

# ACTS OF THE TWENTY-SEVENTH CONGRESS

OF THE

## UNITED STATES.

*Passed at the second session, which was begun and held at the City of Washington, in the district of Columbia, on Monday, the 6th day of December, 1841, and ended the 31st day of August, 1842.*

JOHN TYLER, President of the United States. SAMUEL L. SOUTHARD, President of the Senate, pro tempore. JOHN WHITE, Speaker of the House of Representatives.

### STATUTE II.

CHAP. I.—*An Act making appropriations, in part, for the civil department, for the year one thousand eight hundred and forty-two.*

Dec. 22, 1841.

[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 Congress.

For pay and mileage of members of Congress and delegates, four hundred thousand dollars;

Pay and mileage.

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

Officers and clerks.

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: *Provided*, That no part of the sums appropriated for the contingent expenses of either House of Congress, shall be applied to any other than the ordinary expenditures of the Senate and House of Representatives, nor as extra allowance to any clerk, messenger, or other attendant of the said two Houses, or either of them.

Expenses of H. of Reps.

Proviso.

APPROVED, December 22, 1841.

### STATUTE II.

CHAP. II.—*An Act to authorize an issue of Treasury notes. (a)*

Jan. 31, 1842.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized to cause Treasury notes to be issued for such sum or sums as the exigencies of the Government may require, and in place of such of the same as may be redeemed to cause others to be issued, but not exceeding the sum of five millions of dollars of this emission outstanding at any one time, and to be issued under the limitations and other provisions contained in the act entitled "An act to authorize the issuing of Treasury notes," approved the twelfth of October, one thousand eight hundred and thirty-seven, except that the authority hereby given to issue Treasury notes shall expire at the end of one year from the passage of this act.*

[Obsolete.]

An emission of not exceeding \$5,000,000 at any one time outstanding, authorized.

To be issued under the provisions of the act of 12th October 1837, ch. 2.

APPROVED, January 31, 1842.

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

## STATUTE II.

Feb. 12, 1842.

[Obsolete.]

## Appropriation.

To be expended according to the act of Feb. 28, 1803, ch. 9.

CHAP. III.—*An Act making an appropriation for the relief and protection of American seamen in foreign countries.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of fifteen thousand dollars be, and the same is hereby, appropriated, to be paid out of any unappropriated money in the Treasury, for the relief and protection of American seamen in foreign countries; to be expended under the direction of the Secretary of State, in pursuance of the "act supplementary to the act concerning consuls and vice consuls, and for the further protection of American seamen," passed twenty-eighth February, eighteen hundred and three.

APPROVED, February 12, 1842.

## STATUTE II.

Feb. 12, 1842.

[Obsolete.]

## Revolutionary pensions.

Invalid pensions.

Pensions to widows and orphans.  
1836, ch. 362.

1838, ch. 189.

CHAP. IV.—*An Act making appropriations for pensions in the year one thousand eight hundred and forty-two.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to wit:

For revolutionary pensions, under the act of the eighteenth of March, eighteen hundred and eighteen, in addition to a probable balance at the end of the year eighteen hundred and forty-one, of one hundred and eighty-eight thousand seven hundred and ninety-nine dollars, eighty-eight thousand two hundred and sixty-one dollars.

For invalid pensions, under various acts, two hundred thousand two hundred and seventy-five dollars.

For pensions to widows and orphans, per act of the fourth of July, eighteen hundred and thirty-six, in addition to a probable balance at the end of the year eighteen hundred and forty-one, of thirty-thousand dollars, two hundred forty-two thousand two hundred and forty dollars.

For five years pensions to widows, per act of seventh July, eighteen hundred and thirty-eight, two hundred thousand dollars.

APPROVED, February 12, 1842.

## STATUTE II.

March 4, 1842.

Said lands to be added to the Huntsville and Coosa districts.

Land office for the Coosa dist. to be removed.

CHAP. V.—*An Act to provide for the early disposition of the lands lying in the State of Alabama, acquired from the Cherokee Indians by the treaty of twenty-ninth of December, eighteen hundred and thirty-five.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all that part of the territory acquired from the Cherokee Indians by the treaty of New Echota of twenty-ninth December, eighteen hundred and thirty-five, within the State of Alabama, which lies west of the line dividing ranges two and three east of the basis meridian of Huntsville, shall be added to and form a part of said district; and all the territory acquired by the said treaty within the said State not attached to the Huntsville district, as above described, shall be annexed to and form a part of the Coosa land district, in said State.

SEC. 2. *And be it further enacted,* That the land office for the Coosa land district, at present located at Mardisville, shall be removed to Lebanon in the county of De Kalb.

APPROVED, March 4, 1842.

## STATUTE II.

March 19, 1842.

CHAP. VI.—*An Act to authorize the Judge of the District Court for the Eastern District of Pennsylvania, to hold a special session of the said court.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Judge of the Dis-

district Court for the Eastern District of Pennsylvania be, and he is hereby, authorized to hold a special session of the said court at a time to be by him designated, in lieu of the regular session which was appointed by law to be begun and held on the third Monday of February, one thousand eight hundred and forty-two, but was prevented by a vacancy in the office of district judge; and the marshal, clerk, and all other officers of the said court are hereby enjoined and required to make all needful arrangements for carrying into effect the provisions of this act.

Special session authorized.

APPROVED, March 19, 1842.

STATUTE II.

CHAP. VII.—*An Act supplementary to an act entitled "An act to amend the act approved May thirteenth, one thousand eight hundred, entitled An act to amend an act entitled an act to establish the judicial courts of the United States."*

March 19, 1842.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the judges of the courts of the United States in the State of Pennsylvania be, and they hereby are, authorized to appoint, when they deem it necessary, one or more commissioners in the different cities and counties, or any of them, of the districts in which their courts are held, who shall have power, by virtue of such appointment, to select from the taxable citizens residing within the limits of the said counties and cities, a number (to be designated from time to time by the said judges) of sober, judicious, and intelligent persons, to serve as jurors in the said courts; and the commissioners so appointed shall return the names by them selected to the marshal of the proper district; whereupon, the said courts shall, by due appointments, rules and regulations, conform the further designation and the empannelling of juries in substance to the laws and usages which may be in force in such State.

Act of May 13, 1800, ch. 61.  
Act of March 3, 1841, ch. 38.  
Commissioners to select persons to serve as jurors.  
1849, ch. 118.

Names of those selected to be returned to the marshals.

APPROVED, March 19, 1842.

STATUTE II.

CHAP. VIII.—*An Act to authorize the Governors of the States of Illinois, Arkansas and Missouri to cause to be selected the lands therein mentioned.*

March 19, 1842.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That so much of the eighth section of the act entitled "An act to appropriate the proceeds of the sales of the public lands, and to grant pre-emptions," approved September fourth, eighteen hundred and forty-one, as provides that the selections of the grants of land made to the several States, therein mentioned, for the purposes of internal improvement, shall be made, respectively, in such manner as the Legislatures thereof shall direct, is so far modified as to authorize the Governors of the States of Illinois, Arkansas and Missouri to cause the selections to be made for those States without the necessity of convening the Legislatures thereof for that purpose.

The 8th sec. of act 4th Sept. 1841, ch. 16. modified.

APPROVED, March 19, 1842.

STATUTE II.

CHAP. XX.—*An Act to amend the several acts establishing a district court of the United States at Jackson, in the District of West Tennessee. (a)*

April 14, 1842.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the district court of the United States at Jackson, in the District of West Tennessee, shall in future be attached to, and form a part of, the eighth judicial circuit of the United States, with all the powers and jurisdiction of the circuit court held at Nashville, in the middle district of Tennessee. And it shall be the duty of the associate justice of the Supreme Court of the United States assigned to hold the court for the eighth cir-

Dist. Court at Jackson attached to the 8th judicial circuit.  
Its powers and jurisdiction.  
Associate justice of supreme court for said circuit, to hold fall term.

(a) Acts relating to the District Courts in Tennessee, vol. 2, 273.

cuit to attend the fall term of said court at Jackson, and hold the same; and when he does so, then he may dispense with his attendance at the fall term of the court at Knoxville, in the district of East Tennessee; or when said judge holds the fall term at Knoxville, then he may dispense with holding the corresponding fall term at Jackson. And said circuit judge may elect which court he will hold, at discretion, in the exercise of which he shall be governed by the nature and importance of the business: *Provided*, Said circuit judge may attend at Knoxville and Jackson at any of their fall terms; *And provided also*, That in the absence of said circuit judge at any term of either of said courts, the district judge shall hold the same, and may exercise all the powers and jurisdiction conferred on the circuit court when held by the circuit judge.

Proviso.

Proviso.

Appeals to lie from the district to the circuit court.

Times of holding fall terms at Jackson and Knoxville.

District and circuit courts of Kentucky.

Vol. 3, 742.

SEC. 2. *And be it further enacted*, That appeals shall lie from the district court at Jackson, to the circuit court, in the same manner that they lie from the district to the circuit court at Nashville.

SEC. 3. *And be it further enacted*, That the fall terms of the district and circuit courts at Jackson, shall in future be held on the second Monday of October in each year; that the fall terms of the district and circuit courts of Kentucky be in future held on the third Monday of November in each year; and that the fall terms of the circuit and district courts at Knoxville, be held on the first Monday of November, in each year.

APPROVED, April 14, 1842.

STATUTE II.

April 14, 1842.

CHAP. XXI.—*An Act to confirm certain entries of lands in the State of Louisiana, and to authorize the issuing of patents for the same.*

Entries of lands described confirmed.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the entries of the following described tracts of land permitted to be made by the register and receiver at Ouachita, in the land district north of Red river, in the State of Louisiana, to wit: Lot number five, of section thirty-eight, and lots numbers one, two, five, and six, of section forty-five, and lots numbers three and four, of section forty-five, and lots numbers three, four, and five, of section forty-six, and lots numbers two, three, six, seven, eleven, twelve, thirteen, and fourteen, of section forty-eight, all said lots being in township number thirteen, of range number twelve east, in the said land district north of Red river, in the State of Louisiana, be, and the same are hereby, confirmed and declared to be good and valid; and patents shall issue thereon as in other cases of good and valid entries, and certificates of purchase, any law to the contrary notwithstanding.

Patents to be issued.

APPROVED, April 14, 1842.

STATUTE II.

April 14, 1842.

CHAP. XXII.—*An Act authorizing the construction of a war-steamer for harbor defence.*

Sec. Navy authorized to contract with R. L. Stevens for a war steamer. Proviso.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Navy be, and he is hereby authorized to enter into contract with Robert L. Stevens for the construction of a war-steamer, shot and shell proof, to be built principally of iron, upon the plan of the said Stevens: *Provided*, The whole cost, including the hull, armament, engines, boilers, and equipment in all respects complete for service, shall not exceed the average cost of the steamers Missouri and Mississippi.

SEC. 2. *And be it further enacted*, That the sum of two hundred and fifty thousand dollars be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, towards carrying this law into effect.

APPROVED, April 14, 1842.

CHAP. XXIII.—*An Act to establish certain post roads.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following be established as post roads: From Rome, in Georgia, to Commerce, in the State of Mississippi, and also to Memphis in the State of Tennessee, namely, from Rome, through Warrenton, Decatur and Tusculumbia, in Alabama and Jacinto, in Mississippi, to Ripley, in said State, as a common point, and from said point through Holly Springs and Herando, to Commerce, and from Ripley through La Grange, in Tennessee, to Memphis, in said State.

APPROVED, April 14, 1842.

STATUTE II.

April 14, 1842.

The post roads established, designated.

CHAP. XXIV.—*An Act to provide for the allowance of invalid pensions to certain Cherokee warriors, under the provisions of the fourteenth article of the treaty of eighteen hundred and thirty-five.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he hereby is, required to place on the pension roll such warriors of the Cherokee Nation, as were engaged on the side of the United States in the late war with Great Britain and the Southern Indians, and who were wounded in such service, at the same rates of pension as are allowed by law to the officers and soldiers of the regular army of the United States, under such rules and regulations as to the proof of disability as the Secretary of War shall prescribe: which pensions shall commence from the period of disability.

APPROVED, April 14, 1842.

