

ACTS OF THE TWENTY-FIFTH CONGRESS

OF THE

UNITED STATES.

Passed at the first session, which was begun and held at the City of Washington, in the district of Columbia, on Monday, the 4th day of September, 1837, and ended the 16th of October, 1837.

MARTIN VAN BUREN, President. RICHARD M. JOHNSON, Vice President of the United States, and President of the Senate. JAMES K. POLK, Speaker of the House of Representatives.

STATUTE I.

CHAPTER I.—*An Act to postpone the fourth instalment of deposits with the States.*

Oct. 2, 1837.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the transfer of the fourth instalment of deposits directed to be made with the States, under the thirteenth section of the act of June twenty-third, eighteen hundred and thirty-six, be and the same is hereby postponed till the first day of January, one thousand eight hundred and thirty-nine; *Provided,* That the three first instalments under the said act shall remain on deposit with the States, until otherwise directed by Congress.

Act of June 23, 1836, ch. 115, sec. 13.
Postponed till 1st Jan. 1839.
Proviso.

APPROVED, October 2, 1837.

CHAP. II.—*An Act to authorize the issuing of Treasury Notes. (a)*

STATUTE I.

Oct. 12, 1837.

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 is hereby authorized to cause Treasury notes for such sum or sums as the exigencies of the Government may require, but not exceeding, in the whole amount of notes issued, the sum of ten millions of dollars, and of denominations not less than fifty dollars for any one note, to be prepared, signed, and issued in the manner hereinafter provided.

The President to cause Treasury notes to be issued, for not exceeding \$10,000,000, and not of less denomination than \$50.

SEC. 2. *And be it further enacted,* That the said Treasury notes, authorized to be issued by the first section of this act, shall be reimbursed and redeemed by the United States, at the Treasury thereof, after the expiration of one year from the dates of the said notes respectively; from which said dates, for the term of one year, and no longer, they shall bear such interest as shall be expressed upon the face of the said notes; which rate of interest upon each several issue of the said notes shall be fixed by the Secretary of the Treasury, by and with the advice and approbation of the President; but shall in no case exceed the rate of interest of six per centum per annum. The reimbursement herein provided for shall be made at the Treasury of the United States to the holders of the said notes respectively, upon presentment, and shall include the principal of each note, and the interest which may be due thereon at the time of payment. For this reimbursement, at the time and times herein specified, the faith of the United States is hereby solemnly pledged.

Notes to be reimbursed and redeemed after the expiration of one year.

Notes to bear such interest as is expressed on their face.

Interest in no case to exceed the rate of six per cent.

(a) Notes of the acts which have been passed relative to the issuing of Treasury notes, vol. 2, 766.
Vol. V.—26 (201)

The Treasury notes to be signed by the Treasurer and countersigned by the Register of the Treasury.

Those officers to act as checks upon each other.

The Treasurer to account quarterly.

The Treasurer and Register authorized to employ additional clerks.

The Secretary of the Treasury to cause a portion of said notes to be issued in payment of debts to such as choose to receive them, &c.

The Secretary of the Treasury authorized, &c. to borrow on the credit of the notes, &c.

The notes transferable by delivery and assignment, &c.

The Treasury notes to be received in payment of duties, taxes, public lands, &c.

On every payment of Treasury notes, credit to be given for principal and interest, &c.

Persons making payment to the United States in Treasury notes, into the hands of a collector, &c. to give duplicate certificates, &c. The collector, on payment, &c. to receive credit, &c.

Secretary of the Treasury

SEC. 3. *And be it further enacted*, That the said Treasury notes shall be prepared under the direction of the Secretary of the Treasury, and shall be signed, on behalf of the United States, by the Treasurer thereof, and countersigned by the Register of the Treasury; and that those officers respectively shall, as checks upon each other, and to secure the public safety, keep separate, full, and accurate accounts of the number, date, denomination, and amount of all the notes signed and countersigned by them respectively; which said accounts shall be carefully preserved and placed on file in the Treasury Department; and, also, similar accounts, kept and preserved in the same manner of all the said notes redeemed, as the same shall be returned and cancelled; and the Treasurer shall further account quarterly for all such notes delivered to him for signature or issue by the Register. The Treasurer and Register of the Treasury are hereby authorized, by and with the consent and approbation of the Secretary of the Treasury, to employ such additional temporary clerks as the duties enjoined upon them by this section may render necessary: *Provided*, Said number shall not exceed four, and with a salary of not more than at the rate of twelve hundred dollars to each per annum.

