

SEC. 19. *And be it further enacted*, That from the report of the assayer, and the weight of the bullion, the treasurer shall estimate the whole value of each deposite, and also the amount of the charges or deductions if any; of all which he shall give a detailed memorandum to the depositor; and he shall also give, at the same time, under his hand, a certificate of the nett amount of the deposite, to be paid in coins of the same species of bullion as that deposited.

SEC. 20. *And be it further enacted*, That parcels of bullion shall be, from time to time, transferred by the treasurer to the melter and refiner; that a careful record of these transfers, noting the weight and character of the bullion, shall be kept; and that the bullion thus placed in the hands of the melter and refiner shall be subjected to the several processes which may be necessary to form it into ingots of the legal standard, and of a quality suitable for coinage.

Transfers of bullion by treasurer to melter and refiner.

SEC. 21. *And be it further enacted*, That the ingots thus prepared shall be assayed by the assayer, and if they prove to be within the limits allowed for deviation from the standard, they shall be transferred by the melter and refiner to the treasurer, accompanied by the assayer's certificate of their fineness; and that a careful record of the transfer shall be kept by the treasurer.

Ingots to be assayed, &c.

SEC. 22. *And be it further enacted*, That no ingots of gold shall be used for coinage of which the quality differs more than two thousandths from the legal standard; and that no ingots of silver shall be used for coinage of which the quality differs more than three thousandths from the legal standard.

Deviation from legal standard allowed in ingots of gold and silver.

SEC. 23. *And be it further enacted*, That in the treasurer's account with the melter and refiner, the melter and refiner shall be debited with the standard weight of all the bullion placed in his hands, that is to say, with the weight of metal of legal standard fineness which it will make; and that he shall be credited by the standard weight of all the ingots delivered by him to the treasurer; and that once at least in every year, at such time as the director shall appoint, the melter and refiner shall deliver up to the treasurer all the bullion in his possession, in order that his accounts may be settled up to that time; and, in this settlement, he shall be entitled to a credit for the difference between the whole amount of bullion delivered to him, and received from him, since the last settlement, as an allowance for necessary waste: *Provided*, That this allowance shall not exceed two thousandths of the whole amount of gold and silver bullion, respectively, that had been delivered to him by the treasurer.

Treasurer's account with melter and refiner.

Allowance for necessary waste. Proviso.

SEC. 24. *And be it further enacted*, That the treasurer shall, from time to time, deliver over to the chief coiner, ingots for the purpose of coinage; that he shall keep a careful record of these transfers, noting the weight and description of the ingots; and that the ingots thus placed in the hands of the chief coiner shall be passed through the several processes necessary to make from them coins, in all respects conformable to law.

Ingots for coinage.

SEC. 25. *And be it further enacted*, That in adjusting the weights of

Deviation from legal standard allowed in the weights of coins, in single pieces.

In a large number together.

the coins, the following deviations from the standard weight shall not be exceeded in any of the single pieces: In the dollar and half dollar, one grain and a half; in the quarter dollar, one grain; in the dime and half dime, half a grain; in the gold coins, one-quarter of a grain; in the copper coins, one grain in the pennyweight; and that in weighing a large number of pieces together, when delivered from the chief coiner to the treasurer, and from the treasurer to the depositors, the deviations from the standard weight shall not exceed the following limits: Four pennyweights in one thousand dollars; three pennyweights in one thousand half dollars; two pennyweights in one thousand quarter dollars; one pennyweight in one thousand dimes; one pennyweight in one thousand half dimes; two pennyweights in one thousand eagles; one and a half pennyweight in one thousand half eagles; one pennyweight in one thousand quarter eagles.

Coins to be weighed.

SEC. 26. *And be it further enacted*, That the chief coiner shall, from time to time, as the coins are prepared, deliver them over to the treasurer, who shall keep a careful record of their kind, number, and weight; and that, in receiving the coins, it shall be the duty of the treasurer to see whether the coins of that delivery are within the legal limits of the standard weight; and if his trials for this purpose shall not prove satisfactory, he shall cause all the coins of this delivery to be weighed separately, and such as are not of legal weight shall be delivered to the melter and refiner, as standard bullion, to be again formed into ingots and recoined.

Coins to be preserved for the annual trial.

SEC. 27. *And be it further enacted*, That at every delivery of coins made by the chief coiner to the treasurer, it shall be the duty of the treasurer, in the presence of the assayer, to take indiscriminately, a certain number of pieces of each variety for the annual trial of coins, (the number being prescribed by the director,) which shall be carefully labelled, and deposited in a chest appropriated for the purpose, kept under the joint care of the treasurer and assayer, and so secured that neither can have access to its contents without the presence of the other.

Disposition of clippings, &c.

SEC. 28. *And be it further enacted*, That the chief coiner shall, from time to time, deliver to the treasurer the clippings and other portions of bullion remaining after the process of coining, and that the treasurer shall keep a careful record of their amount.

Treasurer's account with chief coiner.

SEC. 29. *And be it further enacted*, That in the treasurer's account with the chief coiner, the chief coiner shall be debited with the amount in weight of standard metal of all the bullion placed in his hands, and credited with the amount, also by weight, of all the coins, clippings, and other bullion delivered by him to the treasurer; and that once at least in every year, at such time as the director shall appoint, the chief coiner shall deliver to the treasurer all the coins and bullion in his possession, so that his accounts may be settled up to that time; and, in this settlement, he shall be entitled to a credit for the difference between the whole amount of the ingots delivered to him, and of the coins and bullion received from him, since the last settlement, as an allowance for necessary waste: *Provided*, That this allowance shall not exceed two thousandths of the whole amount of the silver, or one and one-half thousandth of the whole amount of the gold, that had been delivered to him by the treasurer.

Allowance for necessary waste.

Proviso.

Payment for bullion deposited to be coined.

SEC. 30. *And be it further enacted*, That when the coins which are the equivalent to any deposit of bullion are ready for delivery, they shall be paid over to the depositor, or his order, by the treasurer, on a warrant from the director; and the payment shall be made, if demanded, in the order in which the bullion shall have been brought to the mint, giving priority according to priority of deposit only; and that in the denominations of coin delivered, the treasurer shall comply with the

wishes of the depositor, unless when impracticable or inconvenient to do so; in which case, the denominations of coin shall be designated by the director.

SEC. 31. *And be it further enacted*, That for the purpose of enabling the mint to make returns to depositors with as little delay as possible, it shall be the duty of the Secretary of the Treasury to keep in the said mint, when the state of the treasury will admit thereof, a deposite of such amount of public money, or of bullion procured for the purpose, as he shall judge convenient and necessary, not exceeding one million of dollars, out of which those who bring bullion to the mint may be paid the value thereof, as soon as practicable, after this value has been ascertained; that the bullion so deposited shall become the property of the United States; that no discount or interest shall be charged on moneys so advanced; and that the Secretary of the Treasury may at any time withdraw the said deposite, or any part thereof, or may, at his discretion, allow the coins formed at the mint to be given for their equivalent in other money.

Deposit of public money to be kept in the mint by Secretary of Treasury.

SEC. 32. *And be it further enacted*, That to secure a due conformity in the gold and silver coins to their respective standards and weights, an annual trial shall be made of the pieces reserved for this purpose at the mint and its branches, before the judge of the district court of the United States, for the eastern district of Pennsylvania, the attorney of the United States, for the eastern district of Pennsylvania, and the collector of the port of Philadelphia, and such other persons as the President shall, from time to time, designate for that purpose, who shall meet as commissioners, for the performance of this duty, on the second Monday in February, annually, and may continue their meetings by adjournment, if necessary; and if a majority of the commissioners shall fail to attend at any time appointed for their meeting, then the director of the mint shall call a meeting of the commissioners at such other time as he may deem convenient; and that before these commissioners, or a majority of them, and in the presence of the officers of the mint, such examination shall be made of the reserved pieces as shall be judged sufficient; and if it shall appear that these pieces do not differ from the standard fineness and weight by a greater quantity than is allowed by law, the trial shall be considered and reported as satisfactory; but if any greater deviation from the legal standard or weight shall appear, this fact shall be certified to the President of the United States, and if, on a view of the circumstances of the case, he shall so decide, the officer or officers implicated in the error shall be thenceforward disqualified from holding their respective offices.

Annual trial of coins.

Act of March 3, 1823, ch. 42, sect. 2, repealed.

SEC. 33. *And be it further enacted*, That copper bullion shall be purchased for the mint, from time to time, by the treasurer, under instructions from the director; that the cost shall be paid from the fund hereinafter provided for; and that the copper bullion shall be of good quality, and in form of planchets fit for passing at once into the hands of the chief coiner.

Purchase of copper bullion.

SEC. 34. *And be it further enacted*, That the copper planchets shall be delivered, from time to time, by the treasurer to the chief coiner, to be by him coined; and all such copper shall be returned to the treasurer, by the chief coiner, weight for weight, without allowance for waste.

Coinage of copper.

SEC. 35. *And be it further enacted*, That it shall be the duty of the treasurer of the mint to deliver the copper coins, in exchange for their legal equivalent in other money, to any persons who shall apply for them: *Provided*, That the sum asked for be not less than a certain amount, to be determined by the director, and that it be not so great as, in his judgment, to interfere with the capacity of the mint to supply other applicants.

Copper coins may be exchanged for other money. Proviso.

Copper coins transported at expense of the mint.

Disposition of money received in exchange for copper coins.

Former acts repealed.

#### STATUTE II.

Jan. 18, 1837.

[Obsolete.]

Revolutionary Pensioners, &c.  
May 15, 1828,  
ch. 53.

June 7, 1832,  
ch. 126.  
July 4, 1836,  
ch. 362.

Invalid pensioners.  
Widows and orphans.

Widows and orphans.

#### STATUTE II.

Jan. 18, 1837.

[Expired.]

Act of Feb. 19, 1833, ch. 33.

Act of June 30, 1834, ch. 153.  
Oct. 14, 1837, ch. 5.  
1842, ch. 185.  
1843, ch. 103.  
1888, ch. 178.

Officers and others to be paid the value of horses lost.

SEC. 36. *And be it further enacted*, That the copper coins may, at the discretion of the director, be delivered in any of the principal cities and towns of the United States, at the cost of the mint for transportation.

SEC. 37. *And be it further enacted*, That the money received by the treasurer in exchange for copper coins shall form a fund in his hands, which shall be used to purchase copper planchets, and to pay the expense of transportation of copper coins; and that if there be a surplus, the same shall be appropriated to defray the contingent expenses of the mint.

SEC. 38. *And be it further enacted*, That all acts or parts of acts heretofore passed, relating to the mint and coins of the United States, which are inconsistent with the provisions of this act, be, and the same are hereby repealed.

APPROVED, January 18, 1837.

CHAP. IV.—*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-seven.*

*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-seven:

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 fourth of July, one thousand eight hundred and thirty-six, seven hundred and twelve thousand five hundred and sixty dollars;

For the invalid pensioners, under various laws, three hundred and twenty-five thousand three hundred and seventy-six dollars:

For pensions to widows and orphans, under the act of the fourth of July, one thousand eight hundred and thirty-six, five hundred and fifty-two thousand dollars:

For pensions to widows and orphans, payable through the office of the Third Auditor, four thousand dollars.

APPROVED, January 18, 1837.

CHAP. V.—*An act to provide for the payment of horses and other property lost or destroyed in the military service of the United States.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That any field, or staff, or other officer, mounted militiaman, volunteer, ranger, or cavalry, engaged in the military service of the United States since the eighteenth of June, eighteen hundred and twelve, or who shall hereafter be in said service, and has sustained or shall sustain damage, without any fault or negligence on his part, while in said service, by the loss of a horse in battle or by the loss of a horse wounded in battle, and which has died or shall die of said wound or being so wounded shall be abandoned by order of his officer and lost; or shall sustain damage by the loss of any horse by death, or abandonment, in consequence of the United States failing to supply sufficient forage, or because the rider was dismounted and separated from his horse, and ordered to do duty on foot at a station detached from his horse; or when the officer in the immediate command ordered or shall order the horse turned out to graze in the woods, prairies, or commons, because the United States failed or shall fail to supply sufficient forage, and the loss was or shall be consequent



thereof; or for the loss of necessary equipage, in consequence of the loss of his horse as aforesaid, shall be allowed and paid the value thereof: *Provided*, That if any payment has been, or shall be, made to any one aforesaid, for the use and risk, or for forage, after the death, loss, or abandonment of his horse, said payment shall be deducted from the value thereof, unless he satisfied or shall satisfy the paymaster at the time he made or shall make the payment, or thereafter show, by proof, that he was remounted, in which case the deduction shall only extend to the time he was on foot: *And provided, also*, If any payment shall have been, or shall hereafter be, made to any person above mentioned, on account of clothing, to which he was not entitled by law, such payment shall be deducted from the value of his horse or accoutrements.

Proviso.

Further proviso.

SEC. 2. *And be it further enacted*, That any person who, in the said military service as a volunteer, or draughted militiaman, furnished or shall furnish himself with arms and military accoutrements, and sustained or shall sustain damage by the capture or destruction of the same, without any fault or negligence on his part, or who lost or shall lose the same by reason of his being wounded in the service, shall be allowed and paid the value thereof.

Volunteers or draughted militiamen to be allowed for arms, &c., lost.

SEC. 3. *And be it further enacted*, That any person who sustained or shall sustain damage by the loss, capture, or destruction by an enemy, of any horse, mule, or wagon, cart, boat, sleigh, or harness, while such property was in the military service of the United States, either by impressment or contract, except in cases where the risk to which the property would be exposed was agreed to be incurred by the owner, if it shall appear that such loss, capture, or destruction was without any fault or negligence on the part of the owner; and any person who, without any such fault or negligence, sustained or shall sustain damage by the death or abandonment and loss of any such horse, mule, or ox, while in the service aforesaid, in consequence of the failure on the part of the United States to furnish the same with sufficient forage, shall be allowed and paid the value thereof.

Payment for horses, mules, wagons, &c.

SEC. 4. *And be it further enacted*, That the claims provided for under this act shall be adjusted by the Third Auditor, under such rules as shall be prescribed by the Secretary of War, under the direction or with the assent of the President of the United States; as well in regard to the receipt of applications of claimants, as the species and degree of evidence, the manner in which such evidence shall be taken and authenticated, which rules shall be such as, in the opinion of the President, shall be best calculated to obtain the object of this act, paying a due regard, as well to the claims of individual justice as to the interests of the United States, which rules and regulations shall be published for four weeks in such newspapers in which the laws of the United States are published, as the Secretary of War shall direct.

Claims to be adjusted by Third Auditor, under rules prescribed by Secretary of War, &c.

Rules, &c., to be published.

SEC. 5. *And be it further enacted*, That in all adjudications of said Auditor upon the claims above mentioned, whether such judgment be in favor of, or adverse to, the claim shall be entered in a book provided by him for that purpose, and under his direction; and when such judgment shall be in favor of such claim, the claimant, or his legal representative, shall be entitled to the amount thereof upon the production of a copy thereof certified by said Auditor at the Treasury of the United States.

Entry of all adjudications to be made; claimants to be paid on producing certified copies thereof.

SEC. 6. *And be it further enacted*, That in all instances where any minor has been, or shall be, engaged in the military service of the United States, and was or shall be provided with a horse or equipments, or with military accoutrements, by his parent or guardian, and has died or shall die without paying for said property, and the same has been or shall be lost, captured, destroyed, or abandoned in the manner before

Payment for losses by minors to be made to parents or guardians.

mentioned, said parent or guardian shall be allowed pay therefor on making satisfactory proof as in other cases, and the further proof that he is entitled thereto by having furnished the same.

Persons other than minors to be paid for property risked by them which has been lost.

SEC. 7. *And be it further enacted*, That in all instances where any person other than a minor has been or shall be engaged in the military service aforesaid, and has been or shall be provided with a horse or equipments, or with military accoutrements by any person, the owner thereof, who has risked or shall take the risk of such horse, equipments, or military accoutrements on himself, and the same has been or shall be lost, captured, destroyed, or abandoned in the manner before mentioned, such owner shall be allowed pay therefor, on making satisfactory proof as in other cases, and the further proof that he is entitled thereto, by having furnished the same, and having taken the risk on himself.

Acts of 19 February, 1833, ch. 33; and 30 June, 1834, ch. 153, repealed.

SEC. 8. *And be it further enacted*, That the act passed on the nineteenth of February, eighteen hundred and thirty-three, entitled "An act for the payment of horses and arms lost in the military service of the United States against the Indians on the frontier of Illinois and Michigan Territory," and an act passed on the thirtieth of June, eighteen hundred and thirty-four, entitled "An act to provide for the payment of claims for property lost, captured or destroyed by the enemy, while in the military service of the United States, during the late war with the Indians on the frontier of Illinois and Michigan Territory," be, and the same are hereby, repealed.

Limitation of act.

SEC. 9. *And be it further enacted*, That this act shall be and remain in force until the close of the next session of Congress.

APPROVED, January 18, 1837.

#### STATUTE II.

Jan. 26, 1837.

CHAP. VI.—*An Act to admit the State of Michigan into the Union, upon an equal footing with the original States.*

Act of June 15, 1836, ch. 99.  
Act of June 23, 1836, ch. 121. Post, pp. 288, 414, 648.

Whereas, in pursuance of the act of Congress of June the fifteenth, eighteen hundred and thirty-six, entitled "An act to establish the northern boundary 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 convention of delegates, elected by the people of the said State of Michigan, for the sole purpose of giving their assent to the boundaries of the said State of Michigan as described, declared, and established, in and by the said act, did, on the fifteenth of December, eighteen hundred and thirty-six, assent to the provisions of said act, therefore:

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 Michigan 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.

Entitled to a deposit of the surplus revenue.

Act of June 23, 1836, ch. 115.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury, in carrying into effect the thirteenth and fourteenth sections of the act of the twenty-third of June, eighteen hundred and thirty-six, entitled "An act to regulate the deposits of the public money," shall consider the State of Michigan as being one of the United States.

APPROVED, January 26, 1837.

#### STATUTE II.

Jan. 31, 1837.

CHAP. IX.—*An Act to authorize certain rail-road companies to construct rail-roads through the public lands in the Territory of Florida.*

East Florida Rail-road Company authorized

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the East Florida Rail-road Company, a corporation established by an act of the Governor

and Legislative Council of the Territory of Florida, approved the fourteenth of February, anno Domini eighteen hundred and thirty-five, be, and they hereby are, authorized to locate and construct a rail-road on the following route, to wit: commencing on the St. John's river and thence in the most convenient and suitable direction to Tallahassee or the waters of St. Mark's river or bay, on the Gulf of Mexico, or to any other point east of or between the St. Mark's and Appalachicola rivers, which may be selected by said company.

to locate and construct a rail-road, commencing on the St. John's river, &c.

SEC. 2. *And be it further enacted*, That the said company is further authorized, wherever said route shall pass over the public lands of the United States, to locate the same thereon, eighty feet wide; which said location, if made according to the true intent and meaning of this act, shall be enjoyed by said company so long as they maintain the said road for the public accommodation.

May pass over the public lands.

SEC. 3. *And be it further enacted*, That the said company shall have the right to take from the said public lands, timber, stone, and earth, whenever it may be convenient for the construction of any part of said way running through the same; also to deposite and leave such materials upon such lands, whenever it may be necessary; also, to cut drains, where necessary, through the same; and during the period of the construction of said way, to occupy said lands along said route, doing as little injury thereto as may be.

Timber, &c., may be used.

SEC. 4. *And be it further enacted*, That to entitle the said company to the enjoyment of the privileges herein provided for, they shall comply with the following conditions, to wit:

Conditions to be complied with by said company.

*First*, They shall cause the said route, whenever it passes over the public lands, to be surveyed, and the location of the way to be accurately delineated in their proper connexion, and a map thereof, and a copy of the locations, to be returned and deposited in the General Land Office, within six months from the date of the final location of the said road.

*Second*, They shall cause permanent monuments to be erected along said route, conforming to such locations and maps, defining the limits of the way.

*Third*, Wherever the said rail-way shall intersect a highway or travelled way on the public lands, that way or ways shall be left unobstructed.

*Fourth*, Wherever it shall cross a stream or low grounds, such provision shall be made for draining off the water as to leave the said public lands uninjured by said rail-way.

*Fifth*, They shall complete the said way within the time provided for in the act of incorporation.

*Sixth*, Said location of said way shall be considered and treated as open way, and be kept up as such, and the lands abutting thereon shall be considered as abutting upon a public way.

SEC. 5. *And be it further enacted*, That the sections and quarter sections of public lands over which the said road may pass, shall be reserved by the United States for two years after the final location of the said way; and to this end the said company shall, as soon as they have resolved to survey or examine any route, give notice to the register of the land district in which the lands may be over which they intend to pass; and when the final location is made, a further notice of that fact shall be given, in like manner, of the lands over which it actually passes, which said last mentioned lands shall be reserved as aforesaid from sale: *Provided*, That neither the said company nor any other person shall be authorized to settle on the said reserved sections or quarter sections; and no person so settling shall acquire thereby a pre-emptive right or claim to the said reserved lands, or to any part thereof;

Public lands to be reserved by the U. S., &c.

Notice to be given by the company of routes to be surveyed, &c.

Proviso.

Time for making surveys, &c., extended.

Governor, &c. may provide by law for the construction of rail-roads to cross or intersect, &c.

E. F. Rail-road Company may cross proposed rail-road at, &c.

Florida may take stock.

Acts repealed.

Pensacola and Perdido Rail-road Company may make rail-road, from, &c.

Brunswick and Florida Rail-road Company may extend their rail-road from, &c.

Lake Winnico and St. Joseph's Canal and Rail-road Company may construct rail-road from St. Joseph to Tallahassee.

and if said company shall fail to give prompt and seasonable notice in both the above cases, they shall forfeit their privileges under this act.

SEC. 6. *And be it further enacted*, That the time for making the surveys and commencing the work, as prescribed in the said act of incorporation, be, and the same is hereby, extended for one year after the passage of this act.

SEC. 7. *And be it further enacted*, That it shall be lawful for the Governor and Legislative Council of the said Territory, or for the Legislature of the State of Florida hereafter, to provide by law for the construction of rail-roads from the Appalachianicola river, or from any other point, to cross or intersect the abovementioned rail-road, from the Georgia State line to the Gulf of Mexico.

SEC. 8. *And be it further enacted*, That the said East Florida Rail-road Company be, and they are hereby authorized to cross the rail-road proposed to be made at any point between Tallahassee and St. Mark's.

SEC. 9. *And be it further enacted*, That the Territory or State of Florida shall, at the end of twenty years, have the privilege of taking one-fourth of the stock at par, by paying to the company the interest on the investment.

SEC. 10. *And be it further enacted*, That all acts or parts of acts of the Legislative Council of the Territory of Florida, inconsistent with the foregoing provisions, be, and the same are hereby annulled.

SEC. 11. *And be it further enacted*, That the Pensacola and Perdido Rail-road Company, organized under acts of the Governor and Legislative Council of the Territory of Florida, and of the State of Alabama, be, and they are hereby, authorized to make a rail-road from Pensacola to the waters of Mobile bay or river; and also, that the Brunswick and Florida Rail-road Company, incorporated by an act of the Legislature of Georgia, be, and they are hereby, authorized to extend their rail-road from the Georgia line to the city of Tallahassee, and thence to the river Appalachianicola, or St. George's sound, upon the same conditions and limitations contained in the foregoing provisions of this act.

SEC. 12. *And be it further enacted*, That the Lake Winnico and St. Joseph's Canal and Rail-road Company, organized under acts of the Governor and Legislative Council of the Territory of Florida, be, and they are hereby authorized to locate and construct a rail-road from the city of St. Joseph to the city of Tallahassee, in said Territory, upon the same conditions and limitations contained in the foregoing provisions of this act; and in the construction of said road, may cross, or intersect, and form a junction with, any other rail-road which may be made west of the city of Tallahassee.

APPROVED, January 31, 1837.

STATUTE II.

Feb. 9, 1837.

Limits.

CHAP. XII.—*An Act to extend the limits of the Port of New Orleans.*

*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 port of New Orleans shall extend, on the river, from the lower to the upper corporate limits of the municipalities of the city of New Orleans.

APPROVED, February 9, 1837.

STATUTE II.

Feb. 13, 1837.

CHAP. XIII.—*An Act to change the name of the Collection District of Dighton, in the State of Massachusetts, to Fall River, and for other purposes.*

*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 April next, the said District, now known and called by the name of the Dighton District, shall be called the District of Fall River, and as such shall be made a port of entry for vessels arriving from the Cape

Name of district changed; made port of entry for ves-

of Good Hope, and from places beyond the same, any law now in force to the contrary notwithstanding.

APPROVED, February 13, 1837.

sels from Cape of Good Hope, &c.

CHAP. XIV.—*An Act to amend an act, entitled "An act to establish branches of the mint of the United States," passed the third day of March, one thousand eight hundred and thirty-five. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the officers of the branch mint at New Orleans shall be one superintendent, one treasurer, one assayer, one melter and refiner, and one coiner; and that the officers of the branch mints, at Charlotte and Dahlonega, severally, shall be one superintendent, who shall also perform the duties of treasurer; one assayer, who shall also perform the duties of melter and refiner; and one coiner; and the annual salaries of the said officers shall be as follows: for the branch at New Orleans, to the superintendent, two thousand five hundred dollars; to the treasurer, the assayer, the melter and refiner, and the coiner, each, two thousand dollars; for the branches at Charlotte and at Dahlonega, to the superintendent, two thousand dollars; and to the assayer and the coiner, each, fifteen hundred dollars.