STATUTE II.

April 14, 1842.

Certain Cherokee warriors to be allowed pensions.

CHAP. XXV.—*An Act relative to the act entitled, "An act granting lands to certain exiles from Poland," approved, thirtieth June, eighteen hundred and thirty-four.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the acts now in force for the sale of the public lands, and granting pre-emption rights to actual settlers, be, and the same are hereby, declared to extend to, and include, the lands selected in townships forty-four, forty-five, and forty-six, north of the base line, range one east, of the third principal meridian, lying in the State of Illinois, by Lewis Clopicki, under color of the act entitled, "An act granting lands to certain exiles from Poland." The said selections not having been made in pursuance of the provisions of said act, which act is hereby declared to be in full force, for the benefit of said Polish exiles.

APPROVED, April 14, 1842.

STATUTE II.

April 14, 1842.

Act of June 30, 1834, ch. 247.

Acts now in force for the sale of the public lands, &c. extended to certain lands selected under the act granting lands to Polish exiles.

CHAP. XXVI.—*An Act for the extension of the loan of eighteen hundred and forty-one, and for an addition of five millions of dollars thereto; and for allowing interest on Treasury notes due.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time limited by the first section of the act of Congress, entitled "An act authorizing a loan not exceeding the sum of twelve millions of dollars," approved July twenty-first, eighteen hundred and forty-one, for obtaining said loan, shall be, and the same is hereby, extended for one year from the passage of this act.

SEC. 2. And be it further enacted, That so much of said loan as may be obtained after the passage of this act shall be made reimbursable, as shall be agreed upon and determined at the time of issuing said stock,

STATUTE II.

April 15, 1842.

1842, ch. 287.

Time for obtaining the loan extended.

Act of July 21, 1841, ch. 3.

Loan reimbursable, when.

either at the will of the Secretary of the Treasury, after six months' notice, or at any time not exceeding twenty years from the first day of January next.

Form of certificates.

SEC. 3. *And be it further enacted*, That the certificates hereafter to be issued for said loan may, when required, be in such form as shall be prescribed by the Secretary of the Treasury, so that the stock may be purchased by delivery of the certificate, instead of being assignable on the books of the Treasury.

Stock, how transferable.

Stock to be disposed of, how.

SEC. 4. *And be it further enacted*, That the Secretary of the Treasury be, and he hereby is, authorized to dispose of the stock hereafter to be issued, or any part thereof, at its par value, but no part thereof shall be disposed of under par until the same has been advertised a reasonable time, and proposals for subscription to said loan invited. And the said Secretary is hereby authorized to accept such proposals, if he deem it for the interest of the United States so to do, as shall offer the highest price for said stock or any part thereof; or to appoint an agent or agents as provided in the third section of the act, approved July twenty-first, eighteen hundred and forty-one, before recited, to negotiate the same: *Provided*, That no stock shall be disposed of at a lower rate than the highest price offered in said proposals.

Moneys arising from duties pledged for the payment of the interest, &c.

SEC. 5. *And be it further enacted*, That the moneys arising from duties on goods, wares, and merchandise, which may be imported into the United States, or so much thereof as shall be equal to the payment, from time to time, of the interest, and to the ultimate redemption of the principal of the said stock, be, and the same are hereby, pledged for the payment and redemption of the stock hereafter to be issued under and by virtue of this act and the said act of July twenty-first, eighteen hundred and forty-one, hereby amended; and so much thereof as may be necessary to pay the interest on said stock, and redeem the same when due, is hereby appropriated to that object, to be first applied by the Secretary of the Treasury to such payments and redemption.

Report to be made to Congress of the amount of money borrowed, &c.

SEC. 6. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to report to Congress, at the commencement of the next session, the amount of money borrowed under this act and the act hereby amended, and of whom and upon what terms it shall have been obtained, with an abstract or brief statement of all the proposals submitted for the same, distinguishing between those accepted and those rejected; and a detailed statement of the expense of making such loans.

What provisions of the former act shall remain in force.

Additional loan authorized.

SEC. 7. *And be it further enacted*, That all the provisions of the said act, not hereby modified or changed, shall be and remain in force, and apply to this act.

SEC. 8. *And be it further enacted*, That the President of the United States is hereby authorized to borrow an additional sum, not exceeding the sum of five millions of dollars, if, in his opinion, the exigencies of the Government may require the same; which additional loan shall be made within the time and according to the provisions of said act, as modified by this.

Treasury notes due and unpaid, &c. to bear 6 per cent. interest.

Act of Oct. 12, 1837, ch. 2.

SEC. 9. *And be it further enacted*, That all Treasury notes heretofore issued under the act entitled "An act to authorize the issuing of Treasury notes," approved the twelfth day of October, eighteen hundred and thirty-seven, and the acts subsequent thereto, and now outstanding and unredeemed, or which may hereafter be issued under and by virtue of the same, shall, if due and unpaid before the fifth day of March, eighteen hundred and forty-two, bear interest at the rate of six per cent. per annum from that day; and when they may become due hereafter, or may have become due since the said fifth day of March, eighteen hundred and forty-two, shall bear interest from the day of their

so becoming due, at the rate of six per cent. per annum, until they shall be respectively redeemed: *Provided*, That such interest shall cease at the expiration of sixty days' notice, to be given at any time, by the Secretary of the Treasury in one or more of the principal papers published at the seat of Government, of a readiness to redeem the same. And the said interest shall be payable semi-annually at the Treasury of the United States, on the first days of January and July in every year.

Proviso.

Interest payable semi-annually.

APPROVED, April 15, 1842.

STATUTE II.

May 18, 1842.

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

*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 are hereby, appropriated to the objects hereinafter expressed, to be paid out of any unappropriated money in the Treasury, namely:

No. 1. For pay and mileage of the members of Congress and delegates from the Territories, in addition to the sum already appropriated to that object during the present session, two hundred seventy-three thousand seven hundred and twelve dollars.

Congress—pay and mileage.

No. 2. For pay of the officers and clerks of the Senate and House of Representatives, in addition to the sum already appropriated to that object during the present session, twelve thousand five hundred dollars.

Officers of the Senate and House of Reps.

No. 3. For stationery, fuel, printing, and all other incidental and contingent expenses of the Senate, in addition to the sum already appropriated to that object during the present session, thirty-five thousand dollars.

Contingent expenses.

No. 4. For stationery, fuel, printing, and all other incidental and contingent expenses of the House of Representatives, in addition to the sum already appropriated to that object during the present session, fifty thousand dollars: *Provided*, That no part of the sums appropriated for the contingent expenses of either House of Congress shall be applied to any other than the ordinary expenditures of the Senate and House of Representatives, nor as extra allowance to any clerk, messenger or other attendant of the said two Houses, or either of them; nor as payment or compensation to any clerk, messenger, or other attendant of the said two Houses, or either of them, unless such clerk, messenger, or other attendant, be so employed by a resolution or order of one of said Houses.

Proviso.

No. 5. For printing and binding ordered by the Senate during the twenty-sixth Congress, and remaining unpaid, twenty-seven thousand two hundred eighty-two dollars and sixty-eight cents, or so much thereof as may be found due on auditing the account by the proper committee.

Printing and binding ordered by Senate during 26th Congress.

No. 6. For preparing, printing, and binding documents ordered by the resolutions of the Senate of second July, eighteen hundred and thirty-six, and March second, eighteen hundred and thirty-seven, relating to the establishment of the seat of Government, reports, plans, and surveys, for improvements of harbors and rivers, roads and canals, (to be disbursed under the direction of the committee to audit and control the contingent expenses of the Senate; this sum being for printing and engraving done in pursuance of said resolutions prior to July, eighteen hundred and forty), twelve thousand two hundred and fifty dollars: but nothing in this appropriation shall authorize the continuance of said work, unless Congress shall hereafter direct the same.

Preparing, &c. documents.

No. 7. For a deficiency in the appropriations for the twenty-sixth Congress, on account of the contingent and incidental expenses of the House, namely: for printing, lithographing, binding, and books, ninety-

Continuation of work not authorized hereby. Deficiency in appropriations for contingent expenses of the House.

eight thousand three hundred and thirty-five dollars and eighty-five cents, or so much thereof as may be found necessary, on auditing the accounts by the appropriate committee; fifty-two thousand three hundred and forty-three dollars and forty-six cents of this amount being for books ordered by the House of Representatives, at the second session of the twenty-sixth Congress, to be distributed to the members of that body.

Library of  
Congress—offi-  
cers.

No. 8. For the salary of the principal and two assistant librarians, and the messenger of the library, three thousand four hundred and fifty dollars.

Contingent  
expenses.

No. 9. For contingent expenses, for carpet and repairs to the furniture of the library, one thousand eight hundred dollars.

Purchase of  
books.

No. 10. For purchase of books for the library of Congress, five thousand dollars.

President of  
United States.

No. 11. For purchase of law books for the library of Congress, one thousand dollars.

Department of  
State.

No. 12. For the salary of the President of the United States, twenty-five thousand dollars.

Secretary.  
Clerks, &c.

*Department of State.*—No. 13. For the salary of the Secretary of State, six thousand dollars.

Contingent  
expenses.

No. 14. For clerks and messengers in his office, twenty thousand three hundred dollars.

Printing, &c.  
of executive de-  
partments, to  
be by contract.

No. 15. For incidental and contingent expenses of the Department of State, including publishing and distributing the laws, twenty-five thousand dollars: *Provided*, That the job printing, stationery, and binding, of each of the Executive Departments, shall, until otherwise directed by law, be furnished by contract, proposals for which shall regularly be advertised in the public prints. The classes, character, and description, of the printing being specified in each advertisement as far as that can be done, and it being made a condition in all cases, unless otherwise specifically stated in the advertisement, that the work shall be done in the city of Washington; and the contract shall in each case, so far as the proposals and acceptance shall enable the contract to be made, be given to the lowest bidder, whose bid shall be accompanied with proper testimonials of the ability of the bidder to fulfil his contract.

Biennial Re-  
gister.

For amount due, in addition to former appropriations, for compiling, printing, and binding the Biennial Register, one thousand four hundred and sixty-six dollars and forty-nine cents.

Treasury De-  
partment.  
Secretary.  
Clerks, &c.

*Treasury Department.*—No. 16. For the salary of the Secretary of the Treasury, six thousand dollars.

First Compt-  
roller, &c.

No. 17. For compensation to clerks and messengers in his office, twenty thousand and fifty dollars.

Second Compt-  
roller, &c.

No. 18. For the salary of the First Comptroller, and the compensation of the clerks and messengers in his office, twenty-two thousand six hundred dollars.

1st Auditor.

No. 19. For the salary of the Second Comptroller, and the compensation of the clerks and messenger in his office, fifteen thousand two hundred and fifty dollars.

2d Auditor.

No. 20. For the salary of the First Auditor, and the compensation of the clerks and messenger in his office, eighteen thousand nine hundred dollars.

3d Auditor.

No. 21. For the salary of the Second Auditor, and the compensation of clerks and messenger in his office, twenty thousand nine hundred dollars.

4th Auditor.

No. 22. For the salary of the Third Auditor, and the compensation of clerks and messengers in his office, thirty-five thousand and fifty dollars.

No. 23. For the salary of the Fourth Auditor, and the compensation of clerks and messenger in his office, eighteen thousand nine hundred and fifty dollars.