SEC. 4. *And be it further enacted*, That the Secretary of the Treasury is hereby authorized, with the approbation of the President of the United States, to cause to be issued such portion of the said Treasury notes as the President may think expedient, in payment of debts due by the United States to such public creditors or other persons as may choose to receive such notes in payment, as aforesaid, at par. And the Secretary of the Treasury is further authorized, with the approbation of the President of the United States, to borrow, from time to time, not under par, such sums as the President may think expedient, on the credit of such notes.

SEC. 5. *And be it further enacted*, That the said Treasury notes shall be transferable by delivery and assignment endorsed thereon, by the person to whose order the same shall, on the face thereof, have been made payable.

SEC. 6. *And be it further enacted*, That the said Treasury notes shall be received in payment of all duties and taxes laid by the authority of the United States, of all public lands sold by the said authority, and of all debts to the United States, of any character whatsoever, which may be due and payable at the time when said Treasury notes may be so offered in payment. And on every such payment, credit shall be given for the amount of the principal and interest which, on the day of such payment, may be due on the note or notes thus given in payment.

SEC. 7. *And be it further enacted*, That any person making payment to the United States in such Treasury notes, into the hands of any collector, receiver of public moneys, or other public officer or agent, shall, on books kept according to such forms as shall be prescribed by the Secretary of the Treasury, give duplicate certificates of the number and respective amount of principal and interest of each and every Treasury note thus paid by such person; and every collector, receiver of public moneys, or other public officer or agent, who shall thus receive any of the said Treasury notes in payment, shall, on payment of the same, receive credit both for principal and interest computed as aforesaid, which on the day of such last mentioned payment shall appear due on the note or notes thus paid in, and he shall be charged for the interest accrued on such note or notes from the day on which the same shall have been received by him in payment as aforesaid, to the day on which the same shall be paid by him as aforesaid.

SEC. 8. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be reim-

bursed and paid the principal and interest of the Treasury notes which may be issued by virtue of this act, at the several time and times when the same, according to the provisions of this act, should be thus reimbursed and paid. And the said Secretary is further authorized to make purchases of the said notes, at par, for the amount of the principal and interest due at the time of purchase on such notes. And so much of any unappropriated money in the Treasury as may be necessary for that purpose, is hereby appropriated, for paying the principal and interest of said notes.

authorized to cause to be reimbursed and paid, the principal and interest of the Treasury notes.

Appropriation to pay Treasury notes.

SEC. 9. *And be it further enacted,* That a sum not exceeding twenty thousand dollars, to be paid out of any unappropriated money in the Treasury, be, and the same is hereby, appropriated, for defraying the expense of preparing, printing, engraving, signing, and otherwise incident to the issuing of the Treasury notes authorized by this act.

Appropriation.

SEC. 10. *And be it further enacted,* That if any person shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or willingly aid or assist in falsely making, forging, or counterfeiting, any note, in imitation of, or purporting to be, a Treasury note aforesaid; or shall falsely alter, or cause or procure to be falsely altered, or willingly aid or assist in falsely altering any Treasury note issued as aforesaid; or shall pass, utter, or publish, or attempt to pass, utter, or publish, as true, any false, forged, or counterfeited note, purporting to be a Treasury note as aforesaid, knowing the same to be falsely forged or counterfeited, or shall pass, utter, or publish, or attempt to pass, utter, or publish, as true, any falsely altered Treasury note, issued as aforesaid, knowing the same to be falsely altered, every such person shall be deemed and adjudged guilty of felony, and being thereof convicted by due course of law, shall be sentenced to be imprisoned, and kept to hard labour, for a period not less than three years, nor more than ten years, and be fined in a sum not exceeding five thousand dollars.

Punishment for forging of notes.

SEC. 11. *And be it further enacted,* That if any person shall make or engrave, or cause or procure to be made or engraved, or shall have in his custody or possession any metallic plate, engraved after the similitude of any plate from which any notes issued as aforesaid shall have been printed, with intent to use such plate, or to cause or suffer the same to be used in forging or counterfeiting any of the notes issued as aforesaid; or shall have in his custody or possession any blank note or notes engraved and printed after the similitude of any notes issued as aforesaid, with intent to use such blanks, or cause or suffer the same to be used in forging or counterfeiting any of the notes issued as aforesaid; or shall have in his custody or possession any paper adapted to the making of notes, and similar to the paper upon which any such notes shall have been issued, with intent to use such paper, or cause or suffer the same to be used in forging or counterfeiting any of the notes issued as aforesaid; every such person, being thereof convicted by due course of law, shall be sentenced to be imprisoned, and kept to hard labour, for a term not less than three nor more than ten years, and be fined in a sum not exceeding five thousand dollars.

