

# ACTS OF THE TWENTY-SIXTH 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 2d day of December, 1839, and ended the 21st day of July, 1840.*

MARTIN VAN BUREN, President. RICHARD M. JOHNSON, Vice President of the United States, and President of the Senate. ROBERT M. T. HUNTER, Speaker of the House of Representatives.

### STATUTE I.

CHAP. I.—*An Act making appropriations, in part, for the support of Government for the year eighteen hundred and forty.*

Jan. 8, 1840.

[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 members of Congress and delegates, four hundred thousand dollars.

Members of Congress.

For pay of the officers and clerks of the Senate and House of Representatives, twenty-five thousand dollars.

Officers of the Senate and H. of Reps.

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

Expenses of Senate.

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

Expenses of H. of Reps.

For arrears of printing, lithographing, and engraving, ordered by the House of Representatives during the third session of the twenty-fifth Congress, and for the payment of which that Congress did not make the necessary appropriations, a sum not to exceed fifty thousand dollars.

Arrears for printing, &c.

APPROVED, January 8, 1840.

### STATUTE I.

CHAP. II.—*An Act making appropriations for the payment of the Revolutionary and the other pensioners of the United States, for the year eighteen hundred and forty.*

Feb. 22, 1840.

*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, in addition to former appropriations, 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 forty.

For the Revolutionary pensioners, under the act of the eighteenth of March, one thousand eight hundred and eighteen, one hundred and twelve thousand one hundred and thirty-two dollars.

Revolutionary pensioners.  
1818, ch. 19.

For pensions to widows, and orphans, under the act of the fourth of July, one thousand eight hundred and thirty-six, twenty-three thousand six hundred and seventy-six dollars.

Widows and orphans.  
1836, ch. 362.

Five years' pensions to widows.

Half-pay pensioners.

Arrearages.

Pension agents authorized to administer oaths.

Compensation.

For five years' pensions to widows, under the act of the seventh of July, one thousand eight hundred and thirty-eight, eight hundred and sixty-three thousand five hundred and forty dollars.

For half-pay pensioners, payable through the office of the Third Auditor, ten thousand dollars.

For arrearages, payable through the Third Auditor's office, fifteen hundred dollars.

SEC. 2. *And be it further enacted*, That the several agents for paying pensions, now in office, or hereafter to be appointed, shall be, and they are hereby, authorized to administer all oaths required to be administered to pensioners, attorneys of pensioners or others, in the course of the preparation of papers for the payment of pensions under any of the laws of Congress; and that the said agents, for the administration of every oath and the proper certificate thereof, shall be, and are hereby, authorized to charge, and shall be entitled to receive, from the person to whom the oath is administered, the same compensation which, by the laws of the State in which the agent is located, is allowed to State officers for administering similar oaths and certifying the same.

APPROVED, February 22, 1840.

#### STATUTE I.

Feb. 26, 1840.

Act of March

3, 1839, ch. 80.

Act of Sept. 1,

1841, ch. 15.

Resolution,

Sept. 1, 1841.

Resolution,

April 14, 1842.

Enumeration, when to commence.

CHAP. III.—*An Act to amend the act "to provide for taking the sixth census or enumeration of the inhabitants of the United States," approved March third, eighteen hundred and thirty-nine.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the enumeration shall commence on the first day of June, in the year eighteen hundred and forty, and shall be completed and closed within five calendar months thereafter. The several assistants shall within five months, and on or before the first day of November, eighteen hundred and forty, deliver to the marshals, by whom they shall be appointed, two copies of the returns of the enumeration and statistical tables, and the marshals respectively, shall, on or before the first day of December, in the year eighteen hundred and forty, transmit to the Secretary of State one copy of the several returns and statistical tables, and also the aggregate amount of each description of persons within their respective districts or territories, and an aggregate also of the statistical information obtained within said districts.

One copy to be transmitted to Sec. of State.

Transient persons.

SEC. 2. *And be it further enacted*, That in the enumeration of transient persons, the name of every person who shall be an inhabitant of any district or territory without a settled place of residence, shall be inserted in the column of the schedule which is allotted for the heads of families in the division where he or she shall be on the said first day of June, eighteen hundred and forty.

SEC. 3. *And be it further enacted*, That the compensation of the marshal of Missouri shall be three hundred dollars.

Compensation to assistants.

SEC. 4. *And be it further enacted*, That in lieu of the five dollars heretofore provided as compensation to the assistant for each of the two correct copies of the schedules containing the number of inhabitants within his division to be set up in two of the most public places within the same, that there be allowed for said copies, and each assistant shall be entitled to receive, at the rate of five dollars for ten sheets, or in that proportion for a less number, and at the rate of thirty cents for every sheet over ten in the copy of the return. And in all cases, where the assistants to the marshals shall have performed the duties and made the returns required by the thirteenth section of the act for taking the sixth census, they shall be allowed therefor a sum equal to twenty per centum on the allowance made to them respectively, for the enumeration.

Allowance to assistants for making returns.

SEC. 5. *And be it further enacted*, That the copies of returns and

aggregate amounts, directed to be filed by the marshals with the clerks of the several District Courts and Supreme Courts of the Territories of the United States, shall be preserved by said clerks and remain in their offices respectively, and so much of the act to which this is an amendment as requires that they shall be transmitted by said clerks to the Department of State is hereby repealed.

Copies of returns, &c. to be preserved in the courts.

SEC. 6. *And be it further enacted*, That it shall be the duty of the Secretary of State to cause to be noted all the clerical errors in the returns of the marshals and assistants, whether in the additions, classification of inhabitants or otherwise, and to direct to be printed in the manner provided for in the act to which this is an amendment the corrected aggregate returns only.

All clerical errors to be noted.

SEC. 7. *And be it further enacted*, That so much of the thirteenth section of the act of the third of March, one thousand eight hundred and twenty-five, as restricts the weight of packages by mail, shall not apply to the transmission of papers relating to the census or enumeration of the inhabitants of the United States, and upon the transmission of said papers by the mail, between the marshals and their assistants, it shall be lawful for the postmasters to charge periodical pamphlet postage only.

Postage.

SEC. 8. *And be it further enacted*, That it shall be lawful for the marshal of any district, to take part in the enumeration of a portion of his district, and upon his so doing he shall have the benefit of the compensation allotted therefor, as if it had been done by an assistant.

Marshals to take part in the enumeration of their districts.

SEC. 9. *And be it further enacted*, That the compensation of the respective persons who are employed by the Secretary of State in executing the provisions of this act, shall be, fifteen hundred dollars to the superintending clerk, per annum; to the recording clerk, eight hundred dollars per annum; to an assistant clerk, six hundred and fifty dollars per annum; and to the packer and folder, six hundred and fifty dollars per annum; and the said salaries shall commence from the date of their being so employed, and that of the persons to be employed, to examine and correct the returns from the marshals and their assistants, at the same rates as were paid for the like services rendered under the act for taking the fifth census, to be paid out of any money appropriated for carrying into effect the act for taking the sixth census or enumeration of the inhabitants of the United States.

Compensation.

Salaries when to commence.

SEC. 10. *And be it further enacted*, That all acts and parts of acts whose provisions are inconsistent with the enactments of this amendatory act, are hereby repealed.

Acts, &c. inconsistent with this, repealed.

APPROVED, February 26, 1840.

STATUTE I.

March 4, 1840.

1837, ch. 43.  
1843, ch. 4.  
1849, ch. 20.

CHAP. IV. — *An Act to continue the office of commissioner of Pensions, and to transfer the pension business, heretofore transacted in the Navy Department, to that office. (a)*

*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-three.

Office of Com. of Pensions continued.

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 and the Secretary of the Navy, such duties in relation to the various pension laws as may be prescribed by the President.

Commissioner to be appointed — his duties.

SEC. 3. *And be it further enacted*, That the said Commissioner shall

Salary.

(a) See notes to act of July 10, 1832, chap. 194, for the acts relating to the navy pension fund.  
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receive an annual salary of two thousand five hundred dollars, and shall have the privilege of sending and receiving letters and packets by mail free of postage.

Pension business transferred to office Com. of Pensions.

SEC. 4. *And be it further enacted*, That the pension business heretofore transacted in the Navy Department, shall be transferred to the office of the Commissioner of Pensions, and that the clerk now employed in that business be also transferred to that office.

APPROVED, March 4, 1840.

#### STATUTE I.

March 31, 1840.

Act of 12th Oct. 1837, ch. 2, &c. renewed.

#### CHAP. V.—*An Act additional to the act on the subject of Treasury Notes. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the regulations and provisions contained in the act passed the twelfth day of October, in the year one thousand eight hundred and thirty-seven, entitled "An act to authorize the issuing of Treasury Notes," and in the subsequent acts in addition thereto, be, and the same are hereby, renewed, and made in full force, excepting the limitations concerning the times within which such notes may be issued, and restricting the amount thereof as hereafter provided.

Treasury notes may be issued in lieu of others redeemed.

SEC. 2. *And be it further enacted*, That under the regulations and provisions contained in said act, Treasury Notes may be issued in lieu of others hereafter or heretofore redeemed, but not to exceed in the amount of notes outstanding at any one time, the aggregate of five millions of dollars; and to be redeemed sooner than one year, if the means of the Treasury will permit, by giving notice sixty days of those notes which the Department is ready to redeem; no interest to be allowed thereon after the expiration of said sixty days.

SEC. 3. *And be it further enacted*, That this act shall continue in force one year and no longer.

APPROVED, March 31, 1840.

#### STATUTE I.

April 4, 1840.

Registers sufficient papers for vessels engaged in the whale fishery.

#### CHAP. VI.—*An Act to cancel the bonds given to secure duties upon vessels and their cargoes, employed in the Whale Fishery, and to make registers, lawful papers for such vessels. (b)*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all vessels which have cleared, or hereafter may clear, with registers for the purpose of engaging in the Whale fishery, shall be deemed to have lawful and sufficient papers for such voyages, securing the privileges and rights of registered vessels, and the privileges and exemptions of vessels enrolled and licensed for the fisheries; and all vessels which have been enrolled and licensed for like voyages shall have the same privileges and measure of protection as if they had sailed with registers if such voyages are completed or until they are completed.

Provisions of the 1st section of the act of 28th Feb. 1803, ch. 9, extended.

SEC. 2. *And be it further enacted*, That all the provisions of the first section of the act entitled "An act supplementary to the act concerning consuls and vice-consuls, and for the further protection of American seamen," passed on the twenty-eighth day of February, Anno Domini eighteen hundred and three, shall hereafter apply and be in full force as to vessels engaged in the Whale fishery in the same manner and to the same extent as the same is now in force and applies to vessels bound on a foreign voyage.

Forfeitures remitted.

SEC. 3. *And be it further enacted*, That all forfeitures, fees, duties and charges of every description required of the crews of such vessels,

(a) Notes of the acts which have been passed relative to the issuing and reimbursement of Treasury notes, vol. 2, 766.

(b) Notes of the acts of Congress relating to ships and vessels employed in the fisheries, vol. 3, 49. Decisions of the courts of the United States on the acts relating to the fisheries, vol. 3, 49.

or assessed upon the vessels or cargoes, being the produce of such fishery, because of a supposed insufficiency of a register to exempt them from such claims, are hereby remitted; and all bonds given for such cause are hereby cancelled, and the Secretary of the Treasury is hereby required to refund all such moneys as have been, or which may be, paid into the Treasury, to the rightful claimants, out of the revenues in his hands.

APPROVED, April 4, 1840.

CHAP. XXII.—*An Act making appropriations for the civil and diplomatic expenses of the Government for the year eighteen hundred and forty.*

STATUTE I.

May 8, 1840.

*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 sixty-eight thousand nine hundred and forty-four dollars;

Members of Congress.

For pay of the officers and clerks of the Senate and House of Representatives, eighteen thousand four hundred dollars;

Officers of the Senate and House of Reps. Expenses of Senate.

For stationery, fuel, printing, and all other contingent expenses of the Senate, fifty thousand dollars;

Expenses of House of Reps.

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

President, Vice President, and heads of departments.

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;

Secretary to sign patents for lands.

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

1833, ch. 91. Off. Sec. State. Clerks and messengers. Cont. exp. of department.

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

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

Superint't and watchmen N.E. Ex. building. Contingent expenses of said building.

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

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

Office Sec. Treasury. Clerks and messengers.

For compensation to the clerks in said office, per act of the twenty-third June, eighteen hundred and thirty-six, entitled "An act to regulate the deposits of the public money," three thousand six hundred dollars;

Clerks per act 23d June 1836, ch. 115.

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

First Comptroller.

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

Clerks and messengers.

For compensation to the Second Comptroller, three thousand dollars;

Second Comptroller.

For compensation to the clerks and messengers in the office of the Second Comptroller, including the compensation of two clerks transferred from the office of the Fourth Auditor, twelve thousand two hundred and fifty dollars;

Clerks and messengers.

1st Auditor.	For compensation to the First Auditor of the Treasury, three thousand dollars;
Clerks and messengers.	For compensation to the clerks and messengers in the office of the First Auditor, fifteen thousand nine hundred dollars;
2d Auditor.	For compensation to the Second Auditor of the Treasury, three thousand dollars;
Clerks and messengers.	For compensation to the clerks and messengers in the office of the Second Auditor, seventeen thousand nine hundred dollars;
3d Auditor.	For compensation to the Third Auditor, three thousand dollars;
Clerks and messengers.	For compensation to the clerks and messengers in the office of the Third Auditor, twenty-nine thousand six hundred and fifty dollars;
Additional clerks under act 18th Jan. 1837, ch. 5.	For compensation to two clerks employed on claims under the act of the eighteenth January, one thousand eight hundred and thirty-seven, two thousand four hundred dollars;
4th Auditor.	For compensation to the Fourth Auditor, three thousand dollars;
Clerks and messengers.	For compensation to the clerks and messengers in the office of the Fourth Auditor, sixteen thousand nine hundred and fifty dollars;
5th Auditor.	For compensation to the Fifth Auditor, three thousand dollars;
Clerks and messenger.	For compensation to clerks and messengers in the office of the Fifth Auditor, nine thousand eight hundred dollars;
Clerks according to act 7th July 1838.	For compensation to two clerks in the office of the Fifth Auditor, according to the act of the seventh July, eighteen hundred and thirty-eight, two thousand dollars;
Treasurer of United States.	For compensation to the Treasurer of the United States, three thousand dollars;
Clerks and messengers.	For compensation to the clerks and messengers in the office of the Treasurer of the United States, ten thousand seven hundred and fifty dollars;
Register of the Treasury.	For compensation to the Register of the Treasury, three thousand dollars;
Clerks and messengers.	For compensation to the clerks and messengers in the office of the Register of the Treasury, twenty-four thousand two hundred dollars;
Commissioner of General Land Office.	For compensation of the Commissioner of the General Land Office, per act of fourth July, eighteen hundred and thirty-six, three thousand dollars;
1836, ch. 352.	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, ninety-five thousand five hundred dollars;
Other officers in the General Land Office.	
Solicitor of the Treasury.	For compensation to the Solicitor of the Treasury, three thousand five hundred dollars;
Clerks and messenger.	For compensation to the clerks and messengers in the office of the Solicitor of the Treasury, three thousand nine hundred and fifty dollars;
Translating, &c. in office of Sec. Treasury.	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 acc'ts.	For stating and printing public accounts, one thousand four hundred dollars;
Contingent expenses for	For stationery, printing, and all other contingent expenses of the Treasury Department, viz:
Office 1st Comptroller.	For the office of the First Comptroller, two thousand dollars;
Off. 2d Comptroller.	For the office of the Second Comptroller, one thousand five hundred dollars;
Off. 1st Auditor.	For the office of the First Auditor, one thousand two hundred dollars;
Off. 2d Auditor.	For the office of the Second Auditor, one thousand dollars;
Off. 3d Auditor.	For the office of the Third Auditor, two thousand dollars;
Off. 4th Auditor.	For the office of the Fourth Auditor, five hundred dollars;