SEC. 2. *And be it further enacted,* That so much of the act entitled "An act, to establish branches of the mint of the United States," approved the third day of March, one thousand eight hundred and thirty-five, as is inconsistent with the provisions of this act, be, and the same is hereby repealed.

APPROVED, February 13, 1837.

STATUTE II.

Feb. 13, 1837.

Act of March 3, 1835, ch. 39.  
Act of Jan. 18, 1837, ch. 3.  
Officers of branch mints at New Orleans, Charlotte and Dahlonega.

Their salaries.

Part of act 3d March, 1835, ch. 39, repealed.

CHAP. XV.—*An Act to suspend certain provisoes of "An act to alter and amend the several acts imposing duties on imports," approved the fourteenth day of July, eighteen hundred and thirty-two.*

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

APPROVED, March 1, 1837.

STATUTE II.

March 1, 1837.

[Obsolete.]

Provisoes of Act July 14, 1832, ch. 227, suspended.

CHAP. XVI.—*An Act to extend the jurisdiction of the District Court of the United States, for the district of Arkansas. (b)*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the district court of the United States for the district of Arkansas shall have the same jurisdiction and power in all respects whatever that was given to the several district courts of the United States, by an act of Congress, approved March thirtieth, eighteen hundred and two, entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," or by any subsequent acts of Congress, concerning crimes, offences, or misdemeanors, which may be committed against the laws of the United States, in any town, settlement, or territory, belonging to any Indian tribe, in amity with the United States, of which any other district court of the United States may have jurisdiction.

APPROVED, March 1, 1837.

STATUTE II.

March 1, 1837.

To have the same jurisdiction and power as the several district courts, U. S.  
Act of March 30, 1802, ch. 13.

(a) Notes of acts relating to the Mint and Coins of the United States, vol. 1, 246.

(b) Notes of the acts relating to the Territory, afterwards State of Arkansas, vol. 3, 493.

## STATUTE II.

March 1, 1837.

CHAP. XVII.—*An Act making appropriations for the support of the army for the year one thousand eight hundred and thirty-seven, 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 money in the Treasury not otherwise appropriated, for the support of the army, during the year one thousand eight hundred and thirty-seven; that is to say;

## Pay of army.

For the pay of the army, one million ninety thousand one hundred and thirteen dollars:

## Subsistence of officers.

For the subsistence of officers, three hundred and thirty-two thousand six hundred and thirty-eight dollars:

## Forage for officers' horses.

For forage of officers' horses, seventy thousand nine hundred and eighty-seven dollars:

## Clothing for officers' servants.

For clothing for officers' servants, twenty-six thousand five hundred and fifty dollars:

## Payments in lieu of clothing.

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

## Subsistence, exclusive of that of officers, and including that of volunteers and militia.

For subsistence exclusive of that of officers, nine hundred and thirteen thousand four hundred and forty-five dollars, including the sum of three hundred and five thousand three hundred and seventy-two dollars, for the subsistence of the volunteers and militia called out for preventing or suppressing Indian hostilities:

## Clothing, camp and garrison equipage, &amp;c.

For clothing of the army, camp and garrison equipage, cooking utensils, and hospital furniture, two hundred and six thousand nine hundred and forty dollars:

## Medical and hospital department.

For the medical and hospital department, thirty-eight thousand five hundred dollars:

## Supplies furnished by Quartermaster's Department.

For the regular supplies furnished by the Quartermaster's Department, consisting of fuel, forage, straw, stationery, and printing, two hundred and eight thousand dollars:

## Barracks, quarters, &amp;c.

For barracks, quarters, store-houses, embracing the repairs and enlargement of barracks, quarters, store-houses, and hospitals, at the several posts; the erection of temporary cantonments at such posts as shall be occupied during the year, and of gun-houses for the protection of the cannon at the forts on the seaboard, the purchase of the necessary tools and materials for the objects wanted, and of the authorized furniture for the barrack-rooms; rent of quarters for officers; of barracks for troops at posts where there are no public buildings for their accommodation; of store-houses for the safe-keeping of subsistence, clothing, &c., and of grounds for summer cantonments, encampments, and military practice, ninety-five thousand dollars:

## Transportation of officers' baggage.

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

## Transportation of troops and supplies, &amp;c.

For the transportation of troops and supplies, viz: transportation of the army, including the baggage of troops when moving either by land or water; freight and ferriages; purchase or hire of horses, mules, oxen, carts, wagons, and boats, for the purpose of transportation, or for the use of garrison; drayage and cartage at the several posts; hire of teamsters; transportation of funds for the pay department; expense of sailing a public transport between the posts on the Gulf of Mexico, and of procuring water at such posts as, from their situation, require it; the transportation of clothing from the depot at Philadelphia to the stations of the troops; of subsistence from the places of purchase, and the points of delivery under contracts, to such places as the circumstances of the service may require it to be sent; of ordnance from the

foundries and arsenals to the fortifications and frontier posts, and of lead from the western mines to the several arsenals, the sum of one hundred and seventy-seven thousand dollars :

For the incidental expenses of the Quartermaster's Department, consisting of 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 the necessary articles for the interment of non-commissioned officers and soldiers ; hire of laborers ; compensation to clerks in the offices of quartermasters and assistant quartermasters, 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 ; purchase of horses to mount the second regiment of dragoons, and expenditures necessary to keep the two regiments of dragoons complete, including the purchase of horses to supply the place of those which may be lost and become unfit for service, and the erection of additional stables, one hundred and ninety-two thousand dollars :

Incidental expenses of the Qr. Mr.'s Department.

For contingencies of the army, three thousand dollars :

Contingencies of army.

For two months' extra pay to re-enlisted soldiers, and for the contingent expenses of the recruiting service, thirty-four thousand three hundred and sixty-two dollars :

Extra pay to re-enlisted soldiers, &c.

For arrearages prior to the first of July, one thousand eight hundred and fifteen, payable through the office of the Third Auditor, one thousand dollars :

Arrearages prior to 1st July, 1815.

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

National armories.

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

Armament of fortifications.

For the current expenses of the ordnance service, one hundred and twenty-three thousand nine hundred and seventy-five dollars :

Current expenses of ordnance service.

For arsenals, three hundred and seventy-three thousand four hundred and twenty-nine dollars :

Arsenals.

For the purchase of percussion cannon locks, fifteen thousand dollars :

Percussion cannon locks.

For the manufacture of elevating machines for barbette and casemate carriages, eight thousand two hundred and fifty dollars :

Elevating machines, &c.

For the manufacture of sponges for field and battery cannon, one thousand nine hundred and sixty dollars :

Sponges for cannon.

For the rifle factory at the Harper's Ferry armory, eight thousand five hundred and sixty-nine dollars :

Rifle factory at Harper's Ferry.

For completing the barracks at Baton Rouge, being an amount expended out of the general appropriation for the Quartermaster's Department, and to enable the accounting officers to close the accounts, twenty-three thousand nine hundred and sixty-nine dollars and five cents :

Completing barracks at Baton Rouge.

For completing the wharf at Fort Monroe, Virginia, five hundred dollars :

Wharf at Fort Monroe.

For constructing a river wall, making the embankment to the same, arching, stone-walling, repairing the embankment of the new canal, and for completing the tilt-hammer shop at Harper's Ferry, fifty-three thousand seven hundred and forty-three dollars :

River wall ; embankment of new canal ; and tilt-hammer shop at Harper's Ferry.

For a magazine at the arsenal at Baton Rouge, Louisiana, five thousand dollars :

Magazine at Baton Rouge.

For the purchase of land, building a brick warehouse, and wharf, and making a turnpike road to the river at the arsenal at Mount Vernon, Alabama, in addition to former appropriations for these objects, six thousand six hundred dollars :

Purchase of land, &c. at the Arsenal at Mt. Vernon.

For enlarging the site at the arsenal at Frankford, Pennsylvania, one thousand dollars :

Arsenal at Frankford, Pa.

Blacksmith's shop, &c., at Watertown, Mass.

Copper rifle flasks.

Money to be paid on the requisition of the Secretary of War.

Pay, &c., of Tennessee volunteers.

Proviso.

Act of May 23, 1836, ch. 80.

Pay, &c., of Tennessee volunteers.

Pay, &c., of Tennessee volunteers.

Liabilities incurred by Gov. Cannon.

Pay due Executive staff of Governor of Tennessee.

One month's pay, &c., to volunteers and militia of Kentucky, Tennessee, Alabama, and Mississippi, &c.

Pay to the Rifle Rangers, Coosada volun-

For a blacksmith's shop, a reservoir, and a gun-carriage house at Watertown, Massachusetts, twenty-three thousand one hundred dollars:

For the purchase of ten thousand copper rifle flasks, seventeen thousand dollars.

SEC. 2. *And be it further enacted*, That the following sums of money be paid, out of any money in the Treasury not otherwise appropriated, on the requisition of the Secretary of War, and, so far as shall be necessary, the same shall be expended for the following purposes, to wit:

For the pay, travelling, clothing for six months, and other legal expenses of the Tennessee volunteers, mustered into the service of the United States under the requisition of General Gaines, under date of April eighth, one thousand eight hundred and thirty-six, and the proclamation of Governor Cannon of twenty-eighth of the same month, and approved by the Secretary of War on the ninth of May, by direction of the President of the United States, one hundred thousand dollars: *Provided*, That such of said volunteers as volunteered under the proclamation of Governor Cannon of the sixth of June or twentieth of July one thousand eight hundred and thirty-six, and were mustered into the service of the United States, and are entitled to clothing under the act of May twenty-third, one thousand eight hundred and thirty-six, shall not be paid for clothing out of the aforesaid appropriation:

For pay, travelling, clothing, and other legal expenses of the Tennessee volunteers, mustered into the service of the United States under the order of the Secretary of War of May twenty-fifth, one thousand eight hundred and thirty-six, and Governor Cannon's proclamation of June sixth, one thousand eight hundred and thirty-six, ninety-five thousand dollars:

For pay, travelling, clothing, and other legal expenses of the Tennessee volunteers, mustered into the service of the United States under General Gaines's requisition, under date of June twenty-eighth, one thousand eight hundred and thirty-six, and Governor Cannon's proclamation of July twentieth, one thousand eight hundred and thirty-six, thirty-five thousand three hundred and ten dollars:

For the liabilities incurred by Governor Cannon in raising money; so far as said money has been properly expended in the service of the United States, on account of the aforesaid volunteers, thirteen thousand five hundred dollars:

For pay due the Executive staff of the Governor of Tennessee, while actually engaged in obtaining, organizing, mustering, or marching volunteers, during the year one thousand eight hundred and thirty-six, to the places of their rendezvous, or making returns of said volunteers, three thousand dollars.

SEC. 3. *And be it further enacted*, That the Secretary at War be and he hereby is directed to cause to be paid to the volunteers and militia of Kentucky, Tennessee, Alabama, and Mississippi, including the companies in Mississippi, mustered into the service, who were duly called into service, and whose service was accepted by the Executives of the States respectively, during the summer of the year one thousand eight hundred and thirty-six, under requisitions from the Secretary at War or from generals commanding the troops of the United States, and who were discharged before marching, the amount of one month's pay, with all the allowances to which they would have been entitled if they had been in actual service during the period of one month; and that the same be paid out of any money in the Treasury not otherwise appropriated.

SEC. 4. *And be it further enacted*, That eleven thousand six hundred and fifty dollars be appropriated for paying the Rifle Rangers, Coosada volunteers, and the Independence Blues, under the command



of Major Holt, and for the payment of Major Holt and battalion staff or so much of said sum as may be necessary for those purposes be appropriated and paid on the presentation of the rolls of said companies and battalion staff to the Paymaster General, with evidence of the time they were in the service against the Creek Indians in the months of May and June, eighteen hundred and thirty-six.

SEC. 5. *And be it further enacted*, That one hundred thousand dollars be and the same is hereby appropriated for arming and equipping the militia of the United States, in addition to the appropriations heretofore made for that purpose.

SEC. 6. *And be it further enacted*, That for paying the claims of the State of Connecticut for the services of her militia during the late war, to be audited and settled by the proper accounting officers of the Treasury, under the superintendence of the Secretary of War, in the following cases; first where the militia of the said State were called out to repel actual invasion, or under a well founded apprehension of invasion; provided their numbers were not in undue proportion to the exigency; secondly, where they were called out by the authority of the State and afterwards recognised by the Federal Government; and thirdly, where they were called out by, and served under the requisition of the President of the United States, or of any officer thereof, the sum of one hundred thousand dollars, if so much be necessary for that purpose, be and the same is hereby appropriated.

SEC. 7. *And be it further enacted*, That to pay all the claims of North Carolina for the services of her militia during the late war with Great Britain, in the cases enumerated in the act approved the thirty-first May, eighteen hundred and thirty, entitled "An act to authorize the payment of the claims of the State of Massachusetts for certain services of her militia during the late war," and also the claims of said State, for disbursements in the purchase of munitions or other supplies on account of the war, and expended therein, the sum of thirty thousand dollars, be and the same is hereby appropriated.

APPROVED, March 1, 1837.

CHAP. XVIII.—*An Act to provide for the support of the Military Academy of the United States, for the year eighteen hundred and thirty-seven.*

*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-seven; to wit:

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 and seven dollars and eighty-four cents;

For fuel, stationery, printing, transportation and postage, eight thousand dollars;

For repairs, improvements, and expenses of buildings, grounds, roads, wharves, boats and fences, ten thousand one hundred and seventy-eight dollars and twenty-five cents;

For pay of adjutant's and quartermaster's clerks, nine hundred and fifty dollars;

tees, and Independence Blues, &c.

Arming and equipping militia U. S.

Paying claims of Connecticut for services of her militia during late war.

To pay claims of North Carolina for services of her militia during late war, &c.

1830, ch. 234.

STATUTE II.

March 2, 1837.

[Obsolete.]

Pay of officers, cadets and musicians.

Subsistence of officers and cadets.

Forage of officers' horses.

Clothing of officers' servants.

Board of visitors.

Fuel, stationery, &c.

Repairs and improvements, &c.

Pay of adjutant's and quartermaster's clerks.

Philosophical apparatus.

Department of engineering.  
Departments of drawing, chemistry, and mathematics.  
Department of artillery.

Library.

Miscellaneous.

Completing the chapel.

A building for the public stores.

Construction of workshops, &c.

A building for recitation, &c.

Erection of new barracks.

Grading the grounds, &c.

Compensation to the acting professor of chemistry, &c.

A painting room.

For philosophical apparatus, and repairs of the same, three hundred dollars;

For models for the department of engineering, three hundred dollars;

For models for the drawing department, apparatus and contingencies of the department of chemistry, and instruments and repairs for the mathematical department, eight hundred and fifty dollars;

For incidental expenses of the department of artillery, three hundred dollars;

For increase and expenses of the library, six hundred dollars;

For miscellaneous items and incidental expenses, one thousand seven hundred and seventy-seven dollars and fifty cents;

For completing the chapel, one thousand two hundred and fifty-three dollars and thirty-five cents;

For the erection of a suitable building to contain the public stores, one thousand five hundred dollars;

For the preparation of a yard and construction of permanent shops suitable for carpenters, painters, blacksmiths, and so forth, and for the safe-keeping of implements and materials, eight thousand dollars;

For the erection, as per plan, of a building for recitation and military exercises, in addition to amount heretofore appropriated, thirty thousand dollars;

For the erection of new barracks, for the Military Academy department, to consist of eight buildings, at five hundred dollars each, four thousand dollars;

For grading the grounds about the exercise hall, and removing temporary buildings, three hundred and fifty dollars;

For compensation to the acting professor of chemistry, mineralogy, and geology, at the Military Academy, between the first of September one thousand eight hundred and thirty-seven, and the first of September, one thousand eight hundred and thirty-eight, at twenty-five dollars per month, three hundred dollars;

For a painting-room for the professor of drawing, eight hundred dollars.

APPROVED, March 2, 1837.

## STATUTE II.

March 2, 1837.

CHAP. XIX.—*An Act respecting discriminating duties upon Dutch and Belgian vessels and their cargoes. (a)*

The same duties to be levied on Belgian vessels and their cargoes as are now levied on Dutch vessels and their cargoes.

Act of Jan. 7, 1824, ch. 4.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the same duties shall be levied and collected in the ports of the United States, on Belgian vessels and their cargoes, which are now levied and collected on Dutch vessels and their cargoes; but nothing in this act contained shall be construed to prevent the President of the United States from enforcing, whensoever he may deem proper, both against Dutch and Belgian vessels, or either of them, and their cargoes, the provisions of the third section of the act entitled "An act concerning discriminating duties of tonnage and imposts," approved the seventh day of January, one thousand eight hundred and twenty-four.*

APPROVED, March 2, 1837.

## STATUTE II.

March 2, 1837.

[Obsolete.]

CHAP. XX.—*An Act making an additional appropriation for the suppression of Indian hostilities, for the year one thousand eight hundred and thirty-seven.*

\$2,000,000 appropriated.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the further sum of two millions of dollars shall be, and the same is hereby, appropriated*

(a) Notes of the acts which have been passed relating to discriminating duties, vol. 4, 2.

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; to be expended under the direction of the Secretary of War, conformably to the acts of Congress of the 19th of March, and the second of July last, and of the acts therein referred to.

APPROVED, March 2, 1837.

How to be expended.

CHAP. XXI.—*An Act to provide for the enlistment of boys for the naval service, and to extend the term of the enlistment of seamen.*

STATUTE II.

March 2, 1837.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall be lawful to enlist boys for the navy, with the consent of their parents or guardians, not being under thirteen, nor over eighteen years of age, to serve until they shall arrive at the age of twenty-one years; and it shall be lawful to enlist other persons for the navy, to serve for a period not exceeding five years, unless sooner discharged by direction of the President of the United States; and so much of an act entitled "An act to amend the act entitled 'An act to amend the act authorizing the employment of an additional naval force,'" approved fifteenth May, one thousand eight hundred and twenty, as is inconsistent with the provisions of this act, shall be, and is hereby, repealed.

1845, ch. 17.

Boys may be enlisted.

Other persons may be enlisted for five years.

So much of act 15th May, 1820, ch. 132, as is inconsistent with this act, repealed.

Any person whose time expires while on foreign service, to be sent to U. States, &c. 1845, ch. 77, § 9.

SEC. 2. *And be it further enacted,* That when the time of service of any person enlisted for the navy, shall expire, while he is on board any of the public vessels of the United States, employed on foreign service, it shall be the duty of the commanding officer of the fleet, squadron, or vessel, in which such person may be, to send him to the United States in some public or other vessel, unless his detention shall be essential to the public interests, in which case the said officer may detain him until the vessel in which he shall be serving shall return to the United States; and it shall be the duty of said officer, immediately to make report to the Navy Department, of such detention and the causes thereof.

SEC. 3. *And be it further enacted,* That such persons as may be detained after the expiration of their enlistment, under the next preceding section of this act, shall be subject, in all respects, to the laws and regulations for the government of the navy, until their return to the United States, and all such persons as shall be so detained, and all such as shall voluntarily re-enlist to serve until the return of the vessel in which they shall be serving, and their regular discharge therefrom in the United States, shall, while so detained and while so serving under their re-enlistment, receive an addition of one-fourth to their former pay.

Persons detained to be subject to laws, &c., of navy.

Those who re-enlist to receive additional pay.

APPROVED, March 2, 1837.

CHAP. XXII.—*An Act concerning Pilots. (a)*

STATUTE II.

March 2, 1837.

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

Upon waters which are the

(a) Cases decided in the courts of the United States, as to Pilots and Pilotage.

What a pilot does beyond the limits of his duty, as such, may be the foundation of a claim for salvage; but not such acts as were within his duties. *Hand v. The Elvira*, Gilpin's D. C. R. 65.

Where a steamboat was hired for the purpose of towing a vessel, to which she was fastened, and both were under the direction of a licensed pilot, the owner of the steamboat is not entitled to damages on account of injury sustained in the course of navigation, and not caused by negligence of the pilot. *Reeves et al. v. The Ship Constitution*, Gilpin's D. C. R. 579.

Assisting vessels in distress, beyond what the mere duty of pilot requires, entitles pilots to compensation. *Delany, a Pilot v. The Sloop Peragio*, Bee's Adm. Rep. 212.

The brig *Hope*, with a valuable cargo, had been conducted, in the evening, by a pilot inside of Mobile point, where pilots of the outer harbor usually leave vessels which they pilot inside of that bar. The pilot was discharged, and the *Hope* proceeded up the bay of Mobile. The wind soon after changed, blew a violent gale from the northwest, both anchors parted, and the *Hope* was driven on a

boundary of two States, pilots licensed by either may be employed.

be lawful for the master or commander of any vessel coming into or going out of any port situate upon waters, which are the boundary between two States, to employ any pilot duly licensed or authorized by the laws of either of the States bounded on the said waters, to pilot said vessel to or from said port; any law, usage, or custom, to the contrary notwithstanding.

APPROVED, March 2, 1837.

#### STATUTE II.

March 2, 1837.

CHAP. XXIII.—*An Act to extend for a longer period the several acts now in force for the relief of certain insolvent debtors of the United States.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act entitled "An act for the relief of certain insolvent debtors of the United States," passed on the second day of March, one thousand eight hundred and thirty-one, and an act in addition thereto, passed on the fourteenth day of July, one thousand eight hundred and thirty-two, and an act to revive and amend the said acts, passed on the seventh day of June, one thousand eight hundred and thirty-four, be, and the same are hereby extended and continued in force for three years from and after the passage of this act.

Extended for three years.

Act of March 2, 1831, ch. 62.

Act of July 14, 1832, ch. 230.

Act of June 7, 1834, ch. 45.

Application.

SEC. 2. *And be it further enacted,* That the provisions of the said several acts shall apply to cases of insolvency which shall have accrued [occurred] on or before the first day of January last.

APPROVED, March 2, 1837.

#### STATUTE II.

March 2, 1837.

CHAP. XXV.—*An Act to provide for the adjustment of title and final disposition of the four reserved sections in the tract of country allotted to the Tombecbee Association for the encouragement of the cultivation of the vine and olive.*

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

Persons entitled to allot-

shoal outside of the point, among the east breakers. The gale increased to a hurricane, and forced the vessel on her beam ends, and her masts and bowsprit were cut away. The master and crew deputed her to save their lives. After various fruitless efforts to save her, the libellants, all pilots of the outer harbor of Mobile, two days after she was stranded, and while yet in great peril, succeeded: and she was brought up to the city of Mobile by them, towed by their pilot boat, assisted by a steamboat employed by them. On a libel for salvage, the district court of the United States for the district of Alabama allowed, as salvage, one-third of 15,299 dollars and 58 cents, the appraised value of the brig and cargo. The owners of the brig and cargo appealed to the supreme court. By the Court—A pilot, while acting within the strict line of his duty, however he may entitle himself to extraordinary pilotage compensation for extraordinary services, as contradistinguished from ordinary pilotage for ordinary services, cannot be entitled to claim salvage. In this respect he is not distinguished from any other officer, public or private, acting within the appropriate sphere of his duty. But a pilot, as such, is not disabled, in virtue of his office, from becoming a salvor. On the contrary, whenever he performs salvage services beyond the line of his appropriate duties, or under circumstances to which those duties do not justly attach, he stands in the same relation to the property as any other salvor: that is, with a title to compensation to the extent of the merit of his services, viewed in the light of a liberal public policy. *Hobart v. Drogan*, 10 Peters, 108.

Seamen, in the ordinary course of things, in the performance of their duties, are not allowed to become salvors, whatever may have been the perils, or hardships, or gallantry of their services, in saving the ship and cargo. Extraordinary events may occur, in which their connexion with the ship may be dissolved, de facto, or by operation of law; or they may exceed their proper duty, in which cases they may be permitted to claim as salvors. *Ibid.*

It is not within the scope of the positive duties of a pilot to go to the rescue of a wrecked vessel, and employ himself in saving her, or her cargo, when she was wholly unaviable. That is a duty entirely distinct in its nature, and no more belonging to a pilot than it would be to supply such a vessel with masts or sails, or to employ lighters to discharge her cargo in order to float her. It is properly a salvage service, involving duties and responsibilities, for which his employment may peculiarly fit him; but yet in no sense included in the duty of navigating the ship. *Ibid.*

This was a case where the libellants acted as salvors, and not as pilots. They had, at the time, no particular relation to the distressed ship. They proffered useful services as volunteers, without any pre-existing covenant that connected them with the duty of employing themselves for her preservation. The duties they undertook were far beyond any belonging to pilots; and precisely those belonging to salvors. *Ibid.*

Suits for pilotage on the high seas, and on waters navigable from the sea, as far as the tide ebbs and flows, are within the admiralty and maritime jurisdiction of the United States. The service is strictly maritime, and falls within the principles already established by the supreme court in the case of the *Thomas Jefferson*, 10 Wheaton's Rep. 428, and *Peyroux v. Howard*, 7 Peters' Rep. 324. *Ibid.*

became entitled, under the contract entered into on the eighth day of January eighteen hundred and nineteen, by the Secretary of the Treasury, on the part of the United States, and Charles Villar, agent of the Tombebee Association, in pursuance of "An act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive," approved third March, eighteen hundred and seventeen, to an allotment or share of the four sections of land reserved for the small allotments, and designated as sections, seven, eighteen, nineteen, and thirty in township eighteen, range three east, their heirs, devisees, or assigns, who shall have complied with the conditions of settlement and cultivation on such allotment, as required by said contract, or shall have been in the actual settlement and cultivation of his or her allotment within said four sections, or a part thereof, before or on the thirty-first day of October eighteen hundred and thirty-two, as provided by the act of the nineteenth day of February, eighteen hundred and thirty-three, shall, on producing to the register and receiver of the land district in which said lands are situated, satisfactory evidence of title to such allotment, and of settlement and cultivation on the same as aforesaid, and paying one dollar and twenty-five cents per acre for the land, receive a patent for the same: *Provided*, Such proof shall be filed and payment made within six months from the passage of this act: *And provided further*, That the expense of surveying any such allotment shall be defrayed by the person or persons claiming the same.