Punishment for engraving notes.

SEC. 12. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby, authorized to make and issue, from time to time, such instructions, rules, and regulations to the several collectors, receivers of public money, depositories, and all others who may be authorized to receive the said Treasury notes on behalf of and as agents in any capacity for the United States, as to the safe keeping, disposition, return, and cancelling of the said notes so paid to and received by them respectively, and as to their accounts and returns to the Department of all such receipts as may seem to him best calculated to promote the public interests and convenience, and secure the United States and the

The Secretary of the Treasury authorized to make and issue such rules and regulations as he may deem proper to all persons authorized to receive Treasury notes on behalf of the United States.

Proviso.

holders of the said notes against fraud and losses. *Provided*, That nothing herein contained shall be so construed as to authorize the Secretary of the Treasury to reissue any of said notes, but upon the return of the said notes or any of them to the Treasury, the same shall be cancelled.

Secretary of the Treasury to cause a monthly statement to be published.

Power conferred by this act to determine on the 31st December, 1838.

SEC. 13. *And be it further enacted*, That it shall be, and hereby is, made the duty of the Secretary of the Treasury to cause a statement to be published monthly, of the amount of all Treasury notes issued or redeemed, in pursuance of the provisions of this act; and that the power to issue Treasury notes conferred on the President of the United States by this act, shall cease and determine on the thirty-first day of December, eighteen hundred and thirty-eight.

APPROVED, October 12, 1837.

STATUTE I.

Oct. 12, 1837.

CHAP. III.—*An Act to regulate the Fees of District Attorneys in certain cases.*

Extension of bonds for duties.

No fee to accrue to any District Attorney on bonds left for collection, or in suits instituted on bonds for the renewal of which provision is made by law, unless, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases of extension of the time of payment of bonds given for duties on imports, it shall be according to such directions as may be given by the Secretary of the Treasury; and the extension of payment of the old bond, or the taking of a new bond, shall be by the respective collectors subject to no other charge than such as may be legally receivable on the taking of an original bond, upon the entry of merchandise.

SEC. 2. *And be it further enacted*, That no fee shall accrue to any District Attorney on any bond left with him for collection, or in a suit commenced on any bond for the renewal of which provision is made by law, unless the party or parties shall neglect to apply for such renewal for more than twenty days after the maturity of such bond.

APPROVED, October 12, 1837.

STATUTE I.

Oct. 12, 1837.

CHAP. IV.—*An Act to continue in force certain laws to the close of the next session of Congress.*

All acts, &c. made to expire at close of the 1 sess. 25 Con. continued to end of that session which shall commence or be in session on the 1st Monday in Dec., 1837.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all acts and parts of acts, or provisions contained within any act, which, by the terms thereof, are made to expire at the termination of the first session of the twenty-fifth Congress, be, and the same are hereby, declared to continue in force to the end of that session of Congress which shall commence, or shall be in session, on the first Monday of December, eighteen hundred and thirty-seven.

APPROVED, October 12, 1837.

STATUTE I.

Oct. 14, 1837.

Act of Jan. 18, 1837, ch. 5.

Horses, &c. turned over to the service of U. S. by order of a commanding officer, to be paid for.

Claims to be adjusted by the 3d Auditor, &c.

This act and the act to which it is an amendment to extend to mules.

This act ex-

CHAP. V.—*An Act to amend an act, entitled "An act to provide for the payment of horses lost, or destroyed in the military service of the United States, approved January 18th, 1837."*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person who has turned over to the service of the United States, his horse, saddle, bridle, or equipments, by the order of the commanding general, or other commanding officer, shall be paid the value thereof; 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, with the assent of the President. This act, and the act to which this is an amendment, shall extend to mules as well as to horses. Decisions under this act shall be recorded as they are required to be recorded by the act aforesaid, and payment shall be made as is required by that act. This act shall extend to cases where any person mentioned in the act of which

this is an amendment shall have died in the service, and his horse, saddle, bridle, or equipments, shall have been turned over to an officer, or other person, for the benefit of the United States, by order of the officer commanding, and not restored to the representative of the deceased or paid for by the United States.

APPROVED, October 14, 1837.