For the office of the Fifth Auditor, one thousand dollars;	Off. 5th Auditor.
For the office of the Treasurer of the United States, two thousand dollars;	Off. Treasurer.
For the office of the Register of the Treasury, three thousand dollars;	Off. Register.
For the office of the Solicitor, one thousand dollars;	Off. Solicitor.
For eighty-three thousand pieces of parchment and printing, books and stationery, advertising, and contingent expenses of the General Land office, and for books and blanks for the district land offices, eighteen thousand four hundred and seventeen dollars;	General Land Office.
For compensation of the superintendent and watchmen of the southeast executive building, two thousand one hundred dollars;	Superint't and watchmen S. E. exec. building.
For contingent expenses of the building occupied by the Treasury, including fuel, labor, oil, carrying the department mails, and sealing ships' registers, in one thousand eight hundred and thirty-nine, and one thousand eight hundred and forty, etc., twelve thousand dollars;	Contingent expenses of building occupied by the Treasury.
For compensation to the clerks and messengers in the office of the Secretary of War, including the messenger in the bounty land bureau, thirteen thousand three hundred and fifty dollars;	Office Secretary of War. Clerks and messengers.
For contingent expenses of the office of the Secretary of War, three thousand dollars;	Contingent expenses.
For books, maps, and plans for the War Department, one thousand dollars;	Books, &c.
For compensation of extra clerks, when employed in said office, three thousand dollars;	Extra clerks.
For compensation of the Commissioner of Indian Affairs, three thousand dollars;	Commissioner of Ind. affairs.
For compensation of the clerks and messenger in the office of the Commissioner of Indian Affairs, sixteen thousand four hundred dollars;	Clerks and messenger.
For contingent expenses of said office, two thousand dollars;	Contingent expenses.
For compensation of the Commissioner of Pensions, two thousand five hundred and eighty-four dollars and fifty-seven cents;	Commissioner of Pensions.
For compensation of clerks transferred from the office of the Secretary of War to the office of Commissioner of Pensions, four thousand eight hundred dollars;	Clerks transferred from office Sec. War.
For compensation to clerks and messengers for the office of the Commissioner of Pensions, authorized by [the] act of ninth May, eighteen hundred and thirty-six, thirteen thousand four hundred and fifty dollars;	Clerks and messengers authorized by act 9th May 1836, ch. 60.
For contingent expenses of said office, three thousand dollars;	Expenses.
For compensation to clerks and messenger in the office of the Paymaster General, seven thousand one hundred dollars;	Off. Paymaster General.
For contingent expenses of said office, eight hundred dollars;	Clerks and messengers.
For compensation of clerk and messenger in the office of the Commanding General, one thousand five hundred dollars;	Expenses.
For contingent expenses of said office, three hundred dollars;	Off. Comm'dg General. Clerk and messenger.
For compensation to clerks and messenger in the office of the Adjutant General, seven thousand six hundred and fifty dollars;	Expenses.
For contingent expenses of said office, one thousand six hundred dollars;	Off. Adj. Gen. Clerks and messenger.
For compensation of clerks and messenger in the office of the Quartermaster General, seven thousand three hundred dollars;	Expenses.
For contingent expenses of said office, one thousand dollars;	Off. Com. Gen. Purchases.
For compensation of clerks and messenger in the office of the Commissary General of Purchases, four thousand two hundred dollars;	Clerks and messenger.
For contingent expenses of said office, eight hundred dollars;	Expenses.
For compensation of clerks and messenger in the office of the Commissary General of Subsistence, four thousand three hundred dollars;	Off. Com. Gen. Subsistence. Clerks and messenger.

Expenses.	For contingent expenses of said office, three thousand two hundred dollars;
Off. Chief Engineer. Clerks and messenger. Expenses.	For compensation of clerks and messenger in the office of Chief Engineer, five thousand six hundred and fifty dollars;
	For contingent expenses of said office, one thousand five hundred dollars;
Off. Surg. Gen. Clerk and messenger. Expenses.	For compensation to clerk and messenger in the office of the Surgeon General, one thousand six hundred and fifty dollars;
	For contingent expenses of said office, five hundred dollars;
Ordnance Off. Clerks and messenger. Expenses.	For compensation of clerks and messenger in the Ordnance office, eight thousand six hundred and fifty dollars;
	For contingent expenses of said office, eight hundred dollars;
Topographical Bureau. Clerks and messenger. Expenses.	For compensation of clerks and messenger in the Topographical Bureau, two thousand five hundred dollars;
	For contingent expenses of said bureau, one thousand seven hundred and thirty-five dollars;
Superint't and watchmen N. W. executive building. Expenses of said building, &c.	For compensation of the superintendent and watchmen of the northwest executive building, two thousand two hundred and fifty dollars;
	For contingent expenses of said building, including rent of bounty land office, for labor, fuel, oil, and repairs, and for the contingencies of the fire engines and apparatus, four thousand seven hundred dollars;
Off. Sec. Navy. Clerks and messengers. Expenses.	For compensation of the clerks and messengers in the office of the Secretary of the Navy, twelve thousand eight hundred and fifty dollars;
	For contingent expenses of said office, three thousand dollars;
Commis'srs of Navy Board. Secretary.	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;
Clerks and messenger. Expenses.	For compensation to the clerks and messenger of the Navy Board, eight thousand four hundred and fifty dollars;
	For contingent expenses of said office, one thousand eight hundred dollars;
Superint't and watchmen, S. W. executive building. Expenses.	For salary of superintendent and watchmen of the southwest executive building, one thousand two hundred and fifty dollars;
	For contingent expenses of said building, including fuel, labor, oil, repairs of building, engine and improvement of the grounds, three thousand three hundred and fifty dollars;
Assistant Postmasters Gen'l. 1836, ch. 270.	For compensation to three assistant Postmasters General, per act third July, eighteen hundred and thirty-six, seven thousand five hundred dollars;
Clerks and messengers.	For compensation to clerks and messengers in the General Post Office, forty-eight thousand six hundred dollars;
Topographic and additional clerks.	For topographic and additional clerks in said office per act of March third, eighteen hundred and thirty-nine, and a clerk to keep the appropriation account, eleven thousand six hundred dollars;
Expenses.	For contingent expenses of said office, including four thousand dollars for rent and fuel for the Auditor's Office, eight thousand dollars;
Watchmen. Auditor Post Office.	For compensation of two watchmen, six hundred dollars;
	For compensation to the Auditor of the Post Office, three thousand dollars;
Clerks and messengers.	For compensation to clerks and messengers in said office, fifty-five thousand five hundred dollars;
Additional clerks.	For eleven additional clerks in said office, thirteen thousand two hundred dollars;
Expenses.	For contingent expenses of said office, including the expense of quarterly books, stationery, printing, and pay of laborers, four thousand seven hundred dollars;
Surveyor Gen. north-west of the Ohio.	For compensation of the Surveyor General northwest of the Ohio, two thousand dollars;



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

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 act of May ninth, eighteen hundred and thirty-six, three thousand eight hundred and twenty dollars;

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

For compensation of clerks in the office of said Surveyor General, two thousand eight hundred dollars;

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

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

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

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

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

For compensation of clerks in the office of said Surveyor General, per act ninth May, eighteen hundred and thirty-six, two thousand two hundred dollars;

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

For compensation of clerks in the office of said Surveyor General, three thousand five hundred dollars;

For compensation of the Surveyor General of Wisconsin, fifteen hundred dollars;

For compensation of the clerks in his office, per act twelfth June, eighteen hundred and thirty-eight, sixteen hundred dollars;

For compensation of the late Surveyor General of Illinois and Missouri to the twenty-sixth September, eighteen hundred and thirty-six, the same having been carried to the surplus fund on the thirty-first December, eighteen hundred and thirty-six, four hundred and seventy-eight dollars twenty-six cents;

For compensation of the Surveyor General of Wisconsin, for payment of his salary for the fractional part of fourth quarter of eighteen hundred and thirty-eight, one hundred and ninety-eight dollars and ninety-seven cents;

For extra clerks and draughtsmen in the offices of the Surveyors General, in addition to the unexpended balances of former appropriations, to be apportioned to them according to the exigencies of the public service, nine thousand dollars;

For extra clerks in the offices of the Surveyors General to transcribe field notes of survey, for the purpose of preserving them at the seat of Government, in addition to the unexpended balances of former appropriations, viz :

Office of the Surveyor General northwest of the Ohio, four thousand five hundred dollars;

Office of the Surveyor General of Illinois and Missouri, two thousand two hundred dollars;

Office of the Surveyor General of Arkansas, one thousand dollars;

Office of the Surveyor General of Mississippi, five hundred and fifty dollars;

Office of the Surveyor General of Wisconsin, one thousand dollars;

Clerks.  
1836, ch. 60.

Surveyor Gen.  
for Illinois and  
Missouri.  
Clerks.  
Act of May 9,  
1836, ch. 60.

Surveyor Gen.  
of Arkansas.

Clerks.

Surveyor Gen.  
of Louisiana.

Clerks.

Surveyor Gen.  
of Mississippi.

Clerks.  
Act of May 9,  
1836, ch. 60.

Surveyor Gen.  
of Alabama.

Clerks.  
Act of May 9,  
1836, ch. 60.

Surveyor Gen.  
of Florida.

Clerks.

Surveyor Gen.  
of Wisconsin.

Clerks.  
Act of June  
12, 1838, ch. 99.  
Surveyor Gen.  
of Illinois and  
Missouri.

Surveyor Gen.  
of Wisconsin.

Extra clerks  
and draughts-  
men in offices  
of surveyors ge-  
neral.

Extra clerks to  
transcribe field  
notes.

Surveyor Gen.  
north-west of  
the Ohio.

Surveyor Gen.  
of Illinois and  
Missouri.

Surveyor Gen.  
of Arkansas.

Surveyor Gen.  
of Mississippi.

Surveyor Gen.  
of Wisconsin.

Commissioner of public buildings, &c.	For compensation to the Commissioner of Public Buildings in Washington, two thousand three hundred dollars;
Assistants, &c.	For compensation to three assistants to the Commissioner, as superintendent of the Potomac bridge, including oil for lamps, fuel, and repairs, two thousand nine hundred and fifty dollars;
Officers of the mint.	For compensation to the officers and clerks of the Mint, twenty thousand four hundred dollars;
Laborers, &c.	For pay of laborers in the various departments of the Mint, twenty-three thousand dollars;
Expenses.	For incidental and contingent expenses, including the wastage of gold and silver, fuel, materials, stationery, water-rent, and taxes, sixteen thousand dollars;
New machinery.	For new machinery, three thousand dollars;
Specimens of ores, &c.	For specimens of ores and coins to be reserved at the Mint, one thousand dollars;
Branch mint at Charlotte.	For compensation to the officers and clerk of the branch Mint at Charlotte, North Carolina, six thousand dollars;
Laborers.	For pay of laborers in the various departments of the same, three thousand five hundred dollars;
Expenses.	For wastage of gold, and for contingent expenses of the same, two thousand five hundred dollars;
Branch mint at Dahlonega.	For compensation to the officers and clerk of the branch Mint at Dahlonega, Georgia, six thousand dollars;
Laborers.	For pay of laborers in the various departments of the same, three thousand five hundred dollars;
Expenses.	For wastage of gold, and for contingent expenses of the same, two thousand dollars;
Branch mint at N. Orleans.	For compensation to the officers and clerks of the branch Mint at New Orleans, twelve thousand nine hundred dollars;
Laborers.	For pay of laborers in the various departments of the same, twenty-two thousand dollars;
Expenses.	For wastage of gold and silver, and for contingent expenses of the same, seventeen thousand one hundred dollars;
Governor, &c. of Wisconsin.	For compensation of the Governor, Judges, and Secretary of Wisconsin Territory, nine thousand one hundred dollars;
Expenses.	For contingent expenses of said Territory, three hundred and fifty dollars;
Legislative Assembly, &c.	For pay and mileage of the members of the Legislative Assembly, pay of officers of the councils, printing, furniture, stationery, fuel, and other incidental expenses, thirty-four thousand and seventy-five dollars;
Governor, &c. of Iowa.	For compensation to the Governor, Judges, and Secretary of the Territory of Iowa, nine thousand one hundred dollars;
Legislative Assembly, &c.	For pay and mileage of the Legislative Assembly, pay of officers, printing, furniture, stationery, fuel, and all other incidental expenses, twenty-seven thousand and fifty dollars;
Extra session.	For defraying the expenses of an extra session of the Legislative Assembly of said Territory, seven thousand dollars;
Deficiency for printing, &c.	For the payment of the printing the laws and other contingent expenses of the Legislative Assembly of the Territory of Iowa, being a deficiency in the appropriation made for the year eighteen hundred and thirty-nine, fourteen thousand dollars; <i>Provided</i> , no part of this appropriation shall be used for the payment of members of the said Legislative Assembly for per diem wages, or mileage, or extra services, or for the payment of any of the members thereof, or of its clerks, or for stationery for their individual use;
Proviso.	
Governor, &c. of Florida.	For compensation of the Governor, Judges, and Secretary of the Territory of Florida, thirteen thousand five hundred dollars;
Expenses.	For contingent expenses of said Territory, three hundred and fifty dollars;

For pay and mileage of the members of the Legislative Council of said Territory, pay of the officers of the Council, printing, furniture, rent, stationery, fuel, and all other incidental and miscellaneous expenses, twenty-nine thousand three hundred and twenty-five dollars;	Legislative Council, &c.
For compensation of the Chief Justice, the Associate Judges, and District Judges of the United States, ninety-three thousand nine hundred dollars;	Chief justice, &c. U. S.
For compensation of the Chief Justice and Associate Judges of the District of Columbia, and of the Judges of the Criminal and Orphans' Courts of said District, twelve thousand seven hundred dollars;	Judges of District Columbia.
For compensation of the Attorney General of the United States, four thousand dollars;	Attorney Gen.
For compensation of clerk and messenger in the office of the Attorney General, one thousand five hundred dollars;	Clerk and messenger.
For contingent expenses of said office, five hundred dollars;	Expenses.
For purchasing law books, one thousand dollars;	Law books.
For compensation to the reporter of the decisions of the Supreme Court, one thousand dollars;	Reporter Supreme Court.
For compensation to the district attorneys and marshals, including those in the several Territories, fourteen thousand four hundred and fifty dollars;	Dist. attorneys and marshals.
For defraying the expenses of the Supreme, Circuit, and District courts of the United States, including the District of Columbia; also for jurors and witnesses, in aid of the funds arising from fines, penalties, and forfeitures incurred in the year eighteen hundred and forty 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 thousand dollars;	Expenses of Supreme Court, &c.
For the payment of annuities and grants by special acts of Congress, nine hundred dollars;	Annuities and grants.
For survey of the coast of the United States, including the compensation of the superintendent and assistants, one hundred thousand dollars;	U. S. coast survey.
For compensation of two keepers of the public archives in Florida, one thousand dollars;	Keepers of Florida archives.
For salaries of registers and receivers of land offices where there are no sales, three thousand five hundred dollars;	Registers and receivers.
For expenses of surveying and marking the boundary between the United States and Texas, ten thousand dollars;	Boundary between U. S. and Texas.
For the salary of the Commissioner of said survey, two thousand five hundred dollars;	Commissioner.
For the salary of the surveyor, two thousand dollars;	Surveyor.
For the salary of the clerk, twelve hundred dollars;	Clerk.
For buildings and machinery for the branch Mint at Charlotte, North Carolina, being a balance due to the commissioner appointed to superintend the erection of the buildings, twelve dollars and twenty cents;	Branch mint at Charlotte.
For discharging the balance due to the contractors for building the branch Mint at Dahlonega, ten thousand dollars;	At Dahlonega.
For allowance to the law agent, assistant counsel, and district attorney under the acts providing for the settlement of private land claims in Florida, five thousand dollars;	Private land claims in Florida.
For the support and maintenance of light houses, floating lights, beacons, buoys, and stakeages, including the purchase of lamps, oil, wicks, buffskins, whiting, and cotton cloth, transporting oil, &c., keepers' salaries, repairs, improvements, and contingent expenses, four hundred and thirty-one thousand nine hundred and eighty-seven dollars and twenty-six cents;	Support of lighthouses, &c.
For continuing the construction of the New Treasury Building, including the arrearages due for materials furnished, and labor performed	New Treasury building.

on the said building, certified by the Commissioner of public Buildings, to amount, on the fifteenth [of] April, eighteen hundred and forty, to the sum of fifty-three thousand one hundred and ninety-four dollars and six cents, one hundred and five thousand dollars;

New Patent  
Office building.

For continuing the construction of the New Patent office Building, including the arrearages due for materials furnished, and labor performed on the said building, certified by the Commissioner of the Public Buildings, to amount, on the fifteenth of April, eighteen hundred and forty, to the sum of forty-two thousand four hundred and eighty-one dollars and eighty-three cents, one hundred thousand dollars;

New General  
Post Office  
building.  
Capitol.

For continuing the construction of the New General Post Office Building, one hundred and twenty-five thousand dollars;

For alterations and repairs of the Capitol, and incidental expenses, fifteen hundred and fifty-one dollars;

Grounds  
around Capitol.