- No. 24. For the salary of the Fifth Auditor, and the compensation of clerks and messenger in his office, twelve thousand eight hundred dollars. 5th Auditor.
- No. 25. For the salary of the Treasurer, and for the compensation of clerks and messenger in his office, thirteen thousand three hundred and fifty dollars. Treasurer.
- No. 26. For the salary of the Register of the Treasury, and the compensation of clerks and messengers in his office, twenty-seven thousand two hundred dollars. Register.
- No. 27. For the salary of the Commissioner of the General Land Office, and the compensation of the recorder, solicitor, draughtsman, assistant draughtsman, clerks, messengers, and packers in his office, ninety-eight thousand five hundred dollars. Commissioner of General Land Office.
- No. 28. For the salary of the Solicitor of the Treasury, and compensation to clerks and messenger in his office, seven thousand four hundred and fifty dollars. Solicitor of the Treasury.
- Department of War.*—No. 29. For the salary of the Secretary of War, six thousand dollars. War Department.
- No. 30. For clerks and messengers in said office, thirteen thousand three hundred and fifty dollars. Secretary. Clerks, &c.
- No. 31. For the salary of the Commissioner of Indian Affairs, and the compensation of clerks and messengers in his office, seventeen thousand nine hundred dollars. Commissioner of Ind. affairs.
- No. 32. For the salary of the Commissioner of Pensions, and the compensation of clerks and messenger in his office, sixteen thousand six hundred dollars. Commissioner of Pensions &c.
- No. 33. For the compensation of clerk in the office of the Commanding General, one thousand dollars. Offices of the Commanding General.
- No. 34. For the compensation of clerks in the office of the Adjutant General, seven thousand one hundred and fifty dollars. Adj. General.
- No. 35. For compensation of clerks and messenger in the Office of the Quartermaster General, seven thousand three hundred dollars. Quarter-master General.
- No. 36. For compensation of clerks and messenger in the office of the Paymaster General, seven thousand one hundred dollars. Paymaster General.
- No. 37. For compensation of clerks and messenger in the office of the Commissary General of Purchases, four thousand and forty dollars. Comm'y Gen. of Purchases.
- No. 38. For compensation of clerks in the office of the Commissary General of Subsistence, three thousand eight hundred dollars. Comm'y Gen. of Subsistence.
- No. 39. For compensation of clerks in the office of the Chief Engineer, five thousand one hundred and fifty dollars. Chief Engineer.
- No. 40. For compensation of clerk in the office of the Surgeon General, one thousand dollars. Surgeon General.
- No. 41. For compensation of clerks in the office of the Colonel of Ordnance, eight thousand one hundred and fifty dollars. Colonel of Ordnance.
- No. 42. For compensation of clerks in the bureau of Topographical Engineers, three thousand four hundred dollars. Topographical Bureau.
- Navy Department.*—No. 43. For the salary of the Secretary of the Navy, six thousand dollars. Navy Department.
- No. 44. For compensation of clerks and messengers in his office, eleven thousand two hundred and fifty dollars. Secretary. Clerks, &c.
- No. 45. For salaries of the Commissioners of the Navy Board, ten thousand five hundred dollars. Commis'srs of Navy Board.
- No. 46. For compensation of the Secretary of the Navy Board, two thousand dollars. Secretary.
- No. 47. For compensation of clerks, draughtsman, and messenger, in the office of said Board, eight thousand four hundred and fifty dollars. Clerks, &c.
- For this sum to pay arrearage for clerks' salary heretofore appropriated, (the same having been carried to the surplus fund in the year Arrearages.

- eighteen hundred and thirty-five,) six hundred and eighteen dollars and thirty-three cents.
- Post Office Department.*—No. 48. For salary of Postmaster General, six thousand dollars.
- Post Office Department.*  
Postmaster General. No. 49. For salary of three Assistant Postmasters General, seven thousand five hundred dollars.
- Assistant Postmasters General. No. 50. For compensation of clerks and messengers in said office, forty-eight thousand six hundred dollars.
- Clerks and messengers. No. 51. For compensation of two watchmen at three hundred dollars each, six hundred dollars.
- Watchmen. No. 52. For salary of Auditor for Post Office Department, three thousand dollars.
- Auditor. No. 53. For compensation of clerks and messengers in said office, fifty-five thousand five hundred dollars.
- Clerks, &c. No. 54. For repairs of the building lately occupied by the Post Office Department, under an agreement entered into between Amos Kendall, Postmaster General, and B. Ogle Tayloe, the proprietor of said building, on the sixteenth day of December, eighteen hundred and thirty-six, to put the same in a good and tenantable condition, two thousand five hundred and seventy-two dollars and eighty-five cents.
- Repairs of the building lately occupied. *Surveyors and their Clerks.*—No. 55. For salary of surveyor general northwest of the Ohio, two thousand dollars.
- Surveyors and their clerks. No. 56. For compensation of clerks in his office, per act of ninth May, eighteen hundred and thirty-six, six thousand three hundred dollars.
- North-west of the Ohio. No. 57. For salary of surveyor general in Illinois and Missouri, two thousand dollars.
- 1836, ch. 60. No. 58. For compensation of clerks in his office, per act of ninth May, eighteen hundred and thirty-six, three thousand eight hundred and twenty dollars.
- Illinois and Missouri. No. 59. For salary of surveyor general of Arkansas, one thousand five hundred dollars.
- 1836, ch. 60. No. 60. For compensation of clerks in his office, per act of ninth May, eighteen hundred and thirty-six, two thousand eight hundred dollars.
- Arkansas. No. 61. For salary of surveyor general of Louisiana, two thousand dollars.
- 1836, ch. 60. No. 62. For compensation of clerks in his office, per act of ninth May, eighteen hundred and thirty-six, two thousand five hundred dollars.
- Louisiana. No. 63. For the salary of the surveyor general of Mississippi, two thousand dollars.
- 1836, ch. 60. No. 64. For compensation of clerks in his office, per act of ninth May, eighteen hundred and thirty-six, five thousand dollars.
- Mississippi. No. 65. For the salary of the surveyor general of Alabama, two thousand dollars.
- 1836, ch. 60. No. 66. For compensation of clerks in his office, per act of ninth May, eighteen hundred and thirty-six, two thousand dollars.
- Alabama. No. 67. For salary of surveyor general of Florida, two thousand dollars.
- 1836, ch. 60. No. 68. For compensation of clerks in his office, per act of ninth May, eighteen hundred and thirty-six, one thousand dollars.
- Florida. No. 69. For salary of surveyor general of Wisconsin and Iowa, per act of twelfth June, eighteen hundred and thirty-eight, one thousand five hundred dollars.
- 1838, ch. 99. No. 70. For compensation of clerks in his office, per act of twelfth June, eighteen hundred and thirty-eight, one thousand six hundred dollars.
- Wisconsin and Iowa. No. 71. For salary of Secretary to sign patents for public lands, one thousand five hundred dollars.
- Secretary to sign patents for lands.

- No. 72. For salary of Commissioner of Public Buildings in Washington city, three thousand dollars. Commissioner of public buildings.
- No. 73. For compensation of two assistants to the Commissioner, as superintendent of the Potomac bridge, at one dollar and fifty cents per day, including oil for lamps, fuel, repairs, and for securing and delivering to the drawkeeper at the Potomac bridge, the draws, timber, iron, &c., carried away by the ice freshet, one thousand six hundred and fifty dollars. Assistants, Potomac bridge, &c.
- No. 74. For completing the requisite offices, fuel, vaults, water-closets, erecting the portico of the western wing, the colonnade, courts, pavements, and enclosures, including the amount due for lumber and materials for the Treasury building, forty thousand three hundred and seventy-five dollars. Treasury building.
- No. 75. For completing the work yet to be done, and to pay for labor and materials due, at the General Post Office building, seventy-four thousand three hundred and seventy-five dollars. General Post Office building.
- No. 76. For erecting privies, grading and paving courts, at the new jail, and erecting suitable furnaces for heating the building, one thousand eight hundred and fifty-one dollars. New jail.
- No. 77. For pay of John Joyce, account allowed him by the board of commissioners under resolution of Congress, one hundred and thirty-three dollars and eighty-seven and a half cents. J. Joyce to be paid.
- No. 78. For enclosing Patent Office and grounds with wood pale fence, clearing grounds, planting trees, preparing and fixing window shutters, two thousand dollars. Enclosing Patent Office, &c.
- United States Mint and Branches.*—No. 79. For salary of the director of the mint at Philadelphia, three thousand five hundred dollars. Mint and branches.
- No. 80. For compensation of the treasurer in said office, two thousand dollars. Mint at Philadelphia.
- No. 81. For compensation of chief coiner in said office, two thousand dollars. Officers, &c.
- No. 82. For compensation of the assayer in said office, two thousand dollars.
- No. 83. For compensation of melter and refiner in said office, two thousand dollars.
- No. 84. For compensation of engraver in said office, two thousand dollars.
- No. 85. For compensation of the assistant assayer, one thousand three hundred dollars.
- No. 86. For compensation of one clerk at one thousand two hundred dollars, two at one thousand one hundred dollars, and one at one thousand dollars, four thousand four hundred dollars.
- No. 87. For compensation to workmen in said office, twenty-four thousand dollars.
- No. 88. For specimens of ores and coins to be reserved at the mint, two hundred dollars.
- No. 89. For salary of the superintendent of the branch mint at Charlotte, North Carolina, two thousand dollars. Branch mint at Charlotte.
- No. 90. For compensation of assayer in said office, one thousand five hundred dollars. Officers, &c.
- No. 91. For compensation of coiner in said office, one thousand five hundred dollars.
- No. 92. For compensation of one clerk, one thousand dollars.
- No. 93. For compensation to workmen, three thousand five hundred dollars.
- No. 94. For compensation of the superintendent of the branch mint at Dahlonega, Georgia, two thousand dollars. Branch mint at Dahlonega.
- No. 95. For compensation of the assayer, one thousand five hundred dollars. Officers, &c.

No. 96. For compensation of the coiner, one thousand five hundred dollars.

No. 97. For compensation of one clerk, one thousand dollars.

No. 98. For compensation of workmen, two thousand eight hundred and eighty dollars.

Branch mint  
at N. Orleans.

No. 99. For compensation of the superintendent of the branch mint at New Orleans, two thousand five hundred dollars.

Officers, &c.

No. 100. For compensation of the Treasurer, two thousand dollars.

No. 101. For compensation of the coiner, two thousand dollars.

No. 102. For compensation of the assayer, two thousand dollars.

No. 103. For compensation of the melter and refiner, two thousand dollars.

No. 104. For compensation of two clerks, at twelve hundred dollars each, two thousand four hundred dollars.

No. 105. For compensation of workmen, two thousand dollars.

No. 106. For rebuilding flues of melting department, one thousand five hundred dollars.

No. 107. For iron rods for strengthening north and south wings of the mint, one thousand dollars.

Wisconsin  
Territory.  
Governor.

*Wisconsin Territory.*—No. 108. For the salary of the Governor of Wisconsin Territory, as Governor, one thousand five hundred dollars; as superintendent of Indian affairs, one thousand dollars; being in all two thousand five hundred dollars.

Judges.

No. 109. For compensation of three judges, at one thousand eight hundred dollars each, five thousand four hundred dollars.

Secretary.

No. 110. For compensation of secretary, one thousand two hundred dollars.

Contingent  
expenses.

No. 111. For contingent expenses of the Territory, three hundred and fifty dollars.

Legislative  
Assembly, &c.

No. 112. For compensation and mileage of the members of the Legislative Assembly, pay of officers, printing, stationery, fuel, lights, enclosing the Capitol square, and all other incidental and miscellaneous objects, twenty thousand dollars.

Iowa Terri-  
tory.  
Governor.

*Iowa Territory.*—No. 113. For salary of Governor of Iowa Territory, as Governor, one thousand five hundred dollars; as superintendent of Indian affairs, one thousand dollars; being in all two thousand five hundred dollars.

Judges.

No. 114. For compensation of three judges, at one thousand eight hundred dollars each, five thousand four hundred dollars.

Secretary.

No. 115. For compensation of secretary, one thousand two hundred dollars.

Contingent  
expenses.

No. 116. For contingent expenses of the Territory, three hundred and fifty dollars.

Legislative  
Assembly.

No. 117. For compensation and mileage of the members of the Legislative Assembly, pay of officers, printing, stationery, fuel, postage, lights, furniture, rent, and all other incidental and miscellaneous objects, twenty thousand one hundred and seventy-five dollars. And for the arrearages of expenses for the Legislative Assembly of the Territory of Iowa, for the present and previous years, the accounts for which shall first be audited and allowed by the proper accounting officers of the Treasury, thirteen thousand four hundred and twenty-one dollars:

Arrearages.

Proviso

*Provided*, That no part of this appropriation shall be used for the payment of the members of the said Legislative Assembly for per diem wages, mileage, or extra services, or for stationery for their individual use, nor for any other purpose not authorized by the act of Congress establishing the Territory of Iowa: *And provided, further*, That the Legislative Assembly of no Territory shall, hereafter, in any instance, or under any pretext whatever, exceed the amount appropriated by Congress for its annual expenses.