SEC. 2. *And be it further enacted*, That any remainder of said four sections not disposed of by the first section of this act shall be subject to entry at one dollar and twenty-five cents per acre, by the trustees of the Demopolis Female Academy, in trust for the use and benefit of said institution.

APPROVED, March 2, 1837.

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

*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-seven, in addition to the unexpended balances of former appropriations, to wit:

For pay of commissioned, warrant and petty officers, and of seamen, two million four hundred and fifty-four thousand six hundred and eighty-six dollars;

To enable the President, provided he should deem it necessary, to offer a bounty for the purpose of promoting the enlistment of seamen, seventy-two thousand dollars;

For pay of superintendents, naval constructors, and all the civil establishments at the several yards, sixty-nine thousand four hundred and seventy dollars;

For provisions, seven hundred and sixty-two thousand eight hundred and sixty-five dollars;

For repairs of vessels in ordinary, and the repairs and wear and tear of vessels in commission, one million two hundred and fifty thousand dollars;

For medicines and surgical instruments, hospital stores, and other expenses, on account of the sick, thirty-nine thousand dollars;

For improvements and necessary repairs of the navy yard at Portsmouth, New Hampshire, forty-seven thousand seven hundred dollars;

For improvements and necessary repairs of the navy yard at Charlestown, Massachusetts, one hundred and twenty-four thousand dollars;

ments under contract by Sec. Treas. with Chas. Villar, shall receive patents on certain conditions.  
Act of March 3, 1817, ch. 61.

Act of Feb. 19, 1833, ch. 30.

Proviso.

Further proviso.

Remainder subject to entry, for use of Demopolis Female Academy.

STATUTE II.

March 3, 1837.

Pay of navy.

Bounty for enlistments.

Pay of superintendents, &c. at yards.

Provisions.

Repairs of vessels, &c.

Medicines and surgical instruments, &c. Portsmouth navy yard.

Charlestown navy yard.

Brooklyn navy yard.

Philadelphia navy yard.

Washington navy yard.

Gosport navy yard.

Pensacola navy yard.

Ordnance, &c.

Miscellaneous expenses.

For improvement and necessary repairs of the navy yard at Brooklyn, New York, sixty-two thousand five hundred dollars;

For improvement and necessary repairs of the navy yard at Philadelphia, Pennsylvania, thirty-four thousand eight hundred and fifty dollars;

For improvement and necessary repairs of the navy yard at Washington, fifty-two thousand eight hundred and fifty dollars;

For improvement and necessary repairs of the navy yard at Gosport, Virginia, one hundred and forty thousand five hundred dollars;

For improvement and necessary repairs of the navy yard near Pensacola, seventy-eight thousand dollars;

For ordnance and ordnance stores, seventy-two thousand dollars;

For defraying the expenses that may accrue for the following purposes, to wit; for the freight and transportation of materials and stores of every description; for wharfage and dockage; storage and rent; travelling expenses of officers and transportation of seamen; house rent 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 for 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 of vessels in commission; 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 thirty-seven thousand six hundred dollars;

Contingent expenses.

For contingent expenses for objects not hereinbefore enumerated, three thousand dollars;

Pay and subsistence of marine corps.

For pay of the officers, non-commissioned officers, musicians, and privates, and subsistence of the officers of the marine corps, one hundred and sixty-three thousand and nineteen dollars and sixty cents;

Provisions for non-commissioned officers, &c., serving on shore.

For the provisions for the non-commissioned officers, musicians, and privates, serving on shore, servants, and washerwomen, thirty-three thousand four hundred and twenty-eight dollars and eighty cents;

Clothing.

For clothing, thirty-eight thousand six hundred and fifty-five dollars;

Fuel.

For fuel, fourteen thousand five hundred and eighty-nine dollars;

Repairs of barracks.

For keeping the present barracks in repair until new ones can be erected, and for the repairs of barracks at head-quarters and Portsmouth, New Hampshire, ten thousand dollars;

Transportation of officers, &c.

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

Medicines, hospital stores, &c.

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

Contingent expenses of said corps, &c.

For contingent expenses of said corps, freight, ferriage, toll, wharfage, and cartage, per diem allowance for attending courts of inquiry, compensation to judge advocates, house rent where there are no public quarters assigned, incidental labor in the quartermaster's department, expenses of burying deceased persons belonging to the marine corps, printing, stationery, forage, postage on public letters, expenses in pur-

suing deserters, candles and oil for the different stations, straw for the men, barrack furniture, bed sacks, spades, axes, shovels, picks, and carpenter's tools, seventeen thousand nine hundred and seventy-seven dollars and ninety-three cents;

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

For launching and securing the ship of the line Pennsylvania, one hundred thousand dollars;

For building and equipping two sloops of war, from frames already provided under former appropriations, two hundred and eighty thousand dollars; and also six vessels of war, if not less than ten, nor more than eighteen guns, four hundred thousand dollars, in addition to any materials on hand;

For erecting and furnishing a new hospital building, and for a dwelling for an assistant surgeon; for the repairs of the present building, and for all expenses upon their dependencies near Pensacola, forty-seven thousand five hundred dollars;

For erecting a sea-wall to protect the shore; for enclosing the hospital grounds, for completing the basement of south wing; for repairing damages sustained from a recent gale, and for all other expenses upon the dependencies of the hospital near Norfolk, eighteen thousand dollars;

For graduating and enclosing the grounds about the naval asylum near Philadelphia, and for all other expenses upon the building and its dependencies, ten thousand four hundred and sixty dollars;

Towards an extension of the hospital building near Brooklyn, New York, for enclosing the grounds, and for all other expenses upon its dependencies, sixty-six thousand dollars;

For the completion of the present hospital building near Boston, and for all expenses upon its dependencies, one thousand three hundred and fifty dollars;

For the repair of the enclosure, and for the sea-wall of the magazine upon Ellis's island, in the harbor of New York, one thousand two hundred and fifty dollars;

For the completion of the enclosure of the magazine near Boston, the wharf and other dependencies, two thousand seven hundred and fifty dollars;

For the purchase of that portion of land, belonging to the town of Portsmouth, Virginia, enclosed by the walls of the navy yard at Gosport, four thousand seven hundred and seventy-nine dollars;

To defray any additional expense that may be incurred in making an examination and survey of the harbors of Beaufort and Wilmington, in North Carolina, with a view to determine the respective facilities and advantages of the establishment of a navy yard, fifteen hundred dollars;

For the survey of May river, from Tybee bar to the Hunting island, fifteen hundred dollars, for a similar object;

For payment to Thomas J. Harris of his proportion of the sum of two thousand dollars, appropriated by Congress, for the capture of a piratical felucca, in eighteen hundred and twenty-three, twenty-nine dollars and sixteen cents;

To defray the expense of examining the shoals of George's Bank, for the purpose of determining upon the practicability of erecting a light-house upon the same, (in aid of the general appropriations for the navy,) five thousand dollars.

SEC. 2. *And be it further enacted*, That the following sums being the unexpended balances of former appropriations, which have been carried to the account of the surplus fund, be, and the same are hereby re-appropriated, to be paid out of any money unappropriated in the treasury, viz:

Military stores, pay of armorers, &c. Launching, &c.. ship Pennsylvania.

Building and equipping two sloops of war. Also six vessels of war.

Hospital near Pensacola.

Hospital near Norfolk.

Naval asylum near Philadelphia.

Hospital near Brooklyn.

Hospital near Boston.

Magazine upon Ellis's Island.

Magazine near Boston.

Gosport navy yard

Examination, &c., of Beaufort and Wilmington harbors.

Survey of May river.

Payment to Thomas J. Harris.

Examining the shoals of George's Bank.

Money re-appropriated.

Suppression

For carrying into effect the acts for the suppression of the slave trade,

of the slave trade, &c.

Prize-money to officers, &c. of brig General Armstrong.

Secretary of the Treasury to distribute residue of prize-money belonging to crews of Bon Homme Richard and Alliance.

Enclosure of navy yard at Pensacola.

President to purchase articles of a durable nature for vessels.

including their support in the United States and for a term not exceeding six months after their arrival in Africa, of all persons removed from the United States under the said acts, eleven thousand four hundred and thirteen dollars and fifty-seven cents;

For payment of prize-money to the officers and crew of the late private armed brig General Armstrong, and the legal representatives of such as may be dead, two thousand dollars.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby authorized to distribute the residue of the prize-money heretofore deposited in the treasury, belonging to the crews of the men-of-war Bon Homme Richard and Alliance, commanded by John Paul Jones, in the revolutionary war, among the several persons entitled thereto, and to pay them the sums respectively due, out of any money in the treasury not otherwise appropriated.

SEC. 4. *And be it further enacted*, That the sum appropriated at the last session for the erection of a brick enclosure of the navy yard at Pensacola, shall be erected to suit the present plan of the yard, and in such manner as the Navy Commissioners shall direct.

SEC. 5. *And be it further enacted*, That under the laws providing for the gradual improvement of the navy, the President be authorized to cause articles of a durable character to be purchased for the armament and equipment, as well as for the building of vessels.

APPROVED, March 3, 1837.

## STATUTE II.

March 3, 1837.

[Obsolete.]

CHAP. XXXI.—*An Act making appropriations for the current expenses of the Indian Department, and for fulfilling treaty stipulations with the various Indian tribes, for the year eighteen hundred and thirty-seven.*

*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, for the year one thousand eight hundred and thirty-seven, for the purpose of paying the current expenses of the Indian Department, and of fulfilling treaty stipulations with the various Indian tribes, to be paid out of any money in the Treasury not otherwise appropriated; that is to say;

Pay of superintendent of Indian affairs at St. Louis, &c.

Pay of sub-agents.

Pay of interpreters.

Presents to Indians.

Provisions for Indians.

Buildings at the agencies.

Postages, rents, &c. of Indian Department.

Salary of clerk in office of Gov. of Wisconsin.

Clerk of acting sup't. W. Territory. Six Nations of New York.

For the pay of the superintendent of Indian affairs at St. Louis, and the several Indian agents, as provided by the act of June thirtieth, eighteen hundred and thirty-four, twelve thousand dollars;

For the pay of sub-agents, authorized by the same act, ten thousand dollars;

For the pay of interpreters, as authorized by the same act, eight thousand seven hundred dollars;

For presents to Indians, authorized by the 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;

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

For postages, rents, stationery, fuel for offices, and other contingencies of the Indian Department, seven thousand dollars;

For the salary of one clerk in the office of the Governor of Wisconsin Territory, who is ex officio superintendent of Indian affairs, eight hundred dollars;

For the salary of one clerk in the office of the acting superintendent of the Western Territory, one thousand dollars;

For the Six Nations of New York, four thousand five hundred dollars;



For the Senecas of New York, six thousand dollars;	Senecas of N. York.
For the Ottawas, four thousand three hundred dollars;	Ottawas.
For the Wyandots, six thousand eight hundred and forty dollars;	Wyandots.
For the Wyandots, Munsees, and Delawares, one thousand dollars;	Wyandots, Munsees, and Delawares.
For the Christian Indians, four hundred dollars;	Christian Indians.
For the Miamies, thirty thousand one hundred and ten dollars;	Miamies.
For the Eel Rivers, one thousand one hundred dollars;	Eel Rivers.
For the Pottawatamies, twenty thousand eight hundred dollars;	Pottawatamies of Huron.
For the Pottawatamies of Huron, four hundred dollars;	Pottawatamies of the Prairie.
For the Pottawatamies of the Prairie, sixteen thousand dollars;	Pottawatamies of the Wabash.
For the Pottawatamies of the Wabash, twenty thousand dollars;	Pottawatamies of Indiana.
For the Pottawatamies of Indiana, seventeen thousand dollars;	Chippewas, Ottawas, and Pottawatamies.
For the Chippewas, Ottawas, and Pottawatamies, thirty-four thousand two hundred and ninety dollars;	Winnebagoes.
For the Winnebagoes, thirty-seven thousand seven hundred and eighty-five dollars;	Menomonies.
For the Menomonies, thirteen thousand nine hundred and twenty dollars;	Chippewas.
For the Chippewas, six thousand seven hundred and forty dollars;	Menomonies, Winnebagoes, &c.
For the Chippewas, Menomonies, Winnebagoes, and New York Indians, fifteen hundred dollars;	Sioux of Mississippi.
For the Sioux of Mississippi, three thousand six hundred and forty dollars;	Yancton and Santie bands of Sioux.
For the Yancton and Santie band of Sioux, four thousand three hundred and forty dollars;	Omahas.
For the Omahas, three thousand nine hundred and forty dollars;	Sacs of Missouri.
For the Sacs of Missouri, one thousand six hundred and forty dollars;	Sacs.
For the Sacs, three thousand dollars;	Foxes.
For the Foxes, three thousand dollars;	Ioways.
For the Ioways, five thousand one hundred and forty dollars;	Sacs and Foxes.
For the Sacs and Foxes, twenty-three thousand nine hundred and twenty dollars;	Ioways.
For the Sacs, Foxes, and Ioways, three thousand dollars;	Ottoes and Missourias.
For the Ottoes and Missourias, five thousand six hundred and forty dollars;	Kanzas.
For the Kanzas, six thousand and forty dollars;	Osages.
For the Osages, eleven thousand and forty dollars;	Kickapoos.
For the Kickapoos, six thousand five hundred dollars;	Kaskaskias and Peorias.
For the Kaskaskias and Peorias, three thousand dollars;	Kaskaskias, Peorias, Weas, and Piankeshaws.
For the Kaskaskias, Peorias, Weas, and Piankeshaws, nine hundred and forty dollars;	Weas.
For the Piankeshaws, thirteen hundred dollars;	Delawares.
For the Weas, three thousand dollars;	Shawnees.
For the Delawares, ten thousand two hundred and forty dollars;	Shawnees and Delawares.
For the Shawnees, six thousand nine hundred and forty dollars;	Senecas of Lewistown.
For the Shawnees and Delawares, five hundred dollars;	Choctaws.
For the Shawnees and Senecas of Lewistown, one thousand nine hundred and forty dollars;	Chickasaws.
For the Senecas of Lewistown, two thousand five hundred and forty dollars;	Creeks.
For the Choctaws, fifty-four thousand eight hundred and twenty dollars;	Quapaws.
For the Chickasaws, six thousand dollars;	Florida Indians.
For the Creeks, forty-seven thousand eight hundred and sixty dollars;	Pawnees.
For the Quapaws, four thousand five hundred and forty dollars;	Cherokees.
For the Florida Indians, nine thousand six hundred and ten dollars;	
For the Pawnees, twelve thousand dollars;	
For the Cherokees, west, six thousand nine hundred and sixty dollars;	

Ottawas and  
Chippewas.

For the Ottawas and Chippewas, sixty thousand eight hundred and thirty dollars;

Caddoes.

For the Caddoes, ten thousand dollars;

Transporta-  
tion, &c.

For transportation and incidental expenses, twenty-nine thousand five hundred dollars;

Removal and  
subsistence of  
Creeks, &c.

For removal and subsistence of the Creeks, and purchase of articles according to the treaty of the twenty-fourth March, eighteen hundred and thirty-two, for the subsistence of the families of the warriors in the service of the United States, and for the expenses attending the sales of Creek reservations, and investigating the frauds committed on these Indians, and the causes of their hostility, seven hundred and one thousand six hundred and seventy-six dollars;

Removal, &c.  
of Seminoles.

For the removal and subsistence of the Seminoles, one hundred and forty thousand dollars;

Removal, &c.  
of Ottawas of  
Maumee.

For the removal and subsistence of the Ottawas of the Maumee, thirteen thousand dollars;

Removal and  
subsistence of  
Pottawatamies  
of Indiana.

For the removal and subsistence of the Pottawatamies of Indiana, and for locating reservations and incidental expenses, under the treaty with the Pottawatamies of St. Joseph, of the twentieth September, eighteen hundred and twenty-eight, ninety thousand five hundred dollars;

Removal and  
subsistence of  
Chippewas,  
Ottawas, and  
Pottawatamies.

For the removal and subsistence of the Chippewas, Ottawas, and Pottawatamies, under the treaty of twenty-sixth September, eighteen hundred and thirty-three, and for locating reservations, and incidental expenses under the treaty with the same, of the twenty-ninth July, eighteen hundred and twenty-nine, one hundred and thirty-two thousand dollars;

Winnebagoes.

For locating reservations, and incidental expenses under the treaty with the Winnebagoes of the first of August, eighteen hundred and twenty-nine, one thousand dollars;

Sioux.

For carrying into effect the treaty with the Sioux and other tribes of the fifteenth of July, eighteen hundred and thirty, so far as it relates to the Sioux half-breeds, and for compensation to a blacksmith under the act of the thirtieth June, eighteen hundred and thirty-four, one thousand one hundred and twenty dollars;

Omahas, Iow-  
ways, Ottoes,  
and Yancton  
and Santie  
Sioux.

For the Omahas, Ioways, Ottoes, and Yancton and Santie Sioux, under the tenth article of the treaty of the fifteenth of July, eighteen hundred and thirty, in relation to half-breeds of these tribes, one thousand dollars;

Choctaw re-  
servations, &c.

For the various expenses growing out of the location and sale of Choctaw reservations, and perfecting titles to the same, and for additional compensation to blacksmiths, as provided for by the ninth section of the act of June thirty, eighteen hundred and thirty-four, eight thousand eight hundred and sixty dollars;

Osages.

For carrying into effect the fifth and sixth sections of the treaty with the Osages of June second, eighteen hundred and twenty-five, relative to reservations for half-breeds and for schools, two thousand dollars;

Kansas.

For carrying into effect the sixth article of the treaty with the Kansas of the third of June, eighteen hundred and twenty-five, in relation to reservations for half-breeds, five hundred dollars;

Delawares.

For carrying into effect the supplementary article of the treaty with the Delawares of the third of December, eighteen hundred and eighteen, in relation to reservations for schools, five hundred dollars;

Horse-mill for  
Missourias and  
Ottoes.

For the erection of a horse-mill as stipulated in the fifth article of the treaty with the Ottoes and Missourias of the twenty-first of September, eighteen hundred and thirty-three, in addition to a former appropriation, nine hundred dollars;

Blacksmiths  
for Cherokees.  
1834, ch. 162.

For additional compensation to blacksmiths for the Cherokees, as provided for in the ninth section of the act of June thirtieth, eighteen hundred and thirty-four, four hundred and eighty dollars;

For additional compensation to a blacksmith for the Menomonies, as provided for by the ninth section of the act of June thirtieth, eighteen hundred and thirty-four, one hundred and twenty dollars;

Blacksmith for Menomonies.  
1834, ch. 162.

For additional compensation to blacksmiths for the Senecas and Shawnees, as provided for by the ninth section of the act of June thirtieth, eighteen hundred and thirty-four, two hundred and forty dollars;

Blacksmiths for Senecas and Shawnees.  
1834, ch. 162.  
Agricultural assistance for Sacs and Foxes.

For agricultural assistance for the Sacs and Foxes, in addition to the amount heretofore allowed, and to which they are entitled by an equitable construction of the treaties of the fourth of August, eighteen hundred and twenty-four, and the fifteenth of July, eighteen hundred and thirty, seven hundred and forty dollars;

Deficiency in sum applicable to payment of annuities.

For the purpose of supplying a deficiency in the sum applicable to the payment of annuities for eighteen hundred and thirty-six, caused by the retention, as commissions on disbursement, by Lieutenant N. J. Eaton, United States army, of this amount, two thousand seven hundred and eighty-nine dollars; *Provided always*, That this appropriation shall not be so construed as to give any sanction to any disbursing officer, in retaining commissions on any sum of money paid by him in pursuance of treaty stipulations; but on the contrary it is still considered the duty of the proper officers to use all legal means to compel the payment of said sum of two thousand seven hundred and eighty-nine dollars, retained by Lieutenant N. J. Eaton;

Proviso.

For payment of balance due Andrew S. Hughes and Jonathan L. Bean, in compliance with an arrangement made with them, February fourteenth, eighteen hundred and thirty-two, by the Superintendent of Indian Affairs at St. Louis, in pursuance to instructions from the War Department, sixteen hundred dollars;

Payment to Andrew S. Hughes and Jonathan L. Bean.

For the payment to Charles Rodgers the appraised value of a distillery built by him prior to the act of eighteen hundred and thirty-four, and afterwards destroyed by order of the Indian agents, and for which he was promised indemnity, the sum of sixteen hundred and ninety-two dollars;

Payment to Chas. Rodgers.

For the purpose of paying the expenses of two Fox chiefs and their attendants, in coming to the city of Washington, on necessary business, and returning to their nation, the sum of fifteen hundred dollars;

Visit of two Fox chiefs to Washington.

For the purpose of enabling the Secretary of War, to pay a subscription made in eighteen hundred and thirty, for the Indian department, of fifty copies of the History of the Indian Tribes of North America, with biographical sketches, to be composed of, say twenty numbers each, the sum of three thousand dollars;

Fifty copies of History of Indian Tribes.

For the purpose of fulfilling the stipulations in the twentieth article of the treaty with the Choctaws of the twenty-seventh September eighteen hundred and thirty, providing for the education of forty Choctaw youths, in addition to the sum heretofore provided, the sum of two thousand dollars;

Education of Choc'w youths

For holding treaties with the various tribes of Indians east of the Mississippi river, for the cession of lands held by them respectively, and for their removal west of the Mississippi, ten thousand dollars;

Holding treaties with the tribes east of the Mississippi.  
Expenses of Eleazer Williams.

For the purpose of defraying the expenses of Eleazer Williams, in coming from Green Bay, and returning home, on business relative to the Oneida Indians, the sum of five hundred dollars;

Menomonies.

For carrying into effect the treaty with the Menomonies of the third September, eighteen hundred and thirty-six, two hundred and eighty-eight thousand five hundred and forty dollars;

Pottawatomies.

For carrying into effect the treaties with the Pottawatamies of the fifth of August, twentieth, twenty-second and twenty-third September, eighteen hundred and thirty-six, and eleventh February, eighteen hundred and thirty-seven, seventy-three thousand four hundred and twenty-three dollars;

## Ioways.

For carrying into effect the treaty with the Ioways of the seventeenth September, eighteen hundred and thirty-six, sixty-five thousand five hundred and ninety dollars;

## Sacs and Foxes.

For carrying into effect the treaties with the Sacs and Foxes of the seventeenth, twenty-seventh and twenty-eighth September, eighteen hundred and thirty-six, one hundred and thirty-eight thousand two hundred and forty dollars;

## Otoes and Missouriias.

For carrying into effect the treaty with the Otoes and Missouriias of the fifteenth October, eighteen hundred and thirty-six, three thousand dollars;

## Omahas.

For carrying into effect the treaty with the Omahas of the fifteenth October, eighteen hundred and thirty-six, two thousand four hundred and seventy dollars;

## Sioux.

For carrying into effect the treaties with the Sioux of the tenth September, fifteenth October, and thirtieth November, eighteen hundred and thirty-six, one thousand nine hundred and fifty dollars;

## Additional sub-agents. Examination of vacant Indian lands..

For pay of four additional sub-agents, three thousand dollars;

For defraying the expenses of a more particular examination of the vacant Indian country, southwest of the Missouri river, with a view to ascertain its adaptation, in quality and extent, to the accommodation of the tribes yet to be removed, three thousand dollars;

## Sioux.

For holding treaties with the Sioux Indians to extinguish their title to that part of their lands lying east of the Mississippi river, five thousand dollars;

## Deputation of New York Indians.

For the expenses of a deputation of the New York Indians to visit the country west of the Mississippi, with a view to the selection of a permanent residence, eight thousand dollars;

## Deputation of Chippewas of Saganaw.

For the expenses of a deputation of the Chippewas of Saganaw for the same object, two thousand dollars;

## Visit of Hendrick and two Ioway chiefs to the seat of Government.

For defraying the expenses of Hendrick, a Stockbridge Indian, and of two Ioway chiefs, and their attendants, who have visited the seat of Government on business during the present winter, one thousand dollars;

## Wyandot Indians.

For defraying the expenses of a treaty with the Wyandot Indians of Upper Sandusky, in the State of Ohio, one thousand dollars;

## Holding treaties with tribes east of the Mississippi, &amp;c.

For holding treaties with the various tribes east of the Mississippi river, for the cession of lands held by them respectively, and for their removal west of said river; and with the Sioux for the cession of their country lying east of the same river, and for defraying the expenses of a more particular examination of the vacant lands, west of the Mississippi, with a view to ascertain, whether it be sufficient to accommodate the tribes remaining east of said river, seventeen thousand dollars.