For lighting lamps, purchasing trees, shrubs, and compost, for keeping in order the public grounds around the Capitol, the iron water pipes, and wooden fences, six thousand eight hundred and sixty dollars;

Attendance at  
western gates.

For attendance at the western gates of the Capitol, five hundred and forty-seven dollars and fifty cents;

Gardener.

For salary of the principal gardener, twelve hundred dollars;

President's  
house, &c.

For alterations and repairs of the President's house and furniture, for purchasing trees, shrubs, [and] compost, and for superintendence of the grounds, three thousand six hundred and sixty-five dollars;

Paintings for  
the Capitol.

For payments to the artists engaged in executing four historical paintings for the vacant panels of the rotundo of the Capitol, eight thousand dollars: *Provided*, the paintings are in such a state of progress as in reference to the whole sum to be paid to the artists respectively, for their execution, shall, in the opinion of the President of the United States, render it proper to make such payments;

Statues for the  
Capitol.

For payment of Luigi Persico, and Horatio Greenough, for statues to adorn the two blockings, east front of the Capitol, eight thousand dollars: *Provided*, that the work is in such state of progress as in reference to the whole sum to be paid to the artists respectively, for their execution, shall, in the opinion of the President of the United States, render it proper to make such payments;

Penitentiary  
of D. C.

For the support and maintenance of the penitentiary of the District of Columbia, fourteen thousand five hundred and three dollars and fifty cents;

Sixth census.

For payment of the expenses of the sixth census, including the enumeration and returns, necessary blanks, clerical services, &c., seven hundred and forty thousand dollars;

Surveying  
public lands.

For surveying the public lands, to be apportioned to the several surveying districts, according to the exigencies of the public service, in addition to the unexpended balance of appropriations, two hundred and fifteen thousand dollars;

Closing sur-  
veys in Missis-  
sippi.

For closing the surveys of the public lands in the State of Mississippi, chiefly relinquished contracts, at a rate not exceeding eight dollars per mile for township lines, eighteen thousand six hundred and forty dollars;

Retracing cer-  
tain old surveys  
in Mississippi.

For retracing certain old surveys in the State of Mississippi, at a rate not exceeding six dollars per mile for section lines, and eight dollars per mile for township lines, seventeen thousand two hundred dollars;

Completing  
surveys in Flo-  
rida.

For completing the surveys of unfinished portions of townships, islands, lakes, &c., in Florida, at a price not exceeding five dollars per mile, ten thousand dollars;

Surveying, &c.  
in Louisiana.

For surveying in the State of Louisiana, at a rate not exceeding eight dollars per mile, and to be applied, if hereafter found expedient, for retracing and correcting certain old surveys, in said State, ten thousand dollars;

For completing the custom-house building at New York, one hundred and eighteen thousand seven hundred and forty-three dollars;

Custom-house at New York.

For the construction of a new custom-house at Boston, one hundred and twenty-one thousand dollars;

Custom-house at Boston.

For repairing the public works at Staten Island, twenty-nine thousand seven hundred and twenty dollars;

Public works at Staten island.

For repairs of the custom-house building at New Bedford, five hundred dollars;

Custom-house at N. Bedford.

For repairs of the custom-house building at New London, one thousand seven hundred dollars;

Custom-house at N. London.

For repairs of the marine hospital at Norfolk, four thousand dollars;

Marine hospital at Norfolk.

For the payment of expenses incurred by the collector of New York, under the act of seventh July, eighteen hundred and thirty-eight, to remit the duties upon certain goods destroyed by fire at the late conflagration at the city of New York, one thousand three hundred and fifty dollars;

Expenses under act to remit certain duties, 1838, ch. 174.

For salaries of the Ministers of the United States to Great Britain, France, Spain, Russia, Prussia, Austria, and Mexico, sixty-three thousand dollars: *Provided*, That the sum of nine thousand dollars, or such part thereof as may be necessary, may be applied to the outfit and salary of a Charge d'Affaires to Spain in lieu of a Minister;

Ministers.

For salaries of the Secretaries of Legation to the same places, four thousand dollars;

Secretaries of legation.

For salary of the Minister Resident of the United States to Turkey, six thousand dollars;

Minister to Turkey.

For salaries of the Charges des Affaires to Portugal, Denmark, Sweden, Holland, Belgium, Brazil, Chili, Peru, New Granada, Venezuela, Texas, Naples, and Sardinia, fifty-eight thousand five hundred dollars;

Chargés des affaires.

For contingent expenses of all the Missions abroad, thirty thousand dollars;

Expenses of missions.

For outfits for a Minister to Russia, and of Charge d'Affaires to Sardinia, thirteen thousand five hundred dollars.

Outfits.

For salaries of the Consuls of the United States at London and Paris, four thousand dollars; and twelve thousand dollars for the expenses and salaries of diplomatic agents to be employed under the direction of the President of the United States, in attending to the Tobacco interest of the United States, in Europe;

Consuls at London and Paris.

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

Tobacco agents.

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

Relief, &c. of Am. seamen.

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

Office of consul at London. 1836, ch. 2.

For salary of the principal and two assistant Librarians, pay of the messenger, and for contingent expenses of the Library, four thousand three hundred and eighty-seven dollars and fifty cents;

Consulates in Turkish dominions.

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

Library of Congress.

For compensation to William Gibbs McNeill, being an excess of expenditure over and above the appropriation for surveys made under his direction of the East pass of the Appalachicola Bay, one hundred and fifty dollars and twenty-nine cents;

Purchase of books.

W.G. McNeill.

For the payment of certain certificates, being part of the balance of a former appropriation for that object, carried to the surplus fund, December thirty-first, eighteen hundred and thirty-nine, fifty dollars;

Payment of certificates.

For the service of the General Post Office, for the year eighteen hundred and forty, in conformity to the act of second of July, eighteen hun-

General Post Office.

1836, ch. 270.  
 Transportation. For transportation of the mail, three millions five hundred and twenty thousand dollars; viz :  
 Compensation of postmasters. For compensation of Postmasters, one million and ninety-seven thousand dollars;  
 Ship letters, &c. For ship, steamboat, and way letters, forty-three thousand dollars;  
 Wrapping paper. For wrapping-paper, twenty-five thousand dollars;  
 Office furniture. For office furniture, five thousand dollars;  
 Advertising. For advertising, thirty-six thousand dollars;  
 Mail bags. For mail-bags, forty-six thousand dollars;  
 Blanks. For blanks, thirty-three thousand dollars;  
 Mail locks, &c. For mail locks, keys, and stamps, twelve thousand dollars;  
 Mail depredations, &c. For mail depredations, and special agents, twenty-two thousand dollars;  
 Clerks. For clerks for offices, two hundred and twenty thousand dollars;  
 Miscellaneous. For miscellaneous, sixty-seven thousand dollars: *Provided*, That the President and the Postmaster General shall have the same power to transfer funds from one to another head of appropriation, between the foregoing appropriations, made for the service of the General Post Office, as the President and any other head of an Executive Department now have to transfer funds appropriated under one head to the service of another, in any other branch of the public service.  
 APPROVED, May 8, 1840.

STATUTE I.

May 8, 1840.

CHAP. XXIII.—*An Act for altering the time of holding the District Court of the United States for the Western District of Pennsylvania, at Williamsport.*

Term of U. S. Dist. Court for western dist. of Pennsylvania, altered.  
 Act of July 27, 1842, ch. 68.  
*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the term of the District Court of the United States for the Western District of Pennsylvania, which is now directed by law to be holden at Williamsport, in the county of Lycoming on the first Mondays of June and October in each year, shall be hereafter holden on the third Mondays of June and October in each year.

Process.

SEC. 2. *And be it further enacted*, That the first session of the District Court to be held at Williamsport after the passage of this act shall be on the third Monday of June one thousand eight hundred and forty.

SEC. 3. *And be it further enacted*, That all process which may have issued, or which may hereafter issue at Williamsport returnable to June term, as heretofore established, shall be held returnable, and be returned, to the terms as changed by this act.

APPROVED, May 8, 1840.

STATUTE I.

May 27, 1840.

CHAP. XXV.—*An Act to revive an act authorizing certain soldiers in the late war to surrender the bounty lands drawn by them and to locate others in lieu thereof, and for other purposes.*

Act of 22d May 1826, ch. 147, revived and continued for five years.  
 Act of Jan. 27, 1835, ch. 6.  
*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the act of the twenty-second of May, one thousand eight hundred and twenty-six, entitled "An act authorizing certain soldiers in the late war to surrender the bounty lands drawn by them, and to locate others in lieu thereof," be, and the same is hereby, revived and continued in force for the term of five years; and the provisions of the above recited act shall be, and are hereby, extended to those having like claims in the States of Illinois and Missouri.

APPROVED, May 27, 1840.

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

STATUTE I.

May 27, 1840.

[Expired.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act entitled "An act 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, revived, extended and continued in force for three years from and after the passage of this act, and until the cases then pending shall be determined for the purpose of finally disposing of such cases, but for no other purpose.

Acts of the 2d March 1831, ch. 62; 14th July 1832, ch. 230; and 7th June 1834, ch. 45, revived and extended. 1843, ch. 20.

SEC. 2. *And be it further enacted,* That the provisions of the said several acts shall apply to cases of insolvency, which shall have occurred on or before the passage of this act, or shall occur during the said three years.

Cases which have occurred or may occur before the end of three years. Satisfaction to be entered of record upon all judgments against debtors who have been released. Proviso.

SEC. 3. *And be it further enacted,* That the Secretary of the Treasury shall be authorized to cause satisfaction to be entered of record upon all judgments against any debtor or debtors who may have heretofore been released under the provision of any of the acts which are extended, continued and revived by this act, or who may hereafter be released by the said acts: *Provided,* The district judge in the district in which such judgments are on record, shall certify that it has not been made to appear to the satisfaction of the said district judge, by evidence submitted to him by the district attorney of the United States, that the debtor is possessed of or entitled to any property which was not disclosed and set forth to the commissioners of insolvency at the time of the examination of such debtor, under his, her, or their petition, to be released from his, her, or their indebtedness to the United States. Every application for such certificate shall be made to a judge at Chambers, and ten days' previous notice shall be given to the district attorney for the district wherein the said application is made, together with copies of all the papers on which such application shall be made. And so much of the said recited acts, or either of them, as is inconsistent herewith, or is hereby altered or supplied, be, and the same hereby is, repealed.

So much of the above recited acts as is inconsistent herewith, repealed.

APPROVED, May 27, 1840.

STATUTE I.

May 27, 1840.

CHAP. XXVII.—*An Act authorizing Sippican and Mattapoisett, within the township of Rochester, in the State of Massachusetts, to be known hereafter as ports under those names.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Sippican and Mattapoisett, harbors within the township of Rochester, in the State of Massachusetts, be hereafter respectively known as ports under those names within the collection district of New Bedford; and that the respective inhabitants thereof be authorized to describe as the law requires their vessels as belonging to the respective places instead of Rochester.

Sippican and Mattapoisett to be known as ports, &c.

APPROVED, May 27, 1840.

(a) See notes to the act of March 2, 1831, chap. 62.

## STATUTE I.

June 1, 1840.

Act of June 22, 1838, ch. 119.

In cases of residence on one quarter section, and cultivation of land on another.

In cases of improvements made by one person, and leased or rented to another.

Certain lands not surveyed, &c.

Persons who settled on any public land before its selection by any State for a seminary of learning.

The act of 22d June 1838, ch. 119, continued till 22d June 1842.

Right of pre-emption extended.

1838, ch. 119.

CHAP. XXXII.—*An Act supplemental to the act entitled "An act to grant pre-emption rights to settlers on the public lands," approved June twenty-second, eighteen hundred and thirty-eight.* (a)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in all cases where a settler on the public lands may reside, or have his dwelling-house upon one quarter section, and cultivate land on another and different quarter section, such settler may make his election under the act to which this is a supplement, to enter either of said quarter sections, or legal subdivisions of each, so as not to exceed one quarter section in all.

SEC. 2. *And be it further enacted,* That in all cases where an individual may have made an improvement on the public land, and had afterward leased or rented such improvement to another person, who was in possession of the same on the twenty-second of June, eighteen hundred and thirty-eight, and for the period of four months next preceding, or when the lessor and lessee, together, occupied such improvement during said four months, the person who made such improvement, and so rented or leased the same, shall be entitled to the right of pre-emption, notwithstanding he may have been out of possession of his improvement during said four months, or any part thereof.

SEC. 3. *And be it further enacted,* That every settler on the public lands, which were not surveyed at the passage of the act to which this is a supplement, and who, since the survey of such public lands has been ascertained to have resided at the date of said act, and for four months preceding, on a sixteenth section, set apart for the support of schools in any township, shall be entitled to enter at the minimum price any other quarter section of the public lands lying in the same land district, to which no other person has the right of pre-emption, on making satisfactory proof of his or her residence as aforesaid on such sixteenth section, before the register and receiver of the land office of said district.

SEC. 4. *And be it further enacted,* That every person who may have been a settler, within the meaning of the act to which this is a supplement, on any public land before its selection by any State for the purposes of a seminary of learning, under any act of Congress authorizing such selection, on satisfactory proof of the facts before the register and receiver of the district in which his improvements were situated, shall be permitted to enter at the minimum price, any other quarter section lying in the same land district, to which no other person has the right of pre-emption.

SEC. 5. *And be it further enacted,* That the "Act to grant pre-emption rights to settlers on the public lands," approved, June twenty-second, eighteen hundred and thirty-eight, be, and the same is hereby, continued in full force till the twenty-second day of June, eighteen hundred and forty-two; and the right of pre-emption, under its provisions, shall be, and hereby is, extended to all settlers on the public lands at the date of this act, with the same exceptions, whether general or special, and subject to all the limitations and conditions contained in the above-recited act, and with the explanatory provisions of the preceding sections of this act; and nothing in the last proviso of the act of the twenty-second of June, eighteen hundred and thirty-eight, shall be so construed as to defeat any right of pre-emption accruing under said act, or under this act, or under any preceding act of Congress, nor shall said pre-emption claims be defeated by any contingent Choctaw location.

APPROVED, June 1, 1840.

(a) See notes of the acts which have been passed relative to pre-emptions of public lands; act of May 29, 1830, chap. 208.



CHAP. XXXIV.—*An Act to carry into effect a convention between the United States and the Mexican Republic.*

STATUTE I.

June 12, 1840.

[Obsolete.]  
1841, ch. 14.

Board of Commissioners to decide in claims under Convention with Mexico.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States, by and with the advice and consent of the Senate, shall appoint two commissioners, who, together with two commissioners to be appointed by the President of the Mexican Republic, shall form a board, whose duty it shall be to receive and examine all claims, which are provided for by the convention between the United States and the Mexican Republic, concluded at Washington on the eleventh day of April, one thousand eight hundred and thirty-nine, and which may be presented to said commissioners under the same, and to decide thereon according to the provisions of said convention, and the principles of justice, equity, and the law of nations.

SEC. 2. *And be it further enacted,* That the President of the United States, by and with the advice and consent of the Senate, shall appoint a Secretary to said commissioners, in behalf of the United States, versed in the English and Spanish languages.

Secretary to be appointed.

SEC. 3. *And be it further enacted,* That said commissioners on the part of the United States, in conjunction with the commissioners on the part of the Mexican Republic, shall be, and they are hereby, authorized to make all needful rules and regulations for conducting the business of their said commission, such rules and regulations not contravening the Constitution of the United States, the provisions of this act, or the provisions of said convention.

Commissioners authorized to make rules.

SEC. 4. *And be it further enacted,* That the compensation of the respective officers, for whose appointment provision is made by this act, shall not exceed the following sums, namely: To said commissioners, at the rate of three thousand dollars per annum for each; to the Secretary, at the rate of two thousand dollars per annum. And the President of the United States shall be, and he is hereby, authorized to make such provision for the contingent expenses of the said commission on the part of the United States, as shall to him appear to be reasonable and proper; and the said salaries and expenses, and likewise all that part of the salary and expenses of the arbiter under said convention which is required thereby to be defrayed by the United States, shall be paid out of any money in the Treasury not otherwise appropriated.

Compensation.

Contingent expenses.

Salary and expenses of the arbiter.

SEC. 5. *And be it further enacted,* That all communications to and from the Secretary of said commissioners appointed under this act, on the business of the commission, shall pass by mail free of postage.

Communications to and from Secretary to be free of postage.

SEC. 6. *And be it further enacted,* That so soon as said commission shall be executed and completed according to the provisions of said convention, the commissioners aforesaid shall report to the Secretary of State a list of all the several awards made by them; and the records, documents, and all other papers, in the possession of the commission or its officers, or certified copies or duplicates thereof, shall be deposited in the office of the Secretary of State.