Further pro-  
viso.

Florida Terri-  
tory.  
Governor.

*Florida Territory.*—No. 118. For salary of the Governor, two thousand five hundred dollars.

- No. 119. For compensation of four judges, at one thousand eight hundred dollars each, and one at two thousand three hundred dollars, nine thousand five hundred dollars. Judges.
- No. 120. For compensation of secretary, one thousand five hundred dollars. Secretary.
- No. 121. For contingent expenses of the Territory, three hundred and fifty dollars. Contingent expenses.
- No. 122. For compensation and mileage of the members of the Legislative Council, pay of officers, stationery, fuel, printing, rent, furniture, and all other incidental and contingent objects, twenty-seven thousand one hundred and twenty-five dollars. Legislative Council.
- Judiciary.*—No. 123. For the salary of the Chief Justice of the Supreme Court, five thousand dollars. Judiciary. Chief justice.
- No. 124. For the salaries of eight associate judges, at four thousand five hundred dollars, thirty-six thousand dollars. Associate judges.
- No. 125. For the salary of the district judge, of Maine, one thousand eight hundred dollars. District judges.
- No. 126. For the salary of the district judge, of New Hampshire, one thousand dollars.
- No. 127. For the salary of the district judge, Massachusetts, two thousand five hundred dollars.
- No. 128. For the salary of the district judge, Vermont, one thousand two hundred dollars.
- No. 129. For the salary of the district judge, Rhode Island, one thousand five hundred dollars.
- No. 130. For the salary of the district judge, Connecticut, one thousand five hundred dollars.
- No. 131. For the salary of the district judge, New York, northern district, two thousand dollars.
- No. 132. For the salary of the district judge, New York, southern district, three thousand five hundred dollars.
- No. 133. For the salary of the district judge, New Jersey, one thousand five hundred dollars.
- No. 134. For the salary of the district judge, Pennsylvania, eastern district, two thousand five hundred dollars.
- No. 135. For the salary of the district judge, Pennsylvania, western district, one thousand eight hundred dollars.
- No. 136. For the salary of the district judge, Delaware, one thousand five hundred dollars.
- No. 137. For the salary of the district judge, Maryland, two thousand dollars.
- No. 138. For the salary of the district judge, Virginia, eastern district, one thousand eight hundred dollars.
- No. 139. For the salary of the district judge, Virginia, western district, one thousand six hundred dollars.
- No. 140. For the salary of the district judge, Kentucky, one thousand five hundred dollars.
- No. 141. For the salary of the district judge, Tennessee, one thousand five hundred dollars.
- No. 142. For the salary of the district judge, Ohio, one thousand dollars.
- No. 143. For the salary of the district judge, North Carolina, two thousand dollars.
- No. 144. For the salary of the district judge, South Carolina, two thousand five hundred dollars.
- No. 145. For the salary of the district judge, Georgia, two thousand five hundred dollars.
- No. 146. For the salary of the district judge, Louisiana, three thousand dollars.

No. 147. For the salary of the district judge, Mississippi, two thousand dollars.

No. 148. For the salary of the district judge, Indiana, one thousand dollars.

No. 149. For the salary of the district judge, Illinois, one thousand dollars.

No. 150. For the salary of the district judge, Alabama, two thousand five hundred dollars.

No. 151. For the salary of the district judge, Missouri, one thousand two hundred dollars.

No. 152. For the salary of the district judge, Michigan, one thousand five hundred dollars.

No. 153. For the salary of the district judge, Arkansas, two thousand dollars.

Judges of District Columbia. No. 154. For the salary of the chief justice of the District of Columbia, two thousand seven hundred dollars.

No. 155. For the salary of two associate judges, at two thousand five hundred dollars each, five thousand dollars.

No. 156. For the salary of the judge of the criminal court, two thousand dollars.

No. 157. For the salary of the judge of the orphans' court, Washington county, one thousand dollars.

No. 158. For the salary of the judge of the orphans' court, Alexandria county, one thousand dollars.

Attorney General. No. 159. For the salary of the attorney general of the United States, four thousand dollars.

Clerk, &c. No. 160. For the compensation of the clerk and messenger, one thousand five hundred dollars.

District attorneys. No. 161. For the compensation of the district Attorneys of Maine, New Hampshire, Vermont, Rhode Island, Connecticut, New York, (northern district,) New Jersey, Pennsylvania, (western district,) Delaware, Virginia, (eastern district,) Virginia, (western district,) Tennessee, (eastern district,) Tennessee, (western district,) Tennessee, (Jackson district,) Kentucky, Ohio, North Carolina, Georgia, Louisiana, (western district,) Mississippi, (northern district,) and Mississippi, (southern district,) Indiana, Illinois, Alabama, (northern district,) Alabama, (southern district,) Missouri, Michigan, Arkansas, Florida, (eastern district,) Florida, (middle district,) Florida, (western district,) Florida, (southern district,) Florida, (Appalachicola district,) and Iowa, each two hundred dollars, six thousand eight hundred dollars.

No. 162. For compensation of the district attorney of South Carolina, from April twenty-seven, eighteen hundred and forty-one, to December thirty-one, eighteen hundred and forty-two, three hundred and sixty-six dollars and eleven cents.

No. 163. For compensation of district attorney of the eastern district of Louisiana, six hundred dollars

No. 164. For compensation of district attorney of Wisconsin, two hundred and fifty dollars.

Marshals. No. 165. For compensation of marshals for the districts of Maine, New Hampshire, Vermont, Rhode Island, Connecticut, New York, (northern district,) New Jersey, Pennsylvania, (western district,) Delaware, Virginia, (eastern district,) Virginia, (western district,) Kentucky, Ohio, Tennessee, (eastern district,) Tennessee, (western district,) Tennessee, (Jackson district,) Louisiana, (eastern district,) Louisiana, (western district,) Mississippi, (northern district and southern district,) Indiana, Illinois, Alabama, (northern district,) Alabama, (southern district,) Missouri, Michigan, Arkansas, Florida, (eastern district,) Florida, (middle district,) Florida, (western district,) Florida,

{southern district,) Florida, (Appalachicola district,) Wisconsin, and Iowa, each two hundred dollars, six thousand eight hundred dollars.

No. 166. For compensation of marshal for the district of North Carolina, four hundred dollars.

No. 167. 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-two 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, including expenses under the bankrupt law, and also including thirty thousand dollars arrearages for last year, three hundred and seventy-five thousand dollars: *Provided, however,* That every district attorney, clerk of a district court, clerk of a circuit court, and marshal of the United States, shall, until otherwise directed by law, upon the first days of January and July in each year, commencing with the first day of July next, or within thirty days from and after the days specified, make to the Secretary of the Treasury, in such form as he shall prescribe, a return, in writing, embracing all the fees and emoluments of their respective offices, of every name and character, distinguishing the fees and emoluments received or payable under the bankrupt act, from those received or payable for any other service; and in the case of a marshal, further distinguishing the fees and emoluments received or payable for services by himself personally rendered, from those received or payable for services rendered by a deputy; and also distinguishing the fees and emoluments so received or payable for services rendered by each deputy, by name, and the proportion of such fees and emoluments which, by the terms of his service, each deputy is to receive; and also, embracing all the necessary office expenses of such officer, together with the vouchers for the payment of the same, for the half year ending on the said first day of January or July, as the case may be; which return shall be, in all cases, verified by the oath of the officer making the same. And no district attorney shall be allowed by the said Secretary of the Treasury, to retain of the fees and emoluments of his said office, for his own personal compensation, over and above his necessary office expenses, the necessary clerk hire included, to be audited and allowed by the proper accounting officers of the Treasury, a sum exceeding six thousand dollars per year, and at and after that rate, for such time as he shall hold the office; and no clerk of a district court, or clerk of a circuit court, shall be allowed by the said Secretary, to retain of the fees and emoluments of his said office, or, in case both of the said clerkships shall be held by the same person, of the said offices, for his own personal compensation, over and above the necessary expenses of his office, and necessary clerk hire included, also to be audited and allowed by the proper accounting officers of the Treasury, a sum exceeding three thousand five hundred dollars per year, for any such district clerk, or a sum exceeding twenty-five hundred dollars per year for any such circuit clerk, or at and after that rate, for such time as he shall hold the office; and no marshal shall be allowed by the said Secretary, to retain of the fees and emoluments of his said office, for his own personal compensation, over and above a proper allowance to his deputies, which shall in no case exceed three-fourths of the fees and emoluments received as payable for the services rendered by the deputy to whom the allowance is made, and may be reduced below that rate by the said Secretary of the Treasury, whenever the return shall show that rate of allowance to be unreasonable, and over and above the necessary office expenses of the said marshal, the necessary clerk hire included, also to be audited and allowed by the proper accounting officers of the

Expenses of Supreme Court &c.

Proviso: district attorneys, &c. to make semi-annual returns of fees.

Amount of fees which they are allowed to retain.

Surplus to be paid into the Treasury, &c.

Further proviso: no per diem to be made in certain cases.

Further proviso: fixing the fees for the northern and southern dist's of New York.

1841. ch. 9.

Proviso.

Miscellaneous. Annuities and grants.

U. S. coast survey.

Treasury, a sum exceeding six thousand dollars per year, or at and after that rate, for such time as he shall hold the office; and every such officer shall, with each such return made by him, pay into the Treasury of the United States, or deposite to the credit of the Treasurer thereof, as he may be directed by the Secretary of the Treasury, any surplus of the fees and emoluments of his office, which his half-yearly return so made as aforesaid shall show to exist over and above the compensation and allowances hereinbefore authorized to be retained and paid by him. And in every case where the return of any such officer shall show that a surplus may exist, the said Secretary of the Treasury shall cause such returns to be carefully examined and the accounts of disbursements to be regularly audited by the proper officers of his Department, and an account to be opened with such officer in proper books to be provided for that purpose, and the allowances for personal compensation for each calendar year shall be made from the fees and emoluments of that year, and not otherwise: *And provided, further,* That nothing in any existing law of Congress authorizing the payment of a per diem compensation to a district attorney, clerk of a district court, or clerk of a circuit court, or marshal, or deputy marshal, for attendance upon the district or circuit courts during their sittings, shall be so construed as to authorize any such payment to any one of those officers for attendance upon either of those courts, while sitting for the transaction of business under the bankrupt law merely, or for any portion of the time for which either of the said courts may be held open, or in session, by the authority conferred in that law; and no such charge, in an account of any such officer, shall be certified as payable, or shall be allowed and paid out of the money hereinbefore appropriated for defraying the expenses of the courts of the United States, unless such district attorney, clerk, or marshal, shall be required by the judge of said court or the Solicitor of the Treasury to attend the sessions of the same, and shall actually attend for the performance of the duties of his said office. And no per diem or other allowance shall be made to any such officer for attendance at rule days, of the circuit or district courts, and when the circuit and district courts sit at the same time, no greater per diem or other allowance shall be made to any such officer than for an attendance on one court: *And provided further,* That the district attorney, marshal, clerk of the circuit court and clerk of the district court of the United States for the northern and southern districts of New York, shall not hereafter receive any greater or other fees and emoluments, including fees and emoluments under the act entitled "An act to establish a uniform system of bankruptcy throughout the United States," for services rendered by them, respectively, in the said courts, than now are or hereafter may be allowed by the laws of the State of New York to attorneys, solicitors, counsel, sheriffs, and clerks, in the highest courts of law or equity, of original jurisdiction, of the State of New York, according to the nature of the proceedings, for like services rendered therein: *Provided,* That no part of the fund hereby appropriated, shall be applied unless in addition to the certificates now required by law, the clerk of the said court shall certify in his official capacity, that the services have been rendered, and the supplies furnished for, and used by the court, and that the charges therefor were legal and proper.

*Miscellaneous.*—No. 168. Annuities and grants: Josiah H. Webb, per act of twelfth December, eighteen hundred and eleven, fifty dollars; Rachael Dohrman, per act of third March, eighteen hundred and seventeen, three hundred dollars; Elizabeth C. Perry, per act of second March, eighteen hundred and twenty-one, four hundred dollars; Elizabeth M. Perry, per act of second March, eighteen hundred and twenty-one, one hundred and fifty dollars; making in all nine hundred dollars.