## To enable the President, by suitable agents, to inquire what depredations were committed by the Seminole and Creek Indians, &amp;c.

SEC. 2. *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 enable the President of the United States by suitable agents to inquire what depredations were committed by the Seminole and Creek Indians on the property of citizens of Florida, Georgia, and Alabama, immediately before the commencement of actual hostilities on the part of said respective tribes of Indians; what amount of depredations were committed during the pendency of said hostilities; what portion of the Creek tribe were engaged in such hostilities; and what depredations have been committed by a remnant of said tribe supposed to be friendly and a part of whom were actually employed against the Seminoles, since the removal of the main body of them west of the Mississippi, and that the President report the information so acquired to Congress at its next session; *Provided*, Nothing hereinbefore contained, shall be so construed, as to subject the United States to pay for depredations not provided for, by the act of April ninth eighteen hundred and sixteen, and the acts amendatory

## Proviso.

thereto, nor by acts regulating the intercourse between the Indian tribes and the United States.

SEC. 3. *And be it further enacted*, That the President may, and he is hereby authorized, to appoint, by and with the consent of the Senate, three additional Indian agents, one for the Creek, one for the Cherokee tribe of Indians, and one for the tribes on the upper Missouri, who shall execute the same duties, possess the same powers, and receive the same pay and emoluments as those now authorized by law, execute, possess and receive, and that the salaries of said agents be paid out of any money in the Treasury not otherwise appropriated.

APPROVED, March 3, 1837.

The President authorized to appoint three additional Indian agents.

STATUTE II.

March 3, 1837.

CHAP. XXXII.—*An Act to change the titles of certain officers in the navy.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That from and after the passage of this act all "masters commandant" in the navy shall be taken to be and shall be called "commanders," and all "sailingmasters" shall be taken to be and shall be called "masters;" but such change of title shall not impair or in any way affect the rank, pay, or privileges, of any master commandant or sailingmaster now in the service; and should they receive new commissions or warrants, they shall respectively take rank from the date of their present commissions.

APPROVED, March 3, 1837.

The titles of "masters commandant" changed to "commanders;" and "sailing-masters" to "masters."

STATUTE II.

March 3, 1837.

CHAP. XXXIII.—*An Act making appropriations for the civil and diplomatic expenses of Government for the year eighteen hundred and thirty-seven.*

*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 pay and mileage of the members of Congress and delegates, three hundred and forty-eight thousand and forty dollars;

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

For stationery, fuel, printing, and all other contingent expenses of the Senate, forty-nine thousand five hundred and fifty dollars;

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

The 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;

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;

For salary of the secretary to sign patents for public lands, per act of March second, eighteen hundred and thirty-three, one thousand five hundred dollars;

For clerks and messengers in the office of the Secretary of State, twenty thousand three hundred dollars;

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

For compiling and printing the Biennial Register, one thousand eight hundred dollars;

For the superintendent and watchman of the northeast executive building, one thousand five hundred dollars;

Pay, &c., of members of Congress. Pay of officers, &c. of Congress.

Contingent expenses of Senate.

Contingent expenses of House of Repres.

Two last sums applicable only to ordinary expenses.

President, Vice President, and the heads of departments.

Secretary to sign patents.

Office of Secretary of State.

Clerks, &c. Publication.

&c. of the laws. Biennial Register.

Superint't and watchman N.E. exec. building.

Contingent expenses.

Office of Sec. of Treasury.  
Clerks and messengers.  
Additional clerks.

First Comptroller.

Clerks and messengers.

Second Comptroller.

Clerks and messengers.

First Auditor.

Clerks and messenger.

Second Auditor.

Clerks and messenger.

Third Auditor.

Clerks and messengers.  
Clerk hire.  
Act of Jan. 18, 1837, ch. 5.

Fourth Auditor.

Clerks and messenger.

Fifth Auditor.

Clerks and messenger.

Treasurer.

Clerks and messenger.

Register.

Clerks and messengers.

Commissioner of the General Land Office.

Other officers.

Salary of Recorder.

For contingent expenses of said building, including fuel, labor, oil, and repairs, two thousand five hundred dollars;

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

For compensation to the clerks in said office, per act of twenty-third of June, eighteen hundred and thirty-six, three thousand six hundred dollars;

For compensation to the First Comptroller of the Treasury, three thousand five hundred dollars;

For compensation to the clerks and messengers in the office of the First Comptroller, nineteen thousand three hundred dollars;

For compensation to the Second Comptroller, three thousand dollars;

For compensation to the clerks and messenger in the office of the Second Comptroller, including two clerkships transferred from the office of the Fourth Auditor, twelve thousand two 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, fifteen 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, three thousand dollars;

For compensation to the clerks and messengers in the office of the Third Auditor, twenty-nine thousand six hundred and fifty dollars, including two thousand four hundred dollars for clerk hire to carry into effect an act of the seventeenth [eighteenth] of January last, entitled "An act to provide for the payment of horses and other property lost or destroyed in the military service of the United States;"

For compensation to the Fourth Auditor, three thousand dollars;

For compensation to the clerks and messenger in the office of the Fourth Auditor, fifteen thousand nine hundred and fifty dollars;

For compensation to the Fifth Auditor, three thousand dollars;

For compensation to the clerks and messenger in the office of the Fifth Auditor, nine 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, including a deficiency of appropriation of two hundred and sixty-four dollars and sixty-four cents, for the year eighteen hundred and thirty-six, eleven thousand and fourteen dollars and sixty-four cents;

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, per act of fourth of July, eighteen hundred and thirty-six, three thousand dollars;

For compensation of the recorder, solicitor, draughtsman, and assistant draughtsman, clerks, messengers, and packers, in the office of the Commissioner of the General Land Office, one hundred and eight thousand seven hundred and fifty dollars; and the annual salary of the Recorder of the General Land Office shall be two thousand dollars; and

the sum of nine hundred dollars shall be paid Charles Gordon for services rendered under the resolution of the Senate of second July eighteen hundred and thirty-six ;

Pay to Charles Gordon.

For deficiency to be appropriated on account of salaries, for the year eighteen hundred and thirty-six, to the Commissioner and other officers in the General Land Office, twenty-seven thousand eight hundred and eighty-six dollars and ten cents ;

Deficiency of salaries for 1836.

For compensation to the Solicitor of the Treasury, three thousand five hundred dollars ;

Solicitor of the Treasury.

For compensation to the clerks and messenger in the office of the Solicitor of the Treasury, three thousand nine hundred and fifty dollars ;

Clerks and messenger.

For expenses of stationery, printing, and all other contingent expenses of the Treasury Department, viz :

Contingent expenses of Treas'ry Dep't. Office Sec'y of Treasury, copying, &c.

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 ;

Translating, &c.

For translating foreign languages, and for receiving and transmitting passports and sea-letters, in the office of the Secretary of the Treasury, three hundred dollars ;

Stating and printing public accounts.

For stating and printing public accounts, one thousand four hundred dollars ;

Off. 1st Comp. Off. 2d Comp.

For the office of the First Comptroller, two thousand dollars ;

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

Off. 1st Audit. Off. 2d Audit. Off. 3d Audit. Off. 4th Audit. Off. 5th Audit.

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

Office Treasurer.

For the office of the Second Auditor, one thousand dollars ;

For the office of the Third Auditor, thirteen 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, one thousand three hundred dollars ;

Office Register.

For the office of the Register of the Treasury, three thousand dollars ;

For the office of the Solicitor of the Treasury, one thousand dollars ;

Office Solicitor.

For the office of the Commissioner of the General Land Office, for one hundred and fifty thousand pieces of parchment for patents ; printing the same ; and, also, the cost of books for patent records, twenty-nine thousand two hundred and fifty dollars ;

Office Commissioner General Land Office, parchments, &c. Books, stationery, &c.

For tract books, other books, and stationery, furniture, expense of advertising land sales, and other contingent expenses, including office rent for an additional building, ten thousand dollars ;

Superintend't and watchmen.

For compensation of superintendent and two watchmen for the additional building for the use of the General Land Office, one thousand and fifty dollars ;

For salary of the secretary to the Commissioners of the Sinking Fund, from eighth February to eleventh April, eighteen hundred and thirty-six, forty-three dollars and ninety-five cents ;

Secretary to Commissioners of Sinking Fund.

For compensation of the superintendent and watchman of the south-east executive building, two thousand one hundred dollars ;

Superin't and watchman S. E. exec. building. Contingent expenses of Treas. building.

For contingent expenses of the building occupied by the Treasury, including fuel, oil, labor, repairs, furniture, and for rent, amounting to four thousand four hundred and fifty dollars per annum, twelve thousand dollars ;

For compensation to the clerks and messengers in the office of the Secretary at War, including sixty-five dollars and seventy-one cents, arrearages due Samuel J. Potts, for clerk hire and for messenger in the Bounty Land Bureau, thirteen thousand one hundred and fifteen dollars and seventy-one cents ;

Office Sec. War. Clerks and mess'ng'rs. Arrearages due S. J. Potts.

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

Contingent expenses.

Books, maps, &c.	For books, maps, and plans, for the War Department, one thousand dollars;
Extra clerks.	For compensation of extra clerks, when employed in said office, two thousand five hundred dollars;
Commiss. of Indian Affairs.	For compensation of the Commissioner of Indian Affairs, three thousand dollars;
Clerks and messenger.	For compensation of the clerks and messenger in the office of the Commissioner of Indian Affairs, sixteen thousand four hundred dollars;
Contingent expenses.	For contingent expenses of said office, two thousand dollars;
Commissioner of Pensions.	For compensation of the Commissioner of Pensions, two thousand five hundred dollars;
Clerks.	For compensation of clerks transferred from the office of the Secretary of War to the office of the Commissioner of Pensions, four thousand eight hundred dollars;
Clerks and messengers; act 9th May, 1836, ch. 60.	For compensation to clerks and messengers for the office of the Commissioner of Pensions, authorized by act of ninth of May, eighteen hundred and thirty-six, thirteen thousand four hundred and fifty dollars;
Clerks and messenger.	For compensation to clerks and messenger in the office of the Paymaster General, four thousand six hundred dollars;
Contingent expenses.	For contingent expenses of said office, three hundred dollars;
Clerks and messenger.	For compensation of clerk and messenger in the office of the Commanding General, one thousand five hundred dollars;
Cont. expens.	For contingent expenses of said office, three hundred dollars;
Cl'k and messenger.	For compensation to clerks and messenger in the office of the Adjutant General, seven thousand six hundred and fifty dollars;
Cont. expens.	For contingent expenses of said office, one thousand six hundred dollars;
Cl'ks and messenger.	For compensation of clerks and messenger in the office of the Quartermaster General, seven thousand three hundred dollars;
Cont. expens.	For contingent expenses of said office, six hundred dollars;
Cl'ks and messenger.	For compensation of clerks and messenger in the office of the Commissary General of Purchases, four thousand two hundred dollars;
Cont. expens.	For contingent expenses of said office, eight hundred dollars;
Cl'ks and messenger.	For compensation of clerks and messenger in the office of the Commissary General of Subsistence, four thousand three hundred dollars;
Cont. expens.	For contingent expenses of said office, two thousand six hundred dollars;
Cl'ks and messenger.	For compensation of clerks and messenger in the office of the Chief Engineer, five thousand six hundred and fifty dollars;
Cont. expens.	For contingent expenses of said office, one thousand dollars;
Cl'k and messenger.	For compensation to clerk and messenger in the office of the Surgeon General, one thousand six hundred and fifty dollars;
Cont. expens.	For contingent expenses of said office, five hundred and fifty dollars;
Cl'ks and messenger.	For compensation of clerks and messenger in the Ordnance Office, eight thousand six hundred and fifty dollars;
Cont. expens.	For contingent expenses of said office, eight hundred dollars;
Cl'ks and messenger.	For compensation of the clerks and messenger in the Topographical Bureau, two thousand five hundred dollars;
Cont. expens.	For contingent expenses of said bureau, one thousand two hundred and thirty-five dollars;
Messenger.	For compensation of the messenger in the Clothing Bureau, per act of July fourth, eighteen hundred and thirty-six, five hundred dollars;
Messenger.	For salary of the messenger in the office of the Inspector General, five hundred dollars;
Sup't and watchmen N. W. exec. build.	For compensation of superintendent and watchmen of the northwest executive building, two thousand two hundred and fifty dollars;
Cont. expens.	For contingent expenses of said building, including rent, fuel, furni-



ture, labor, and repairs, three thousand one hundred and eighty-three dollars;

For compensation of the clerks and messengers in the office of the Secretary of the Navy, twelve thousand eight hundred and fifty dollars;

Office Sec'y  
Nav. Clerks  
and messeng'rs.  
Cont. expens.  
Commis. of  
Navy Board.  
Secretary.

For contingent expenses of said office, three thousand dollars;

For compensation of the Commissioners of the Navy Board, ten thousand five hundred dollars;

For compensation of the Secretary of the Navy Board, two thousand dollars;

For compensation to the clerks and messenger of the Navy Board, eight thousand four hundred and fifty dollars;

Clerks and  
messengers.

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

Contingent  
expenses.

For salary of superintendent and watchman of the southwest executive building, one thousand two hundred and fifty dollars;

Sup't and  
watchman S.  
W. exec. build.  
Contingent  
expenses.

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

For compensation to three Assistant Postmaster Generals, per act third July, eighteen hundred and thirty-six, seven thousand five hundred dollars;

Assistant  
Postmasters  
General.

For compensation to clerks and messengers in the General Post Office, forty-eight thousand six hundred dollars;

Clerks and  
messengers.

For contingent expenses of said office, including expense of new offices and fuel for the Auditor's Office, ten thousand dollars;

Contingent  
expenses, &c.

For repairs, books, and stationery, already incurred, over and above the appropriations of former years, in consequence of the re-organization of the Post Office Department, six thousand seven hundred dollars;

Repairs,  
books, station-  
ery, &c.

For compensation to two watchmen, six hundred dollars;

Watchmen.

For compensation to extra clerks, prior to third July eighteen hundred and thirty-six, when the act re-organizing the department went into operation, twenty-two thousand four hundred and nineteen dollars and eighty-one cents;

Extra clerks  
prior to 3d July,  
1836.

For compensation to the Auditor of the Post Office, three thousand dollars;

Auditor of  
Post Office.

For compensation to clerks and messengers in said office, fifty-five thousand five hundred dollars;

Clerks and  
messengers.

For contingent expenses of said office, including books, stationery, printing, and expenses incidental to new offices, eight thousand two hundred dollars;

Contingent  
expenses, &c.

For compensation of the Surveyor General northwest of the Ohio, two thousand dollars;

Surveyor Gen-  
eral N. W. of  
Ohio.  
Clerks.

For compensation to clerks in his office, per acts of ninth of May, eighteen hundred and thirty-six, six thousand three hundred dollars;

Surveyor Gen-  
eral for Illinois  
and Missouri.  
Clerks.

For compensation to the Surveyor General for Illinois and Missouri, two thousand dollars;

For compensation to clerks in the office of said Surveyor General, per acts of ninth of May, eighteen hundred and thirty-six, three thousand eight hundred and twenty dollars;

Surveyor Gen.  
of Arkansas.

For compensation to the Surveyor General of Arkansas, two thousand dollars;

Clerks.

For compensation of clerks in the office of said Surveyor General, three thousand dollars, and for office-rent and fuel, three hundred dollars;

For compensation of the Surveyor General of Louisiana, two thousand dollars;

Surveyor Gen.  
of Louisiana.

For compensation to clerks in the office of said Surveyor General, per acts of ninth May, eighteen hundred and thirty-six, twenty-five hundred dollars;

Clerks.

Surveyor Gen. of Mississippi.	For compensation to the Surveyor General of Mississippi, two thousand dollars;
Clerks.	For compensation of clerks in the office of said Surveyor General, per acts of ninth May, eighteen hundred and thirty-six, five thousand dollars;
Surveyor Gen. for Alabama.	For compensation to the Surveyor General for Alabama, two thousand dollars;
Clerks.	For compensation of clerks in the office of said Surveyor General, per acts of ninth May, eighteen hundred and thirty-six, two thousand dollars;
Surveyor Gen. of Florida.	For compensation of the Surveyor General of Florida, two thousand dollars;
Clerks.	For compensation of clerks in the office of said Surveyor General, three thousand dollars;
Copies of confirmations and orders of survey, &c.	For expenses of completing the copies of confirmations and orders of survey, and procuring from the offices of the registers copies of plats and sketches necessary to a correct location of private claims, explained in the report from the General Land Office, two thousand dollars;
Commissioner of Public Buildings.	For compensation to the Commissioner of Public Buildings in Washington, two thousand four hundred and fifty dollars;
Assistants.	For compensation to three assistants to commissioner, as superintendent at Potomac bridge, two thousand four hundred and sixty-three dollars and seventy-five cents;
Repairs of Potomac bridge, &c.	For repairs of the said bridge, wood for the draw-keepers, and oil for lamps, two hundred and seventy-seven dollars;
Officers and clerks of Mint.	For compensation to the officers and clerks of the Mint, nineteen thousand seven hundred dollars;
Assistants and laborers.	For compensation to assistants and laborers in the various departments of the Mint, twenty-four thousand dollars;
Wastage of gold and silver, &c.	For wastage of gold and silver, and contingent expenses of the Mint, including improvements in machinery, thirty-eight thousand one hundred dollars;
New machinery, &c.	For expenses incident to the introduction of new machinery and apparatus, twenty thousand dollars;
Governor, &c. of Wisconsin.	For compensation of the Governor, Judges, and Secretary of Wisconsin Territory, nine thousand one hundred dollars;
Contingent expenses, &c.	For contingent expenses and compensation of the members of the Legislative Assembly of said Territory, and printing the laws, nine thousand seven hundred and fifty dollars;
Governor, &c. of Florida.	For compensation of the Governor, Judges, and Secretary of the Territory of Florida, eleven thousand seven hundred dollars;
Contingent expenses, &c.	For contingent expenses, pay, and mileage of the members of the Legislative Council of said Territory, stationery, fuel, printing, pay of the officers of the council, and copying laws, ten thousand three hundred and thirty-five dollars;
Chief Justice, Associate Judges, and District Judges, U. S.	For compensation to the Chief Justice, the Associate Judges, and District Judges of the United States, eighty-four thousand nine hundred dollars;
Chief Justice and Associate Judges, D. C., &c.	For compensation of the Chief Justice and Associate Judges of the District of Columbia, and of the Judges of the Orphans' Courts of said District, nine thousand five hundred dollars;
Attorney General.	For compensation to the Attorney General of the United States, four thousand dollars;
Clerk and messenger.	For compensation of clerk and messenger in the office of the Attorney General, one thousand three hundred dollars;
Cont. expens.	For contingent expenses of said office, five hundred dollars;
Reporter of Supreme C't.	For compensation to the reporter of the decisions of the Supreme Court, one thousand dollars;

For compensation to the District Attorneys and Marshals, as granted by law, including those in the several Territories, thirteen thousand two hundred and fifty dollars;	District Attorneys and Marshals.
For defraying the expenses of the Supreme Court and the 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-seven 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 thirty thousand dollars;	Expenses of the Supreme, Circuit, and District Courts, &c.
For expenses of printing the records of the Supreme Court, three thousand dollars;	Records of Supreme Court.
For the payment of pensions granted by special acts of Congress, one thousand and fifty dollars;	Pensions.
For the support and maintenance of light-houses, floating-lights, beacons, buoys, and stakages, including the purchase of lamps, oil, keepers' salaries, repairs, improvements, and contingent expenses, two hundred and ninety-eight thousand and fifty-five dollars;	Light-houses &c.
For a bell, and fixing the same on the light-house at Cove point in the Chesapeake bay, being the amount of an appropriation for that purpose, which will be carried to the surplus fund, one thousand two hundred dollars;	Bell on light-house at Cove Point.
For a light-house at the mouth of Chefuncte river, being the amount of a former appropriation for that object, which will be carried to the surplus fund, five thousand dollars;	Light-house at mouth of Chefuncte river.
For two small beacon-lights on Cockspur island, at the mouth of Savannah river, including four thousand dollars already appropriated, which will be carried to the surplus fund, seven thousand dollars;	Two small beacon lights on Cockspur Island.
For survey of the coast of the United States including arrears of compensation and expenses of the superintendent, estimating his compensation at three thousand dollars per annum, and his expenses at the same rate from August second eighteen hundred and thirty-two, and including also, such additional payment to the army and navy officers employed upon the survey for their past services and expenses as the President may decide to be just and proper, sixty thousand dollars;	Survey of coast, U. S.
For completing the public warehouse at Baltimore, fifty thousand dollars;	Warehouse at Baltimore.
For the custom-house at Boston, one hundred and fifty thousand dollars;	Custom-house at Boston.
For refunding duties on railroad iron to the Lexington and Ohio Railroad Company, imported in eighteen hundred and thirty-two and eighteen hundred and thirty-three, per act of second July, eighteen hundred and thirty-six, one thousand nine hundred and eighty-four dollars;	Refunding duties on rail-road iron. 1836, ch. 325.
For expense in relation to the relief of certain insolvent debtors of the United States, three thousand dollars;	Insolvent debtors.
For deficiency in the fund for the relief of the sick and disabled seamen as established by act of third May eighteen hundred and two, twenty-five thousand dollars;	Disabled seamen. 1802, ch. 51.
For the compensation to two keepers of the public archives in Florida, one thousand dollars;	Archives in Florida.
For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall be admitted in due course of settlement at the Treasury, twelve thousand dollars;	Miscellaneous claims.
For an addition to the existing unexpended balances of appropriation for surveys of the public lands, to be duly apportioned to the several districts, according to the exigencies of the public service, one hundred and fifty thousand dollars;	Surveys of public lands.

## Completing surveys.

In Ohio, Indiana, Michigan, and Wisconsin.  
In Florida.  
In Louisiana.

In Alabama.

Ministers to Great Britain, &c.  
Diplomatic agent to Texas.

Envoy, &c. to Mexico.

Secretaries of legation to Great Britain, &c.  
Chargé des Affaires to Portugal, &c.

Drogoman, &c.

Minister to Russia.  
Chargé d'affaires to Belgium.

Contingent expenses of missions abroad.

Consuls at London and Paris.

Barbary Powers.

Relief, &c. of American seamen.

Contingent expenses of foreign intercourse.

Expenses in office of American consul in London.

Consulates in the Turkish dominions.

Librarians to Congress, &c.

Purchase of books.

Diplomatic correspond.

For completing the surveys of unfinished portions of townships, islands, lakes, &c. viz :

In Ohio, Indiana, Michigan, and Wisconsin, not exceeding five dollars per mile, three thousand and forty dollars;

In Florida, not exceeding five dollars per mile, six thousand dollars;

In Louisiana, not exceeding eight dollars per mile, twenty thousand dollars; and

In Alabama, not exceeding eight dollars per mile, one thousand dollars, in addition to two thousand five hundred dollars already appropriated;

For salaries of ministers of the United States to Great Britain, France, Spain, and Russia, and outfits and salaries of ministers to Prussia and Austria, and for the outfit and salary of a diplomatic agent to be sent to the Republic of Texas, whenever the President of the United States may receive satisfactory evidence that Texas is an independent power, and shall deem it expedient to appoint such minister, in addition to the balance remaining of the appropriation for eighteen hundred and thirty-six, seventy-two thousand dollars;

For an outfit and salary for an Envoy Extraordinary, and Minister Plenipotentiary to Mexico, whenever, in the opinion of the Executive, circumstances will permit a renewal of diplomatic intercourse honorably with that power, eighteen thousand dollars;

For salaries of the secretaries of legation to Great Britain, France, Spain, Russia, Prussia, Mexico and Austria, fourteen thousand dollars;

For salaries of the chargés des affaires to Portugal, Denmark, Sweden, Holland, Turkey, Belgium, Brazil, Chili, Peru, Mexico, Central America, New Grenada, and Venezuela, fifty-eight thousand five hundred dollars;

For salary of the drogoman, and for contingent expenses of the legation to Turkey, six thousand five hundred dollars;

For outfit of a minister to Russia, nine thousand dollars;

For outfit of a chargé d'affaires to Belgium, four thousand five hundred dollars;

For contingent expenses of all the missions abroad, in addition to the balance remaining of a former appropriation, thirty thousand dollars;

For salaries of the consuls of the United States at London and Paris, four thousand dollars;

For expenses of intercourse with the Barbary Powers, seventeen thousand four hundred dollars;

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

For the contingent expenses of foreign intercourse, in addition to the balance remaining of former appropriations, thirty thousand dollars;

For clerk hire, office rent, stationery and other expenses in the office of the American consul in London, per act of nineteenth January eighteen hundred and thirty-six, two thousand eight hundred dollars;

For interpreters, guards, and other expenses incidental to the consulates in the Turkish dominions, five thousand five hundred dollars;

For salary of the principal and assistant librarians; compensation of assistant during the two sessions of the twenty-fourth Congress; messenger, and contingent expenses of the library, four thousand two hundred and forty-three dollars;

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

For furnishing such members of the present House of Representatives as have not received the same, under former orders of the House,

the Diplomatic Correspondence, American State Papers, Register of Debates, Elliot's Debates, and the first volume of the Land Laws, forty-four thousand four hundred and ninety dollars and twenty-eight cents, *Provided*, That, if there are any surplus books, copies of which have been distributed to former members, in the Library of Congress, they shall be distributed one copy to each of the said members who has not received the same;

ence, &c. to certain members of House of Reps.