CHAP. VI.—*An Act for the relief of D. P. Madison.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized and requested to cause to be executed, a grant and re-conveyance to Mrs. D. P. Madison, her executors, administrators, and assigns, of the right to publish in foreign countries, for her own benefit, the manuscript debates of the Convention which formed the Constitution of this Government, as well as the nett avails of any such publication which may have been ordered by her: *Provided, however,* That she shall not be allowed to withdraw from the possession of the Government either of the copies of said debates which accompanied her conveyance.

APPROVED, October 14, 1837.

CHAP. VII.—*An Act making an additional appropriation for the suppression of Indian hostilities. 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 further sum of one million six hundred thousand dollars shall be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated, to defray any expenses which have been or may be incurred, in preventing or suppressing the hostilities of any Indians: to be expended under the direction of the Secretary of War, conformably to the acts of Congress of the nineteenth of March, eighteen hundred and thirty-six, and the second of July, eighteen hundred and thirty-six, and of the acts therein referred to.

APPROVED, October 16, 1837.

CHAP. VIII.—*An Act authorizing a further postponement of payment upon duty bonds.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, authorized to grant such further extension of credit upon all bonds for duties now outstanding as shall make the whole extension of credit upon each bond nine months from the time when the original bond became due and payable, making the extension in each case to depend upon the same conditions as to additional security, the payment of interest, and other terms, which have been prescribed by the Treasury Department, to the extension of revenue bonds since May last: *Provided,* That nothing herein contained shall be construed to include any existing bonds where the parties to the same have not, since the bonds became payable, given additional security, or made part payment, and are, by the proper officers of the Government, considered insolvent, or unsafe securities for the payment of their bonds.

SEC. 2. *And be it further enacted,* That a credit of three and six months shall be allowed on the duty on all merchandise which shall have been or may be imported on or before the first day of November next, upon which the duties are payable in cash, and that the bonds received for such duties shall be payable in equal instalments, bearing

tended to cases where persons mentioned in former act have died in service, and his horse, &c.

STATUTE I.
Oct. 14, 1837.

Act of July 7, 1838. ch. 264.
The right to publish in foreign countries, for her own benefit, the manuscript debates on the constitution, and the nett avails of any such publication ordered by her, to be all conveyed to Mrs. Madison.
Proviso.

STATUTE I.
Oct. 16, 1837.

\$1,600,000 appropriated, under direction of Secretary of War, conformably to acts 19th March and 2d July, 1836, ch. 44, 254, and acts therein referred to.

STATUTE I.
Oct. 16, 1837.

The Secretary of the Treasury authorized to grant such further extension of credit on bonds, &c.

Proviso.

A credit of 3 and 6 months to be allowed on the duty on all merchandise imported before

1st Nov. next, upon which the duties are payable in cash. The bonds received for such duties to be payable in equal instalments, bearing 6 per cent. interest, and in the form and upon the conditions prescribed by law.

When the security in bonds postponed is entirely satisfactory, the principals or sureties shall not be disabled, &c.

Proviso.

STATUTE I.

Oct. 16, 1837.

The Secretary of the Treasury authorized to continue to withdraw the public moneys in the former deposite banks, in a manner as convenient to them as shall be consistent with the wants of the Government, &c.

Act of June 23, 1836, ch. 115.

This provision to extend to moneys whether standing to the credit of the Treasurer U. S., or any other officer of the Government.

In case of any of said banks not complying with the requisitions of the Secretary of the Treasury, suits shall be instituted, unless, &c.

interest at the rate of six per cent. per annum, and shall be in the form and upon the conditions prescribed by existing laws and by this act.

SEC. 3. *And be it further enacted*, That where the security in any bond which has been, or may hereafter be postponed, is entirely satisfactory, the principal or sureties in the same shall not be disabled from being in the mean time, till the period of postponement provided for by this act expires, received as principal or sureties in other bonds for duties, notwithstanding the bond first given may not have been actually paid, discharged, or extended before or on the day it fell due: *Provided*, That such principal and sureties shall be found in all other respects, safe and satisfactory security for the bonds to which they may be proposed as parties.

SEC. 4. *And be it further enacted*, That the operation of all prior laws, and parts of laws, so far as inconsistent with this act, be suspended in the particulars in which they may conflict with, or differ from, its provisions, until this act shall cease by its own limitations.

APPROVED, October 16, 1837.