No. 169. For survey of the coast of the United States, including



compensation to superintendent and assistants, one hundred thousand dollars.

No. 170. For the continuation of the survey of the northern and southern lakes of the United States, twenty thousand dollars.

Survey of the lakes.

No. 171. For completing survey of the boundary between the State of Michigan and territory of Wisconsin, seven thousand dollars.

Boundary between Michigan and Wisconsin.

No. 172. To enable the President of the United States to cause to be made and completed 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, and for completing maps of surveys already made, and other work, according to estimates, sixty-six thousand three hundred and one dollars and seventy-five cents.

Exploration and survey of north-eastern boundary.

No. 173. For the salaries of the two keepers of the public archives in Florida, one thousand dollars.

Keepers of Florida archives.

For allowance to law agent, assistant counsel, and district attorney, under acts providing for settlement of private land claims in Florida, three thousand five hundred and thirty-five dollars and eighty-two cents: *Provided*, That no allowance shall hereafter be made for compensation to the law agent, assistant counsel, or extra fees to the district attorney of Florida, for attending to the settlement of private land claims in Florida. And the said office of law agent and the power to employ assistant counsel are hereby abolished.

Allowance to law agents, &c.

Proviso.

No. 174. For expenses in relation to the relief of certain insolvent debtors of the United States, two thousand dollars.

Insolvent debtors.

No. 175. For the support and maintenance of the penitentiary of the District of Columbia, in addition to an unexpended balance of nine thousand three hundred and eighty-four dollars, six hundred and sixteen dollars.

Penitentiary of D. C.

No. 176. To make good a deficiency in the year eighteen hundred and forty-one in the fund for the relief of sick and disabled seamen, as established by the act of the third May, eighteen hundred and three, [two] forty-six thousand five hundred dollars.

Sick and disabled seamen.

1802, ch. 51.

No. 177. To complete and put in a suitable condition for occupation the marine hospital at Mobile, fifteen thousand dollars.

Marine hospital at Mobile.

No. 178. For the custom-house at Boston, seventy-five thousand dollars.

Custom-house at Boston.

No. 179. For payment of such amount as shall be found due by the select committee, appointed in the House of Representatives on the thirteenth day of May, eighteen hundred and forty-two, for superintendence, work done, and materials furnished in completing the custom-house at New York, a sum not exceeding twenty-eight thousand two hundred dollars.

Custom-house at New York.

No. 180. For expenses of sixth census, including printing statistics and reports, enumeration of inhabitants and addendum, and census of pensioners for revolutionary and military services, ten thousand copies each, a sum not exceeding one hundred and ten thousand dollars: *Provided, however*, That before the said accounts are paid it shall be the duty of the Secretary of State, or other proper accounting officer, to ascertain from one or more disinterested practical printers, what would be considered a fair and just compensation for composition, press-work, printing and paper, and that so much and no more be allowed: *And provided further*, That no part of the said sum be applied to the payment of printing the compendium which is now the subject of dispute.

Expenses of 6th census.

Proviso.

For the removal of the statue of Washington under the direction of a joint committee of both Houses of Congress, the account for which shall be audited and certified by said committee, a sum not exceeding one thousand dollars.

Statue of Washington.

Expenses of  
issuing Treasury  
notes.

For expenses incident to the issue of Treasury notes heretofore authorized, two thousand dollars: *Provided*, That no part of this appropriation be applied, and no compensation shall be made to any officer whose salary is established by law, for preparing, signing, or issuing said Treasury notes.

Light-house  
establishment.  
Light-houses.

*Light-house Establishment.*—No. 181. For supplying light-houses, containing two thousand six hundred and fifty-two lamps, with oil, tube-glasses, wicks, buff-skins, whiting and cotton cloth, transportation and keeping the apparatus in order, one hundred and sixteen thousand seven hundred and thirty-five dollars and ninety-six cents.

No. 182. For repairs, refitting, and improvements of light-houses, and buildings connected therewith, one hundred and twenty-five thousand three hundred and fifty-seven dollars and eighty-two cents.

No. 183. For salaries of two hundred and thirty-six keepers of light-houses, (seventeen of them being charged with two lights each, and one with three,) ninety-four thousand thirty-eight dollars and thirty-three cents.

Floating lights,  
&c.

No. 184. For salaries of thirty keepers of floating lights, fifteen thousand eight hundred dollars.

No. 185. For seamen's wages, repairs, and supplies to thirty floating lights, sixty-seven thousand one hundred and seventy-six dollars and eighteen cents.

Buoys, &c.

No. 186. For weighing, mooring, cleansing, repairing, and supplying the loss of beacons, buoys, chains, and sinkers, twenty-five thousand four hundred and ninety-nine dollars and twelve cents.

No. 187. For expenses of examining annually the condition of the light-houses, four thousand dollars; and for superintendents' commissions, at two and a half per cent., eleven thousand two hundred and fifteen dollars.

Light-house at  
Goat Island.

No. 188. For completing the dike (from Goat Island, Newport, Rhode Island) and removing the light to the new light-house, thirteen thousand dollars.

Foreign inter-  
course.  
Ministers.

*Intercourse with Foreign Nations.*—No. 189. For salaries of the ministers of the United States to Great Britain, France, Russia, Prussia, Austria, Spain, Mexico, and Brazil, seventy-two thousand dollars.

Secretaries of  
Legation.

No. 190. For salaries of secretaries of legation to the same places, sixteen thousand dollars.

Chargés des  
affaires.

No. 191. For salaries of the chargés des affaires to Portugal, Denmark, Sweden, Holland, Belgium, Chili, Peru, Venezuela, New Grenada, Texas, Naples, and Sardinia, fifty-four thousand dollars.

Outfits.

No. 192. For outfits of chargés des affaires to Sweden, Belgium, New Grenada, and Holland, eighteen thousand dollars.

Minister to  
Turkey.

No. 193. For salary of the minister resident to Turkey, six thousand dollars.

Drogoman.

No. 194. For salary of a drogoman to the legation to Turkey, two thousand five hundred dollars.

Expenses of  
foreign inter-  
course.

No. 195. For contingent expenses of foreign intercourse, thirty thousand dollars: *Provided*, That such portion of the appropriations for foreign missions as shall remain unexpended by reason of reduction or discontinuance of missions, (if any should be made,) may be applied to the payment of such allowances as shall become necessary in consequence of such reduction or discontinuance.

Expenses of  
missions.

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

Consul at  
London.

No. 196. For salary of the consul at London, two thousand dollars.

Relief, &c. of  
Am. seamen.

No. 197. For the relief and protection of American seamen in foreign countries, thirty-five thousand dollars.

Expenses of  
consulate at  
London.

No. 198. For clerk hire, office rent, and other expenses of the office of [the] consul at London, two thousand eight hundred dollars.

No. 199. In full for the balance of expenses of running and marking the boundary line between the United States and Texas, four hundred dollars; and for salaries of the commissioner, surveyor, and clerk, eleven hundred and twenty-five dollars, or so much thereof as may be found due, on the accounts being audited by the appropriate officer.

Boundary between U. S. and Texas.

No. 200. For the benefit of the legal representatives of Edward Lee, (being a re-appropriation of the amount specified in the act of March seven, eighteen hundred and thirty-two, for the relief of Edward Lee,) three hundred and fifty dollars: *Provided*, That no allowance shall be made, out of any moneys appropriated by this bill, to any clerk or other officer for the discharge of duties, the performance of which belongs to any other clerk or other officer in the same or any other department; and that no allowance shall be made for any extra services whatever, which any clerk or other officer may be required to perform: *And provided, also*, That no person shall be paid for carrying the office mails or doing any other duties which ought to be done by the messengers of particular departments.

Edward Lee.

1832, ch. 35.

Proviso.

Proviso.

*Post Office Department.*—For the service of the General Post Office for the year eighteen hundred and forty-two, in conformity to the act of second July, eighteen hundred and thirty-six, four millions four hundred and eighty-five thousand and nine hundred dollars, viz:

Post Office Department.  
1836, ch. 270.

No. 201. For transportation of the mail, three millions one hundred and fifty thousand dollars.

Transportation.

No. 202. For compensation of postmasters, nine hundred and fifteen thousand dollars: *Provided, however*, That in addition to returns now required to be rendered by postmasters, it shall be the duty of Postmasters at New York, Boston, Philadelphia, Baltimore, and New Orleans, and the other several cities of the Union, each and every year hereafter, to render a quarter-yearly account to the Postmaster General, under oath, in such form as the latter shall prescribe, for the purpose of giving full effect to this proviso, of all emoluments or sums by them respectively received for boxes, or pigeon-holes, or other receptacles for letters or papers, and by them charged for to individuals; or for the delivery of letters or papers at or from any place in either of said cities, other than the actual post office of such city; and of all emoluments, receipts, and profits, that have come to their hands by reason of keeping branch post offices in either of said cities; and if, from such accounting, it shall appear that the nett amount received by either of the postmasters at either of such cities, for such boxes, and pigeon-holes, and other receptacles for letters and papers, and for delivering letters or papers at or from any place in either of said cities, other than said post office, and by reason of keeping a branch post office in either of said cities, shall, in the aggregate, exceed the sum of three thousand dollars in any one year, such excess shall be paid to the Postmaster General, for the use and purposes of the Post Office Department; and no postmaster shall, hereafter, under any pretence whatsoever, have, or receive, or retain for himself, in the aggregate, more than five thousand dollars per year, including salary, commissions, boxes, and all other fees, perquisites, and emoluments, of any name or character whatsoever, and for any service whatsoever.

Compensation of postmasters.  
Proviso, requiring returns of emoluments received from boxes, &c.

No postmaster to receive more than \$5000 a year, salary included.

No. 203. For ship, steamboat, and way letters, twenty thousand dollars.

Ship letters, &c.

No. 204. For wrapping paper, sixteen thousand eight hundred dollars.

Wrapping paper.

No. 205. For office furniture, (for offices of postmasters,) four thousand six hundred dollars.

Office furniture.

No. 206. For advertising, thirty-three thousand five hundred dollars.

Advertising.

No. 207. For mail bags, twenty thousand dollars.

Mail bags.

No. 208. For blanks, thirty thousand dollars.

Blanks.

No. 209. For mail locks, keys and stamps, ten thousand dollars.

Mail locks, &c.

Depredations. No. 210. For mail depredations and special agents, twenty-eight thousand dollars.

Clerks. No. 211. For clerks for offices, (i. e. to deputy postmasters,) two hundred thousand dollars.

Miscellaneous. No. 212. For miscellaneous, fifty-eight 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 18, 1842.

STATUTE II.

May 18, 1842.

Act of June 18,

1838, ch. 118.

Act of Jan. 18,

1839, ch. 3.

Vol. 2, 273.

Times of holding said courts in East Tennessee.

West Tennessee.

see.

The judge may adjourn a cause.

Rule days to be fixed, and orders made by the courts.

1st sec. act 4th July 1840, ch. 42, repealed.

CHAP. XXX.—*An Act changing the times of holding the circuit and district courts of the United States for the districts of East and West Tennessee.*(a)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the circuit and district courts of the United States for the district of East Tennessee, shall hereafter be held at Knoxville in said district, on the first Mondays in November and May, in each and every year, instead of the times heretofore fixed by law; and that the circuit and district courts for the district of West Tennessee shall hereafter be held at Jackson, in said district, on the second Mondays in October and April, in each and every year, instead of the times heretofore fixed by law—the spring terms of said circuit court at Knoxville and Jackson, as herein provided, to be held by the district judge; and should any difficult question of law arise in any cause, said judge may, at his discretion, adjourn said cause to the succeeding term of said court. And all writs, pleas, suits, recognizances, indictments, or other proceedings, civil or criminal, issued, commenced, or pending in either of said courts, shall be returnable to, be entered and have day in court, and be heard and tried according to the times of holding said courts, as herein provided.