The awards of Commissioners to be reported to Sec. of State.

SEC. 7. *And be it further enacted,* That the Secretary of State shall transmit to the Secretary of the Treasury a certified copy of the report of said commissioners, or of the award of the arbiter or umpire, as provided by said convention to be made in case of the disagreement of said commissioners; and the Secretary of the Treasury shall cause certificates to be issued, in such form as he may prescribe, showing the amount or proportion of compensation to which each person, in whose favor award shall have been made by said commissioners or umpire, may be entitled as against the Mexican Government on account of the claims provided for by said convention.

Sec. of State to transmit to Sec. of Treas. a certified copy of report of commissioners.

SEC. 8. *And be it further enacted,* That it shall be lawful for the

Remittance of the money from Mexico.

The appropriation thereof.

If Mexico, instead of paying the amount of the awards, issue Treasury notes therefor, Sec. of Treas. shall receive said notes.

Sec. of Treas., in the payment, to retain any money due to the U. S.

#### STATUTE I.

June 12, 1840.

Duty of registers and receivers to administer oaths.

Perjury.

No compensation, directly or indirectly, to be charged.

#### STATUTE I.

June 12, 1840.

1853, ch. 24.

Sec. of Treas. to take measures for the completion of certain surveys.

Secretary of the Treasury, and he is hereby authorized and required, to cause any moneys which may be paid by the Mexican Government in satisfaction of said awards, to be remitted on the most advantageous terms to the United States, and all moneys received under said convention, or by virtue of this act, shall be deposited in the Treasury of the United States, and the same are hereby appropriated to be distributed and paid to those entitled thereto according to the provisions of this act; and the Secretary of the Treasury shall distribute the same, in ratable proportions, among the persons aforesaid, according to the proportions which their respective awards shall bear to the whole amount received, and at such time or times as the same shall be received into the Treasury.

SEC. 9. *And be it further enacted*, That if the Mexican Government, in place of at once paying the amount of said awards, shall see fit to issue Treasury notes therefor as provided by said convention, then it shall be lawful for the Secretary of the Treasury, and he is hereby authorized and required, to receive the said Treasury notes, and to deliver the same to the persons who shall be respectively entitled thereto, in virtue of the awards made under said convention, and of the certificates issued as hereinbefore provided.

SEC. 10. *And be it further enacted*, That in the payment of money or the issue of certificates in virtue of this act, the Secretary of the Treasury shall first deduct and retain, or make reservation of, such sums of money, if any, as may be due the United States from persons in whose favor awards shall have been made under said convention.

APPROVED, June 12, 1840.

CHAP. XXXV.—*An Act to authorize registers and receivers to administer oaths required to be taken by purchasers of public land.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the register, or receiver, of any of the land offices of the United States shall be authorized, and it shall be the duty of said officers, to administer any oath or oaths, which now are or hereafter may be required by law, in connexion with the entry or purchase of any tract of land; and, if any person shall, knowingly and wilfully, swear falsely to any fact contained in any oath or affidavit so taken or made, he or she shall be deemed and held guilty of perjury, and shall, on conviction, suffer all the pains, penalties, and disabilities, which attach to said crime in other cases of perjury under the laws of the United States: *Provided*, That such land officers shall not, directly or indirectly, charge or receive any compensation for administering such oaths.

APPROVED, June 12, 1840.

CHAP. XXXVI.—*An Act for the discontinuance of the office of Surveyor General in the several districts, so soon as the surveys therein can be completed, for abolishing land offices under certain circumstances and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That it shall be the duty of the Secretary of the Treasury to take all the necessary measures for the completion of the surveys, in the several districts for which surveyors general have been, or may be, appointed, at the earliest periods compatible with the purposes contemplated by law; and whenever the surveys and records of any such district or State shall be completed, the surveyor general thereof shall be required to deliver over to the Secretary of State of the respective States, including such surveys, or such other officer as may be authorized to receive them, all the field notes, maps, records, and other papers, appertaining to land titles, with-

in the same; and the office of surveyor general, in every such district, shall thereafter cease and be discontinued.

SEC. 2. *And be it further enacted*, That whenever the quantity of public land remaining unsold in any land district shall be reduced to a number of acres less than one hundred thousand, it shall be the duty of the Secretary of the Treasury to discontinue the land office of such district; and if any land, in any such district, shall remain unsold at the time of the discontinuance of a land office, the same shall be subject to sale at some one of the existing land offices most convenient to the district in which the land office shall have been discontinued, of which the Secretary of the Treasury shall give notice.

Certain land offices to be discontinued.

Post, p. 455.

APPROVED, June 12, 1840.

CHAP. XXXVII.—*An Act concerning prisoners of the United States committed to the gaol in the County of Providence and State of Rhode Island.*

STATUTE I.

June 12, 1840.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all prisoners committed to the present gaol in the County of Providence and State of Rhode Island under the authority of the United States, shall be kept until discharged by due course of the laws thereof under the like restrictions and penalties as in the case of prisoners committed to said gaol under the authority of said State of Rhode Island.

The prisoners of the U. S. to be kept under the like restrictions as those of Rhode Island.

APPROVED, June 12, 1840.

CHAP. XXXIX.—*An Act making provision for the payment of pensions to the executors or administrators of deceased pensioners in certain cases.*

STATUTE I.

June 19, 1840.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in case any male pensioner shall die, leaving children, but no widow, the amount of pension due to such pensioner at the time of his death shall be paid to the executor or administrator on the estate of such pensioner, for the sole and exclusive benefit of the children, to be by him distributed among them in equal shares, and the same shall not be considered as a part of the assets of said estate, nor liable to be applied to the payment of the debts of said estate in any case whatever.

In case of a pensioner leaving children, but no widow.

SEC. 2. *And be it further enacted*, That in case any pensioner who is a widow shall die, leaving children, the amount of pension due at the time of her death shall be paid to the executor or administrator for the benefit of her children, as directed in the foregoing section.

In case of a pensioner who is a widow leaving children.

SEC. 3. *And be it further enacted*, That in case of the death of any pensioner, whether male or female, leaving children, the amount of pension may be paid to any one or each of them, as they may prefer, without the intervention of an administrator.

In case of any pensioner leaving children.

APPROVED, June 19, 1840.

CHAP. XLI.—*An Act to provide for the collection, safe keeping, transfer, and disbursement of the public revenue. (a)*

STATUTE I.

July 4, 1840.

1846, ch. 90.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there shall be prepared and provided, within the new Treasury building now erecting at the seat of Government, suitable and convenient rooms for the use of the Treasurer of the United States, his assistants and clerks: and sufficient and secure fire-proof vaults and safes for the keeping of the public moneys in the possession and under the immediate control of the said Treasurer; which said rooms, vaults, and safes, are hereby constituted

Rooms to be provided for the Treasurer, and vaults and safes for the public moneys.

(a) Repealed by act of August 13, 1841, chap. 7.

and declared to be, the Treasury of the United States. And the said Treasurer of the United States shall keep all the public moneys which shall come to his hands in the Treasury of the United States, as hereby constituted, until the same are drawn therefrom according to law.

U.S. Mint, and the branch mint at N. Orleans, to be places of deposite.

SEC. 2. *And be it further enacted*, That the Mint of the United States, in the city of Philadelphia, in the State of Pennsylvania, and the Branch Mint, in the city of New Orleans, in the State of Louisiana, and the vaults and safes thereof, respectively, shall be places of deposite and safe keeping of the public moneys at those points respectively; and the Treasurer of the said Mint and Branch Mint respectively, for the time being, shall have the custody and care of all public moneys deposited within the same, and shall perform all the duties required to be performed by them, in reference to the receipt, safekeeping, transfer and disbursements of all such moneys, according to the provisions hereinafter contained.

Rooms to be provided in the custom-houses at N. York and Boston, for the receivers-general.

SEC. 3. *And be it further enacted*, That there shall be prepared and provided, within the custom-houses now erecting in the city of New York, in the State of New York, and in the city of Boston, in the State of Massachusetts, suitable and convenient rooms for the use of the receivers-general of public moneys, hereinafter directed to be appointed, at those places, respectively; and sufficient and secure fireproof vaults and safes for the keeping of the public moneys collected and deposited with them, respectively; and the receivers-general of public money, from time to time, appointed at those points, shall have the custody and care of the said rooms, vaults, and safes, respectively, and of all the public moneys deposited within the same; and shall perform all the duties required to be performed by them, in reference to the receipt, safekeeping, transfer, and disbursement of all such moneys, according to the provisions of this act.

Rooms to be provided for the receivers-general at Charleston and St. Louis.

SEC. 4. *And be it further enacted*, That there shall be erected, prepared, and provided, at the expense of the United States, at the city of Charleston, in the State of South Carolina, and at the city of St. Louis, in the State of Missouri, offices, with suitable and convenient rooms for the use of the receivers-general of public money hereinafter directed to be appointed at the places above named; and sufficient and secure fireproof vaults and safes for the keeping of the public money collected and deposited at those points respectively; and the said receivers-general, from time to time appointed at those places, shall have the custody and care of the said offices, vaults, and safes, so to be erected, prepared, and provided, and of all the public moneys deposited within the same; and shall perform all the duties required to be performed by them, in reference to the receipt, safekeeping, transfer, and disbursement of all such moneys, according to the provisions hereinafter contained.

Four receivers-general to be appointed. One at N. York, one at Boston, one at Charleston, and one at St. Louis.

SEC. 5. *And be it further enacted*, That the President shall nominate, and by and with the advice and consent of the Senate, appoint four officers, to be denominated "receivers-general of public money," which said officers shall hold their respective offices for the term of four years, unless sooner removed therefrom; one of which shall be located at the city of New York, in the State of New York; one other of which shall be located at the city of Boston, in the State of Massachusetts; one other of which shall be located at the city of Charleston, in the State of South Carolina; and the remaining one of which shall be located at the city of St. Louis, in the State of Missouri; and all of which said officers shall give bonds to the United States, with sureties according to the provisions hereinafter contained, for the faithful discharge of the duties of their respective offices.

All required to give bonds.

Officers charged with the custody of the public moneys—their duties.

SEC. 6. *And be it further enacted*, That the Treasurer of the United States, the treasurer of the Mint of the United States, the treasurers, and those acting as such, of the various Branch Mints, all collectors of the

customs, all surveyors of the customs acting also as collectors, all receivers-general of public moneys, all receivers of public moneys at the several land offices, and all post-masters, except as is hereinafter particularly provided, be, and they are hereby, required to keep safely, without loaning or using, all the public money collected by them, or otherwise at any time placed in their possession and custody, till the same is ordered by the proper department or officer of the Government to be transferred or paid out; and when such orders for transfer or payment are received, faithfully and promptly to make the same as directed, and to do and perform all other duties as fiscal agents of the Government, which may be imposed by this or any other acts of Congress, or by any regulation of the Treasury Department, made in conformity to law; and also to do and perform all acts and duties required by law, or by direction of any of the Executive Departments of the Government, as agents for paying pensions, or for making any other disbursements which either of the heads of those departments may be required by law to make, and which are of a character to be made by the depositaries hereby constituted, consistently with the other official duties imposed upon them.

SEC. 7. *And be it further enacted*, That the Treasurer of the United States, the Treasurer of the Mint of the United States, the Treasurer of the Branch Mint at New Orleans, and the receivers-general of public money hereinbefore directed to be appointed, shall, respectively, give bonds to the United States, in such form, and for such amounts, as shall be directed by the Secretary of the Treasury, by and with the advice and consent of the President, with sureties to the satisfaction of the Solicitor of the Treasury; and shall, from time to time, renew, strengthen, and increase their official bonds, as the Secretary of the Treasury, with the consent of the President, may direct; any law in reference to any of the official bonds of any of the said officers to the contrary notwithstanding.

Bonds to be given by the Treasurers and receivers-general, &c.

SEC. 8. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, at as early a day as possible after the passage of this act, to require from the several depositaries hereby constituted, and whose official bonds are not hereinbefore provided for, to execute bonds new and suitable in their terms to meet the new and increased duties imposed upon them respectively by this act, and with sureties, and in sums such as shall seem reasonable and safe to the Solicitor of the Treasury, and from time to time to require such bonds to be renewed and increased in amount and strengthened by new sureties, to meet any increasing responsibility which may grow out of accumulations of money in the hands of the depositary, or out of any other duty or responsibility arising under this or any other law of Congress.

Bonds to be given by the other depositaries constituted by this act.

Bonds may be renewed, &c.

SEC. 9. *And be it further enacted*, That all collectors and receivers of public money, of every character and description, within the District of Columbia, shall, as frequently as they may be directed by the Secretary of the Treasury, or the Postmaster General, so to do, pay over to the Treasurer of the United States at the Treasury thereof, all public moneys collected by them, or in their hands; that all such collectors and receivers of public moneys within the cities of Philadelphia and New Orleans, shall, upon the same direction, pay over to the Treasurers of the Mints in their respective cities, at the said mints, all public moneys collected by them, or in their hands; and that all such collectors and receivers of public moneys within the cities of New York, Boston, Charleston, and St. Louis, shall, upon the same direction, pay over to the receivers-general of public money in their respective cities, at their offices respectively, all the public moneys collected by them, or in their hands, to be safely kept by the said respective depositaries, until otherwise disposed of according to law; and it shall be the duty of the said Secretary and Postmaster General to direct such payments, by the said collectors and receivers, at all the said places, at least as often as once

Collectors and receivers of public money in the following places to pay over, when and to whom.

District of Columbia.  
Philadelphia  
and N. Orleans.

New York,  
Bost'n, Charles-  
ton, and St.  
Louis.

Payments at least once a week.

in each week, and as much more frequently, in all cases, as they, in their discretion, may think proper.

Sec. of Treas.  
authorized to  
make transfers  
of the public  
moneys.

SEC. 10. *And be it further enacted*, That it shall be lawful for the Secretary of the Treasury to transfer the moneys in the hands of any depositary hereby constituted, to the Treasury of the United States; to the Mint at Philadelphia; to the Branch Mint at New Orleans; or to the offices of either of the receivers-general of public moneys, by this act directed to be appointed; to be there safely kept, according to the provisions of this act; and also to transfer moneys in the hands of any one depositary constituted by this act to any other depositary constituted by the same, at his discretion, and as the safety of the public moneys, and the convenience of the public service shall seem to him to require; which authority to transfer the moneys belonging to the Post Office Department is also hereby conferred upon the Postmaster General, so far as its exercise by him may be consistent with the provisions of existing laws; and every depositary constituted by this act shall keep his account of the money paid to, or deposited with, him, belonging to the Post Office Department, separate and distinct from the account kept by him of other public moneys so paid or deposited. And for the purpose of payments on the public account, it shall be lawful for the Treasurer of the United States to draw upon any of the said depositaries, as he may think most conducive to the public interests, or to the convenience of the public creditors, or both.

Postmaster  
Gen. authorized  
to make trans-  
fers of moneys  
belonging to  
Post Office De-  
partment.

Treasurer may  
draw on any de-  
positary.

Moneys in the  
hands of deposi-  
taries.

SEC. 11. *And be it further enacted*, That the moneys in the hands, care, and custody, of any of the depositaries constituted by this act, shall be considered and held as deposited to the credit of the Treasurer of the United States, and shall be, at all times, subject to his draft, whether made for transfer or disbursement, in the same manner as though the said moneys were actually in the Treasury of the United States; and each depositary shall make returns to the Treasury and Post Office Department of all moneys received and paid by him, at such times, and in such form, as shall be directed by the Secretary of the Treasury or the Postmaster General.

Depositaries to  
make returns,  
&c.

Examinations  
to be made of  
the books, &c.

SEC. 12. *And be it further enacted*, That the Secretary of the Treasury shall be, and he is hereby, authorized to cause examinations to be made of the books, accounts, and money on hand, of the several depositaries constituted by this act; and for that purpose to appoint special agents, as occasion may require, with such compensation as he may think reasonable, to be fixed and declared at the time of each appointment. The agents selected to make these examinations shall be instructed to examine as well the books, accounts, and returns of the officer, as the money on hand, and the manner of its being kept, to the end that uniformity and accuracy in the accounts, as well as safety to the public moneys may be secured thereby.

Special agents  
may be appoint-  
ed.

Additional ex-  
aminations to  
be made—how.