Proviso.

For the purchase of the manuscripts of the late Mr. Madison referred to in a letter from Mrs. Madison to the President of the United States dated fifteenth November, eighteen hundred and thirty-six, and communicated in his message of sixth December eighteen hundred and thirty-six, thirty thousand dollars;

Manuscripts of the late Mr. Madison.

For the service of the General Post Office, for the year eighteen hundred and thirty-seven, in conformity to the act of the second of July eighteen hundred and thirty-six, viz :

General Post Office.

For transportation of the mails, compensation of postmasters, ship, steam-boat, and way letters, wrapping paper, office furniture, advertising, mail bags, blanks, mail locks and keys, and stamps, mail depredations, and special agents, clerks for offices, and miscellaneous expenses, four millions four hundred and ninety-four thousand dollars;

Transportation of mails, &c.

For payment to A. Fuller, and the rent of the building now occupied as a General Post Office, from the sixteenth December last, and for the year eighteen hundred and thirty-seven, five thousand dollars;

Payment to A. Fuller.

For guarding the site of the old Post Office, and preserving the public property, two thousand dollars;

Site of old Post Office, &c.

For the expenses of the branch mint, at New Orleans, for the year eighteen hundred and thirty-seven, viz :

Branch of mint at New Orleans. Officers.

For salaries of officers and clerks, twelve thousand nine hundred dollars;

Laborers.

For compensation to laborers in the various departments, thirteen thousand dollars;

For completing the mint edifice, and enclosing the lot, ninety-six thousand five hundred dollars;

Completing mint edifice, &c.

For furnishing the whole establishment, inclusive of all apparatus, tools, and fixtures, not included in the contracts, fifteen thousand five hundred dollars;

Furnishing the establishment.

For wastage of gold and silver, and for the contingent expenses of the mint, eighteen thousand six hundred dollars;

Wastage of gold and silver, &c.

For expenses of the branch mint at Dahlonega, Georgia, for the year eighteen hundred and thirty-seven, viz :

Branch mint at Dahlonega. Officers.

For salaries of officers and clerks, six thousand dollars;

Laborers.

For compensation to laborers, one thousand five hundred dollars;

For furnishing the establishment with all the apparatus, tools, and fixtures, not included in the contracts, seven thousand dollars;

Furnishing the establishment.

For wastage of gold, and for the contingent expenses of the mint, five thousand five hundred dollars;

Wastage of gold, &c.

For expenses incurred in eighteen hundred and thirty-six, for the edifice and machinery, more than the amount appropriated in the act of eighteen hundred and thirty-five, two thousand dollars;

Edifice and machinery.

1835, ch. 30.

For the expenses of the branch mint at Charlotte, North Carolina, for the year eighteen hundred and thirty-seven, viz :

Branch mint at Charlotte.

For salaries of officers and clerks, six thousand dollars;

Officers.

For compensation to laborers, one thousand five hundred dollars;

Laborers.

For furnishing the establishment with all the apparatus, tools, and fixtures, not included in the contracts, six thousand dollars;

Furnishing the establishment.

For wastage of gold, and for the contingent expenses of the mint, five thousand five hundred dollars;

Wastage of gold, &c.

For enclosing the grounds, repairing a building on the lot, and for out-houses, seven thousand dollars;

Enclosing the grounds, &c.

Furniture of the President's house.

Taxes on the arsenal near Philadelphia.

Registers and receivers of land offices.

Construction of Treasury building.

Construction of Patent Office.

Surveying in Arkansas.

Compensation to Geo. Watterston.

Light-house at or near Michigan City.

Lazaretto near Baltimore.

Legislative assembly of Wisconsin.

Expenses of same for 1837.

Chargé d'affaires to Naples.

Alterations, &c. of the capitol.

Lighting lamps, &c. S. W. boundary line.

Commissioner. Surveyor, &c.

Proviso.

North and east boundary line.

Public stable at the capitol.

Improvements of the capitol square.

Alterations,

For furniture of the President's house, twenty thousand dollars ;

For the taxes on the arsenal near Philadelphia, for the years eighteen hundred and thirty-five, and eighteen hundred and thirty-six, one thousand four hundred and fifty dollars and fifty cents ;

For the salaries of the registers and receivers of land offices where there are no sales, including one thousand seven hundred and six dollars and thirty-four cents, carried to the surplus fund, two thousand five hundred dollars ;

For the construction of the Treasury building, for the year eighteen hundred and thirty-seven, in addition to the amount unexpended in eighteen hundred and thirty-six, two hundred and fifty-seven thousand dollars ;

For the construction of the Patent Office, in addition to former appropriations, one hundred thousand dollars ;

For surveying unfinished portions of townships, islands, and lakes, in Arkansas, at the rate of six dollars per mile, six thousand dollars ;

For compensation to George Watterston, for his services in preparing a statement of the persons imprisoned for debt in this District, since one thousand eight hundred and twenty, under a resolution of the House of Representatives, six hundred dollars ;

For building a light-house at or near Michigan City, being an amount heretofore appropriated for the same purpose, and carried to the surplus fund, five thousand dollars ;

For rebuilding the lazaretto and wharf near the city of Baltimore, thirty thousand dollars ;

For arrearages for the expenses of the Legislative Assembly of the Territory of Wisconsin, for the year one thousand eight hundred and thirty-six, fifteen thousand seven hundred and thirty dollars and sixteen cents ;

For the expenses of the same, for the year one thousand eight hundred and thirty-seven, thirty-six thousand seven hundred and sixty-five dollars ;

For an outfit and salary of a chargé d'affaires to Naples, nine thousand dollars ;

For alterations and repairs of the capitol, and incidental expenses, three thousand six hundred dollars ;

For lighting lamps and superintendence of the public grounds around the capitol, five thousand one hundred and sixty-four dollars ;

To enable the President to cause the southwestern boundary line of the United States to be run, the following sums, viz :

For the salary of a commissioner, two thousand five hundred dollars ;

For the salary of a surveyor, two thousand dollars ; and for contingencies, including the purchase of necessary instruments, wages to attendants, and other expenses, ten thousand dollars ; *Provided*, That said commissioner and surveyor be appointed with the advice and consent of the Senate ;

For exploring and surveying the north and east boundary line of the United States, where the same has not already been surveyed, and establishing monuments thereon, agreeably to the definitive treaty of peace of seventeen hundred and eighty-three, to be expended under the direction of the President of the United States, twenty thousand dollars ;

For enlarging the public stable at the capitol, and the erection of a shed for the protection of the tools, implements and materials, twelve hundred dollars ;

For completing the improvements commenced, by extending the capitol square west, forty thousand dollars ;

For alterations and repairs of the President's house, and for super-

intendence of the grounds around the same, seven thousand three hundred dollars;

For compensation to the gardener employed in superintending the capitol square and other public grounds, one thousand dollars;

For clerk hire, mileage, pay of witnesses, serving subpoenas, and other incidental expenses, under the orders of the select committees of inquiry appointed by the House of Representatives, twenty-five thousand dollars, in addition to the contingent fund of said House;

For an outfit of a chargé d'affaires to New Grenada, four thousand five hundred dollars;

For balance due the acting Governor of Michigan, according to an account adjusted by the accounting officers, seven hundred and twenty dollars and fifty-one cents;

For completing surveys of unfinished portions of townships, islands, lakes, &c., in Missouri, not exceeding five dollars per mile, seventeen thousand five hundred dollars;

For completing the light-house at Oswego, New York, seven hundred and fifteen dollars;

For payment of arrearages due contractors on the Cumberland road in Ohio, being the balance of an appropriation carried to the surplus fund on the thirty-first December, eighteen hundred and thirty-six, twelve hundred and twenty-five dollars and forty-one cents;

For compensation to Daniel Graham, late Secretary of the State of Tennessee, for his services, performed at the request of the Commissioner of the General Land Office, in order to answer a call of the House of Representatives, made on twentieth of January eighteen hundred and twenty-nine, two hundred and fifty dollars;

For the expense of bringing to the seat of Government, the votes for President and Vice President of the United States, in addition to a former appropriation, two thousand two hundred dollars;

For compensation of the Senators and Representatives elected by Michigan, twelve hundred and forty-eight dollars;

For the payment of a balance due for the expenses of the Legislative Council of the Michigan Territory, two thousand and fifty-seven dollars and seventy-two cents;

For fulfilling the contracts made with John Vanderlyn, Henry Inman, Robert Wier, and John G. Chapman, by the Joint Committee of Congress under the joint resolution of the twenty-third day of June, one thousand eight hundred and thirty-six, for the execution of four historical paintings for the vacant pannels of the rotundo of the capitol, eight thousand dollars;

To enable the President of the United States to contract for two groups of statues, to adorn the two blockings on the east front of the capitol, eight thousand dollars;

To Mr. Auger for the bust of the late Chief Justice Ellsworth, four hundred dollars;

To enable the Secretary of the Treasury to employ for one year, a competent person to classify and arrange, translate when necessary, and make suitable records of the papers and documents connected with the private land claims, which, at sundry periods, have been presented to, and acted on, by the Commissioner, or the registers and receivers acting as commissioners, on private land claims for the district east of the island of New Orleans, and west of Pearl river, in the State of Louisiana, the sum of two thousand dollars;

For pay and mileage of the members of the Senate for the extra session to commence on the fourth day of March instant, thirteen thousand eight hundred and seventy-five dollars;

For stationery, fuel, printing, and all other contingent expenses of the

&c., of President's house, &c.

Gardener for capitol square, &c.

Incidental expenses of select committee of inquiry.

Chargé to New Grenada.

Balance due the acting Gov. of Michigan.

Surveys in Missouri.

Light-house at Oswego.

Arrearages due contractors on the Cumberland road.

Compensation to Daniel Graham.

Votes of President and Vice President.

Senators and Representatives of Michigan. Legislative Council of Michigan.

Paintings for the rotundo of the capitol.

Ante, p. 133.

Groups of statues for the east front.

Bust of Chief Justice Ellsworth.

Arrangement, &c. of papers connected with private land claims.

Pay and mileage of Senators for the extra session.

Cont. expens.

Distribution  
of Gales & Seaton's State  
Papers.

Purchase of  
the American  
State Papers.

Debates of the  
First Congress  
and Register of  
Debates.

Commission  
under the con-  
vention with  
Spain.

Medal in ho-  
nor of Brig.  
Gen. Daniel  
Morgan.  
1836, ch. 256.

Improving the  
crypt of the  
capitol, &c.

Making Post  
Office, &c. of  
H. R. fire  
proof.

Grounds of  
naval maga-  
zine, &c.

Conducting  
water to Treas-  
ury and Post  
Office build-  
ings, &c.

Fire-engine,  
&c. for War  
and Navy De-  
partments.

Fire-engine,  
&c. for Treas-  
ury building.  
Pay to Wil-  
liam P. Elliott.

Constructing  
a dwarf wall  
and fence in  
President's  
square.

Support of the  
penitentiary.

Burying  
ground at Fort  
Gibson.

Senate for the extra session to commence on the fourth day of March instant, five thousand dollars;

For the expenses of the distribution in boxes, and by the ordinary modes of transportation, of the compilation of the State Papers printed by Gales and Seaton, as directed by the joint resolution of the tenth day of July, one thousand eight hundred and thirty-two, to the several States, Territories, colleges, and athenæums of the United States, one thousand five hundred dollars;

For the purchase of nineteen copies of the American State Papers, printed by Gales and Seaton, pursuant to the resolution of the Senate, of the first day of March, instant, four thousand five hundred and eighty-eight dollars and fifty cents;

For two hundred and forty-four copies of the Debates of the First Congress, and of the Register of Debates to the end of the present Congress, as published by Gales and Seaton, to be distributed to the members of the present House, fifteen thousand five hundred dollars;

For compensation to the commissioner, secretary, and clerk, and the contingent expenses of the commission under the convention with Spain, eight thousand two hundred dollars;

To authorize the President of the United States to procure new dies to renew the medal directed to be made in honor of Brigadier General Daniel Morgan, by the act of the second day of July one thousand eight hundred and thirty-six, in case the original dies for the said medal cannot be found, one thousand dollars;

For improving the crypt of the capitol, by closing the openings on the east front with sash doors, making double doors to the outer entrances, and repairing furnaces, eleven hundred and fifty dollars;

For making the post office, document, folding, and library rooms of the House of Representatives fire proof, three thousand one hundred and fifty dollars;

To complete the enclosing the garden and grounds of the naval magazine and marine hospital, one hundred dollars;

For conducting water along the Pennsylvania avenue from the pipes at the Capitol to the Treasury and General Post Office buildings, with the necessary fire-plugs to water the avenue, ten thousand dollars;

For the purchase of a fire-engine, apparatus, and engine-house for the War and Navy Departments, seven thousand two hundred and twenty-five dollars;

For the purchase of a fire-engine and apparatus for the Treasury building, and the enlargement of the engine-house, five thousand five hundred and twenty-five dollars;

For paying William P. Elliott, for drawings of the Treasury building and Patent Office, three hundred dollars;

For constructing a dwarf wall and fence from the southwest corner of the President's house to intersect the new fence near the north corner of the Navy Department, one thousand three hundred dollars;

For the support of the penitentiary for the District of Columbia, for the year eighteen hundred and thirty-seven: for pay of officers and agents; for repairs to buildings; for purchase of raw materials; for rations, clothing, beds, and bedding of prisoners; for purchase of fuel; for purchase of hospital stores and medicines; for purchase of books and stationery; for purchase of horse feed; for allowance to discharge convicts; and for other contingent expenses, the sum of twelve thousand five hundred and five dollars and thirty-nine cents, to be paid out of any money in the Treasury not otherwise appropriated, and to be expended under the direction of the Board of Inspectors;

For the erection of a plain substantial fence around the burying ground at Fort Gibson in the State of Arkansas, five hundred dollars;

For surveys of the public lands in the district composed of the States



of Illinois and Missouri, in addition to the appropriation herein before made for the surveys of the public lands, thirty-six thousand dollars;

For the compensation of additional clerks and a topographer to be employed in the Post Office Department, ten thousand two hundred dollars;

For the compensation of additional clerks to be employed in the office of the Auditor of the Treasury for the Post Office Department, six thousand dollars;

For law books for the library of Congress, five thousand dollars, to be expended in the purchase of such books, a catalogue of which shall be furnished by the Chief Justice of the United States.

SEC. 2. *And be it further enacted*, 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-seven, 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 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; (a) *Provided, also*, That in the event of any act being passed by Congress at the present session to regulate and fix 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; *Provided, however*, That the Secretary of the Treasury be authorized to extend to the collectors at such other ports, where a surplus of emoluments have been accounted for and paid into the Treasury in the year eighteen hundred and thirty-two, the privilege granted to the collector of New York; to take effect from the first day of January last.

SEC. 3. *And be it further enacted*, That the clerks in the Departments of State, Treasury, Navy and War, and of the two Houses of Congress, and the Librarians of Congress, whose salaries are less than two thousand dollars, shall, in addition thereto, be allowed the following increase of annual compensation, from the first day of January last, to the end of the next session of Congress, (b) viz: such of said clerks whose annual compensation does not exceed one thousand dollars, an addition of twenty per cent. thereto; such of said clerks whose annual

Surveys ... Illinois and Missouri. Additional clerks, &c. in Post Office Department.

Additional clerks in office of Auditor of Post Office.

Law books for the library of Congress.

Pay of collectors, deputy collectors, naval officers, &c.

1832, ch. 227. Proviso.

Further proviso.

Further proviso.

Further proviso.

Increase of salaries of clerks and messengers.

(a) There was no further legislation on this subject during the session.

(b) The act of October 12, 1837, chap. 4, continues to the end of the second session of the twenty-fifth Congress, all the acts which would, otherwise, have expired.

Proviso.

Further proviso.

compensation exceeds one thousand dollars, an addition of ten per cent. thereto; and twenty per cent. in addition to the salaries of messengers and assistant messengers employed in the respective offices, and the library of Congress; the amount of increase of compensation provided for in this section, to be paid out of any money in the Treasury not otherwise appropriated, *Provided*, That nothing in this section shall be so construed as to affect the salaries of any clerks whose salaries have been fixed by any law of the last or present session of Congress, *Provided*, That no further extra allowance be given for any extra services performed by them under any law or resolution of Congress.

APPROVED, March 3, 1837.

## STATUTE II.

March 3, 1837.

CHAP. XXXIV.—*An Act supplementary to the act entitled "An act to amend the judicial system of the United States. (a)"*

Act of April 29, 1802, ch. 31.  
Supreme Court to consist of a chief justice and eight associate judges, &c.  
Act of Jan. 21, 1829, ch. 12.

2d circuit.

3d circuit.

4th circuit.

5th circuit.

6th circuit.

7th circuit.

8th circuit.

*Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Supreme Court of the United States shall hereafter consist of a chief justice, and eight associate judges, any five of whom shall constitute a quorum; and for this purpose there shall be appointed two additional justices of said court, with the like powers, and to take the same oaths, perform the same duties, and be entitled to the same salary, as the other associate judges. Hereafter, the districts of Vermont, Connecticut, and New York, shall constitute the second circuit; the district of New Jersey, the eastern and western districts of Pennsylvania, shall constitute the third circuit; the district of Maryland and the district of Delaware shall constitute the fourth circuit; the districts of Virginia and the district of North Carolina shall constitute the fifth circuit; the districts of South Carolina and Georgia shall constitute the sixth circuit; the districts of Ohio, Indiana, Illinois and Michigan, shall constitute the seventh circuit; and the circuit courts shall be held at Columbus, in the Ohio district, on the third Mondays in May, and December; at Detroit, in the Michigan district, on the fourth Monday in June; at Indianapolis, in the Indiana district, on the first Monday in December; at Vandalia, in the Illinois district, on the last Monday in November, in each year; the districts of Kentucky, east and west Tennessee, and Missouri, shall form and be called the eighth circuit; and the districts

(a) By "an act concerning the Supreme Court of the United States," June 17, 1844, chap. 96, the sessions of the Supreme Court were directed to commence in December in each year. By the second section of the act, the Justices of the Supreme Court were only required to hold one term of the Circuit Court each year. The Justices of the Supreme Court may attend at any of the terms.

An act to abolish the Circuit Court at Huntsville, in the state of Alabama, and for other purposes, February 22, 1838, chap. 12.

An act to require the Judge of the District Court of east and west Tennessee to hold a court at Jackson, in the said state, June 18, 1838, chap. 118.

An act to amend an act entitled "An act to require the Judge of the District Court of east and west Tennessee to hold a court at Jackson in the said state," approved June eighteenth, one thousand eight hundred and thirty-eight, Jan. 18, 1839, chap. 3.

An act to reorganize the District Courts of the United States in the state of Alabama, February 6, 1839, chap. 20.

An act to amend "an act to reorganize the District Courts of the United States in the state of Mississippi," approved June 18, 1839, chap. 27.

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

An act in addition to the acts respecting the judicial system of the United States, July 4, 1840, chap. 42.

An act to amend the act approved May 13, 1800, entitled an act to amend an act entitled an act to establish the judicial courts of the United States, July 20, 1840, chap. 47.

An act changing the time of holding the courts at Clarksburg and at Wheeling in the western district of Virginia, and the Circuit Court of the United States for the district of Arkansas, March 4, 1844, chap. 4.

An act to change the time of holding the Spring term of the District Court of the United States for the eastern district of Virginia, and of the Circuit Court of Alabama, April 12, 1844, chap. 12.

An act to change the time of holding the Federal Courts in Kentucky, North Carolina, South Carolina, Georgia, Alabama and Louisiana, March 1, 1845, chap. 39.

of Alabama, the eastern district of Louisiana, the district of Mississippi, and the district of Arkansas, shall form and be called the ninth circuit.

SEC. 2. *And be it further enacted*, That the sessions of said circuit courts shall be held twice in each year in the following districts, to wit: commencing in the eastern district of Louisiana, at New Orleans, on the third Monday of May and on the third Monday of November, annually; in the district of Mississippi, at Jackson, on the first Monday of May and on the first Monday of November, annually; in the southern district of Alabama, at Mobile, on the second Monday of April and the second Monday of October, annually; in the western district of Pennsylvania, at Pittsburg, on the third Mondays of May and November, annually; in the district of Delaware, at Newcastle on the Tuesday next following the fourth Monday of May, and at Dover on the Tuesday next following the third Monday of October, annually; and in the district of Maryland, at Baltimore, on the first Monday of April and the first Monday of October, annually; in the northern district of New York, at Albany, on the second Tuesday of June and the third Tuesday of October, annually; and there shall be holden a term of said circuit courts, annually, at Lewisburg, in the western district of Virginia, commencing on the first Monday of August; at Huntsville, in the northern district of Alabama, commencing on the first Monday of June; (a) at St. Louis, in the district of Missouri, commencing on the first Monday of April; and at Little Rock, in the district of Arkansas, on the fourth Monday of March; and that no process, recognizance, or bail bond, returnable to the next term of either of said courts, shall be avoided or impaired, or affected by this change, as to the commencement of said term; but that all process, bail bonds, and recognizances returnable to the next term of either of said courts, shall be returnable and returned to the court next held, according to this act, in the same manner as if so made returnable on the face thereof, and shall have full effect accordingly; and that all continuances in either of said courts shall be from the last term to the court appointed by this act, and the day herein appointed for the commencement of the next session thereof: *Provided*, That nothing herein contained shall prevent the judge of the northern district of New York from holding the courts at Utica, nor the judge of the western district of Pennsylvania from holding the courts at Williamsport, at the same time and with the same power and jurisdiction as heretofore.

SEC. 3. *And be it further enacted*, That so much of any act or acts of Congress as vests in the district courts of the United States for the districts of Indiana, Illinois, Missouri, Arkansas, the eastern district of Louisiana, the district of Mississippi, the northern district of New York, the western district of Virginia, and the western district of Pennsylvania, and the districts of Alabama, or either of them, the power and jurisdiction of circuit courts, be, and the same is hereby, repealed; and there shall hereafter be circuit courts held for said districts by the chief or associate justices of the Supreme Court, assigned or allotted to the circuit to which such districts may respectively belong, and the district judges of such districts severally and respectively; either of whom shall constitute a quorum; which circuit courts, and the judges thereof, shall have like powers and exercise like jurisdiction as other circuit courts and the judges thereof; and the said district courts, and the judges thereof, shall have like powers and exercise like jurisdiction as the district courts, and the judges thereof, in the other circuits. From all judgments and decrees, rendered in the district courts of the United States for the western district of Louisiana, writs of error and appeals shall lie to the circuit court in the other district in said State,

9th circuit.

Districts in which said courts shall be held twice a year; times and places of session.

And dist. in which annually; times and places of sessions.

Process, recognizance, &c., returnable at next term of said courts.

Proviso.

So much of any act or acts as vests the power and jurisdiction of circuit courts in certain district courts repealed; circuit courts to be held, &c.

1838, ch. 46.

Judgments, &c. rendered in district courts

(a) Act of March 3, 1839, chap. 81; act of March 4, 1844, chap. 4; act of April 12, 1844, chap. 12; act of March 1, 1845, chap. 39.

for western district of Louisiana.

Actions, suits, &c., (originally cognizable in a circuit court,) now pending in, &c., certain district courts.

Said circuit courts to be governed by same laws, &c., as apply to the other circuit courts; and clerks to perform same duties, &c.

Allotment of their chief justice, &c.

Acts, &c., repealed.

#### STATUTE II.

March 3, 1836.

[Obsolete.]

The account of the Treasurer to be credited with the amount of unavailable funds.

Secretary of Treasury authorized to settle claims of U. S. of the above description.

Proviso.

1839, ch. 26.

#### STATUTE II.

March 3, 1837.

[Obsolete.]

Act of July 2, 1836, ch. 262.

Acts, &c., required to be

in the same manner as from decrees and judgments rendered in the districts within which a circuit court is provided by this act.

SEC. 4. *And be it further enacted*, That all actions, suits, prosecutions, causes, pleas, process, and other proceedings, relative to any cause, civil or criminal, (which might have been brought, and could have been, originally, cognizable in a circuit court,) now pending in, or returnable to, the several district courts of Indiana, Illinois, Missouri, Mississippi, Arkansas, Michigan, the eastern district of Louisiana, the districts of Alabama, the northern district of New York, the western district of Pennsylvania, and western district of Virginia, acting as circuit courts on the first day of April next, shall be, and are hereby declared to be, respectively transferred, returnable, and continued to, the several circuit courts constituted by this act, to be holden within the said districts respectively; and shall be heard, tried and determined therein, in the same manner as if originally brought, entered, prosecuted, or had, in such circuit courts. And the said circuit courts shall be governed by the same laws and regulations as apply to the other circuit courts of the United States; and the clerks of the said courts, respectively, shall perform the same duties, and shall be entitled to receive the same fees and emoluments, which are by law established for the clerks of the other circuit courts of the United States. The allotment of their chief justice and the associate justices of the said Supreme Court to the several circuits shall be made as heretofore.