SEC. 2. *And be it further enacted*, That such rule days, for the return of process and the filing of pleadings, may from time to time be fixed, and other orders made by said courts, respectively, not inconsistent with the Constitution and laws of the United States, as may be necessary or proper for the convenience of parties and the advancement of business in said courts; and that the first section of "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," approved July the fourth, eighteen hundred and forty, be, and the same is hereby, repealed.

APPROVED, May 18, 1842.

STATUTE II.

June 1, 1842.

Act of March 10, 1838, ch. 33.

1844, ch. 5.

The July term now held at Columbus to be held at Cincinnati.

CHAP. XXXI.—*An Act to amend the act of the tenth of March, eighteen hundred and thirty-eight, entitled "An act to change the time of holding the circuit and district courts in the district of Ohio."*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the term of the circuit and district courts of the United States, in the district of Ohio, now required by law to be held on the first Monday of July, annually, at Columbus, shall hereafter be held at the city of Cincinnati; and all process and recognizances, and other proceedings taken or issued, or made returnable at Columbus, at the said July term next, shall be re-

(a) See notes to the act of June 18, 1839, chap. 3.

turnable at the said term at Cincinnati; and the said district court shall have power, whenever, in the opinion of the judge thereof, it may be necessary for the convenient administration of justice, to hold an adjourned term of said district court at the city of Cleveland, in said district, at such time as he may think proper; and the said district court may make all necessary rules for holding such adjourned term of said court, and for the proper return of process.

APPROVED, June 1, 1842.

An adjourned term may be held at Cleveland.

The court may make the necessary rules.

CHAP. XXXII.—*An Act regulating commercial intercourse with the port of Cayenne, in the colony of French Guiana, and to remit certain duties.* (a)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provisions of the act entitled "An act regulating the commercial intercourse with the islands of Martinique and Guadaloupe," approved on the ninth of May, eighteen hundred and twenty-eight, admitting French vessels coming from, and laden with articles, the growth and manufacture of either of the said islands, are hereby extended to the vessels of the same nation coming from the port of Cayenne, in the colony of French Guiana, so as to entitle said vessels coming directly from said port of Cayenne, and laden with articles the growth or manufacture of said colony, which are permitted to be exported therefrom in American vessels, to admission into the ports of the United States, on payment of no higher duties of tonnage, or on their cargoes, as aforesaid, than are imposed on American vessels, and on like cargoes therein imported: *Provided,* That if the President of the United States shall, at any time, receive satisfactory information that the privileges allowed to American vessels and their cargoes in the said colony of French Guiana by the arretes of its Governor, bearing date the fifth of December, eighteen hundred and thirty-one, and the twenty-eighth of December, eighteen hundred and thirty-three, and by the tariffs and regulations in force in the colony, have been revoked or annulled, he is hereby authorized, by proclamation, to suspend the operations of this act, and withhold all privileges allowed under it.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury is hereby authorized to refund, out of any money in the Treasury not otherwise appropriated, such amount of duty, inconsistent with the provisions of the first section of this act, which, since the arretes, and the tariffs, and regulations referred to in the provisions to the first section of this act, have been in operation in said colony, as may have been levied in the ports of the United States upon any French vessels coming directly from the port of Cayenne, laden with such articles, the growth or manufacture of said colony, which were allowed to be exported therefrom in American vessels.

APPROVED, June 1, 1842.

STATUTE II.

June 1, 1842.

French vessels coming directly from Cayenne, &c. to pay no higher duties than American vessels.

1828, ch. 49.

President authorized to suspend the operations of this act, when.

Certain duties to be refunded.

CHAP. XXXVIII.—*An Act to authorize the collector of the district of Fairfield to reside in either of the towns of Fairfield or Bridgeport.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That so much of the act entitled "An act to regulate the duties on imports and tonnage," approved March second, seventeen hundred and ninety-nine, as requires the collector for the district of Fairfield, in the State of Connecticut, to reside in the town of Fairfield, be, and the same is hereby, repealed;

STATUTE II.

June 4, 1842.

So much of act 2d March 1799, ch. 22, as requires the collector to reside at Fairfield, repealed, &c.

(a) See notes of the acts relating to discriminating duties, vol. 4, 2.

and the said collector shall reside in said town of Fairfield, or in the town of Bridgeport, within said district.

APPROVED, June 4, 1842.

STATUTE II.

June 13, 1842.

1852, ch. 110,  
§ 11.

Maine to be paid for the militia called into the service of the State in 1839.

Cannon-balls and knapsacks.

Transportation.

Pay of staff officers.\*

Blankets.

Repairs of arms.

Proviso.

CHAP. XXXIX.—*An Act to provide for the settlement of the claim of the State of Maine for the services of her militia.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized and directed to cause to be reimbursed and paid to the State of Maine, on the order of the Governor of said State, out of any money not otherwise appropriated, such amount as the Paymaster General of the United States army, and the accounting officers of the Treasury shall ascertain and certify would have been due from the United States to the militia called into the service of the State in the year eighteen hundred and thirty-nine, for the protection of her northeastern frontier, by the Governor, if said militia had been duly called into the service of the United States, and regularly received and mustered by the officers of the United States army, according to the laws and regulations which have governed in the payment of the volunteers and militia of other States. And the Paymaster General and accounting officers of the Treasury are hereby authorized and required to include the following claims, presented by said State, viz.:

First. The cost of cannon-balls and knapsacks purchased by the State, for the use of the troops called into service, and for defence of the frontier aforesaid: *Provided*, That said balls and knapsacks shall belong to the United States.

Second. The amount paid by the State for transportation of military stores, and of her troops in actual service as aforesaid; *Provided*, The amount should, in the opinion of the Secretary of War, appear to be reasonable.

Third. The pay or compensation allowed by the State to the Paymaster and Commissary General, and other staff officers, while they were respectively employed in making or superintending disbursements for the militia in actual service as aforesaid: *Provided*, The compensation paid by the State, as aforesaid, shall not exceed that paid by the United States for similar services.

Fourth. The sum paid by the State for blankets for the use of her militia while in actual service as aforesaid, or so much thereof as shall appear reasonable.

Fifth. The amount of expenditures by said State in necessary repairs of arms used by the militia while in actual service as aforesaid.

*Provided*, That the accounts of the agent employed by the State of Maine to make said payments, be submitted to the Paymaster General and the accounting officers for their inspection.

APPROVED, June 13, 1842.

STATUTE II.

June 13, 1842.

Act of July 4,  
1836, ch. 355.

The 2d section of the act amended.

CHAP. XL.—*An Act to amend an act entitled "An act to carry into effect, in the States of Alabama and Mississippi, the existing compacts with those States with regard to the five per cent. fund and the school reservations."*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That so much of the second section of the act entitled "An act to carry into effect, in the States of Alabama and Mississippi, the existing compacts with those States in regard to the five per cent. fund and the school reservations," as requires the land therein designated as reserved to the State of Mississippi for the use of schools to be selected, under the direction of the Secretary of the Treasury, "out of any public lands, remaining unsold, that shall

have been offered at public sale within either of the land districts in said State of Mississippi, contiguous to said lands, within said State," ceded by the Chickasaws, be so amended that the said lands may be selected, under the direction of the Governor of said State of Mississippi, out of any public lands remaining unsold within either of the land districts in said State of Mississippi, contiguous to the lands in said State, ceded by the Chickasaw Indians.

APPROVED, June 13, 1842.

STATUTE II.

CHAP. XLVII.—*An Act for the apportionment of Representatives among the several States according to the sixth census. (a)*

June 25, 1842.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That from and after the third day of March, one thousand eight hundred and forty-three, the House of Representatives shall be composed of members elected agreeably to a ratio of one Representative for every seventy thousand six hundred and eighty persons in each State, and of one additional representative for each State having a fraction greater than one moiety of the said ratio, computed according to the rule prescribed by the Constitution of the United States; that is to say: Within the State of Maine, seven; within the State of New Hampshire, four; within the State of Massachusetts, ten; within the State of Rhode Island, two; within the State of Connecticut, four; within the State of Vermont, four; within the State of New York, thirty-four; within the State of New Jersey, five; within the State of Pennsylvania, twenty-four; within the State of Delaware, one; within the State of Maryland, six; within the State of Virginia, fifteen; within the State of North Carolina, nine; within the State of South Carolina, seven; within the State of Georgia, eight; within the State of Alabama, seven; within the State of Louisiana, four; within the State of Mississippi, four; within the State of Tennessee, eleven; within the State of Kentucky, ten; within the State of Ohio, twenty-one; within the State of Indiana, ten; within the State of Illinois, seven; within the State of Missouri, five; within the State of Arkansas, one; and within the State of Michigan, three.

House of Representatives, how to be composed.

Ratio of Representation.

Number of Representatives to each State.

SEC. 2. *And be it further enacted,* That in every case where a State is entitled to more than one Representative, the number to which each State shall be entitled under this apportionment shall be elected by districts composed of contiguous territory equal in number to the number of Representatives to which said State may be entitled, no one district electing more than one Representative.

Where a State is entitled to more than one representative, the election to be by districts, &c.

APPROVED, June 25, 1842.

STATUTE II.

CHAP. L.—*An Act confirming certain land claims in Louisiana.*

July 6, 1842.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the claims to lands within the land district of New Orleans, being numbers six, seven, eight, nine, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, thirty, thirty-four, thirty-five, thirty-eight, forty-seven, forty-eight, fifty-seven, fifty-nine, sixty, sixty-one, and sixty-two, of the two reports of the register and receiver of said land district, dated fourteenth of December, eighteen hundred and thirty-six, and second of November, eighteen hundred and thirty-seven, and made under the provisions of the act of the sixth of February, eighteen hundred and thirty-five, entitled "An act for the final adjustment of claims to lands in the State of Louisiana," be, and the same are

Post, p. 649. Certain land claims in New Orleans district confirmed.

1835, ch. 17.

(a) See notes of the acts for the apportionment of representatives among the several States, according to the first, second, third, fourth, fifth, and sixth census; act of Jan. 14, 1802, chap. 1.

Proviso.

hereby, confirmed: *Provided, always,* That this is only to operate as a quit-claim on the part of the United States.

Appropriation for documents relative to land claims not confirmed.

SEC. 2. *And be it further enacted,* That a sum not exceeding five hundred dollars be, and the same is hereby, appropriated, out of any monev in the Treasury not otherwise disposed of, to be used by the Commissioner of the General Land Office, in paying the expenses of a copy of all the documents of record, and offered before the register and receiver of the New Orleans land district, in support of the claims reported upon by them, and which are not confirmed by this act.

Certain claims in Ouachita district confirmed.

SEC. 3. *And be it further enacted,* That claims numbers two, five, eight, nine, eleven, twelve, thirteen, fourteen, sixteen, seventeen, nineteen, twenty-two, twenty-six, thirty-four, thirty-five, thirty-six, thirty-eight, forty and forty-six, of the report of the register and receiver of the Ouachita land district, in the State of Louisiana, dated the twenty-fourth day of July, eighteen hundred and thirty-seven, and made under the provisions of the act of the sixth day of February, eighteen hundred and thirty-five, are hereby confirmed for six hundred and forty acres each.

1835, ch. 17.

Certain other claims confirmed.

SEC. 4. *And be it further enacted,* That numbers one, four, seven, fifteen, eighteen, twenty, twenty-three, twenty-nine, thirty, thirty-one, thirty-seven, and forty-eight of said report, are also confirmed, as recommended by the register and receiver; number three, is confirmed to two thousand acres, number twenty-four to one thousand acres, and number forty-five to two hundred acres: *Provided,* That this act shall amount only to a relinquishment on the part of the United States, and shall in no manner affect the rights of third persons, and, on the presentation to the Commissioner of the General Land Office of a plat of survey duly approved by the surveyor general of the State of Louisiana, the claimant shall be entitled to a patent.

Certain claims at Greensburg, formerly St. Helena, confirmed.

1835, ch. 17.

SEC. 5. *And be it further enacted,* That claims numbers ten, eighteen, nineteen, and twenty, of the list reported by the register and receiver of the land office at Greensburg, formerly St. Helena, under the provisions of the act of Congress of the sixth day of February, eighteen hundred and thirty-five, entitled "An act for the final adjustment of claims to lands in the State of Louisiana," be, and the same are hereby confirmed; and upon the presentation to the Commissioner of the General Land Office of a plat, approved by the surveyor general of Louisiana, the owner or owners of said claims shall be entitled to a patent.