SEC. 13. *And be it further enacted*, That in addition to the examinations provided for in the last preceding section, and as a further guard over the public moneys, it shall be the duty of each naval officer and surveyor, as a check upon the receiver-general of public moneys, or collector of the customs, of their respective districts; of each register of a land office, as a check upon the receiver of his land office; and of the director and superintendent of each Mint and Branch Mint when separate offices, as a check upon the Treasurers, respectively, of the said Mints, or the persons acting as such, at the close of each quarter of the year, and as much more frequently as they shall be directed by the Secretary of the Treasury to do so, to examine the books, accounts, returns, and money on hand, of the receivers-general of public money, collectors, receivers of land offices, treasurers, and persons acting as such, and to make a full, accurate, and faithful return to the Treasury Department of their condition.

SEC. 14. *And be it further enacted*, That the said officers respectively, whose duty it is made by this act to receive, keep, and disburse the public moneys, as the fiscal agents of the Government, may be allowed any necessary additional expenses for clerks, fireproof chests, or vaults, or other necessary expenses of safekeeping, transferring, and disbursing said moneys: all such expenses of every character to be first expressly authorized by the Secretary of the Treasury, whose directions upon all the above subjects, by way of regulation and otherwise, so far as authorized by law, are to be strictly followed by all the said officers: *Provided*, That the whole number of clerks to be appointed by virtue of this section of this act, shall not exceed ten, and that the aggregate compensations of the whole number shall not exceed eight thousand dollars, nor shall the compensation of any one clerk, so appointed, exceed eight hundred dollars per annum.

Necessary expenses for clerks, fireproof chests, &c. allowed.

Proviso.

SEC. 15. *And be it further enacted*, That the Secretary of the Treasury shall, with as much promptitude as the convenience of the public business, and the safety of the public funds will permit, withdraw the balances remaining with the present depositaries of the public moneys, and confine the safekeeping, transfer, and disbursement of those moneys to the depositaries established by this act.

The balances remaining with the present depositaries to be withdrawn.

SEC. 16. *And be it further enacted*, That all marshals, district attorneys, and others, having public money to pay to the United States, and all patentees, wishing to make payment for patents to be issued, may pay all such moneys to the Treasurer of the United States, at the Treasury, to the Treasurer of either of the Mints, in Philadelphia or New Orleans, to either of the receivers-general of public money, or to such other depositary constituted by this act as shall be designated by the Secretary of the Treasury, in other parts of the United States, to receive such payments, and give receipts or certificates of deposit therefor.

Payments of public money to the U. S. and payments for patents—to whom to be made.

SEC. 17. *And be it further enacted*, That all officers charged by this act with the safekeeping, transfer, and disbursement of the public moneys, other than those connected with the Post Office Department, are hereby required to keep an accurate entry of each sum received, and of the kind of money in which it is received, and of each payment or transfer, and of the kind of currency in which it is made; and that if any one of the said officers, or of those connected with the Post Office Department, shall convert to his own use, in any way whatever, or shall use by way of investment in any kind of property or merchandise, or shall loan, with or without interest, any portion of the public moneys intrusted to him for safekeeping, disbursement, transfer, or for any other purpose, every such act shall be deemed and adjudged to be an embezzlement of so much of the said moneys as shall be thus taken, converted, invested, used, or loaned, which is hereby declared to be a felony, and any officer or agent of the United States, and all persons advising or participating in such act, being convicted thereof before any court of the United States of competent jurisdiction, shall be sentenced to imprisonment for a term of not less than six months nor more than five years, and to a fine equal to the amount of the money embezzled.

Entries required to be made of public moneys, other than those connected with the Post Office Department.  
Felony.

SEC. 18. *And be it further enacted*, That until the rooms, offices, vaults, and safes, directed by the first four sections of this act to be constructed and prepared for the use of the Treasurer of the United States, the Treasurers of the Mints at Philadelphia and New Orleans, and the receivers-general of public money at New York, Boston, Charleston, and St. Louis, can be constructed and prepared for use, it shall be the duty of the Secretary of the Treasury to procure suitable rooms for offices for those officers at their respective locations, and to contract for such use of vaults and safes as may be required for the

Other rooms to be procured.

safekeeping of the public moneys in the charge and custody of those officers respectively, the expense to be paid by the United States.

Duties, how  
to be paid, &c.

SEC. 19. *And be it further enacted*, That from and after the thirtieth day of June, which will be in the year one thousand eight hundred and forty, the resolution of Congress of the thirtieth day of April, in the year one thousand eight hundred and sixteen, so far as it authorizes the receipt in payment of duties, taxes, sales of public lands, debts, and sums of money, accruing or becoming payable to the United States, to be collected and paid in the notes of specie-paying banks, shall be so modified as that one fourth part of all such duties, taxes, sales of public lands, debts, and sums of money accruing or becoming due to the United States, shall be collected in the legal currency of the United States; and from and after the thirtieth day of June, which will be in the year one thousand eight hundred and forty-one, one other fourth part of all such duties, taxes, sales of public lands, debts, and sums of money, shall be so collected; and that from and after the thirtieth day of June, which will be in the year one thousand eight hundred and forty-two, one other fourth part of all such duties, taxes, sales of public lands, debts and sums of money, shall be so collected; and that from and after the thirtieth day of June, which will be in the year one thousand eight hundred and forty-three, the remaining fourth part of the said duties, taxes, sales of public lands, debts, and sums of money, shall be also collected in the legal currency of the United States; and from and after the last-mentioned day, all sums accruing, or becoming payable to the United States, for duties, taxes, sales of public lands, or other debts, and also all sums due for postages, or otherwise, to the General Post Office Department, shall be paid in gold and silver only.

All payments  
on account of  
U. S. to be in  
gold and silver  
only.

Violations of  
this and the pre-  
ceding section.

SEC. 20. *And be it further enacted*, That from and after the thirtieth day of June, which will be in the year one thousand eight hundred and forty-three, every officer or agent engaged in making disbursements on account of the United States, or of the General Post Office, shall make all payments in gold and silver coin only; and any receiving or disbursing officer, or agent, who shall neglect, evade, or violate, the provisions of this and the last preceding section of this act, shall, by the Secretary of the Treasury, be immediately reported to the President of the United States, with the facts of such neglect, evasion, or violation, and also to Congress, if in session, and, if not in session, at the commencement of its session next after the violation takes place.

No exchange  
of funds to be  
made except for  
gold and silver.

SEC. 21. *And be it further enacted*, That no exchange of funds shall be made by any disbursing officers, or agents, of the Government, of any grade or denomination whatsoever, or connected with any branch of the public service, other than an exchange for gold and silver; and every such disbursing officer, when the means for his disbursements are furnished to him in currency legally receivable under the provisions of this act, shall make his payments in the currency so furnished, or when those means are furnished to him in drafts, shall cause those drafts to be presented at their place of payment and properly paid according to the law, and shall make his payments in the currency so received for the drafts furnished, unless, in either case, he can exchange the means in his hands for gold and silver at par, and so as to facilitate his payments, or otherwise accommodate the public service and promote the circulation of a metallic currency: And it shall be, and is hereby made, the duty of the head of the proper department immediately to suspend from duty any disbursing officer who shall violate the provisions of this section, and forthwith to report the name of the officer, or agent, to the President, with the fact of the violation and all the circumstances accompanying the same and within the knowledge of the said Secretary, to the end that such officer, or agent, may be promptly removed from

Officers viola-  
ting this section  
to be suspend-  
ed, &c.



office, or restored to his trust and the performance of his duties, as to the President may seem just and proper.

SEC. 22. *And be it further enacted*, That it shall not be lawful for the Secretary of the Treasury to make or continue in force, any general order, which shall create any difference between the different branches of revenue, as to the funds or medium of payment, in which debts or dues accruing to the United States may be paid.

To be no difference betw'n the funds receivable.

SEC. 23. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to issue and publish regulations to enforce the speedy presentation of all Government drafts for payment at the place where payable, and to prescribe the time, according to the different distances of the depositories from the seat of Government, within which all drafts upon them, respectively, shall be presented for payment; and, in default of such presentation, to direct any other mode and place of payment which he may deem proper; but in all those regulations and directions, it shall be the duty of the Secretary of the Treasury to guard, as far as may be, against those drafts being used or thrown into circulation, as a paper currency, or medium of exchange.

Measures to be taken to enforce the speedy presentation of government drafts for payment, &c.

SEC. 24. *And be it further enacted*, That the receivers-general of public moneys directed by this act to be appointed, shall receive, respectively, the following salaries, per annum, to be paid quarter-yearly, at the Treasury of the United States, to wit: the receiver-general of public money at New York shall be paid a salary of four thousand dollars per annum; the receiver-general of public money at Boston shall be paid a salary of two thousand five hundred dollars per annum; the receiver-general of public money at Charleston shall be paid a salary of two thousand five hundred dollars per annum; and the receiver-general of public money at St. Louis shall be paid a salary of two thousand five hundred dollars per annum; the treasurer of the Mint at Philadelphia shall, in addition to his present salary, receive five hundred dollars, annually, for the performance of the duties imposed by this act; the treasurer of the branch Mint at New Orleans shall also receive one thousand dollars, annually, for the additional duties created by this act; and these salaries, respectively, shall be in full for the services of the respective officers, nor shall either of them be permitted to charge, or receive, any commission, pay, or perquisite, for any official service, of any character or description whatsoever; and the making of any such charge, or the receipt of any such compensation, is hereby declared to be a misdemeanor, for which the officer convicted thereof, before any court of the United States of competent jurisdiction, shall be subject to punishment by fine, or imprisonment, or both, at the discretion of the court before which the offence shall be tried.

Salaries of receivers-general.

Of the treas'r of the mint.

Of the treas'r of branch mint at N. Orleans.

A misdemeanor to charge or receive any commission, &c. for official service.

SEC. 25. *And be it further enacted*, That the Treasurer of the United States be, and he is hereby, authorized to receive at the Treasury, and at such other points as he may designate, payments in advance for public lands, the payments so made in all cases, to be evidenced by the receipt of the said Treasurer of the United States; which receipts so given shall be receivable for public lands, at any public or private sale of lands, in the same manner as the currency authorized by law to be received in payment for the public lands: *Provided, however*, That the receipts given by the treasurer of the United States, pursuant to the authority conferred in this section, shall not be negotiable or transferable, by delivery, or assignment, or in any other manner whatsoever, but shall, in all cases, be presented in payment for lands by or for the person to whom the receipt was given, as shown upon its face.

Treasurer authorized to receive payments in advance for public lands.

Proviso.

SEC. 26. *And be it further enacted*, That for the purchase of sites, and for the construction of the offices of the receivers-general of public money, by this act directed to be erected at Charleston, South Carolina, and at St. Louis, Missouri, there shall be, and hereby is, appropriated,

Appropriation for purchase of sites, and construction of offices.

Proviso.

to be paid out of any money in the Treasury not otherwise appropriated, the sum of ten thousand dollars, to be expended under the direction of the Secretary of the Treasury, who is hereby required to adopt plans for the said offices, and the vaults and safes connected therewith, and to cause the same to be constructed and prepared for use with as little delay as shall be consistent with the public interests, and the convenient location and security of the buildings to be erected: *Provided, however*, That if the Secretary of the Treasury shall find upon inquiry and examination, that suitable rooms for the use of the receiver-general at Charleston can be obtained in the custom-house now owned by the United States at that place, and that secure vaults and safes can be constructed in that building for the safekeeping of the public money, then he shall cause such rooms to be prepared and fitted up, and such vaults and safes to be constructed in the custom-house at Charleston, and no independent office shall be there erected.

Appropriation for expenses.

SEC. 27. *And be it further enacted*, That, for the payment of the expenses authorized by this act, other than those herein before provided for, a sufficient sum of money be, and the same is hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated.

Acts, &c. conflicting with this, repealed.

SEC. 28. *And be it further enacted*, That all acts or parts of acts which come in conflict with the provisions of this act be, and the same are hereby, repealed.

APPROVED, July 4, 1840.

STATUTE I.

July 4, 1840.

Act of Jan. 18, 1839, ch. 3.  
Act of June 18, 1838, ch. 118.

CHAP. XLII.—*An Act to amend an act approved the eighteenth of January eighteen hundred and thirty-nine, entitled "An act to amend an act entitled 'An act to require the judge of the district of East and West Tennessee to hold a court at Jackson in said State,' approved June the eighteenth, eighteen hundred and thirty-eight," and for other purposes.* (a)

Two terms to be held annually.

*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 Monday in April, eighteen hundred and forty, there shall be two terms of said court held annually by the district judge at Jackson, on the second Monday in December next, and the second Monday in June then following; and the rule days of said court for the return of process and filing of pleadings shall be held on the second Monday of September and March, in each and every year.

7th sec. act of 18th Jan. 1839, ch. 3, repealed.

SEC. 2. *And be it further enacted*, That the seventh section of the act which this is intended to amend, be, and the same is hereby, repealed.

An additional term of the circuit court to be held in Knoxville.

SEC. 3. *And be it further enacted*, That an additional term of the circuit court of the United States shall be holden in Knoxville, in East Tennessee, on the third Monday in April in each and every year, which said term shall be held by the district judge; and should any difficult point of law arise, at said April term, in any cause or matter of controversy in said court, the said district judge may, at his discretion, adjourn the same over to the next term.

The judge may adjourn a cause to next term.

APPROVED, July 4, 1840.

STATUTE I.

July 4, 1840.

CHAP. XLIII.—*An Act in addition to the acts respecting the judicial system of the United States.* (b)

Adjournment of the court.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, whenever it shall so happen that neither of the judges of a circuit court of the United States shall attend at the commencement of a session of the said court, or at

(a) See vol. 2, 273.

(b) An act concerning the Supreme Court of the United States, June 17, 1844, chap. 96.

the time appointed on any adjournment thereof, to open and adjourn the said court in person, either of the said judges may, by a written order to the marshal, adjourn the court from time to time, as the case may require, to any time or times antecedent to the next stated term of the said court; and all suits, actions, writs, processes, recognizances, and other proceedings, pending in such court, or returnable to, or to be acted upon at such court, shall have day and be returnable to, and be heard, tried, and determined, at such adjournment or adjournments in the same manner and with the same effect as if the said court had been duly opened and held at the commencement of such session, or other day appointed therefor; and all persons bound or required to appear at the said court, either as jurymen, witnesses, parties, or otherwise, shall be bound and required to attend at such adjournment or adjournments accordingly.

Suits, actions, &c. not affected thereby.

Bound persons required to appear.

Special sessions.

Jurisdiction of the court at special sessions.

SEC. 2. *And be it further enacted*, That the presiding judge of any circuit court may, at his discretion, appoint special sessions thereof, to be held at the places where the stated sessions thereof are holden; at which special sessions it shall be competent for the said court to entertain jurisdiction of and to hear and decide all cases in equity, cases in error, or on appeal, issues of law, motions in arrest of judgment, motions for a new trial, and all other motions, and to award executions and other final process, and to do and transact all other business, and direct all other proceedings, in all causes pending in the circuit court, except trying any cause by a jury, in the same way and with the same force and effect as the same could or might be done at the stated sessions of such court.

SEC. 3. *And be it further enacted*, That writs of error shall lie to the Supreme Court from all judgments of a circuit court, in cases brought there by writs of error from the district court, in like manner and under the same regulations, limitations, and restrictions, as are now provided by law for writs of error to judgments rendered upon suits originally brought in the circuit court.

Writs of error.

SEC. 4. *And be it further enacted*, That judgments and decrees hereafter rendered in the circuit and district courts of the United States, within any State, shall cease to be liens on real estate or chattels real in the same manner and at like periods as judgments and decrees of the courts of such State now cease by law to be liens thereon; and the respective clerks of the United States courts in such State shall receive the like fees for making searches and certificates respecting such liens as are now allowed for like services to the clerks of the supreme court of such State; and the eighth, ninth, and tenth sections of the act entitled "An act to amend the act of the third of March, one thousand eight hundred and thirty-seven, entitled 'An act supplementary to an act to amend the judicial system of the United States, and for other purposes,' passed March third, one thousand eight hundred and thirty-nine," are hereby repealed.

When and how judgments, &c. shall cease to be liens.

The 8th, 9th and 10th secs. act of 3d March 1839, ch. 81, repealed.

APPROVED, July 4, 1840.

STATUTE I.

July 4, 1840.

CHAP. XLIV.—*An Act to remove the land office from Chocchuma to Grenada, in the State of Mississippi.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the land office at Chocchuma, in the county of Tallahatchie, State of Mississippi, shall be removed to and located in the town of Grenada, in Yalabusha county, in said State; and it shall be the duty of the registers and the receivers of public money for said land office, within sixty days from and after the passage of this act, to remove the books, records, and whatever else belongs to said office, to the place of location, as herein provided for.

The registers and receivers to remove the books, &c. within sixty days.

APPROVED, July 4, 1840.