SEC. 5. *And be it further enacted*, That all acts and provisions inconsistent with this act be, and the same are hereby, repealed.

APPROVED, March 3, 1837.

CHAP. XXXV.—*An Act to authorize the proper officers of the Treasury Department to credit the account of the Treasurer of the United States with the amount of unavailable funds standing to his debit on the books of the Treasury, to transfer the amount of the debit of banks and individuals indebted for the same, and to authorize the Secretary of the Treasury to compromise and settle said claims.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the proper accounting officers of the Treasury be, and they are hereby authorized to credit the account of the Treasurer of the United States with the amount of the unavailable funds, whether charged to John Campbell, or his predecessors, and to transfer the amount to the debit of the banks and individuals, respectively, that may be indebted for the same.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized to compromise and finally settle the claims of the United States, of the above description, against said banks and individuals who have proved insolvent, or failed to make punctual payments, on such terms and conditions as he may deem most conducive to the interests of the United States: *Provided*, That this act shall not authorize any compromise of the debt due from the Alleghany Bank of Pennsylvania.

APPROVED, March 3, 1837.

CHAP. XXXVI.—*An Act to amend an act entitled "An act for laying off the towns of Fort Madison and Burlington, in the county of Des Moines, and the towns of Bellevue, Du Buque, and Peru, in the county of Du Buque, and Mineral Point, in the county of Iowa, Territory of Wisconsin, and for other purposes," approved July second, 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 all acts and duties required to be done and performed by the Surveyor for the Territory of Wisconsin, under the act to which this is an amendment, shall be done

by a board of commissioners of three in number, any two of whom shall be 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: *Provided*, That the action of the commissioners appointed under the present act shall not interfere with any of the acts performed by the Surveyor General, prior to the time of the passage hereof, in pursuance of instructions under the act to which this is amendatory.

SEC. 2. *And be it further enacted*, That the said commissioners shall have power to hear evidence and determine all claims to lots 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 proper register and receiver for the district within which the towns are situated respectively, the testimony in each case, together with a certificate in favor of each person having the right of pre-emption under the provisions of the act of which this is amendatory; and upon making payment to the proper receiver of public moneys for the lot or lots to which such person is entitled, the receiver shall grant a receipt therefor, and the register issue certificates of purchase, to be transmitted to the Commissioner of the General Land Office, as in other cases of the sale of public lands.

SEC. 3. *And be it further enacted*, That the proper register and receiver of public moneys, 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 the lots to public sale to the highest bidder, after advertising the same in three public newspapers at least three months prior to the day of sale, in the same manner as is provided for the sale of public lands in other cases; and after paying the commissioners the compensation hereafter allowed them, and all 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 trustees of the respective towns aforesaid, to be expended by them in the erection of public buildings, the construction of suitable wharves, and the improvement of the streets in the said towns of Fort Madison, Burlington, Belleview, Du Buque, Peru and Mineral Point.

SEC. 4. *And be it further enacted*, That the commissioners appointed to carry this act into effect, shall be paid by the receiver of public moneys, of the proper land district, six dollars each, per day, for their services, for every day they are necessarily employed.

APPROVED, March 3, 1837.

done by the surveyor under the act to which this is an amendment shall be done by a board of commissioners, to be appointed by the President, &c.

*Proviso.*

The commissioners to have power to determine all claims to lots, &c.

Upon payment being made to the proper receiver for a lot, he shall grant a receipt, &c.

The proper register and receiver, after the commissioners have determined all cases of pre-emption, shall expose residue of lots at public sale, to the highest bidder, &c.

After paying the commissioners, &c. the receiver shall pay over the residue to the trustees of the towns aforesaid.

The commissioners to be paid six dollars per day.

STATUTE II.

March 3, 1837.

[Obsolete.]

CHAP. XXXVII.—*An Act to continue in force for a limited time the act entitled "An act to carry into effect a convention between the United States and Spain."*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the provisions of the act, entitled "An act to carry into effect a convention between the United States and Spain," approved on the seventh day of June, one thousand eight hundred and thirty-six, be, and the same are hereby, extended until the first day of February, one thousand eight hundred and thirty-eight; and the commissioner appointed under the said act, shall, on or before the said day, terminate his duties.

APPROVED, March 3, 1837.

Act of June 7, 1836, ch. 87.

The provisions of the act extended to 1st February, 1838.

## STATUTE II.

March 3, 1837.

1842, ch. 189.

Half-pay to widows and children of officers, seamen, and marines, to commence from the time of death of such officer, &c.

Pensions for wounds, &c. to commence from the time of the officer, &c., being disabled.

Acts repealed.

## STATUTE II.

March 3, 1837.

1838, ch. 13.

1842, ch. 187.

[Expired.]

Three commissioners to be appointed by the President, with the advice and consent of the Senate; their duties.

Vol. vii. p. 333.

Commissioners to take an oath, &c.

CHAP. XXXVIII.—*An Act for the more equitable administration of the Navy Pension Fund.*"(a)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That if any officer, seaman or marine have died, or may hereafter die, in the naval service, leaving a widow, and, if no widow, a child or children, such widow, and, if no widow, such child or children, shall be entitled to receive half the monthly pay to which the deceased would have been entitled, under the acts regulating the pay of the navy, in force on the first day of January, one thousand eight hundred and thirty-five, to commence from the time of the death of such officer, seaman, or marine; but in case of the death or intermarriage of such widow, the half-pay shall go to the child or children of such deceased officer, seaman, or marine, *Provided,* That the half-pay granted to the child or children shall cease on their death, or on their attaining the age of twenty-one years.

SEC. 2. *And be it further enacted,* That the pensions which may have been granted, or which may hereafter be granted, to officers, seamen, and marines, in the naval service, disabled by wounds or injuries received while in the line of their duty, shall be considered to commence from the time of their being so disabled, and that the amount of pension to which said officers, seamen, and marines, may be entitled, shall be regulated according to the pay of the navy as it existed on the first day of January, one thousand eight hundred and thirty-five.

SEC. 3. *And be it further enacted,* That all acts, and parts of acts, which may be inconsistent with the provisions of this act, be, and the same are hereby repealed, so far as they may relate hereto.

APPROVED, March 3, 1837.

CHAP. XXXIX.—*An Act for the appointment of commissioners to adjust the claims to reservations of land under the fourteenth article of the treaty of eighteen hundred and thirty with the Choctaw Indians.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be appointed by the President, by and with the advice and consent of the Senate, three commissioners whose duty it shall be to meet in the State of Mississippi at such time and place, as the President shall appoint and designate, and there proceed to ascertain the name of every Choctaw Indian who was the head of an Indian family at the date of the treaty at Dancing Rabbit Creek, who has not already obtained a reservation under said treaty, and who can show by satisfactory evidence, that he or she complied or offered to comply with all the requisites of the fourteenth article of said treaty, to entitle him or her, to a reservation under said article; and also the number and names of all the unmarried children of such heads of families, who formed a part of the family and were over ten years of age, and likewise the number and names of the children of such heads of families as were under ten years of age, and report to the President, to be, by him, laid before Congress, all the names of such Indians, and the different sections of land to which such heads of families were respectively entitled, together with the opinions of the commissioners, and whether any part of said lands have been sold by the Government, and the proofs applicable to each case.

SEC. 2. *And be it further enacted,* That before entering upon their duties, each of said commissioners shall, before some judge or justice of the peace, take an oath faithfully to discharge the duties imposed by this act.

(a) See an act for the regulation of the Navy and Privateer pensions and Navy Hospital fund. July 10, 1832, chap. 194.

SEC. 3. *And be it further enacted*, That said commissioners are hereby authorized to appoint a secretary whose duty it shall be to record correctly all the proceedings of said Board, and faithfully preserve the same, as well as all depositions and other papers filed before said Board, and who shall take an oath to discharge the duties imposed on him by this act.

Commissioners to appoint a secretary; his duties.

SEC. 4. *And be it further enacted*, That upon the request of the Commissioners it shall be the duty of the District Attorney of the State of Mississippi, to attend said board, and give his assistance in procuring the attendance of witnesses, and his aid and advice in their examination, the better to enable the Commissioners to ascertain the facts correctly in each case.

District Att'y for Mississippi to attend board on request of Commissioners.

SEC. 5. *And be it further enacted*, That each of said Commissioners shall receive, while in the discharge of the duties hereby imposed, a salary at the rate of three thousand dollars per annum, the secretary a salary at the rate of fifteen hundred dollars per annum, and the District Attorney a salary at the rate of two thousand dollars per annum, to be paid quarterly out of any money in the Treasury not otherwise appropriated.

Salaries of Commissioners and Secretary.

SEC. 6. *And be it further enacted*, That said Commissioners shall have full power to summon and cause to come before them, such witnesses as they may deem necessary, and to have them examined on oath, and if any witness shall testify falsely, with an intention to mislead said Commissioners, such witness shall be guilty of wilful and corrupt perjury, and shall, upon conviction before any jurisdiction having cognizance thereof, suffer the punishment by law inflicted on those guilty of that offence.

Commissioners authorized to summon witnesses, &c.

SEC. 7. *And be it further enacted*, That nothing contained in this act shall be so construed as to sanction what is called contingent locations which have been made by George M. Martin for the benefit of such Indians, as were supposed to have been entitled to other lands, which have been sold by the United States: such contingent locations having been made, without any legal authority. It being the true intent of this act to reserve to Congress the power of doing that which may appear just when a correct knowledge of all the facts is obtained.

Nothing in this act to be so construed as to sanction the contingent locations made by G. M. Martin.

SEC. 8. *And be it further enacted*, That this act shall be in force to the first day of March eighteen hundred and thirty-eight next, and no longer.

Act limited to 1st March, 1838.

APPROVED, March 3, 1837.

CHAP. XL.—*An Act making appropriations for building light-houses, light-boats, beacon-lights, buoys, and dolphins, for the year one thousand eight hundred and thirty-seven.*

STATUTE II.  
March 3, 1837.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following appropriations be, and the same are hereby, made and directed to be paid out of any money in the Treasury not otherwise appropriated, to enable the Secretary of the Treasury to provide, by contract, for building light-houses, beacon-lights, and for other purposes hereinafter mentioned.

Appropriations to enable Sec. of Treas. to contract for building light-houses, &c.

*State of Maine.*—For a light-house to be erected on a proper site on Mark island, in Harpswell sound, five thousand dollars; for a light-house to be erected on a proper site on Mount Desert island, at the entrance of Frenchman's bay, five thousand dollars; for a light-house on Ram island, at the mouth of Damariscotta river, five thousand dollars; for a fog-bell, on Seguin island, at the entrance of Kennebec river, fifteen hundred dollars; for placing buoys on West Quaddy bay, and for substituting for the present fog-bell, at the entrance of said passage, a cast-steel

Maine.  
Mark island.  
Mt. Desert island.  
Ram island.  
Seguin island.  
West Quaddy bay.

Spoon isle.  
Saddleback  
ledge.  
Eagle island  
point.  
Pleasant river.  
Ft. Point  
ledge, Adams's  
and Buck's  
ledges.  
Half-tide  
ledge.  
Town of Sul-  
livan.  
York nubble.  
Portersfield's  
ledge.  
New Hamp-  
shire.  
Whaleback  
light-house.  
Sunken rocks.  
Cod rock.

Massachusetts.  
Ipswich har-  
bor.

Ned's point.  
Nanset beach.

Harbors of  
Lynn, &c.

Aldridge  
ledge, &c.

Wing's neck,  
&c.

Bay rock.

Connecticut.  
Lynde point.  
Black Boy  
reef, &c.

Rhode Island.  
Papoose  
Squaw Point,  
&c.

triangular bell, or a bell of the usual form, but increased weight, one thousand five hundred dollars; for a light-house to be erected, on a proper site at Spoon isle, in Penobscot bay, five thousand dollars; for a light-house to be erected, on Saddleback ledge, in Penobscot bay, five thousand dollars; for a light-house to be erected, on Eagle Island point, in Penobscot bay, five thousand dollars; for a light-house to be erected at the mouth of Pleasant river, five thousand dollars; for placing monuments on Fort Point ledge, Adams's ledge, and Buck's ledge, in Penobscot river, three thousand dollars; for erecting a beacon light on Half-tide ledge, and two buoys about a mile and a half from the town of Sullivan, in the county of Hancock, three thousand dollars; for the erection of a light-house on York nubble, in the county of York, five thousand dollars; for a monument on Portersfield ledge, lying between Owlshead and Goose River point, and a spindle on another ledge lying near the Portersfield ledge, two thousand six hundred dollars.

*State of New Hampshire.*—For the erection of a pier on the east side of Whaleback light-house, to secure it from the force of the waves, three thousand dollars; for placing buoys at the entrance of Spruce creek, on the eastern edge of "Sunken rocks," and at the east side of Amazeen island, five hundred dollars; for placing buoys on "Cod rock," near Fort point, four hundred dollars.

*State of Massachusetts.*—For two small light-houses, should two be necessary, on proper sites, at or near Ipswich harbor, seven thousand dollars; for a light-house to be erected on a proper site at or near Ned's point, contiguous to the village of Mattapoisett, five thousand dollars; for three small light-houses on Nanset beach, Cape Cod, fifteen feet high, ten thousand dollars; for the erection of buoys upon the rocks and ledges at the entrance of the harbors of Lynn, Salem, Beverly, Marblehead, and Manchester, two thousand five hundred dollars; for placing buoys on Aldridge ledge, False spit, Hunt's ledge, Hospital Island ledge, Sculpion ledge, Governor's Island point, and Little Farm bar, in Boston harbor, five hundred dollars; for erecting a beacon at the mouth of New Bedford harbor, two thousand dollars; for two small beacon lights near the entrance of Nantucket harbor, five hundred dollars. For placing a spindle in the harbor of Edgartown, and buoys, two hundred dollars; for erecting a light-house at Wing's neck, five thousand dollars; for buoys in the harbor of Mattapoisett, one hundred dollars; for buoys on Bay rock, the ledge on the shoal on the west side of Taunton river, opposite Fall River, six hundred dollars; for buoys at a place called Egypt, in Taunton river, one hundred dollars; for a beacon on Muscle bed, and a beacon on Oyster bed point, in Mount Hope bay, five thousand dollars; for a light-house on Mayo beach, in Wellfleet bay, one thousand dollars; for a buoy at Deep-hole Rock, near Oyster island, on the south side of Barnstable, three hundred dollars.

*State of Connecticut.*—For rebuilding a light-house on a proper site, on Lynde point, at the mouth of Connecticut river, five thousand dollars; for placing buoys on Black Boy reef, Barney's reef, Stony Point reef, and Wheeler's rock in the harbor of Killingworth, three hundred dollars; for a beacon already commenced on Round island, on Saybrook bar, fifteen hundred dollars; nine hundred dollars to meet the expenses of the work as far as executed, the balance to complete and secure the same; for placing buoys on the rocks in the harbor of Greenwich, three hundred dollars; for placing buoys in Mystic harbor, one hundred dollars; for a sea-wall to preserve the light-house and other buildings, on Fairweather island, near Black Rock harbor, five thousand dollars.

*State of Rhode Island.*—For a light-house on Papoose Squaw point, a place near to, but below, the port of Bristol, five thousand dollars; for placing a buoy and beacon on South White rock, and a buoy on Charles rock, near the harbor of Wickford, one hundred dollars; for



rebuilding and changing the location of the light on Block island, five thousand dollars; for eight dolphins and two buoys, northward of Field's point, in Providence river, one thousand dollars.

*State of New York.*—For a light-house on a proper site on Cumberland head, Lake Champlain, five thousand dollars; for the erection of a light-house on a proper site at Split rock point, Lake Champlain, five thousand dollars; for a revolving, or double light upon the south side of Execution rocks, opposite Sand's point, in Long Island sound, five thousand dollars; for a light-house at Big Sandy creek, on Lake Ontario, county of Jefferson, five thousand dollars; for a light-house on Stony point, in the town of Henderson, in the county of Jefferson, three thousand dollars; for buoying out Gedney's channel, three thousand dollars; for a beacon-light at Silver Creek harbor, on Lake Erie, four thousand five hundred dollars; for a light-house on Flynn's Knoll, near Sandy Hook, two hundred thousand dollars; to be built under the direction of the Engineer Department; for a light-boat off Sandy Hook, twenty-five thousand dollars; for placing a beacon on Romer's shoal, near Sandy Hook, fifteen thousand dollars; for the erection of a light-house at Esopus meadows, on the west shore of the Hudson river, three thousand dollars; for placing a buoy on the wreck of a vessel sunk at Tappan bay, one hundred dollars; for a light-house on Cedar island, Sag harbor, one thousand dollars; for placing buoys in Sag harbor, two hundred dollars; for erecting a light-house at Rondout creek, on the Hudson river, five thousand dollars; for erecting a beacon-light at Dunkirk harbor, two thousand seven hundred dollars; for erecting a beacon-light at Van Buren harbor, two thousand seven hundred dollars; for a floating-light, to be stationed on or near the Middle Ground, so called, in Long Island Sound, nearly abreast Straitsford point, ten thousand dollars; for a light-house on Robin's reef, in the harbor of New York, fifty thousand dollars; for a light-house at Salmon River harbor, three thousand dollars.

*State of New Jersey.*—For a light-house at the mouth of Cohansey creek, five thousand dollars; for the erection of a light-house at or near Egg island, near the entrance of Maurice river, five thousand dollars; for erecting a light-house near Absecum inlet, on the sea-coast, in the State of New Jersey, to be so constructed as to be distinguished from the other light on the coast, five thousand dollars.

*State of Pennsylvania.*—For completing the beacon-light at the end of the pier which forms the entrance into the harbor of Erie, on Lake Erie, six hundred and seventy-four dollars.

*State of Delaware.*—For a light-house on the lower or southern end of Reedy island, in the Delaware bay, ten thousand dollars; for the erection of a light-house on the Brandywine shoal, in the Delaware bay, in addition to the sum already appropriated, fifteen thousand dollars, agreeably to the plan and estimate made by Hartman Bache, of the engineer corps; for mooring buoys in the harbor of the Delaware breakwater, two thousand dollars.

*State of Maryland.*—For a light-house on a proper site on Sharp's island, in the Chesapeake bay, five thousand dollars; for placing buoys on the rivers Nanticoke, Manokin, Annamessex, Pocamoke, and Wicomico, Hooper's and Cajey's straits, and Tangier and Pocamoke sounds, the sum of two thousand five hundred dollars, in addition to a former appropriation; for erecting a light-house at Love Point, in addition to the sum heretofore appropriated, one thousand dollars.

*State of Virginia.*—For the erection of a light-house on the south end of Hog island, on the Atlantic coast, five thousand dollars; for a light-boat on York River spit, or a light-house, ten thousand dollars. For removing the light-house at Old Point Comfort into Fortress Monroe, six thousand dollars; for a light-house in the Chesapeake, eight

Block island.  
Field's point.  
New York.  
Cumberland head.  
Split rock.  
Execution rocks.  
Big Sandy creek.  
Stony Point.  
Gedney's Channel, &c.  
Romer's Shoal.  
Esopus Meadows.  
Tappan Bay.  
Cedar island.  
Sag Harbor.  
Rondout creek.  
Dunkirk harbor.  
Van Buren harbor.  
Middle Ground.  
Robin's reef.  
Salmon River harbor.  
New Jersey.  
Cohansey creek.  
Egg Island.  
Absecum inlet.  
Pennsylvania.  
Erie harbor.  
Delaware.  
Reedy island.  
Brandywine shoal.  
Delaware breakwater.  
Maryland.  
Nanticoke, &c.  
Love point, &c.  
Virginia.  
Hog island.  
York river.  
Old Point.  
Chesapeake.

Day's point,  
&c.

Chesapeake  
bay.

Potomac  
creek.

N. Carolina.  
Powell's point,  
&c.

S. Carolina.

St. Helena and  
Port Royal.  
Charleston  
harbor.

Georgia.  
Little Cum-  
berland island,  
&c.

Alabama.  
Mobile harbor.  
Sand island.

Ohio.  
Turtle island,  
&c.

Indiana.  
City West  
harbor, &c.

Louisiana.  
Vermillion  
bay.

Lake Pont-  
chartrain, &c.

Bayou St.  
John.  
Port Pont-  
chartrain.

Mississippi.

thousand dollars; for a light-house at Day's point, on James river, five thousand dollars; for a light-boat, or light-house, in the Potomac river between Mathias point, in Virginia, and Maryland point, in the State of Maryland; *Provided*, On inquiry, the Secretary of the Treasury shall deem such light necessary to the safe and uninterrupted navigation of that section of the river Potomac, ten thousand dollars; for a new light-boat in the Chesapeake bay, eight thousand dollars; for a light-house at the mouth of Potomac creek, five thousand dollars.

*State of North Carolina.*—For a light-house off Powell's point, Albermarle sound, five thousand dollars; for rebuilding a light-house at Federal point, five thousand dollars; for a light-house on Pea island, near New inlet, five thousand dollars; for building a new light-boat at Long shoal, in Pamlico sound, ten thousand dollars.

*State of South Carolina.*—For light-houses or light-boats in the inlets of Saint Helena and Port Royal, twenty thousand dollars; for the construction of five beacon-lights in Charleston harbor, six thousand dollars, in addition to the appropriation of the last session; the location of said lights to be changed, if deemed expedient by the Secretary of the Treasury.

*State of Georgia.*—For a light-house on the north end of Little Cumberland island, eight thousand dollars; for the erection of a light-house on the north end of Jekyl island, eight thousand dollars. For the placing of buoys, and beacons, to render the entrance to the harbor of Brunswick secure and easy at all times, ten thousand dollars. For a light-house on Sapaelo island and for placing buoys and beacons at Doboy bar, and Sapaelo bar, for the purpose of rendering safe and secure an entrance at all times to the city of Darien, five thousand dollars; for a floating light to be anchored within Martin's Industry, ten thousand dollars.

*State of Alabama.*—For placing buoys in the harbor of Mobile, six hundred dollars; for the erection of a light-house on Sand island, opposite Mobile point, ten thousand dollars.

*State of Ohio.*—For a light-house on Turtle island, at the entrance of Maumee bay, in Lake Erie, eight thousand dollars; for a beacon-light on a proper site near the entrance of the harbor of Sandusky bay, two thousand five hundred dollars; for a beacon-light at or near Manhattan, three thousand dollars; for additional buoys to mark the channel at the mouth of the Miami of Lake Erie, and across Maumee bay, two hundred dollars; for a light-house on the south side of Cunningham island, in Lake Erie, three thousand dollars.

*State of Indiana.*—For a light-house at City West harbor, five thousand dollars; to complete the light-house at Michigan City, three thousand dollars.

*State of Louisiana.*—For a beacon-light at or near the southwest pass of Vermillion bay, five thousand dollars; for erecting a light-house at the pass between Lake Pontchartrain and Lake Maurepas, six thousand dollars; for erecting a light-house, and a house for the keeper, on Saint Joseph's island, in Lake Borgne, twelve thousand dollars; for placing two buoys at Dauphin Island pass, two buoys at Pass Marianne, two buoys at Pass Christian, and two buoys at Heron pass, fifteen hundred dollars; for beacons and light-houses at the entrance of the harbor recently constructed on Lake Pontchartrain, at the canal above New Orleans, twenty-five thousand dollars; for erecting a light-house on Lake Pontchartrain, at the mouth of the Bayou Saint John, ten thousand dollars; for beacons and light-houses at Port Pontchartrain, in addition to the sum heretofore appropriated, twenty thousand dollars.

*State of Mississippi.*—For the erection of a light-house at the mouth of Pearl river, in addition to the sum heretofore appropriated, five thousand dollars.

*State of Michigan.*—For a light-house on a proper site at the mouth of Grand river, five thousand dollars; for a light-house at a proper site at the mouth of Detroit river, five thousand dollars; for a light-house on Windmill island, at the outlet of Lake St. Clair, five thousand dollars; for erecting a light-house at the mouth of Saginaw river, five thousand dollars; for erecting a light-house at Wagooshance, or Fox point, on the Straits of Michillimackinac, five thousand dollars; for erecting a light-house at the mouth of Kalamazoo river, five thousand dollars.

*Territory of Florida.*—For a light-house on the most suitable site at or near the east entrance from the Gulf of Mexico into Appalachicola bay, to be selected by the Secretary of the Treasury, ten thousand dollars; for a light-house at the entrance of Saint Joseph's bay, ten thousand dollars; for three buoys at the mouth of Saint John's river, one thousand dollars; for buoys to mark the channel from the eastern pass into Appalachicola bay to the town of Appalachicola, one thousand dollars; for a light-boat to be stationed at the northwest passage, twelve miles from Key West, ten thousand dollars; for buoys at the northwest passage and harbor of Key West, eight hundred dollars; for a light-house on the north point of Amelia island, eight thousand dollars; for rebuilding and changing the location of the light-house at Mosquito inlet, seven thousand dollars; for placing buoys on a rock in the outer harbor of Key West, five hundred dollars; for securing the foundation of the light-house on Sand Key, and for the attendance of a boat procured by the lake keeper, one thousand six hundred and twenty dollars; for rebuilding the light-house at Cape Florida, ten thousand dollars; for a light-house on Carryforce reef on the southeastern extremity of the coast of Florida, twenty thousand dollars.