Certain other claims confirmed.

1849, ch. 19.

SEC. 6. *And be it further enacted,* That claims numbers seven and eight of the list mentioned in the preceding section are also confirmed, giving the right to the claimants to locate the same within one year after the passage of this act, on any public lands subject to sale at private entry, in the district where said claims are situated; which location, approved and certified by the surveyor general of Louisiana to the Commissioner of the General Land Office, will entitle said claimants to a patent: *Provided,* Said claimants shall, previous to making said location, relinquish to the United States their claims to the lands originally claimed by them.

Proviso.

Certain claims to land in the district south of the Red river, confirmed.

SEC. 7. *And be it further enacted,* That the claims to land within the district south of Red river, being numbers thirty-three, thirty-five, forty-five, fifty-two, seventy-seven, seventy-nine, eighty-seven, ninety-three, one hundred, one hundred and two, one hundred and three, one hundred and eight, one hundred and twenty-two, one hundred and thirty-two, one hundred and forty-two, one hundred and forty-seven, one hundred and forty-eight, one hundred and fifty-one, one hundred and fifty-two, one hundred and fifty-seven, one hundred and fifty-nine, one hundred and sixty, one hundred and sixty-two, one hundred and sixty-three, one hundred and sixty-four, one hundred and sixty-five, one hundred and sixty-six, of the reports of the register and receiver of the land



office at Opelousas, dated the thirtieth May and sixth June, eighteen hundred and forty, made under the provisions of the act of eighteen hundred and thirty-five, aforesaid, be, and the same are hereby, confirmed: *Provided*, That the Commissioner of the General Land Office shall cause a further investigation to be made, and further evidence to be taken, in relation to claim number one hundred and sixty-one of said report; and should it appear that the original claimants actually inhabited and cultivated the lands claimed on and prior to the twenty-second day of February, eighteen hundred and nineteen, then and in that case, the same shall be confirmed, by and with the approbation of the Secretary of the Treasury.

1835, ch. 17.

Proviso.

SEC. 8. *And be it further enacted*, That the following claims in the said reports of the register and receiver of the land office at Opelousas be, and the same are hereby, confirmed, as follows, to wit: Number twenty-nine, to the legal representatives of Joseph Maritaurus; number forty-six, to the extent contained in a league square; number forty-nine, for six hundred and forty acres, to the legal representatives of Bernard Lacroix; number fifty-four, to the legal representatives of J. Baptiste Vallery; number seventy-eight, for six hundred and forty acres, to Onezime Guedry, assignee of Nicholas Provost, and six hundred and forty acres to the legal heirs and representatives of Daniel Guedry and Jean Mouton, senior; number ninety-one, for so much as will, with the quantity heretofore confirmed, make the quantity of one league front by the depth of forty arpens; number ninety-nine, for six hundred and forty acres, to embrace the residence and improvements of Hugh Mulhollan on and previous to the twentieth day of December, eighteen hundred and three; number one hundred and fourteen, to the legal representatives of Andre Dumas; number one hundred and fifty-four, to the legal representatives of Antonio Mora; number one hundred and fifty-eight, to the legal representatives of Louis Frizzini; number one hundred and sixty-seven, to Jacob Wallace or his legal representatives.

Other claims confirmed.

SEC. 9. *And be it further enacted*, That the provisions of the two preceding sections of this act, which confirm donation claims situate in that part of said land district known as the "neutral territory," shall not be regarded as extending to any lands which are held by any person by virtue of any bona fide French or Spanish grant, warrant, or order of survey, made prior to the twentieth of December, eighteen hundred and three, heretofore filed, according to law, with any register, or commissioner, or register and receiver of said district: *Provided*, That the confirmations made by virtue of the two preceding sections shall only operate as a relinquishment of the right of the United States, and shall not affect the right of third persons, nor preclude a judicial decision between private claimants for the same land; and on the presentation, to the Commissioner of the General Land Office of a plat of survey, duly approved by the surveyor general of Louisiana, the claimant shall be entitled to a patent.

Certain provisions of the two preceding sections not to extend to lands held under certain French or Spanish grants, &c.

Proviso.

APPROVED, July 6, 1842.

STATUTE II.

July 17, 1842.

[Obsolete.]

CHAP. LXIV.—*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-two.*

*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-two, 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.

Appropriations.

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

Pay of superintendent and agents.  
1834, ch. 162.  
1837, ch. 31.

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.

Sub-agents.  
1834, ch. 162.  
Interpreters.

For the 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.

Clerk in office of superintendent south of the Missouri.  
Clerks.

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

For the salary of two clerks, in the office of the commissioner of Indian affairs, employed in the business of grants and reservations under Indian treaties, one thousand five hundred 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.

Contingent expenses.

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.

Fulfilling Indian treaties.

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

For fulfilling treaty with the Christian Indians, four hundred dollars.

For fulfilling treaties with the Chippewas of the Mississippi, thirty-five thousand dollars.

For fulfilling treaties with the Chippewas of Saganaw, five thousand eight hundred dollars.

For fulfilling treaty with the Chippewas, Menomonies, Winnebagoes, and New York Indians, one thousand five hundred dollars.

For fulfilling treaties with the Chippewas, Ottowas, and Pottawatomies, thirty-three thousand eight hundred and ninety dollars

For fulfilling treaties with the Choctaws, forty-nine thousand four hundred and fifty dollars.

For fulfilling treaties with the Creeks, sixty three thousand nine hundred and forty dollars.

For fulfilling treaties with the Chickasaws, six thousand dollars.

For fulfilling treaties with the Cherokees, five thousand six hundred and forty dollars.

For fulfilling treaties with the Delawares, ten thousand three hundred and forty-four dollars.

For fulfilling treaties with the Florida Indians, six thousand six hundred and ten dollars.

For fulfilling treaty with the Iowas, seven thousand eight hundred and seventy-five dollars.

For fulfilling treaty with the Kickapoos, five thousand five hundred dollars.

For fulfilling treaty with the Kaskaskias and Peorias, three thousand dollars.

For fulfilling treaty with the Kansas, six thousand and forty dollars.

For fulfilling treaties with the Miamies, fifty-two thousand three hundred and ninety-eight dollars.

For fulfilling treaties with the Eel Rivers, (Miamies,) one thousand one hundred dollars.

For fulfilling treaties with the Menomonies, thirty-one thousand eight hundred and thirty dollars.

For fulfilling treaties with the Omahas, one thousand four hundred and forty dollars.

For fulfilling treaties with the Ottawas and Chippewas, sixty-two thousand three hundred and sixty-five dollars.

For fulfilling treaties with the Otoes and Missourias, five thousand six hundred and forty dollars.

For fulfilling treaties with the Osages, thirty-four thousand four hundred and six dollars.

For fulfilling treaties with the Ottowas, four thousand three hundred dollars.

For fulfilling treaties with the Pottawatamies, fifteen thousand two hundred dollars.

For fulfilling treaty with the Pottawatamies of Huron, four hundred dollars.

For fulfilling treaty with the Pottawatamies of the Prairie, fifteen thousand four hundred dollars.

For fulfilling treaty with the Pottawatamies of the Wabash, twenty thousand dollars.

For fulfilling treaty with the Pottawatamies of Indiana, seventeen thousand dollars.

For fulfilling treaties with the Piankeshaws, eight hundred dollars.

For fulfilling treaty with the Pawnees, nine thousand six hundred dollars.

For fulfilling treaty with the Quapaws, four thousand six hundred and sixty dollars.

For fulfilling treaty with the Six Nations of New York, four thousand five hundred dollars.

For fulfilling treaty with the Senecas of New York, six thousand dollars.

For fulfilling treaties with the Sioux of the Mississippi, forty thousand five hundred and ten dollars.

For fulfilling treaty with the Yancton and Santie Sioux, one thousand three hundred and forty dollars.

For fulfilling treaty with the Sacs and Foxes of Missouri, seven thousand eight hundred and seventy dollars.

For fulfilling treaties with the Sacs and Foxes of Mississippi, forty-eight thousand five hundred and forty dollars.

For fulfilling treaties with the Shawnees, seven thousand one hundred and eighty dollars.

For fulfilling treaties with the Senecas and Shawnees, two thousand and sixty dollars.

For fulfilling treaties with the Senecas, two thousand six hundred and sixty dollars.

For fulfilling treaties with the Wyandots, six thousand eight hundred and forty dollars.

For fulfilling treaty with the Weas, three thousand dollars.

For fulfilling treaty with the Wyandots, Munsees, and Delawares, one thousand dollars.

For fulfilling treaties with the Winnebagoes, ninety-two thousand eight hundred and sixty dollars.

For fulfilling treaty with the Miamies of twenty-eighth November, eighteen hundred and forty, three hundred and eighty-three thousand seven hundred and fifty dollars.

To enable the Secretary of War to procure medals to be distributed among the chiefs and leading men of the Indians, two thousand five hundred dollars.

To cover expenses incurred by the commissioners in holding treaties with the Sac and Fox, Winnebago and Sioux Indians, over and above the sum of five thousand dollars appropriated last year, and to meet the

Medals.

Expenses of negotiations with Sac and Fox, Winnebago and Sioux Indians.

expenses of further negotiations with the two former tribes, viz. the Sac and Fox, and Winnebagoes, six thousand two hundred dollars.

Expenses of treating with the Camanches &c. Proviso.

For this sum, in addition to the appropriation per act of eighteen hundred and thirty-five, for the expenses of treating with the Camanches and other wild tribes of the Western tribes, eight hundred and seventy-eight dollars and fifty-five cents: *Provided*, That no part of the money appropriated by this act, shall be applied to the payment of any salary or other compensation to, or on account of, any officer or office, unless the same has been created by law or treaties, or is specifically provided for in the appropriations in this act: *Provided, further*, That the commissioners appointed to negotiate treaties with the Indian tribes shall not be allowed more than ten cents per mile for travelling on the most direct route to and from his residence to the place of making the treaties, and eight dollars per day while engaged in making said treaties.

APPROVED, July 17, 1842.

Further proviso.

STATUTE II.  
July 27, 1842.

CHAP. LXVI.—*An Act to regulate the value to be affixed to the pound sterling by the Treasury Department. (a)*

The pound sterling to be computed at \$4.84.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in all payments by or to the Treasury, whether made here or in foreign countries, where it becomes necessary to compute the value of the pound sterling, it shall be deemed equal to four dollars and eighty-four cents, and the same rule shall be applied in appraising merchandise imported where the value is by the invoice in pounds sterling.

Acts, &c. inconsistent herewith, repealed.

SEC. 2. *And be it further enacted*, That all acts and parts of acts inconsistent with these provisions, be and the same are hereby repealed.

APPROVED, July 27, 1842.

STATUTE II.  
July 27, 1842.

CHAP. LXVII.—*An Act making an appropriation for the repair of the custom-house in Providence.*

[Obsolete.]

Expense of repairs limited.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized and directed to cause the custom-house at the port of Providence, in the State of Rhode Island, to be repaired, at an expense not exceeding one thousand dollars; and that the sum of one thousand dollars, to be paid out of any money in the Treasury not otherwise appropriated, is hereby appropriated therefor.

APPROVED, July 27, 1842.

STATUTE II.  
July 27, 1842.

CHAP. LXVIII.—*An Act to amend "An act for altering the time of holding the district court of the United States for the western district of Pennsylvania at Williamsport," approved May eighth, eighteen hundred and forty.*

Act of May 8, 1840, ch. 23.

Time of holding the October term changed to the first Monday in October.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the October term of the district court of the United States for the western district of Pennsylvania, which is now directed to be holden at Williamsport, in Lycoming county, on the third Monday of October in each year, shall hereafter commence and be holden on the first Monday of October in each and every year; and all process, pleadings, motions, suits, and business heretofore begun, pending and undetermined, or which may hereafter be commenced or instituted, prior to the next October term, shall be held returnable and be returned to the first Monday of October next.

Process, &c.

APPROVED, July 27, 1842.