VOL. V.—50

## STATUTE I.

July 20, 1840.

Act of May 13,  
1800, ch. 61.Jurors of U.S.  
courts in each  
State to have  
like qualifica-  
tions, &c.  
1841, ch. 38.

CHAP. XLVII.—*An Act to amend the act, approved May thirteenth, eighteen hundred, entitled "An act to amend an act entitled 'An act to establish the judicial courts 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 jurors to serve in the courts of the United States, in each State respectively, shall have the like qualifications, and be entitled to the like exemptions, as jurors of the highest court of law of such State now have and are entitled to, and shall hereafter from time to time have and be entitled to, and shall be designated by ballot, lot, or otherwise, according to the mode of forming such juries now practised and hereafter to be practised therein, in so far as such mode may be practicable by the courts of the United States, or the officers thereof; and for this purpose, the said courts shall have power to make all necessary rules and regulations for conforming the designation and empannelling of juries, in substance, to the laws and usages now in force in such State; and further, shall have power, by rule or order, from time to time, to conform the same to any change in these respects which may be hereafter adopted by the Legislatures of the respective States for the State courts.

APPROVED, July 20, 1840.

## STATUTE I.

July 20, 1840.

Acts concern-  
ing consuls, vol.  
1, 254, 690;  
vol. 2, 203.Duplicate list  
of crew to be a  
fair copy, &c.Owners to ob-  
tain a true and  
certified copy of  
the shipping ar-  
ticles, &c.

CHAP. XLVIII.—*An Act in addition to the several acts regulating the shipment and discharge of seamen, and the duties of consuls.* (b)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* As follows:

First. The duplicate list of the crew of any vessel bound on a foreign voyage, made out pursuant to the act of February twenty-eighth, eighteen hundred and three, shall be a fair copy in one uniform handwriting, without erasure or interlineation.

Second. It shall be the duty of the owners of every such vessel to obtain from the collector of the customs of the district from which the clearance is made, a true and certified copy of the shipping articles, containing the names of the crew, which shall be written in a uniform hand, without erasures or interlineations.

(a) An act to amend an act entitled, "An act to amend the act approved May 13, 1800, entitled, 'An act to amend an act to establish the judicial system of the United States;'" March 3, 1841, chap. 38.

An act supplementary to an act, entitled "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;" March 19, 1842, chap. 7.

(b) The acts which have been passed relative to seamen in the United States, are:—

An act for the government and regulation of seamen in the merchant service; July 20, 1790, chap. 29.  
An act concerning certain fisheries of the United States and for the regulation and government of the fishermen employed therein; expired. February 16, 1792, chap. 6.

An act for the regulation of seamen on board the public and private vessels of the United States; March 3, 1813, chap. 42.

An act to continue in force "An act concerning certain fisheries of the United States, and for the regulation and government of the fishermen employed therein," and for other purposes as therein mentioned; April 12, 1800, chap. 22.

An act for the relief of sick and disabled seamen; July 16, 1798, chap. 77. May 3, 1802, chap. 51.

An act in addition to "An act for the relief of sick and disabled seamen;" March 2, 1799, chap. 36.

An act concerning consuls and vice-consuls; April 14, 1792, chap. 24, sec. 7, 8.

An act supplemental to the act concerning consuls and vice-consuls, and for the protection of American seamen; February 28, 1803, chap. 9, sec. 2, 3, 4.

An act to amend the act, entitled "An act for the government and regulation of seamen in the merchant service;" March 2, 1805, chap. 28.

An act authorizing the Secretary of State, during the continuance of the present war, to make an additional allowance to the owners and masters of vessels, for bringing back to the United States destitute and distressed American seamen; December 1, 1814, chap. 8.

An act in addition to the several acts regulating the shipment and discharge of seamen, and the duties of consuls; July 20, 1840, chap. 48.

An act making an appropriation for the relief and protection of American seamen in foreign countries; February 12, 1843, chap. 3.

An act for the government of persons in certain fisheries; June 19, 1813, chap. 2.

Third. These documents which shall be deemed to contain all the conditions of contract with the crew as to their service, pay, voyage, and all other things, shall be produced by the master, and laid before any consul, or other commercial agent of the United States, whenever he may deem their contents necessary to enable him to discharge the duties imposed upon him by law toward any mariner applying to him for his aid or assistance.

These to be produced to the consul, &c.; when.

Fourth. All interlineations, erasures, or writing in a hand different from that in which such duplicates were originally made, shall be deemed fraudulent alterations, working no change in such papers, unless satisfactorily explained in a manner consistent with innocent purposes and the provisions of law which guard the rights of mariners.

Interlineations, &c.

Fifth. Any consul of the United States, and in case there is none resident at a foreign port, or he is unable to discharge his duties, then any commercial agent of the United States authorized to perform such duties, may, upon the application of both the master and any mariner of the vessel under his command, discharge such mariner, if he thinks it expedient, without requiring the payment of three months' wages, under the provisions of the act of the twenty-eighth of February, eighteen hundred and three, or any other sum of money.

Consul, &c. may discharge mariners without 3 months' wages required by act of 28th Feb. 1803, ch. 9, &c.

Sixth. Any consul, or other commercial agent, may also, on such joint application, discharge any mariner on such terms as will, in his judgment, save the United States from the liability to support such mariner, if the master gives his voluntary assent to such terms, and conforms thereto.

Consuls, &c. may discharge mariners on other terms.

Seventh. When a mariner is so discharged, the officer discharging him shall make an official entry thereof upon the list of the crew and the shipping articles.

Entry to be made of mariners so discharged.

Eighth. Whenever any master shall ship a mariner in a foreign port, he shall forthwith take the list of his crew and the duplicate of the shipping articles to the consul, or person who discharges the duties of the office at that port, who shall make the proper entries thereon, setting forth the contract, and describing the person of the mariner; and thereupon the bond originally given for the return of the men shall embrace each person so shipped.

Consuls, &c. to make an entry of mariners shipped in a foreign port.

Ninth. When any mariner shall complain that the voyage is continued contrary to his agreement, or that he has fulfilled his contract, the consul, or other commercial agent performing like duties, may examine into the same by an inspection of the articles of agreement; and if on the face of them he finds the complaint to be well founded, he shall discharge the mariner, if he desires it, and require of the master an advance, beyond the lawful claims of such mariner, of three months' wages, as provided in the act of February twenty-eighth, eighteen hundred and three; and in case the lawful claims of such mariner are not paid upon his discharge, the arrears shall from that time bear an interest of twenty per centum: *Provided, however,* If the consul or other commercial agent shall be satisfied the contract has expired, or the voyage been protracted by circumstances beyond the control of the master, and without any design on his part to violate the articles of shipment, then he may, if he deems it just, discharge the mariner without exacting the three months' additional pay.

Consuls, &c. to examine certain complaints of mariners.

Proviso.

Tenth. All shipments of seamen, made contrary to the provisions of this and other acts of Congress, shall be void; and any seamen so shipped may leave the service at any time, and demand the highest rate of wages paid to any seaman shipped for the voyage, or the sum agreed to be given him at his shipment.

Shipments of seamen contrary to acts of Congress, void.

Eleventh. It shall be the duty of consuls and commercial agents to reclaim deserters and discountenance insubordination by every means within their power; and where the local authorities can be usefully

Consuls, &c. to reclaim deserters, &c.

employed for that purpose, to lend their aid and use their exertions to that end in the most effectual manner.

Consul, &c.  
on complaint  
that a vessel is  
in an unsuitable  
condition to go  
to sea, shall ap-  
point persons to  
make an exami-  
nation, &c.  
1850, ch. 27, § 6.

Twelfth. If the first officer, or any officer, and a majority of the crew of any vessel shall make complaint in writing that she is in an unsuitable condition to go to sea, because she is leaky, or insufficiently supplied with sails, rigging, anchors, or any other equipment, or that the crew is insufficient to man her, or that her provisions, stores, and supplies are not, or have not been, during the voyage, sufficient and wholesome, thereupon, in any of these or like cases, the consul or commercial agent who may discharge any duties of a consul shall appoint two disinterested, competent practical men, acquainted with maritime affairs, to examine into the causes of complaint, who shall in their report state what defects and deficiencies, if any, they find to be well founded, as well as what, in their judgment, ought to be done to put the vessel in order for the continuance of her voyage.

Power and du-  
ty of the in-  
spectors.

Thirteenth. The inspectors so appointed shall have full power to examine the vessel and whatever is aboard of her, so far as is pertinent to their inquiry, and also to hear and receive any other proofs which the ends of justice may require, and if, upon a view of the whole proceedings, the consul, or other commercial agent shall be satisfied therewith, he may approve the whole or any part of the report, and shall certify such approval, and if he dissents, shall also certify his reasons for so dissenting.

Inspectors to  
state whether  
the vessel was  
sent to sea un-  
suitably pro-  
vided, &c.  
Duty of the  
consul, &c.

Fourteenth. The inspectors in their report shall also state whether, in their opinion, the vessel was sent to sea unsuitably provided in any important or essential particular, by neglect or design, or through mistake or accident, and in case it was by neglect or design, and the consul or other commercial agent approves of such finding, he shall discharge such of the crew as require it, each of whom shall be entitled to three months' pay in addition to his wages to the time of discharge; but, if in the opinion of the inspectors the defects or deficiencies found to exist have been the result of mistake or accident, and could not, in the exercise of ordinary care, have been known and provided against before the sailing of the vessel, and the master shall, in a reasonable time, remove or remedy the causes of complaint, then the crew shall remain and discharge their duty; otherwise they shall, upon their request, be discharged, and receive each one month's wages in addition to the pay up to the time of discharge.

Charges how  
to be paid, &c.

Fifteenth. The master shall pay all such reasonable charges in the premises as shall be officially certified to him under the hand of the consul or other commercial agent, but in case the inspectors report that the complaint is without any good and sufficient cause, the master may retain from the wages of the complainants, in proportion to the pay of each, the amount of such charges, with such reasonable damages for detention on that account as the consul or other commercial agent directing the inquiry may officially certify.

Crews of ves-  
sels to have the  
fullest liberty to  
lay their com-  
plaints before  
the consul, &c.

Sixteenth. The crew of any vessel shall have the fullest liberty to lay their complaints before the consul or commercial agent in any foreign port, and shall in no respect be restrained or hindered therein by the master or any officer, unless some sufficient and valid objection exist against their landing; in which case, if any mariner desire to see the consul or commercial agent, it shall be the duty of the master to acquaint him with it forthwith; stating the reason why the mariner is not permitted to land, and that he is desired to come on board; whereupon it shall be the duty of such consul or commercial agent to repair on board and inquire into the causes of the complaint, and to proceed thereon as this act directs.

Apprehended  
deserters.

Seventeenth. In all cases where deserters are apprehended, the consul or commercial agent shall inquire into the facts; and, if satisfied

that the desertion was caused by unusual or cruel treatment, the mariner shall be discharged, and receive, in addition to his wages to the time of the discharge, three months' pay; and the officer discharging him shall enter upon the crew-list and shipping articles the cause of discharge, and the particulars in which the cruelty or unusual treatment consisted, and subscribe his name thereto officially.

Eighteenth. If any consul or commercial agent shall neglect or omit to perform, seasonably, the duties hereby imposed upon him, or shall be guilty of any malversation or abuse of power, he shall be liable to any injured person for all damage occasioned thereby; and for all malversation and corrupt conduct in office, he shall be liable to indictment, and, on conviction by any court of competent jurisdiction, shall be fined not less than one nor more than ten thousand dollars, and be imprisoned not less than one nor more than five years.

Consuls, &c.  
for neglect of  
the duties here-  
by imposed, &c.

Nineteenth. If any master of a vessel shall proceed on a foreign voyage without the documents herein required, or refuse to produce them when required, or to perform the duties imposed by this act, or shall violate the provisions thereof, he shall be liable to each and every individual injured thereby, in damages, and shall, in addition thereto, be liable to pay a fine of one hundred dollars for each and every offence, to be recovered by any person suing therefor in any court of the United States in the district where such delinquent may reside or be found.

Masters of ves-  
sels, for viola-  
tions of this act,  
&c.

Twentieth. It shall be the duty of the boarding officer to report all violations of this act to the collector of the port where any vessel may arrive, and the collector shall report the same to the Secretary of the Treasury and to the attorney of the United States in his district.

Violations of  
this act to be  
reported.

Twenty-first. This act shall be in force from and after the first day of October next; and shall not apply to vessels which shall have sailed from ports of the United States before that time.

Limitation.

APPROVED, July 20, 1840.

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CHAP. XLIX. — *An Act to annex a certain tract of land to the Coosa land district, and for other purposes.*

STATUTE I.

July 20, 1840.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That such part of township twenty-two, of range two, east, northern survey, State of Alabama, as lies east of the Coosa river, and was ceded to the United States by the Creek nation of Indians, by a treaty concluded on the ninth day of August, eighteen hundred and fourteen, be, and the same is hereby annexed to the Coosa land district; and all surveys, sales, and other proceedings heretofore had in reference to said tract hereby annexed as aforesaid, shall be as valid as they would have been had the same, at the time such proceedings were had, formed a part of said district, and no farther.

Certain land  
annexed to the  
Coosa land dis-  
trict.

Surveys, sales,  
&c. valid, how  
far.

APPROVED, July 20, 1840.

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CHAP. L. — *An Act to provide for the support of the Military Academy for the year eighteen hundred and forty.*

STATUTE I.

July 20, 1840.

*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 forty, viz.:

For pay of officers, cadets, and musicians, fifty-nine thousand two hundred and twenty-eight dollars;

Pay.

Subsistence.	For subsistence of officers and cadets, forty thousand and four dollars;
Forage of officers' horses.	For forage of officers' horses, three thousand nine hundred and thirty-six dollars;
Clothing of officers' servants.	For clothing of officers' servants, three hundred and ninety dollars;
Board of visitors.	For defraying the expenses of the Board of Visitors at West Point, two thousand dollars;
Fuel, &c.	For fuel, forage, stationery, printing, transportation and postage, twelve thousand nine hundred and thirty-one dollars and forty-five cents;
Repairs, &c.	For repairs, improvements, and expenses of buildings, grounds, roads, wharves, boats, and fences, seven thousand seven hundred and fifty-seven dollars and fifty cents;
Clerks.	For pay of adjutants and disbursing officer's clerks, nine hundred and fifty dollars;
Library.	For increase and expenses of the library, one thousand dollars;
Binding books.	For binding books, injured at the fire in February, eighteen hundred and thirty-eight, and imported stitched, three hundred dollars;
Miscellaneous.	For miscellaneous items and incidental expenses, seven hundred and twenty-six dollars and twenty-five cents;
Engineering.	For the department of engineering, five hundred dollars;
Philosophy.	For the department of philosophy, seven hundred and fifteen dollars and twenty-five cents;
Chemistry.	For the department of chemistry, seven hundred and twenty-four dollars and seventy-five cents;
Drawing.	For the department of drawing, three hundred and thirty-eight dollars and seventy-five cents;
Tactics.	For the department of tactics, two hundred and forty dollars;
Artillery.	For the department of artillery, three hundred and ten dollars;
Commander of cadets to be instructor of infantry tactics, or, &c.—his pay.	Sec. 2. <i>And be it further enacted</i> , That the commander of the Corps of Cadets at the Military Academy, shall be either the instructor of infantry tactics, of cavalry and artillery tactics, or of practical engineering, and that his pay and emoluments shall in no case be less than the compensation allowed by law to the professor of mathematics; and that the pay and emoluments of the instructors in these branches shall in no case be less than is allowed by law to the assistant professor of mathematics.

Compensation of assistant professors of ethics. Sec. 3. *And be it further enacted*, That the assistant professors of ethics shall be allowed the same compensation as is now allowed by law to the other assistant professors in the institution.

APPROVED, July 20, 1840.

#### STATUTE I.

July 20, 1840.