*Territory of Wisconsin.*—For erecting a light-house at the mouth of Milwaukee river, five thousand dollars; for erecting a light-house at the mouth of the Manitowac river, five thousand dollars; for a light-house at Chipewagan, five thousand dollars; for erecting a light-house at the entrance of Green bay, five thousand dollars; for erecting a light-house at Root river, five thousand dollars.

SEC. 2. *And be it further enacted,* That before any of the improvements aforesaid are commenced, the Board of Navy Commissioners shall cause an examination to be made for the purpose of ascertaining whether the safety of navigation requires any additional facilities, and if so what is most suitable for each place needing such additional facilities, and thereupon to report their opinion in regard to all such places as speedily as may be to the Secretary of the Treasury, who shall proceed with the works so recommended. But if the said board, after causing such examination to be made, shall be of opinion that any of said improvements are not needed to facilitate the navigation, or that the navigation is so inconsiderable as not to justify the proposed works, or that the same are inexpedient from any cause, no further proceeding shall be had, and their opinions with the facts shall be reported to Congress.

SEC. 3. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby, authorized to adopt the improvements in lamps and lanterns of light-houses, and the mode of warming the same, invented by Isaac Dunham, if, in his opinion, after due examination, and trial thereof, (if necessary,) said improvements shall be deemed of utility in respect to the saving of expense, in repairs and support, or in respect to improving the lights: *Provided,* the right to adopt said improvements in the light-houses and light-boats of the United States can be obtained on terms which the Secretary shall deem reasonable.

APPROVED, March 3, 1837.

Michigan.

Saginaw river.  
Wagooshance,  
or Fox Point.  
Kalamazoo  
river.

Florida.

Appalachicola  
bay.

St. Joseph's  
bay.

St. John's  
river.

Appalachicola  
bay.

Key West.

Key West.

Amelia island.  
Mosquito in-  
let.

Key West.

Sand Key.

Cape Florida.  
Carryforce  
reef.

Wisconsin.  
Milwaukee  
river.

Manitowac river.  
Chipewagan.

Green bay.

Root river.

Before any of  
the improve-  
ments are com-  
menced, the  
Board of Navy  
Commissioners  
to cause an ex-  
amination to be  
made, &c., and  
report to the  
Secretary of the  
Treasury.

Secretary of  
the Treasury to  
adopt the im-  
provement in  
lamps, &c., in-  
vented by Isaac  
Dunham, on cer-  
tain conditions.

Proviso.

## STATUTE II.

March 3, 1837.

Vol. vii. p. 366.

CHAP. XLI.—*An Act to authorize and sanction the sales of reserves, provided for Creek Indians in the treaty of March twenty-four, eighteen hundred and thirty-two, in certain cases, and for other purposes.*

Those which shall remain unsold on 4th April next, to be sold at public auction, &c.

Confirmation of sales by the widow, &c., of Creek Indians who have or may die before 4th April next, &c.

Proviso.

Payment of money which may be received from purchasers under authority given in preceding sections, &c.

Proviso.

Further proviso.

The President may cause one dollar and a quarter per acre to be paid to certain Creek Indians.

PROVISO.

Further proviso.

Money appropriated to carry this act into effect.

*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 may, and he is hereby authorized to, cause all the reserves belonging to the Creek Indians by virtue of the provisions of the treaty of March twenty-four, eighteen hundred and thirty-two, which shall remain unsold on the fourth day of April next, to be sold at public auction in the Creek country; after giving at least sixty days notice of the time, place and terms of sale in the public prints, and to cause patents to be issued to the purchasers of said reserves.

SEC. 2. *And be it further enacted,* That the President of the United States may, and he is hereby authorized to, confirm the sales by the widow, the widow and children, the children, or the lawful administrator of Creek Indians who have died, or who may die, prior to the fourth day of April next, without having legally disposed of said reserves, and to receive the purchase-money, or such portions of it as may not have been paid to the persons entitled to it, and to cause patents to be issued therefor to the purchasers; "*Provided,* That sales made by lawful administrators shall be entitled to a preference over sales made by widows and children."

SEC. 3. *And be it further enacted,* That the President may, and he is hereby authorized to, pay the persons entitled thereto, the money which may be received from the purchasers of reserves under the authority given in the two preceding sections, at such times and in such amounts as he shall deem best for the parties concerned; or, if he think proper, to invest the whole or any part of said purchase-money in stocks, and pay the interest to the persons entitled, in such amounts, and in such manner, as, in his opinion, will be most advantageous for them: *Provided,* That he may cause the principal of the sum or sums so invested to be paid to the persons entitled thereto, whenever he may think proper: *And provided, further,* That the provisions of this act shall be executed under such regulations and restrictions as the President may prescribe.

SEC. 4. *And be it further enacted,* That it may be lawful for the President of the United States to cause the sum of one dollar and twenty-five cents per acre to be paid to the Creek Indians, whose names were omitted to be entered on the census-roll taken under the treaty of eighteen hundred and thirty-two, and to those whose names appear on said roll, but for whom no locations have been made, who shall appear, from proper evidence, to be justly entitled to reservations under the provisions of said treaty; *Provided,* That the sums thus payable under this section may be invested in stocks upon the same terms and conditions, and under the same regulations and restrictions as are herein before prescribed in respect to moneys payable under the first and second sections of this act; *Provided, further,* That no transfer by the person entitled under this section shall be valid.

SEC. 5. *And be it further enacted,* That, for the purpose of carrying into effect the provisions of the three first sections of this act, the sum of ten thousand dollars be and the same is hereby appropriated, together with such sum as may be necessary to carry into effect the fourth section thereof.

APPROVED, March 3, 1837.

CHAP. XLII.—*An Act explanatory of the act entitled An act granting half-pay to widows and orphans where their husbands and fathers have died of wounds received in the military service of the United States, and for other purposes.* (a)

STATUTE II.

March 3, 1837.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the benefits of the third section of the act entitled "An act granting half-pay to widows and orphans, where their husbands and fathers have died of wounds received in the military service of the United States, and for other purposes," approved the fourth day of July, eighteen hundred and thirty-six, shall not be withheld from any widow, in consequence of her having married after the decease of the husband for whose services she may claim to be allowed a pension or annuity under said act: *Provided*, That she was a widow at the time it was passed.

The benefits of the act not to be withheld from any widow in consequence of her having married, &c.

Act of July 4, 1836, ch. 362. Proviso.

SEC. 2. *And be it further enacted*, That the widow of any person who continued in the service of the United States until the third day of November, seventeen hundred and eighty-three, and was married before that day, and while her husband was in such service, shall be entitled to the benefits of the third section of the aforesaid act.

Widows of persons who continued in service to 3d November, 1783, and were before that day, &c., entitled.

APPROVED, March 3, 1837.

CHAP. XLIII.—*An Act to continue the office of Commissioner of Pensions.*

STATUTE II.

March 3, 1837.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the office of Commissioner of Pensions shall be, and the same is hereby continued, until the fourth day of March, eighteen hundred and forty.

1840, ch. 4.

Continued to 4th March, 1840.

SEC. 2. *And be it further enacted*, That a Commissioner of Pensions shall be appointed by the President of the United States, by and with the advice and consent of the Senate; and that he shall execute, under the direction of the Secretary of War, such duties in relation to the various pension laws as may be prescribed by the President.

A commissioner to be appointed by the President, &c.

SEC. 3. *And be it further enacted*, That the said Commissioner shall receive an annual salary of three thousand dollars; and have the privilege of sending and receiving letters and packets by mail free of postage.

His salary, &c.

Act of March 3, 1845, ch. 43.

APPROVED, March 3, 1837.

CHAP. XLIV.—*An Act to provide for certain harbors, and for the removal of obstructions in and at the mouths of certain rivers, and for other purposes, during the year one thousand eight hundred and thirty-seven.*

STATUTE II.

March 3, 1837.

[Obsclete.]

*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, to wit:

Appropriations for carrying on certain works.

For continuing the improvement of the harbor of Chicago, Illinois, forty thousand dollars;

Chicago harbor.

For continuing the construction of a harbor at Michigan City, Indiana, thirty thousand dollars;

Michigan City.

For continuing the construction of a pier or breakwater at the mouth of the river Saint Joseph, Michigan, fifteen thousand dollars;

St. Joseph river.

For the continuation of the works at the harbor near the mouth of the river Raisin, Michigan, thirty thousand dollars;

River Raisin.

For completing the channel of the Cocheco branch of the Piscataqua river, in the State of New Hampshire, five thousand dollars;

Cocheco river.

(a) See notes to the Resolution of March 3, 1837, granting a pension to Susan Decatur, widow of Stephen Decatur, post, 199.

- Black river. For continuing the improvement of the harbor at the mouth of Black river, in Jefferson county, State of New York, ten thousand dollars;
- Whitehall harbor. For continuing the improvement of the harbor at Whitehall, in the State of New York, ten thousand dollars;
- Genesee river. For continuing the improvement of the channel at the mouth of Genesee river, in the State of New York, ten thousand dollars;
- Mobile harbor. For improving the harbor of Mobile, in the State of Alabama, by removing the bar of the Choctaw pass and Dog river bar, fifty thousand dollars;
- Black river. For continuing the removal of obstructions at Black river, Ohio, six thousand four hundred and ten dollars;
- Huron river. For continuing the removal of obstructions at the mouth of the Huron river, in Ohio, two thousand five hundred and sixty-five dollars;
- Vermillion river. For continuing the improvement of the navigation at the mouth of Vermillion river, Ohio, twenty thousand dollars;
- Cleveland harbor. For continuing the improvement of Cleveland harbor, Ohio, ten thousand dollars;
- Cunningham creek. For continuing the removal of obstructions at Cunningham creek, Ohio, five thousand dollars;
- Ashtabula creek. For continuing the removal of obstructions at Ashtabula creek, Ohio, eight thousand dollars;
- Conneaut creek. For continuing the removal of obstructions at Conneaut creek, Ohio, five thousand dollars;
- Presque Isle harbor. For continuing the improvement of the harbor of Presque Isle, Pennsylvania, fifteen thousand dollars;
- Dunkirk harbor. For continuing the improvement of Dunkirk harbor, New York, fifteen thousand dollars;
- Portland harbor. For continuing the improvement of the harbor of Portland, Lake Erie, New York, ten thousand dollars;
- Cattaraugus creek harbor. For continuing the improvement of the harbor at Cattaraugus creek, Lake Erie, New York, ten thousand dollars;
- Salmon river harbor. For continuing the improvement of the harbor of Salmon river, Lake Ontario, New York, ten thousand dollars;
- North and South Hero islands. For continuing the improvement of the channel between the North and South Hero islands, Lake Champlain, Vermont, six thousand dollars;
- Plattsburg. For continuing the construction of a breakwater at Plattsburg, New York, ten thousand dollars;
- Oak Orchard creek. For continuing the improvement of the harbor at the mouth of Oak Orchard creek, New York, five thousand dollars;
- Kennebunk. For continuing the pier at Kennebunk, Maine, three thousand dollars;
- Big Sodus bay. For continuing the improvement at Big Sodus bay, New York, twelve thousand dollars.
- Oswego harbor. For continuing the pier and mole at Oswego harbor, New York, fifteen thousand dollars;
- Steele's Ledge. For placing buoys in the vicinity of the monument on Steele's Ledge, Maine, being the unexpended balance of the appropriation of the twenty-eighth of June, eighteen hundred and thirty-four, for rebuilding the monument on Steele's Ledge, four hundred and sixty-six dollars;
- Burlington. For continuing the construction of a breakwater at Burlington, Vermont, ten thousand dollars;
- Stanford's Ledge. For continuing the breakwater on Stanford's Ledge, Portland harbor, Maine, twenty-five thousand dollars;
- Sandy bay. For continuing the breakwater at Sandy bay, Massachusetts, twenty thousand dollars;
- Hyannis harbor. For continuing the breakwater at Hyannis harbor, Massachusetts, five thousand dollars;

For continuing the improvement of the channel of the river Thames, leading into Norwich harbor, Connecticut, twenty thousand dollars;	River Thames.
For continuing the securing of the public works, at the harbor of Southport, Connecticut, one thousand dollars;	Southport harbor.
For improving the harbor of Westport, Connecticut, three thousand seven hundred and thirty-four dollars;	Westport harbor.
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;	Hudson river.
For continuing the repairs at the harbor of Chester, Pennsylvania, two thousand dollars;	Chester harbor.
For continuing the improvement of the harbor of Wilmington, Delaware, eight thousand dollars;	Wilmington harbor.
For continuing the improvement of the harbor of Newcastle, Delaware, ten thousand dollars;	Newcastle harbor.
For continuing the Delaware breakwater, and constructing a wharf or mole pursuant to the report of Captain Delafield, one hundred and forty-one thousand dollars.	Delaware breakwater.
And that the sum of seventy thousand dollars be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated, for the erection of a marine hospital in the city of New Orleans, in that part of said city which shall be designated by the Secretary of the Treasury, and for the purchase of lands on which to erect said marine hospital; and that the President of the United States, be, and he is hereby authorized to select and cause to be purchased, for the use and benefit of sick seamen, boatmen, and all other navigators on the western rivers and lakes, suitable sites for marine hospitals, <i>Provided</i> that the number thereof shall not exceed for the river Mississippi three, for the river Ohio three, and for Lake Erie one; and to enable the President to make such selection and purchase, he may call to his aid one or more medical men of the army, not exceeding three in all, to examine and report on such sites, and to ascertain at what price the same can be had; and that the sum of fifteen thousand dollars be, and the same is hereby appropriated, to effect the purchase thereof, to be paid out of any money in the Treasury not otherwise appropriated; and that suitable plans and estimates be prepared, under the direction of the Secretary of War, for the construction of said hospitals, and submitted to Congress, at the commencement of the next session thereof; and that the sum of ten thousand dollars be appropriated for the erection of a marine hospital in the city of Mobile; <i>Provided</i> , That the expenditures for the purchase of sites and the erection of hospitals at New Orleans and Mobile shall not exceed the amounts herein appropriated for these purposes; that from and after the first day of April next, all laws enacted whereby seamen are required to pay twenty cents a month, or their employers are required to retain that sum out of their wages, to create a fund for the sick and disabled seamen, shall be suspended for one year, during which no such exaction shall be made; and that instead of said tax there be appropriated, out of any money in the Treasury, not otherwise appropriated, the sum of one hundred and fifty thousand dollars, to be disbursed in the same manner as the sum above mentioned, <i>Provided, however</i> , that seamen and watermen, who have not contributed to said fund, may receive relief to such extent, and under such regulations as the President of the United States shall direct.	Erection of a marine hospital at N. Orleans &c.  Purchase of sites for marine hospitals on the western waters, &c.  Proviso.        Erection of a marine hospital at Mobile. Proviso.   After 1st April next all laws requiring seamen to pay 20 cents a month, &c., shall be suspended for 1 year, &c.  Proviso.
For continuing the improvement of the harbor of Baltimore, Maryland, fifteen thousand dollars;	Baltimore harbor.
For continuing the removal of obstructions at Ocracoke inlet, North Carolina, twelve thousand and fifty dollars;	Ocracoke inlet.

Cape Fear river.

Opening passage between the town of Beaufort and Pamlico sound, and improving New river.

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

Cumberland river.

Red river.

Ohio river.

Ohio and Mississippi rivers.

Mississippi river.

Arkansas river.

Mississippi and Missouri rivers.

Mississippi river.

Ohio, Missouri and Mississippi rivers.

Steam snag-boat Archimedes.

Black and White rivers.

Survey with a view to determine the practicability of an inland communication betw'n the Chesapeake and Charleston, S. C.

New Brunswick harbor.

When the corporate authorities of Alexandria deposit their stock in the Alexandria Canal Company, in the hands of the Secretary of the Treasury, with proper instruments, &c., to vest the same in him, &c., he is authorized to

For continuing the improvement of the navigation of Cape Fear river, below Wilmington, North Carolina, ten thousand dollars;

For opening a passage, of fifty yards wide and seven feet deep, at low water, between the town of Beaufort and Pamlico sound, North Carolina, and for improving New river, in addition to two sums of five thousand dollars each, appropriated at the last session of Congress for the harbor of Beaufort and for New river, twenty thousand dollars;

For continuing the improvements of the inland channel between Saint Mary's and Saint John's, Florida, five thousand dollars;

For continuing the improvement of the Cumberland river in Kentucky and Tennessee, according to the report of Colonel Abert, United States Engineer, dated February twenty-third, eighteen hundred and thirty-five, of the survey of said river, fifty-five thousand dollars;

For continuing the removal of obstructions in the Red river, sixty-five thousand dollars;

For continuing the improvement of the Ohio river between the falls and Pittsburg, sixty thousand dollars;

For continuing the improvement of the navigation of the Ohio and Mississippi rivers, from Louisville to New Orleans, sixty thousand dollars;

For continuing the works for the removal of the obstructions to the navigation of the Mississippi river at its mouth, two hundred and ten thousand dollars;

For continuing the works for the removal of the obstructions to the navigation of the Arkansas river, in addition to the unexpended balance of thirty-five thousand dollars, the sum of twenty-five thousand dollars;

For continuing the improvement of the Mississippi river above the mouth of the Ohio, and of the Missouri river, forty thousand dollars;

For the erection of a pier in the Mississippi river, near Saint Louis, including the sum of fifteen thousand dollars, appropriated for that purpose at the last session of Congress, fifty thousand dollars;

For improving the navigation of the Ohio, Missouri, and Mississippi rivers, and to replace the steam snag-boat, Archimedes, sunk in the Mississippi river in November last, twenty-three thousand dollars;

For continuing the survey of Black and White rivers in Arkansas and Missouri, one thousand dollars;

For making a survey from the southern debouche of the Dismal Swamp canal, down the Pasquotank river to Elizabeth, thence to Croatan Sound, Pamlico and other sounds, near the coast of North Carolina; and thence by the most practicable route to Winyaw bay, in South Carolina, with a view to determine the practicability of opening an inland communication for steam navigation, from the Chesapeake bay to Charleston South Carolina, ten thousand dollars;

For improving the harbor of New Brunswick, New Jersey, by removing the obstructions in the Raritan river in addition to the appropriation of July four, eighteen hundred and thirty-six, six thousand nine hundred and sixty-three dollars;

Sec. 2. *And be it further enacted*, That when the corporate authorities of the town of Alexandria shall deposit the stock held by them in the Alexandria Canal Company, in the hands of the Secretary of the Treasury, with proper and competent instruments and conveyances in law to vest the same in the Secretary of the Treasury and his successors in office, for and on behalf of the United States, to be held in trust upon the same terms and conditions in all respects as the stocks held in the Chesapeake and Ohio Canal by the several cities of this District, were required to be held in and by virtue of the act approved on the seventh day of June, eighteen hundred and thirty-six, entitled "An act for the relief of the several corporate cities of the District of Columbia," that the Secretary of the Treasury be, and he is hereby authorized and



directed to advance, out of any moneys in the Treasury not otherwise appropriated, to the Alexandria Canal Company, from time to time, as the progress of the work may require the same, such sums of money, not exceeding three hundred thousand dollars, as may be necessary to complete the said canal to the town and harbor of Alexandria; *Provided*, That the Alexandria Canal Company, in the construction of the remaining piers, abutments and works of their aqueduct over the Potomac river, are hereby prohibited and restrained from throwing earth or clay into the open river, and are required with the money furnished by this bill to remove all earth and clay, heretofore deposited by them in the river.

APPROVED, March 3, 1837.

advance, from time to time, the moneys necessary to complete said canal, not exceeding \$300,000.  
Proviso.

CHAP. XLV.—*An Act in addition to the act to promote the progress of science and useful arts. (a)*

STATUTE II.  
March 3, 1837.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That any person who may be in possession of, or in any way interested in, any patent for an invention, discovery, or improvement, issued prior to the fifteenth day of December, in the year of our Lord one thousand eight hundred and thirty-six, or in an assignment of any patent, or interest therein, executed and recorded prior to the said fifteenth day of December, may, without charge, on presentation or transmission thereof to the Commissioner of Patents, have the same recorded anew in the Patent Office, together with the descriptions, specifications of claim and drawings annexed or belonging to the same; and it shall be the duty of the Commissioner to cause the same, or any authenticated copy of the original record, specification, or drawing which he may obtain, to be transcribed and copied into books of record to be kept for that purpose; and wherever a drawing was not originally annexed to the patent and referred to in the specification, any drawing produced as a delineation of the invention, being verified by oath in such manner as the Commissioner shall require, may be transmitted and placed on file or copied as aforesaid, together with the certificate of the oath; or such drawings may be made in the office, under the direction of the Commissioner, in conformity with the specification. And it shall be the duty of the Commissioner to take such measures as may be advised and determined by the Board of Commissioners provided for in the fourth section of this act, to obtain the patents, specifications, and copies aforesaid, for the purpose of being so transcribed and recorded. And it shall be the duty of each of the several clerks of the judicial courts of the United States, to transmit, as soon as may be, to the Commissioner of the Patent Office, a statement of all the authenticated copies of patents, descriptions, specifications, and drawings of inventions and discoveries made and executed prior to the aforesaid fifteenth day of December, which may be found on the files of his office; and also to make out and transmit to said Commissioner, for record as aforesaid, a certified copy of every such patent, description, specification, or drawing, which shall be specially required by said Commissioner.

Patents issued, and assignments executed and recorded prior to 15th December, 1836, may be re-recorded anew, &c.

Measures to be taken to obtain patents, &c., to be recorded, &c.

Clerks of the judicial courts, U. S., to transmit statements of authenticated copies of patents, &c., prior to 15th December, 1836, &c.

SEC. 2. *And be it further enacted*, That copies of such record and drawings, certified by the Commissioner, or, in his absence, by the chief clerk, shall be prima facie evidence of the particulars of the invention and of the patent granted therefor, in any judicial court of the United States, in all cases where copies of the original record or specification and drawings would be evidence, without proof of the loss of such originals; and no patent issued prior to the aforesaid fifteenth day of

Certified copies of such record, &c., to be evidence in any judicial court U. S., &c.

No patent, &c

(a) An act to promote the progress of useful arts, and to repeal all acts and parts of acts heretofore made for that purpose, July 4, 1836, chap. 357.

issued, &c., prior to 15th December, 1836, to be received in evidence in said courts after 1st June next, unless recorded anew.

New patents to be issued for those lost or destroyed on or before 15th December, 1836. 1842, ch. 263, § 2.

Proviso.

Duplicates of certain models to be procured.

Proviso.

Further proviso.

A temporary board of commissioners to be appointed; their duties.

Patents returned for correction. Sec. under 13th section of act to which this is additional, &c.

Act of 1836, ch. 357.

Proviso.

December, shall, after the first day of June next, be received in evidence in any of the said courts in behalf of the patentee or other person who shall be in possession of the same, unless it shall have been so recorded anew, and a drawing of the invention, if separate from the patent, verified as aforesaid, deposited in the Patent Office; nor shall any written assignment of any such patent, executed and recorded prior to the said fifteenth day of December, be received in evidence in any of the said courts in behalf of the assignee or other person in possession thereof, until it shall have been so recorded anew.

SEC. 3. *And be it further enacted*, That whenever it shall appear to the Commissioner that any patent was destroyed by the burning of the Patent Office building on the aforesaid fifteenth day of December, or was otherwise lost prior thereto, it shall be his duty, on application therefor by the patentee or other person interested therein, to issue a new patent for the same invention or discovery, bearing the date of the original patent, with his certificate thereon that it was made and issued pursuant to the provisions of the third section of this act, and shall enter the same of record: *Provided, however*, That before such patent shall be issued, the applicant therefor shall deposit in the Patent Office a duplicate, as near as may be, of the original model, drawings, and description, with specification of the invention or discovery, verified by oath, as shall be required by the Commissioner; and such patent and copies of such drawings and descriptions, duly certified, shall be admissible as evidence in any judicial court of the United States, and shall protect the rights of the patentee, his administrators, heirs, and assigns, to the extent only in which they would have been protected by the original patent and specification.

SEC. 4. *And be it further enacted*, That it shall be the duty of the Commissioner to procure a duplicate of such of the models destroyed by fire on the aforesaid fifteenth day of December, as were most valuable and interesting, and whose preservation would be important to the public; and such as would be necessary to facilitate the just discharge of the duties imposed by law on the Commissioner in issuing patents, and to protect the rights of the public and of patentees in patented inventions and improvements: *Provided*, That a duplicate of such models may be obtained at a reasonable expense: *And provided, also*, That the whole amount of expenditure for this purpose shall not exceed the sum of one hundred thousand dollars. And there shall be a temporary board of commissioners, to be composed of the Commissioner of the Patent Office and two other persons to be appointed by the President, whose duty it shall be to consider and determine upon the best and most judicious mode of obtaining models of suitable construction; and, also, to consider and determine what models may be procured in pursuance of, and in accordance with, the provisions and limitations in this section contained. And said commissioners may make and establish all such regulations, terms, and conditions, not inconsistent with law, as in their opinion may be proper and necessary to carry the provisions of this section into effect, according to its true intent.