CHAP. IX.—*An Act for adjusting the remaining claims upon the late deposite banks.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to continue to withdraw the public moneys now remaining in any of the former deposite banks, in a manner as gradual and convenient to the institutions as shall be consistent with the pecuniary wants of the Government, and the safety of the funds thus to be drawn; and that no further interest than that required by the deposite act of the twenty-third of June, one thousand eight hundred and thirty-six, under which those deposites were made, shall be demanded of any bank which has met, and shall hereafter meet, the requisitions of the Department. This provision shall also extend to such public moneys as may remain in any of the said banks, whether standing to the credit of the Treasurer of the United States, or of any disbursing or other public officer of the Government.

SEC. 2. *And be it further enacted*, That in case of neglect or refusal by any of the said banks to comply with the requisitions of the Secretary of the Treasury, as he shall make them, in conformity with the first section of this act, suits shall be instituted, where that has not already been done, to recover the amounts due to the United States, unless the defaulting bank shall forthwith cause to be executed and delivered to the Secretary of the Treasury a bond, with security to be approved by the Solicitor of the Treasury, to pay to the United States the whole moneys due from it, in three instalments: the first to be paid on the first day of July next, the second on the first day of January, eighteen hundred and thirty-nine, and the remaining instalment on the first day of July, eighteen hundred and thirty-nine; and the default mentioned in this act, on which interest is to commence at the rate of six per centum per annum, shall be understood to be the neglect or omission of said banks, or any of them, to answer the drafts or requisitions of the Secretary of the Treasury made on them according to the provisions of the first section of this act; and interest thereon at the rate of six per centum per annum, from the time of default, together with any damages which may have accrued to the United States from protests of drafts drawn upon it, or from any other consequence of its failure to fulfil its obligations to the public treasury.

APPROVED, October 16, 1837.

CHAP. X.—*An Act making further appropriations for the year eighteen hundred and thirty-seven.*

STATUTE I.
Oct. 16, 1837.
[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, to be paid out of any unappropriated money in the Treasury, viz :

For pay and mileage of the members of Congress and delegates, two hundred and forty-eight thousand five hundred dollars.

For stationery, fuel, printing, and all other contingent expenses of the Senate, thirty thousand dollars.

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

For the contingent expenses of the navy, as enumerated in the act of the third of March last, in addition to the amount appropriated by that act, one hundred and twenty thousand dollars.

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

For defraying the expenses attending the prosecution of the claim of the United States to the legacy bequeathed by the late James Smithson, of London, five thousand dollars.

For contingent expenses in the office of the Treasurer, five hundred dollars.

For preparing, printing, and binding documents ordered by the resolutions of the Senate of the second of July, 1836, twenty-fifth of February, 1837, and second of March, 1837, to be disbursed under the direction of the Committee to audit and control the contingent expenses of the Senate, twenty-five thousand dollars.

SEC. 2. *And be it further enacted,* That, if the revenue from duties, or from the sales of public lands remaining in the hands of the receiving and collecting officers, be not sufficient at any time to pay debentures and other charges which are by existing laws made payable out of the accruing revenue before it is transferred to the credit of the Treasurer, the Secretary of the Treasury is hereby authorized to pay the said debentures and other charges out of any money in the Treasury not otherwise appropriated.

SEC. 3. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby authorized, to arrange and settle any of the outstanding transfer drafts given to transfer moneys to the States under the act of twenty-third of June, 1836, and which have not been paid by the depositories upon which they were drawn, or otherwise arranged and settled by the United States, by receiving such drafts at par in payment of any debts due to the United States, without any allowance of interest for the time the drafts have been outstanding and unpaid, or any other allowance for interest or damages of any description.

Pay and mileage of members of Congress.
Expenses of the Senate.
Expenses of the House of Representatives.
Expenses of the Navy, act of March 3, 1837, chap. 30.
Relief and protection of American seamen.
U. S. claim to the Smithson legacy.
Expenses in the Treasurer's office.
Documents ordered by resolutions of the Senate, &c.

If the revenue remaining in the hands of the collecting officers be not sufficient at any time to pay debentures, &c.

The Secretary of the Treasury authorized to arrange and settle outstanding drafts given to transfer moneys to the States under act 23d June, 1836, ch. 115, &c.

APPROVED, October 16, 1837.

RESOLUTION.

No. 1. *A Resolution directing the postage on letters sent by the Express Mail to be paid in advance.*

Oct. 12, 1837.
[Obsolete.]

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, directed to cause the postage on all letters sent by the Express Mail of the United States to be paid in advance at the time of depositing them for transportation by said mail.

Postage on letters sent by the Express Mail to be paid in advance.

APPROVED, October 12, 1837.