CHAP. LI.—*An Act making appropriations for the naval service for the year one thousand eight hundred and forty.*

*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, in addition to the unexpended balances of former appropriations, out of any unappropriated money in the Treasury, for the naval service for the year one thousand eight hundred and forty, viz :

Pay of officers and seamen.	For the pay of commissioned, warrant, and petty officers and seamen, two millions two hundred and fifty thousand dollars;
Pay of sup' dts &c. at yards.	For the pay of superintendents, naval constructors, and all the civil establishments at the several yards, seventy-four thousand six hundred and twenty dollars;
Provisions.	For provisions, six hundred and twenty thousand dollars;
Repairs, &c.	For repairs of vessels in ordinary, and the repairs and wear and tear of vessels in commission, one million of dollars;



For medicines and surgical instruments, hospital stores, and other expenses on account of the sick, seventy-five thousand dollars;	Medicines, &c.
For improvement and necessary repairs of the navy yard at Portsmouth, New Hampshire, twenty thousand dollars;	Navy yards at Portsmouth.
For improvement and necessary repairs of the navy yard at Charlestown, Massachusetts, seventeen thousand dollars;	Charlestown.
For improvement and necessary repairs of the navy yard at Brooklyn, New York, eighteen thousand dollars;	Brooklyn.
For improvement and necessary repairs of the navy yard at Philadelphia, Pennsylvania, five thousand dollars;	Philadelphia.
For improvement and necessary repairs of the navy yard at Washington, twenty thousand dollars;	Washington.
For improvement and necessary repairs of the navy yard at Gosport, Virginia, seventeen thousand two hundred and fifty dollars;	Gosport.
For improvement and necessary repairs of the navy yard near Pensacola, thirteen thousand dollars;	Pensacola.
<i>Provided</i> , That no more of the several appropriations last mentioned for the improvement and repair of the navy yards, shall be expended previous to the fourth day of March next, than shall be found by the Secretary of the Navy, upon inquiries made for the purpose, to be absolutely necessary for the preservation of the public works, the security of the public property, and the prosecution of the public business at the respective yards;	Proviso.
For ordnance and ordnance stores, sixty-five thousand dollars;	Ordnance, &c.
For defraying the expenses that may accrue for the following purposes, viz: For the freight and transportation of materials and stores of every description; for wharfage and dockage; storage and rent; travelling expenses of officers and transportation of seamen; house rent for pursers, when duly authorized; 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 judges-advocate; for per diem allowance to persons attending courts-martial and courts of inquiry, or other services authorized by law; for printing and stationery of every description, and for working the lithographic press; for books, maps, charts, mathematical and nautical instruments, chronometers, models and drawings; for the purchase and repair of fire engines and machinery; for the repair of steam engines in navy yards; 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 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 the use of navy yards and shore stations, and for no other object or purpose whatever, four hundred and fifty thousand dollars;	Miscellaneous expenses.
For contingent expenses for objects not herein before enumerated, three thousand dollars;	Expenses.
For pay of the officers, non-commissioned officers, musicians and privates, and subsistence of the officers of the marine corps, one hundred and seventy-five thousand and fifty dollars and forty cents;	Pay of marine corps, &c.
For provisions for the non-commissioned officers, musicians and privates serving on shore, servants and washerwomen, forty-five thousand and fifty four dollars and ninety-nine cents;	Provisions.
For clothing, forty-three thousand six hundred and sixty-two dollars and fifty cents;	Clothing.
For fuel, sixteen thousand two hundred and seventy-four dollars and twelve cents;	Fuel.

Repair of barracks, &c.	For keeping barracks in repair, until new ones shall be erected, and for rent of temporary barracks at New York, six thousand dollars ;
Transportation.	For transportation of officers, non-commissioned officers, musicians, and privates, and expenses of recruiting, eight thousand dollars ;
Medicines, &c.	For medicines, hospital stores, surgical instruments, and pay of matron and hospital stewards, four thousand one hundred and forty dollars ;
Military stores, &c.	For military stores, pay of armorers, keeping arms in repair, accoutrements and ordnance stores, and flags, drums and fifes, two thousand three hundred dollars ;
Expenses.	For contingent expenses of said corps, viz : for freight, ferriage, toll, wharfage and cartage ; for per diem allowance for attending courts-martial and courts of inquiry, compensation to judges-advocate, house-rent where there are no public quarters assigned, per diem allowance to enlisted men on constant labor, expenses of burying deceased marines, printing, stationery, forage, postage on public letters, expenses in pursuit of deserters, candles and oil, straw, barrack furniture, bed sacks, spades, axes, shovels, picks, carpenters' tools, and for the purchase of a horse for the messenger and keeping the same, seventeen thousand nine hundred and eighty dollars ;
Hospitals at New York.	For coppering the roof of the hospital building at New York, and for other necessary expenses upon the same, and its dependencies, nine thousand five hundred dollars ;
Norfolk.	For necessary repairs of the hospital building at Norfolk, and its dependencies, three thousand five hundred dollars ;
Pensacola, &c.	For furnishing hospital number three, at Pensacola, and for building a stable and other necessary appendages, and for current repairs on the other buildings, seven thousand dollars ;
Philadelphia.	For the necessary repairs to the naval asylum at Philadelphia, and its dependencies, four thousand two hundred and fifty dollars ;
Completion of the two steam vessels.	SEC. 2. <i>And be it further enacted</i> , That in addition to the sum of three hundred and thirty thousand dollars, which was placed subject to the disposition of the Navy Department by the second section of the act of Congress making appropriations for the naval service for the year one thousand eight hundred and thirty-nine, the further sum of three hundred and forty thousand dollars of the amount heretofore appropriated for the gradual improvement of the navy, is hereby directed to be placed subject to the disposition of the department aforesaid, for the purpose of completing the two steam vessels which have been commenced, in case that amount can be diverted from that appropriation without impairing the ability of the Navy Department to make payments under existing contracts prior to the fourth day of March, eighteen hundred and forty-one, and if that cannot be done consistently with the rights of contractors and the public interests, then so much of the said sum of three hundred and forty thousand dollars as can be so diverted to this object, from the appropriation referred to, shall be subject to the disposition of the Secretary of the Navy for this purpose, and the said sum of three hundred and forty thousand dollars, to be expended in the manner in this section prescribed, shall be in addition to any materials now on hand applicable to the construction of the said steam vessels of war.
1839, ch. 95.	
All appropriations for building, &c. vessels, hereby transferred to one head of appropriation, to be expended, how.	SEC. 3. <i>And be it further enacted</i> , That all appropriations and all remaining balances of appropriations heretofore made for building, rebuilding, replacing, purchasing, or repairing vessels of war, or other vessels, for the use of the navy, or for the purchase of timber, ordnance, or any other articles for building, arming, equipping, or repairing vessels of the navy, or for the repairs of vessels in ordinary, and repair, wear and tear of vessels in commission, together with any materials which have been, or may be, collected under any of the said appropriations, be, and the same are hereby, transferred to one head of appropriation, to be called

"the appropriation for the increase, repair, armament, and equipment of the navy, and wear and tear of vessels in commission;" and the amount of said appropriation, and of such other, as may be made hereafter for like purposes, and the materials which have been, or may be hereafter collected for the same, may be expended and used by the Secretary of the Navy, in building, replacing, arming, repairing, equipping, and employing any vessels which Congress may have authorized, or may hereafter authorize to be built, rebuilt, purchased, or replaced, in such manner as the interests or necessities of the service may require.

SEC. 4. *And be it further enacted*, That it shall be the duty of the Secretary of the Navy to cause to be laid before Congress, annually, as soon after the beginning of each year as practicable, a statement of the amounts expended during the preceding fiscal year for wages of mechanics and laborers employed in building, repairing, or equipping, vessels of the navy, or in receiving and securing stores and materials for those purposes; and for the purchase of materials and stores for the same purposes; a statement of the cost or estimated value of the stores on hand, under this appropriation, in the navy yards at the commencement of the next preceding fiscal year; the cost, or estimated value, of articles received and expended during the year; and the cost, or estimated value, of the articles belonging to this appropriation which may be on hand in the navy yards at the close of the next preceding fiscal year.

SEC. 5. *And be it further enacted*, That, whenever in the opinion of the Secretary of the Navy it shall be conducive to the public interest to use any article of provisions, materials, or other stores, for a different appropriation from that under which they may have been purchased for the naval service, it shall be lawful for him to authorize such use, and it shall be his duty to certify to the Secretary of the Treasury, the value or cost of the articles thus used; and the Secretary of the Treasury, is hereby authorized and required to cause the proper officers of the Treasury to transfer the amount of such cost or value upon the books of the Treasury, from the appropriation for which the articles may have been used, to the appropriation from which they may have been or may be taken, so that the actual expenditure under each may be accurately shown.

SEC. 6. *And be it further enacted*, That the following sum, being the unexpended balance of a former appropriation which has been carried to the credit of the surplus fund, be, and the same is hereby reappropriated, viz:

For distribution as prize money among the officers and crew of the private armed brig General Armstrong, per act of thirtieth June, eighteen hundred and thirty-four, two thousand nine hundred and seventy-five dollars and twenty cents.

SEC. 7. *And be it further enacted*, That there be appropriated, from any money in the Treasury not otherwise appropriated, for the immediate survey of the coast from Appalachicola Bay, to the mouth of the Mississippi river, for the ascertainment of the practicability of establishing a navy yard and naval station which shall best subserve the protection of the commerce of the Gulf of Mexico, the sum of ten thousand dollars, to be expended under the direction of the Commissioners of the Navy Board.

SEC. 8. *And be it further enacted*, That whenever the President of the United States shall have authorized the transfer of any moneys from any head of the naval appropriations to other heads of naval appropriations as authorized by the act of Congress approved thirtieth June eighteen hundred and thirty-four, it shall be the duty of the Secretary of the Treasury, immediately after the naval appropriations for the year shall have been made, to cause all such transfers to be repaid, by re-

Annual statement required of amounts expended for mechanics' wages, &c.

Provisions, materials, &c. may be used for a different appropriation from that under which they were purchas'd.

Prize money, brig Gen. Armstrong.

1834, ch. 273.  
Survey of the coast from Appalachicola bay.

Transfers from one head of appropriation to another.

1834, ch. 171.

transfers on the books of the Treasury, so as to preserve for each appropriation the amounts which were granted by Congress.

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

[Obsolete.]

Appropriation  
for survey.

CHAP. LII.—*An Act to provide for the expenses of making an exploration and survey of that part of the Northeastern boundary line of the United States which separates the States of Maine and New Hampshire from the British Provinces.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of twenty-five thousand dollars be, and the same is hereby, appropriated, to be paid out of any moneys in the Treasury not otherwise appropriated, to enable the President of the United States to cause to be made an exploration and survey of that part of the Northeastern boundary line of the United States (and the adjacent country) which separates the States of Maine and New Hampshire from the British Provinces.

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

[Obsolete.]

CHAP. LIII.—*An Act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with the various Indian tribes, for the year one thousand eight hundred and forty.*

*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 forty, for the purpose of paying the current expenses of the Indian Department, fulfilling treaty stipulations with the various Indian tribes, and contingent expenses; to be paid out of any money in the Treasury not otherwise appropriated.

For the current and contingent expenses of the Indian Department, viz :

Pay of superintendent and agents.

1834, ch. 162.

1837, ch. 31.

Sub-agents.

1834, ch. 162.

Interpreters.

For the pay of the superintendent of Indian affairs at St. Louis, and the several Indian agents, as provided by the acts of June thirtieth, eighteen hundred and thirty-four, and of March third, eighteen hundred and thirty-seven, sixteen thousand five hundred dollars;

For pay of sub-agents, authorized by the act of June thirtieth, eighteen hundred and thirty-four, thirteen thousand dollars;

For the pay of interpreters, as authorized by the same act, eleven thousand three hundred dollars;

Presents to Indians.

For presents to Indians, authorized by [the] same act, five thousand dollars;

Provisions for Indians.

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

Buildings at the agencies.

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

Expenses of Indian dep't.

For postages, rents, stationery, fuel for offices, and other contingencies of the Indian Department, and for transportation and incidental expenses, thirty-six thousand five hundred dollars;

Clerk.

For the salary of one clerk in the office of the superintendent of Indian affairs, south of the Missouri river, one thousand dollars;

Carrying into effect treaties and laws, with Christian Indians. Chippewas.

For carrying into effect the stipulations of certain Indian treaties and the laws connected therewith, viz :

For the Christian Indians, four hundred dollars;

For the Chippewas of the Mississippi, thirty-five thousand dollars;

For expenses incurred by the Commissioner in examination of claims under the third and fourth articles of the treaty of July, eighteen hundred and thirty-seven, with said Chippewas of the Mississippi, three hundred dollars;

For the Chippewas of Saganaw, five thousand eight hundred dollars;

For expenses attending the examination of claims against said Chippewas of Saganaw under the fourth article of the treaty of January, eighteen hundred and thirty-seven, three thousand five hundred and fifty dollars;

For the Chippewas, Menomones, Winnebagoes, and New York Indians, one thousand five hundred dollars;

For the Chippewas, Ottawas, and Pottawatamies, thirty-four thousand two hundred and ninety dollars;

For the Choctaws, fifty-five thousand four hundred and seventy-five dollars;

For the Creeks, sixty-three thousand nine hundred and forty dollars;

For payment of the claim presented by the Alabama emigrating company and allowed by the accounting officers, thirty-eight thousand six hundred and forty-six dollars;

For the Chickasaws, six thousand dollars;

For the Cherokees, seven thousand six hundred and forty dollars;

For the Delawares, ten thousand three hundred and forty-four dollars;

For the Caddoes, ten thousand dollars;

For the Florida Indians, nine thousand six hundred and ten dollars;

For the Iowas, seven thousand eight hundred and seventy-five dollars;

For the Kickapoos, five thousand five hundred dollars;

For the Kaskaskias and Peorias, three thousand dollars;

For the Kanzas, six thousand and forty dollars;

For the Miamies, fifty-two thousand six hundred and seventy-eight dollars;

For expenses of the commission to examine claims under the fifth and sixth articles of the Miami treaty of eighteen hundred and thirty-eight, in addition to the appropriation of last year, fifteen hundred dollars;

For assistance in agriculture, stipulated in the fifth article of the treaty of October sixth, eighteen hundred and eighteen, two hundred dollars;

For the Eel Rivers, one thousand one hundred dollars;

For the Menomones, thirty-one thousand eight hundred and thirty dollars;

For the Omahas, four thousand seven hundred and forty dollars;

For the Ottawas and Chippewas, sixty-two thousand four hundred and sixty-five dollars;

For the Ottoes and Missourias, five thousand six hundred and forty dollars;

For the Osages, thirty-four thousand four hundred and six dollars;

For the erection of houses for smiths, under the second article of the treaty with the Osages, of eighteen hundred and thirty-nine, eight hundred dollars;

For expenses attending the examination of claims under the second article of the treaty with the Osages, in addition to the appropriation of eighteen hundred and thirty-nine, eleven hundred dollars;

For the Ottawas, four thousand three hundred dollars;

For the Pottawatamies, twenty thousand two hundred dollars;

For the Pottawatamies of Huron, four hundred dollars;

For the Pottawatamies of the Prairie, sixteen thousand dollars;

For the Pottawatamies of the Wabash, twenty thousand dollars;

For the Pottawatamies of Indiana, seventeen thousand dollars;

For the Piankeshaws, eight hundred dollars;

For the Pawnees, nine thousand six hundred dollars;

For the Quapaws, four thousand six hundred and sixty dollars;

Chippewas,  
Menomones,  
&c.

Chippewas,  
Ottawas, and  
Pottawatamies.  
Choctaws.

Creeks.

Chickasaws.  
Cherokees.  
Delawares.

Caddoes.  
Florida Indi-  
ans.  
Iowas.

Kickapoos.  
Kaskaskias  
and Peorias.  
Kanzas.  
Miamies.

Eel Rivers.  
Menomones.

Omahas.  
Ottawas and  
Chippewas.

Ottoes and  
Missourias.

Osages.

Ottawas.  
Pottawata-  
mies.

Piankeshaws.  
Pawnees.  
Quapaws.

Six Nations.	For the Six Nations of New York, four thousand five hundred dollars;
Senecas.	For the Senecas of New York, six thousand dollars;
Sioux.	For the Sioux of the Mississippi, forty-two thousand five hundred and ten dollars;
	For the Yancton and Santie Sioux, four thousand three hundred and forty dollars;
Sacs and Foxes.	For the Sacs and Foxes of the Missouri, seven thousand eight hundred and seventy dollars;
	For the Sacs and Foxes of the Mississippi, fifty-four thousand five hundred and forty dollars;
Sacs, Foxes, Sioux, Iowas, &c.	For the Sacs, Foxes, Iowas, Sioux, Omahaws, and Ottoes, and Missourias, three thousand dollars;
Shawnees.	For the Shawnees, seven thousand one hundred and eighty dollars;
Senecas and Shawnees.	For the Senecas and Shawnees, two thousand and sixty dollars;
Senecas.	For the Senecas, two thousand six hundred and sixty dollars;
Wyandots.	For the Wyandots, six thousand eight hundred and forty dollars;
Weas.	For the Weas, three thousand dollars;
Wyandots, Munsees and Delawares.	For the Wyandots, Munsees, and Delawares, one thousand dollars;
Winnebagoes.	For the Winnebagoes, ninety-two thousand eight hundred and sixty dollars;
	For the expenses of the Commission appointed to examine claims under treaty with the Winnebagoes, in lieu of the same sum appropriated last year for the Sioux erroneously, five thousand five hundred dollars;
	For expenses attending the removal of the Winnebago Indians from their present residence, in Wisconsin, to the neutral ground across the Mississippi river, estimating the number at four thousand five hundred, to cost ten dollars each, forty-five thousand dollars;
	For the erection of a gristmill for the Winnebagoes, as stipulated in the sixth clause of the fourth article of the treaty with them of November first, eighteen hundred and thirty-seven, three thousand dollars;
	For expenses of breaking up and fencing in ground after the removal of the Winnebagoes, as per seventh clause of fourth article of the same treaty, ten thousand dollars;
Stockbridges and Munsees.	To carry into effect the treaty of the third September, eighteen hundred and thirty-nine, with the Stockbridge and Munsee tribes of Indians, ratified sixteenth May, eighteen hundred and forty, thirty-six thousand two hundred and sixty-five dollars and forty cents.