SEC. 5. *And be it further enacted*, That, whenever a patent shall be returned for correction and re-issue under the thirteenth section of the act to which this is additional, and the patentee shall desire several patents to be issued for distinct and separate parts of the thing patented, he shall first pay, in manner and in addition to the sum provided by that act, the sum of thirty dollars for each additional patent so to be issued; *Provided, however*, That no patent made prior to the aforesaid fifteenth day of December, shall be corrected and re-issued until a duplicate of the model and drawing of the thing as originally invented, verified by oath as shall be required by the Commissioner, shall be deposited in the Patent Office;

Nor shall any addition of an improvement be made to any patent heretofore granted, nor any new patent be issued for an improvement made in any machine, manufacture, or process, to the original inventor, assignee, or possessor, of a patent therefor, nor any disclaimer be admitted to record until a duplicate model and drawing of the thing originally intended, verified as aforesaid, shall have been deposited in the Patent Office, if the Commissioner shall require the same; nor shall any patent be granted for an invention, improvement, or discovery, the model or drawing of which shall have been lost, until another model and drawing, if required by the Commissioner, shall, in like manner, be deposited in the Patent Office;

No addition, &c. to be made to any patent heretofore granted, &c. until a verified duplicate model, &c. is deposited, &c.

And in all such cases, as well as in those which may arise under the third section of this act, the question of compensation for such models and drawings shall be subject to the judgment and decision of the commissioners provided for in the fourth section, under the same limitations and restrictions as are therein prescribed.

Compensation for models, &c.

SEC. 6. *And be it further enacted*, That any patent hereafter to be issued, may be made and issued to the assignee or assignees of the inventor or discoverer, the assignment thereof being first entered of record, and the application therefor being duly made, and the specification duly sworn to by the inventor. And in all cases hereafter, the applicant for a patent shall be held to furnish duplicate drawings, whenever the case admits of drawings, one of which to be deposited in the office, and the other to be annexed to the patent, and considered a part of the specification.

Patents hereafter to be issued.

SEC. 7. *And be it further enacted*, That, whenever any patentee shall have, through inadvertence, accident, or mistake, made his specification of claim too broad, claiming more than that of which he was the original or first inventor, some material and substantial part of the thing patented being truly and justly his own, any such patentee, his administrators, executors, and assigns, whether of the whole or of a sectional interest therein, may make disclaimer of such parts of the thing patented as the disclaimant shall not claim to hold by virtue of the patent or assignment, stating therein the extent of his interest in such patent; which disclaimer shall be in writing, attested by one or more witnesses, and recorded in the Patent Office, on payment by the person disclaiming, in manner as other patent duties are required by law to be paid, of the sum of ten dollars. And such disclaimer shall thereafter be taken and considered as part of the original specification, to the extent of the interest which shall be possessed in the patent or right secured thereby, by the disclaimant, and by those claiming by or under him subsequent to the record thereof. But no such disclaimer shall affect any action pending at the time of its being filed, except so far as may relate to the question of unreasonable neglect or delay in filing the same.

Whenever any patentee shall, through inadvertence, &c. make his specification too broad, &c. he, &c. may make disclaimer, &c.

SEC. 8. *And be it further enacted*, That, whenever application shall be made to the Commissioner for any addition of a newly-discovered improvement to be made to an existing patent, or whenever a patent shall be returned for correction and re-issue, the specification of claim annexed to every such patent shall be subject to revision and restriction, in the same manner as are original applications for patents; the Commissioner shall not add any such improvement to the patent in the one case, nor grant the re-issue in the other case, until the applicant shall have entered a disclaimer, or altered his specification of claim in accordance with the decision of the Commissioner; and in all such cases, the applicant, if dissatisfied with such decision, shall have the same remedy and be entitled to the benefit of the same privileges and proceedings as are provided by law in the case of original applications for patents.

Applications for additions to newly-discovered improvements to be made to existing patents &c.

When by mistake, &c. any patentee claims to be the original inventor of part of the thing patented, of which he was not, &c.

Proviso.

Further proviso.

Agents to be appointed to receive and forward models, &c.

Two examining and one copying clerk to be appointed.

Temporary clerks may be employed.

Certificate of the commissioner to be sufficient warrant to the Treasurer.

Affirmation may be substituted for an oath.

Moneys paid

SEC. 9. *And be it further enacted*, any thing in the fifteenth section of the act to which this is additional to the contrary notwithstanding, That, whenever by mistake, accident, or inadvertence, and without any wilful default or intent to defraud or mislead the public, any patentee shall have in his specification claimed to be the original and first inventor or discoverer of any material or substantial part of the thing patented, of which he was not the first and original inventor, and shall have no legal or just right to claim the same, in every such case the patent shall be deemed good and valid for so much of the invention or discovery as shall be truly and bona fide his own; *Provided*, it shall be a material and substantial part of the thing patented, and be definitely distinguishable from the other parts so claimed without right as aforesaid. And every such patentee, his executors, administrators, and assigns, whether of the whole or of a sectional interest therein, shall be entitled to maintain a suit at law or in equity on such patent for any infringement of such part of the invention or discovery as shall be bona fide his own as aforesaid, notwithstanding the specification may embrace more than he shall have any legal right to claim. But, in every such case in which a judgment or verdict shall be rendered for the plaintiff, he shall not be entitled to recover costs against the defendant, unless he shall have entered at the Patent Office, prior to the commencement of the suit, a disclaimer of all that part of the thing patented which was so claimed without right: *Provided, however*, That no person bringing any such suit shall be entitled to the benefits of the provisions contained in this section, who shall have unreasonably neglected or delayed to enter at the Patent Office a disclaimer as aforesaid.

SEC. 10. *And be it further enacted*, That the Commissioner is hereby authorized and empowered to appoint agents in not exceeding twenty of the principal cities or towns in the United States as may best accommodate the different sections of the country, for the purpose of receiving and forwarding to the Patent Office all such models, specimens of ingredients and manufactures, as shall be intended to be patented or deposited therein, the transportation of the same to be chargeable to the patent fund.

SEC. 11. *And be it further enacted*, That, instead of one examining clerk, as provided by the second section of the act to which this is additional, there shall be appointed, in manner therein provided, two examining clerks, each to receive an annual salary of fifteen hundred dollars; and also, an additional copying clerk, at an annual salary of eight hundred dollars. And the Commissioner is also authorized to employ, from time to time, as many temporary clerks as may be necessary to execute the copying and draughting required by the first section of this act, and to examine and compare the records with the originals, who shall receive not exceeding seven cents for every page of one hundred words, and for drawings and comparison of records with originals, such reasonable compensation as shall be agreed upon or prescribed by the Commissioner.

SEC. 12. *And be it further enacted*, That, whenever the application of any foreigner for a patent shall be rejected and withdrawn for want of novelty in the invention, pursuant to the seventh section of the act to which this is additional, the certificate thereof of the Commissioner shall be a sufficient warrant to the Treasurer to pay back to such applicant two-thirds of the duty he shall have paid into the Treasury on account of such application.

SEC. 13. *And be it further enacted*, That in all cases in which an oath is required by this act, or by the act to which this is additional, if the person of whom it is required shall be conscientiously scrupulous of taking an oath, affirmation may be substituted therefor.

SEC. 14. *And be it further enacted*, That all moneys paid into the

Treasury of the United States for patents and for fees for copies furnished by the Superintendent of the Patent Office prior to the passage of the act to which this is additional, shall be carried to the credit of the patent fund created by said act; and the moneys constituting said fund shall be, and the same are hereby, appropriated for the payment of the salaries of the officers and clerks provided for by said act, and all other expenses of the Patent Office, including all the expenditures provided for by this act; and, also, for such other purposes as are or may be hereafter specially provided for by law. And the Commissioner is hereby authorized to draw upon said fund, from time to time, for such sums as shall be necessary to carry into effect the provisions of this act, governed, however, by the several limitations herein contained. And it shall be his duty to lay before Congress, in the month of January, annually, a detailed statement of the expenditures and payments by him made from said fund; And it shall also be his duty to lay before Congress, in the month of January, annually, a list of all patents which shall have been granted during the preceding year, designating, under proper heads, the subjects of such patents, and furnishing an alphabetical list of the patentees, with their places of residence; and he shall also furnish a list of all patents which shall have become public property during the same period; together with such other information of the state and condition of the Patent Office, as may be useful to Congress or to the public.

APPROVED, March 3, 1837.

CHAP. XLVI.—*An Act to provide for continuing the construction, and for the repair of certain roads, and for other purposes, during the year eighteen hundred and thirty-seven.*

*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 ninety 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 one hundred thousand dollars be, and the same is hereby appropriated, for the purpose of continuing the Cumberland road in the State of Indiana; And the sum of one hundred thousand dollars be and the same is hereby appropriated for the purpose of continuing the Cumberland road in the State of Illinois; *Provided*, That said road within the State of Illinois, shall not be stoned or gravelled, unless it can be done at a cost, not greater than the average cost, of stoning or gravelling said road, within the States of Ohio and Indiana; which sums shall be paid out of any money in the Treasury not otherwise appropriated; *Provided*, That in all cases where it can be done, it shall be the duty of the superintending officers, to cause the work on said road to be laid off in sections, and let out to the lowest substantial bidder, after due notice.

SEC. 2. *And be it further enacted*, That the second section of an act for the continuation of the Cumberland road in the States of Ohio, Indiana and Illinois, approved the second day of July, eighteen hundred and thirty-six, shall not be applicable to expenditures hereafter to be made on said road.

SEC. 3. *And be it further enacted*, That the following sums be and the same are hereby appropriated, to be paid out of any money in the Treasury, not otherwise appropriated, to wit: For the repairs of the Cumberland road, east of the Ohio river, seven thousand one hundred and eighty-three dollars and sixty-three cents;

For continuing the construction of the road from the northern boundary of the Territory of Florida, by Marianna, to Appalachicola, twenty thousand three hundred and thirteen dollars;

into the Treasury for patents, &c. prior to passage of act to which this is additional, to be carried to credit of patent fund created by said act; and said fund appropriated for salaries. &c.

Commissioner authorized to draw upon same, &c.; and lay before Congress annually a statement of expenditures, &c.; and, also, a list of patents, &c.

STATUTE II.

March 3, 1837.

Continuing the Cumberland road in Ohio, Indiana, and Illinois.

Act of July 2, 1836, ch. 264.

Proviso.

Proviso.

2d section act 2d July, 1836, ch. 264, shall not be applicable, &c.

Repairs on the Cumberland road east of the Ohio river.

Road from northern boundary of Florida to Appalachicola.

Expenses incidental to making examinations, &c., under act 30th April, 1824, ch. 46, &c.

Surveys of a military character, &c.

The sums hereby appropriated for the Cumberland road in Ohio, Indiana, and Illinois, to be replaced by said States, &c.

For defraying the expenses incidental to making examinations and surveys, under the act of the thirteenth of April, eighteen hundred and twenty-four, and for 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;

For surveys of a military character, and for the defences of the Atlantic and western frontiers, fifteen thousand dollars.

SEC. 4. *And be it further enacted*, That the several sums hereby appropriated for the construction of the Cumberland road in the States of Ohio, Indiana and Illinois, shall be replaced by said States respectively, out of the fund reserved to each for laying out and making roads under the direction of Congress, by the several acts passed for the admission of said States into the Union, on an equal footing with the original States.

APPROVED, March 3, 1837.

#### STATUTE II.

March 3, 1837.

CHAP. XLIX.—*An Act to grant the Atchafalaya Railroad and Banking Company the right of way through the public lands of the United States.*

The right of way granted through such portions as the road shall pass.

Proviso.

The route of said road to be surveyed and designated through the public lands, &c.

Portions of the public land granted for depots, &c.

Proviso.

Permission to use earth, stone, &c., granted.

The grants contained herein shall cease, &c., unless said road be commenced and completed with-

*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 Atchafalaya Railroad and Banking Company, a corporation created by the Legislature of the State of Louisiana, the right of way through such portions of the public land as the road or roads of said company is authorized by its charter to construct, shall pass: *Provided*, That the portion of the public land occupied thereby shall not exceed eighty feet in width.

SEC. 2. *And be it further enacted*, That the route of said road and its branches, shall, at the expense of the aforesaid company, be surveyed and designated through the public lands by plain marks or monuments, and copies of the field-notes, with plat or plats of the lands, and a description of the said land-marks or monuments, and their connection with the previous official surveys of the adjacent lands, shall be returned to the office of the Surveyor General of the State of Louisiana, and to the General Land Office in Washington, within sixty days after the said surveys or plats are completed, and which shall be within one year from the date of the passage of this act.

SEC. 3. *And be it further enacted*, That for such depots, watering places and workshops, as may be essential to the convenient use of said road, there is also granted to said company such portion of the public land as they may under like restrictions and conditions, select, on either or each side of said road: *Provided*, That not more than four acres, to be laid off in a square form, shall be selected for such use or purpose at any one place, and not more than one such square shall be granted for every ten miles of the said road or its branches, lying within the public lands; which selections shall be surveyed and returned in the manner aforesaid, and approved by the Secretary of the Treasury for the time being.

SEC. 4. *And be it further enacted*, That so long as the public land in the vicinity of said road or its branches shall remain unsold, the said company shall have permission to take therefrom such materials of earth, stone, or wood, as may be necessary for the construction of said road.

SEC. 5. *And be it further enacted*, That the grants herein contained, as well the use of the public lands, as of the materials for the construction of said road and its branches, shall cease and determine and be of no effect, unless the said road be commenced and completed within the periods fixed by the charter of the company; and if the said road shall be, at any time after its completion, or during the time of its construc-

tion, discontinued or abandoned by said company, the grants and privileges hereby made and allowed shall cease and determine and be of no effect.

in the periods fixed by the charter, &c.

APPROVED, March 3, 1837.

CHAP. LI.—*An Act further to amend the act incorporating the Chesapeake and Ohio Canal Company.*(a)

STATUTE II.  
March 3, 1837.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act of the General Assembly of Virginia, entitled "An act further to amend the act incorporating the Chesapeake and Ohio Canal Company," passed the twenty-seventh day of February, eighteen hundred and twenty-nine, be, and the same is hereby assented to and approved.

Act of May 23, 1828, ch. 85.  
Act of General Assembly of Va., passed 27th Feb., 1829, assented to.

SEC. 2. *And be it further enacted,* That if any person or persons shall, within the District of Columbia, wickedly, or maliciously, do injury to the Chesapeake and Ohio canal, its embankments, walls, moles, tow-paths, bridges, culverts, drains, or to any part necessary to the uses and purposes of said canal, he, she, or they, shall be liable to a fine of not less than five or more than fifty dollars, to be recovered before any justice of the peace of the District of Columbia; and any such justice may, on his own view, or on application verified by affidavit, to said justice made, issue his warrant, describing the injury committed, and, upon conviction, the said justice shall have authority to commit the offender to close jail, without bail or mainprise, until said fine and costs be paid, or until said defendant be discharged by due course of law: *Provided, however,* That nothing in this act contained shall be so construed as to prevent said canal company from recovering damages from any person or persons who may commit any of the trespasses aforesaid.

Persons within the D. C., wickedly, &c., injuring the Chesapeake and Ohio canal, its embankments, &c., liable to fine, &c.

Proviso.

SEC. 3. *And be it further enacted,* That all condemnations of land for the use and purposes of said canal company, which have heretofore been made by the marshal of said District, or any lawful deputy marshal, shall be as valid as though the same had been situated in the State of Maryland, and had been condemned in pursuance of the laws of said State, through the action and agency of a sheriff of any of the counties of said State.

Condemnations of land by the marshal of D. C., &c.

APPROVED, March 3, 1837.

CHAP. LII.—*An Act to authorize the New Orleans and Carrollton Railroad Company to construct a railroad from Carrollton to the town of Bayou Sara, in the State of Louisiana.*

STATUTE II.  
March 3, 1837.

*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 Carrollton Railroad Company, incorporated by the Legislature of Louisiana, the right of way through such portion of the public lands remaining unsold, for the extension of their railroad from Carrollton to the town of Bayou Sara, in the said State: *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 designated, and marked on the ground by plain landmarks, within the period of eighteen months from the passage of this act, and a copy of the notes of survey and plat thereof, with a description of the said landmarks, be transmitted to the General Land Office, in Washington, within the period aforesaid.

Right of way granted through portions of the public lands remaining unsold.

Proviso.

SEC. 2. *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, and

Earth, stone, &c., may be used while said lands remain unsold.

Proviso.

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 said road, shall cease and determine, unless the same shall be begun within the period of two years from the date of this act, and completed within a period of six years.

APPROVED, March 3, 1837.

STATUTE II.

March 3, 1837. CHAP. LXXV.—*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.*

Acts confirmed  
with certain  
limitations, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following acts of the Territorial Legislature of the Territory of Wisconsin, viz: an act entitled "An act to incorporate the stockholders of the Bank of Milwaukee," an act entitled "An act to incorporate the stockholders of the Miners' Bank of Dubuque," and an act entitled "An act to incorporate the stockholders of the Bank of Mineral Point," be, and the same are hereby severally and respectively approved and confirmed by Congress, with the following limitations and conditions, that is to say: that neither of said banks shall issue bills or notes for circulation, until one-half of the amount of their respective capitals shall have been actually paid in; and that, to enable the directors named in the said charters respectively to comply with this limitation and restriction, they shall be authorized to make calls, according to the provisions contained in the said charters, to an amount not exceeding, at any one time, forty per cent. upon the whole stock subscribed by each stockholder, and shall not be restricted to ten per cent. at any one call, as is provided in the said charters; and that neither of said banks shall have any authority to enlarge or augment its capital, or to make it larger, at any time, than the sum of two hundred thousand dollars, without the consent and approbation of Congress previously obtained; and that neither of the said banks shall, at any time, owe, either by bond, bill, note, or other contract, over and above its actual deposits, an amount to exceed twice the amount of its capital stock actually paid in, instead of the limitation in this respect contained in the said charters respectively; and that each of the said banks shall have complied with all the requirements of their respective charters, as altered, modified, and restricted by this act, so as to enable them to commence the business of banking, and shall actually have commenced banking on or before the first day of January next, or their charters, or the charters of such of them as shall have failed to comply with this limitation, shall be void and of no effect; and the acceptance of said acts of incorporation, by the grantees or stockholders respectively, shall be deemed and taken as acceptances, subject to the conditions and limitations herein prescribed; and any infringement upon, or violation of, the provisions and requirements of this act, or of the limitations and restrictions therein contained, on the part of either of the said institutions, shall forfeit its charter, and put an end to its corporate powers and privileges.

APPROVED, March 3, 1837.

RESOLUTIONS.

March 2, 1837. No. 1. *A Resolution to enable the Postmaster General more readily to change the commencement of the contract year in the Post Office Department.*

Postmaster  
General author-

*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 and empowered to let the contracts for the transportation of the mails in those sections of the United States



where they expire on the thirty-first days of December, eighteen hundred and thirty-seven, eighteen hundred and thirty-eight, and eighteen hundred and thirty-nine, respectively, for four years and six months, so as to cause them to terminate on the thirtieth day of June, eighteen hundred and forty-two, eighteen hundred and forty-three, and eighteen hundred and forty-four, to the end that the contract may commence on the first day of July, instead of the first day of January.

APPROVED, March 2, 1837.

ized to make contracts which expire on 31st December, 1837, '8, and '9, and terminate on 30th June, 1842, '3, and '4.

No. 2. *A Resolution granting a pension to Susan Decatur, widow of the late Stephen Decatur.*(a) March 3, 1837.

*Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled,* That Mrs. Susan Decatur, widow of the late Commodore Stephen Decatur, be paid from the navy pension fund a pension for five years, commencing from the thirtieth of June, eighteen hundred and thirty-four, in conformity with the provisions of the act concerning naval pensions and the navy pension fund, passed thirtieth June eighteen hundred and thirty-four, and that she be allowed from said fund the arrearages of the half-pay of a post captain, from the death of Commodore Decatur to the thirtieth of June, eighteen hundred and thirty-four, together with the pension hereby allowed her, and that the arrearage of said pension be vested in the Secretary of the Treasury in trust for the use of the said Susan Decatur: *Provided,* That the said pension shall cease on the death or marriage of the said Susan Decatur.

To be paid from the navy pension fund, a pension for five years, &c.

Act of June 30, 1834, ch. 134.

Proviso.

APPROVED, March 3, 1837.

(a) On the 3d of March, 1837, Congress passed an act giving to the widow of any officer who had died in the naval service of the United States, authority to receive, out of the navy pension fund, half the monthly pay to which the deceased officer would have been entitled under the acts regulating the pay in the navy, in force on the 1st day of January, 1835. On the same day, a resolution was adopted by Congress, giving to Mrs. Decatur, widow of Captain Stephen Decatur, a pension for five years, out of the navy pension fund, and in conformity with the act of 30th June, 1834, and the arrearages of the half-pay of a post captain, from the death of Commodore Decatur, to the 30th June, 1834; the arrearages to be vested in trust for her by the Secretary of the Treasury. The pension and arrearages, under the act of 3d March, 1837, were paid to Mrs. Decatur on her application to Mr. Dickerson, the Secretary of the Navy, under a protest by her, that by receiving the same she did not prejudice her claim under the resolution of the same date. She applied to the Secretary of the Navy for the pension and arrears, under the resolution, which were refused by him. Afterwards, she applied to Mr. Paulding, who succeeded Mr. Dickerson as Secretary of the Navy, for the pension and arrears, which were refused by him. The Circuit Court of the County of Washington, in the District of Columbia, refused to grant a mandamus to the Secretary of the Navy, commanding him to pay the arrears, and to allow the pension under the resolution of March 3d, 1837. Held, that the judgment of the Circuit Court was correct. *Decatur v. Paulding*, 14 Peters, 497.

In general, the official duties of the head of one of the executive departments, whether imposed by act of Congress or by resolution, are not mere ministerial duties. The head of an executive department of the government, in the administration of the various and important concerns of his office, is continually required to exercise judgment and discretion. He must exercise his judgment in expounding the laws and resolutions of Congress, under which he is from time to time required to act. If he doubts, he has a right to call on the Attorney General to assist him with his counsel; and it would be difficult to imagine why a legal adviser was provided by law for the heads of departments, as well as for the President, unless their duties were regarded as executive, in which judgment and discretion were to be exercised. *Ibid.*

If a suit should come before the Supreme Court which involved the construction of any of the laws imposing duties on the heads of the executive departments, the Court certainly would not be bound to adopt the construction given by the head of a department. And if they supposed his decision to be wrong, they would, of course, so pronounce their judgment. But the judgment of the Court upon the construction of a law, must be given in a case in which they have jurisdiction; and in which it is their duty to interpret the act of Congress, in order to ascertain the rights of the parties in the cause before them. The Court could not entertain an appeal from the decision of one of the Secretaries, nor revise his judgment in any case where the law authorized him to exercise his discretion or judgment. Nor can it, by mandamus, act directly upon the officer, or guide and control his judgment or discretion in the matters committed to his care, in the ordinary discharge of his official duties. The interference of the Court with the performance of the ordinary duties of the executive departments of the government would be productive of nothing but mischief; and this power was never intended to be given to them. *Ibid.*

March 3, 1837.

In the case of the claim of the Union Bank of Maryland, the error to be corrected.

No. 4. *Resolution authorizing the Secretary of the Treasury to correct a clerical error in the award of the Commissioners under the treaty with France of eighteen hundred and thirty-one.*

*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 authorized and directed, in making payment of the two last instalments to the claimants under the treaty with France of July four, eighteen hundred and thirty-one, to correct a clerical mistake which occurred in the award of the Commissioners in the case of the claim of the Union Bank of Maryland; by which mistake the sum of ten thousand dollars awarded to said bank, has gone to the use of all the other claimants; and that he correct such mistake by making the proper alteration in the proportion to be paid to the several claimants in the said two last instalments, so that all the claimants shall obtain their just proportion of the whole indemnity and no more.*

APPROVED, March 3, 1837.

March 3, 1837.

The terms of settlement proposed by the President and Directors of the Bank of the United States, under the Pennsylvania charter, to be accepted.

Proviso.

No. 5. *A Resolution authorizing the Secretary of the Treasury to receive from the Bank of the United States, under the Pennsylvania charter, payment for the stock of the United States, in the late Bank of the United States.*

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be directed to accept the terms of settlement proposed by the President and Directors of the Bank of the United States, under the Pennsylvania charter, in their memorial to Congress, presented at the present session, for the payment to the United States of the capital stock owned by them in the late Bank of the United States, and the final adjustment and settlement of the claims connected with, or arising out of the same; and to take such obligation for the payment of the several instalments in said proposed terms of settlement mentioned, as he may think proper: *Provided*, That nothing herein contained shall prejudice or affect in any way the question, between the General Government of the United States, and the late Bank of the United States, respecting the claim for damages on account of the protest of the bill of exchange, drawn on the French Government.*

APPROVED, March 3, 1837.