APPROVED, July 20, 1840.

#### STATUTE I.

July 20, 1840.

[Obsolete.]

CHAP. LIV.—*An Act making appropriations for the support of the army for the year one thousand eight hundred and forty.*

*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 is 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 forty, viz :

Pay.	For the pay of the army, one million one hundred and seventy-two thousand and twenty-eight dollars;
Subsistence of officers.	For subsistence of officers, five hundred and fourteen thousand four hundred and eighty-nine dollars;
Forage of officers' horses.	For forage of officers' horses, one hundred and fourteen thousand five hundred and seventy-one dollars;
Payments in lieu of clothing.	For payments in lieu of clothing not drawn in kind, eighty thousand and thirty dollars.
Subsistence.	For subsistence, exclusive of that of officers, five hundred and fifteen thousand four hundred and ninety-two dollars;
Clothing, &c.	For clothing of the army, camp and garrison equipage, cooking uten-

sils and hospital furniture, four hundred and twenty-five thousand six hundred and thirty-five dollars and sixty-seven cents;

For the medical and hospital department, thirty-eight thousand dollars;

For the regular supplies furnished by the Quartermaster's department, consisting of fuel, forage, straw, stationery, and printing, two hundred and seventy-one thousand dollars;

For barracks, quarters, and storehouses, embracing the repairs and enlargement of barracks, quarters, storehouses and hospitals at the several posts; the erection of temporary cantonments and gun-houses for the protection of the cannon at the forts on the sea-board; for the purchase of necessary tools and materials, and of the authorized furniture for the barrack rooms; rent of quarters for officers; of barracks for troops where there are no public buildings for their accommodation; of storehouses for the safe-keeping of subsistence, clothing, and other military supplies, and of grounds for summer cantonments, encampments and military practice, one hundred and seventy-three thousand dollars;

For transportation of officers' baggage when travelling on duty without troops, sixty-five thousand dollars;

For transportation of troops and supplies, viz: transportation of the army, including the baggage of troops; freight and ferriages; purchase or hire of horses, mules, oxen, carts, wagons, and boats, for the purpose of transportation or for garrison use; drayage and cartage at the several posts; hire of teamsters; transportation of funds for the pay department; expense of transport vessels, and of procuring water at such posts as from their situation require it; transportation of clothing from the depot at Philadelphia to the stations of the troops, of subsistence from the places of purchase and delivery under contracts to such points as the circumstances of the service may require; of ordnance, ordnance stores, and arms, from the foundries and arsenals to the fortifications and frontier posts, and of lead from the mines to the several arsenals, two hundred and eighty-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 judges advocate, members and witnesses; extra pay to soldiers under act of March second, 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 of 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; 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 the necessary stables, one hundred and twenty-one thousand dollars;

For contingencies of the army, seven thousand dollars;

For extra pay to re-enlisted soldiers, and for contingent expenses of the recruiting service, forty-seven thousand one hundred and sixty-three dollars and twenty-seven cents;

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

For the armament of the fortifications, one hundred and fifty thousand dollars;

For the current expenses of the ordnance service, one hundred thousand dollars;

For ordnance, ordnance stores and supplies, one hundred thousand dollars;

For arsenals, one hundred and fifty thousand dollars;

Medical and hospital department.  
Quartermaster's department.  
Barracks, &c.

Transportation of officers' baggage.  
Transportation of troops and supplies.

Quartermaster's department.  
Act of March 2, 1819, ch. 45.

Contingencies.  
Extra pay.

National armories.

Armament of fortifications.

Ordnance service.

Ordnance, &c.

Arsenals.

Springfield armory.	For repairs and improvements at the Springfield armory, ten thousand five hundred dollars ;
Harper's Ferry armory.	For repairs and improvements at the Harper's Ferry armory, fifty thousand dollars ;
Saltpetre and brimstone.	For the purchase of saltpetre and brimstone, forty thousand dollars ;
Drawings, &c.	For the expense of preparing drawings of a uniform system of artillery, and for other supplies in the ordnance department, three thousand dollars ;
Barracks, &c. at Fort Leavenworth.	For continuing the barracks, quarters, &c., at Fort Leavenworth, thirty thousand dollars ;
Fort Wayne.	For continuing the barracks, quarters, &c., at Fort Wayne, twenty thousand dollars ;
Fort Smith.	For continuing the barracks, quarters, &c., at Fort Smith, fifty thousand dollars ;
Plattsburg.	For continuing the barracks, quarters, &c., at Plattsburg, twenty thousand dollars ;
Fort Jessup.	For continuing the barracks, quarters, &c., at Fort Jessup, ten thousand dollars ;
Arsenals.	For repairs of arsenals damaged by storms and fire, the sum of nineteen thousand seven hundred and sixty-five dollars ;
Preventing and suppressing hostilities in Florida.	For preventing and suppressing hostilities in Florida, 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, eighteen hundred and thirty-six, and the acts therein referred to, viz : For forage for the horses of the mounted volunteers and militia, and for the horses, mules, and oxen in the service of the trains ; for freight or transportation of military supplies of every description, from the places of purchase to Florida ; for the purchase of wagons, harness, boats, and lighters, and other vessels, of horses, mules, and oxen, to keep up the trains, tools, leather, and other materials for repairs, transportation within Florida, including the hire of steamboats and other vessels for service in the rivers and on the coasts, and the expenses of maintaining the several steamboats and transport schooners connected with the operations of the army ; hire of mechanics, laborers, mule drivers, teamsters, and other assistants, including their subsistence ; for miscellaneous and contingent charges, and for arrearages in eighteen hundred and thirty-five, eighteen hundred and thirty-six, eighteen hundred and thirty-seven, eighteen hundred and thirty-eight, eighteen hundred and thirty-nine, and eighteen hundred and forty, three hundred thousand dollars. For an outfit of a Chargé d'Affaires to the Republic of Texas, four thousand five hundred dollars. For repairing the roof to the public store at the custom-house in the city of Philadelphia, or for new roofing the same with copper, as shall be directed by the Secretary of the Treasury, after causing careful surveys of the condition of the said building to be made, a sum not to exceed three thousand two hundred dollars. For the pay of the commissioner appointed by the Governor of the Territory of Iowa to act on the part of that Territory, in conjunction with the commissioner appointed by the United States, in ascertaining, running and marking, the southern boundary line of the said Territory, in conformity with the act of Congress of the eighteenth of June, eighteen hundred and thirty-eight, the sum of one thousand and ninety-six dollars. For the payment of expenses incurred under the direction of the Joint Committee on the Library, in the erection of shelves and book-cases in the committee rooms of the Capitol, for the reception of books and documents to be transferred from the Library to the several committee rooms, a sum not to exceed one thousand two hundred and fifty dollars. For the purpose of enabling the Secretaries of the War and Navy Departments to place in a state of safe preservation the specimens of natural history which are now deposited in their respective offices, or which may be brought
Chargé d'affaires to Texas.	
Public store at custom-house in Philadelphia.	
Commissioner of Iowa for ascertaining, &c. southern boundary thereof.	
1838, ch. 116.	
Shelves, &c. in committee rooms of the capitol.	
Preservation of specimens of natural history.	



there resulting from surveys of the unexplored portions of our own country, or from the exploring expedition now in the South Seas, by the authority, and at the expense of the United States, or otherwise, a sum not to exceed five hundred dollars.

SEC. 2. *And be it further enacted*, That the sum of three thousand dollars, appropriated by the act of Congress of the twelfth of June, eighteen hundred and thirty-eight, to ascertain and designate the boundary line between the State of Michigan, and the Territory of Wisconsin be, and the same is hereby, reappropriated to be expended under the direction of the Secretary of War for the accomplishment of the same object.

SEC. 3. *And be it further enacted*, That in case of a deficiency of receipts of revenue from customs, or lands, or other sources, or of a failure on the part of the late deposite banks or of the Bank of the United States of Pennsylvania to pay the debts due from them, or to become due in the course of the present year, or if, from any other cause, the means of the Treasury shall not be sufficient to meet all the appropriations made by Congress, the President of the United States shall be, and he is hereby, authorized to postpone the expenditures under the following heads of appropriation embraced in this act, viz: "for barracks, quarters, and storehouses," &c.; "for the national armories;" "for armament of fortifications;" "for the current expenses of the ordnance service;" "for ordnance stores and supplies;" "for arsenals;" "for repairs and improvements at the Springfield armory;" "for repairs and improvements at the Harper's Ferry armory;" "for the purchase of saltpetre and brimstone;" "for continuing the barracks, quarters &c. at Fort Leavenworth;" "at Fort Wayne;" "at Fort Smith;" "at Plattsburg;" and "at Fort Jessup;" or such and so many of them, or such proportions of each, as in his judgment, after careful examination and inquiry, the condition of the Treasury shall demand, and the public interests will best permit; such postponements in each case, to be merely temporary, or until the close of the next session of Congress, as the means of the Treasury and the prospect of accruing revenue shall warrant, and as shall be most in accordance with the public interests involved.

APPROVED, July 20, 1840.

Boundary between Michigan and Wisconsin. Act of June 12, 1838, ch. 101.

The President authorized to postpone certain appropriations.

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

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums be, and the same are hereby, appropriated, to be paid out of any unappropriated money in the Treasury, for the preservation, repairs, construction, and incidental and contingent expenses of certain fortifications in the year eighteen hundred and forty, viz:

For repairs of Fort Niagara, twenty-seven thousand five hundred dollars;

For rebuilding and repairing the old fort at Oswego, twenty thousand dollars;

For repairs of Fort Preble, three thousand two hundred dollars;

For repairs of Fort Scammel, three thousand four hundred dollars;

For repairs of Fort McClary, seven hundred and fifty dollars;

For repairs of Fort Constitution, three thousand six hundred and seventy-one dollars;

For repairs of Fort Independence and sea wall of Castle island, one hundred thousand dollars;

For Fort Warren, one hundred and fifty thousand dollars;

For Fort Adams, eighty thousand dollars;

STATUTE I.

July 21, 1840.

[Obsolete.]

Perjury.

Fort Niagara.

Fort Oswego.

Fort Preble.

Fort Scammel.

Fort McClary.

Fort Constitution.

Fort Independence.

Fort Warren.

Fort Adams.

New London harbor.	For fortifications at New London harbor, twenty-five thousand dollars;
Fort Schuyler.	For Fort Schuyler, eighty thousand dollars;
Fort Hamilton.	For repairs of Fort Hamilton, twenty thousand dollars;
Fort Lafayette.	For repairs of Fort Lafayette, five thousand dollars;
Fort Columbus.	For repairs of Fort Columbus, one thousand six hundred and sixty-two dollars;
Castle William.	For repairs of Castle William, five thousand seven hundred and thirty-five dollars;
South battery, Gov'r's island.	For repairs of south battery, Governor's island, three thousand five hundred dollars;
Fort Monroe.	For repairs of Fort Monroe, fifty thousand dollars;
Bridge over Mill creek.	For rebuilding bridge over Mill creek, near Fort Monroe, five thousand dollars;
Road.	For repairs of road from Fort Monroe to said bridge, one thousand dollars;
Purchase of land near Fort Monroe.	For purchase of land in the vicinity of Fort Monroe, one thousand dollars;
Fort Calhoun.	For Fort Calhoun, fifty thousand dollars;
Fort Caswell.	For Fort Caswell, six thousand dollars;
Fort Sumter.	For Fort Sumter, twenty-five thousand dollars;
Fort Moultrie.	For repairs of Fort Moultrie, ten thousand dollars;
Fort Pulaski.	For Fort Pulaski, forty-four thousand dollars;
Fort on Foster's bank.	For Fort on Foster's bank, Florida, fourteen thousand dollars;
Fort Pickens.	For Fort Pickens, eight thousand dollars;
Ft. Barrancas.	For repairs of Fort Barrancas, fifteen thousand dollars;
Fort Morgan.	For repairs of Fort Morgan, ten thousand dollars;
Fort Pike.	For repairs of Fort Pike, five thousand dollars;
Fort Wood.	For repairs of Fort Wood, three thousand five hundred and eighty dollars;
Battery Bienvenue.	For repairs of the battery Bienvenue, two thousand five hundred dollars;
Tower Dupre.	For repairs of Tower Dupre, four hundred dollars;
Fort Jackson.	For repairs of Fort Jackson, twenty thousand dollars;
Ft. St. Philip.	For repairs of Fort St. Philip, three thousand three hundred dollars;
Ft. Livingston.	For Fort Livingston, Grande Terre, Louisiana, fifteen thousand dollars;
Contingencies.	For contingencies of fortifications, ten thousand dollars;
Incidental expenses.	For incidental expenses attending repairs of fortifications, fifty thousand dollars.
Proviso.	<i>Provided, however,</i> That in case of a disappointment in the receipts of revenue from customs, or lands, or other sources, or of a failure to collect the debts due from the late deposite banks, or from the Bank of the United States of Pennsylvania, so that the means of the Treasury shall not be sufficient to meet the ordinary calls for the service of the year, according to the appropriations made by Congress, and also the expenses authorized by this act, the President of the United States shall be, and hereby is, authorized, upon ascertainment, at any time, of these facts, from the Secretary of the Treasury, to direct the postponement until after the close of the next session of Congress, or until Congress shall otherwise direct, of the whole, or such portion of the appropriations made by this act as the state of the Treasury shall seem to him to require; any order for postponement to be made alike applicable to each item of appropriation, so far as the state of facts, at the time it is made, and a due regard to the public interests, will permit, and all contracts entered into in pursuance of these appropriations to be made subject to the conditions of this proviso.

APPROVED, July 21, 1840.

RESOLUTIONS.

No. 1. *Joint Resolution authorizing the Secretary of War to continue certain clerks employed in the office of the Commissioner of Indian Affairs.* May 2, 1840.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the authority given to the Secretary of War by the sixteenth clause of the first section of the act entitled "An act providing for the salaries of certain officers therein named, and for other purposes," dated the ninth day of May, one thousand eight hundred and thirty-six, to employ two clerks in the business of reservations and grants under Indian treaties, be extended after the expiration of the period for which that authority was granted for the term of two years.

Post, p. 583.  
Authority contained in 16th clause 1st sec. act 9th May 1836, ch. 60, extended for two years.

APPROVED, May 2, 1840.

No. 3. *A Resolution concerning the statue of Washington, by Greenough.* May 27, 1840.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy be authorized and instructed to take measures for the importation and erection of the statue of Washington, by Greenough.

Measures to be taken for its importation and erection.

APPROVED, May 27, 1840.

No. 4. *A Resolution to authorize the President to dispose of certain presents from the Imaum of Muscat and the Emperor of Morocco.* July 20, 1840.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States be, and he is hereby, authorized to dispose, in such time and manner as he shall see fit, of all such of the presents to the Government of the United States as have been sent from the Imaum of Muscat or the Emperor of Morocco, and cannot conveniently be deposited or kept in the Department of State, and cause the proceeds thereof to be placed in the Treasury of the United States.

Such as cannot conveniently be deposited in the Department of State to be disposed of, &c.

APPROVED, July 20, 1840.

No. 5. *Joint Resolution for the exchange of books and public documents for foreign publications.* July 20, 1840.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the librarian, under the supervision of the Committee on the Library, be authorized to exchange such duplicates as may be in the library for other books or works.

Exchange of duplicates in the Library authorized.

Second. That he be authorized, in the same way, to exchange documents.

Of documents.

Third. That hereafter, fifty additional copies of the documents, printed by order of either House, be printed and bound for the purpose of exchange in foreign countries.

Documents to be printed for exchange.

APPROVED, July 20, 1840.