(a) Notes of the acts which have been passed relative to foreign coins, vol. 2, 374.

CHAP. LXIX.—*An Act to provide for satisfying claims for bounty lands, for military services in the late war with Great Britain, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in all cases of warrants for bounty lands for military services in the war of eighteen hundred and twelve with Great Britain, which remain unsatisfied at the date of this act, it shall be lawful for the person in whose name such warrant shall have issued, his heirs or legal representatives, to enter at the proper land office in any of the States or Territories in which the same may lie, the quantity of the public lands subject to private entry to which said person shall be entitled in virtue of such warrant in quarter sections: *Provided,* Such warrants shall be located within five years from the date of this act.

SEC. 2. *And be it further enacted,* That the terms prescribed for the issuing of warrants by the Secretary of the Department of War, under the act entitled, "An act to allow further time to complete the issuing and locating of military land warrants during the late war," and under the act entitled "An act to extend the time of issuing military land warrants to the officers and soldiers of the Revolutionary army," both of which acts were approved January twenty-seventh, eighteen hundred and thirty-five, be, and the same are hereby, respectively, renewed and continued in force for the term of five years from and after the date of this act; and all cases which shall not, within the time aforesaid, be finally disposed of, shall be thereafter for ever barred from the benefits of all claim to bounty land for services performed within the spirit and meaning of said acts: *Provided,* That warrants issued under the provisions of this section may be located as is provided for warrants under the first section of this act: *And provided further,* That the certificate of location obtained under the provisions of this act, shall not be assignable, but the patent shall in all cases issue in the name of the person originally entitled to the bounty land, or to his heirs or legal representatives.

APPROVED, July 27, 1842.

CHAP. LXXXII.—*An Act to extend the jurisdiction of the corporation of Georgetown.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the jurisdiction of the corporation of Georgetown is hereby extended so as to include the bridge lately constructed by the said corporation across the river Potomac, at the Little Falls, and the site of said bridge and premises appertaining to said site; and that, as often and as long as said bridge shall hereafter, from any cause, be impassable, it shall and may be lawful for the proprietors of land on both sides of the said river, through which the ferry road to connect with the Falls Bridge turnpike must necessarily pass, and they are hereby authorized and empowered to establish and keep a ferry, at any rate of ferriage not exceeding the tolls which the Georgetown Bridge Company were heretofore authorized to charge on their bridge.

SEC. 2. *And be it further enacted,* That said Corporation of Georgetown, in addition to its present chartered powers, shall have full power and authority to provide for licensing, taxing, and regulating, within its corporate limits, all traders, retailers, pawnbrokers, and to tax venders of lottery tickets, money changers, hawkers and pedlers.

APPROVED, July 27, 1842.

STATUTE II.  
July 27, 1842.

Act of April 16, 1816, vol. 3 234.

Persons to whom bounty land warrants were issued, &c. may enter land.

Proviso.  
1848, ch. 74.

Acts of 27th Jan. 1835, ch. 6, and 7, continued for five years.

Cases not finally disposed of within that time, for ever barred.

Proviso.

Further proviso.

STATUTE II.  
July 27, 1842.

Jurisdiction extended so as to include the Little Falls bridge.

A ferry may be established.

Powers of the corporation of Georgetown extended.

## STATUTE II.

July 27, 1842.

[Obsolete.]

Appropriation.

CHAP. XCVI.—*An Act to provide for erecting and lighting lamps on Pennsylvania Avenue.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of two thousand five hundred dollars be, and the same is hereby, appropriated, out of any unappropriated money in the Treasury, to be expended, under the direction of the Commissioner of Public Buildings, in erecting and lighting lamps on Pennsylvania avenue, between the Capitol and the President's square.

APPROVED, July 27, 1842.

## STATUTE II.

July 27, 1842.

Clergymen authorized to marry, &c.

CHAP. CVI.—*An Act in relation to marriages within the District of Columbia.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the ministers of the gospel, or clergy, who at any time may be legally authorized to unite persons in the bands of wedlock, or to join them together as man and wife, either in the county of Washington or the county of Alexandria, shall be, and are hereby, authorized to do so in any place within the District of Columbia.

APPROVED, July 27, 1842.

## STATUTE II.

July 30, 1842.

Additional clerks authorized in P. O. Department.

CHAP. CVII.—*An Act to provide for the permanent employment in the Post Office Department of certain clerks heretofore for several years temporarily employed in that Department.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster General be, and he is hereby, authorized to employ in the Post Office Department, a topographer, at a salary of sixteen hundred dollars; and eight additional clerks, whose annual compensation shall be as follows: three clerks at fourteen hundred dollars each, four clerks at one thousand two hundred dollars each, and one clerk at one thousand dollars.

Arrears due said clerks to be paid.

SEC. 2. *And be it further enacted,* That the arrears of pay due to said clerks from the first day of January last, at the rates aforesaid, and their regular salaries for the residue of the current year, be regularly paid to them by the proper officer of the Department, and for this purpose the sum of eleven thousand six hundred dollars is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Certain temporary clerks in P. O. Department made permanent.

Act of March 3, 1837, ch. 33.  
Act of July 7, 1838, ch. 169.

SEC. 3. *And be it further enacted,* That eleven additional clerks heretofore temporarily employed in the office of the Auditor for the Post Office Department under the provisions of the acts of Congress of the third of March, eighteen hundred and thirty-seven, and the seventh of July, eighteen hundred and thirty-eight, shall be permanently added to the force in that office, at the rates of compensation heretofore allowed for their services respectively, and the sum of thirteen thousand two hundred dollars is hereby appropriated out of any money in the Treasury not otherwise appropriated, for the payment of their salaries for the year eighteen hundred and forty-two.

APPROVED, July 30, 1842.

## STATUTE II.

Aug. 1, 1842.

CHAP. CVIII.—*An Act to regulate arrests on mesne process in the District of Columbia. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That hereafter no person

(a) See act supplementary to an act entitled "An act to regulate arrests on mesne process in the District of Columbia," approved August 1, 1842; June 17, 1844, chap. 100.

shall be held to bail in any civil suit in the District of Columbia, unless on affidavit, filed by the plaintiff or his agent, stating in cases of debt or contract the amount which he verily believes to be due, and that the same has been contracted by fraud or false pretences, or through a breach of trust, or that the defendant is concealing or has concealed his property in the District or elsewhere, or is about to remove the same from this District or the place of his residence, in order to evade the payment of the debt, or that, being a resident of the District and domiciled therein, is about to abscond without paying the debt, and with a view to avoid the payment of the same, setting forth all the facts on which said allegations of fraud or breach of trust are founded, and in all cases setting forth the grounds, nature, and particulars of the claim. The sufficiency of the affidavit to hold to bail, and the amount of bail to be given, shall, upon application of the defendant, be decided by the court in term time, and by any single judge in vacation. In all cases in which the affidavit required by this act is not filed previously to issuing the writ, the defendant, upon its service, shall not be required to give bail, but merely to sign an order to the clerk of the court to enter his appearance in the cause, which, if he refuses to do, he may then be held to bail as in other cases.

Persons not to be held to bail in civil suits except on affidavit, in certain cases.

Sufficiency of affidavit, &c. how to be determined.

SEC. 2. *And be it further enacted*, That any person now held to bail in a civil suit in the said District may apply to the Circuit Court of the said District in term time, or to any judge thereof in vacation, for a rule to show cause why he shall not be discharged on filing a common appearance, and shall be so discharged unless the plaintiff or his agent shall file a sufficient affidavit, in conformity with the provisions of the preceding section, within a reasonable period of time, to be assigned by the court or the judge to whom the application is made.

Relative to the discharge of persons now held to bail in civil suits.

APPROVED, August 1, 1842.

CHAP. CIX.—*An Act to extend the provisions of an act entitled "An act to regulate processes in the courts of the United States," passed the nineteenth May, one thousand eight hundred and twenty-eight. (a)*

STATUTE II.

Aug. 1, 1842.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the provisions of an act entitled, "An act to regulate processes in the courts of the United States," passed the nineteenth day of May, one thousand eight hundred and twenty-eight, shall be, and they are hereby, made applicable to such States as have been admitted into the Union since the date of said act.

Act 19th May 1828, ch. 68, made applicable to States since admitted into the Union.

APPROVED, August 1, 1842.

CHAP. CXX. — *An Act to constitute the ports of Stonington, Mystic river, and Pawcatuck river, a collection district.*

STATUTE II.

Aug. 3, 1842.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the town of Stonington, in the county of New London, State of Connecticut, shall be a collection district, from and after the thirtieth day of June next; and that the port of Stonington, aforesaid, shall be, and hereby is, made a port of entry.

Stonington a collection district and port of entry. 1842, ch. 177.

SEC. 2. *And be it further enacted*, That the district of Stonington shall comprehend all the waters, shores, bays, and harbors, from the west line of Mystic river, including the villages of Portersville and Noank, in the town of Groton, State of Connecticut, to the east line of Pawcatuck river, including the town of Westerly, State of Rhode Island, any thing in any former law to the contrary notwithstanding.

District of Stonington designated.

(a) See notes of the decisions of the courts of the United States on the subject of process, vol. 1, 93, and notes to the act of May 19, 1828, chap. 68, vol. 4, 278.

Office of surveyor abolished.

A collector to be appointed—his salary and duties.

SEC. 3. *And be it further enacted*, That, from and after the thirtieth day of July present, the office of surveyor of the port of Stonington, aforesaid, be, and the same is hereby, abolished; and a collector for the aforesaid district shall be appointed, to reside at the port of Stonington, who, in addition to his other emoluments, shall be entitled to receive the salary now allowed by law to the surveyor, aforesaid, and no more; and said collector shall also perform the duties heretofore enjoined on the surveyor.

APPROVED, August 3, 1842.

STATUTE II.

Aug. 4, 1842.

[Obsolete.]

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

*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-two, viz :

Appropriations.

Pay of officers and seamen.

Proviso.

Vol. ix. p. 172.

No. 1. For pay of commission, warrant and petty officers and seamen, two million three hundred and thirty-five thousand dollars: *Provided*, That till otherwise ordered by Congress, the officers of the navy shall not be increased beyond the number in the respective grades that were in the service on the first day of January, eighteen hundred and forty-two, nor shall there be any further appointment of midshipmen until the number in the service be reduced to the number that were in service on the first day of January, eighteen hundred and forty-one, beyond which they shall not be increased until the further order of Congress.

Pay of superintendents, &c. at yards.

No. 2. For pay of superintendents, naval constructors, and all the civil establishments at the several yards, seventy-eight thousand four hundred and twenty dollars.

Provisions.

Medicines, &c.

No. 3. For provisions, seven hundred and twenty thousand dollars.

No. 4. For medicines and surgical instruments, hospital stores and other expenses on account of the sick, thirty thousand dollars.

Repairs, &c.

No. 5. For increase, repair, armament, and equipment of the navy, and wear and tear of vessels in commission, two million dollars.

Ordnance, &c. on the lakes.

No. 6. For ordnance and ordnance stores on the Northern lakes, fifty-nine thousand and ninety-seven dollars.

Navy yards at Portsmouth.

No. 7. For improvement and necessary repairs of the navy yard at Portsmouth, New Hampshire, forty-seven thousand four hundred and twenty-five dollars.

Charlestown.

No. 8. For improvement and necessary repairs of the navy yard at Charlestown, Massachusetts, twenty-nine thousand dollars.

Brooklyn.

No. 9. For improvement and necessary repairs of the navy yard at Brooklyn, New York, one hundred and twenty-nine thousand one hundred dollars: *Provided*, That no part of this or any former appropriation to that object shall be applied to the construction of a dry dock at Brooklyn, except in payment for materials previously contracted for and yet to be delivered, until a suitable place shall be selected in the harbor of New York, and the title to land obtained, and a plan and estimate of the cost made, under the direction of the Secretary of the Navy, and approved by him and the President: *And provided, also*, That the Secretary of the Navy may, in his discretion, apply the sum of one hundred thousand dollars of the amount hereby appropriated, and any balance of former appropriations for the construction of a dry dock at Brooklyn, New York, to the construction of a floating dock at the same place; and if any part of this appropriation shall be expended upon the construction of a floating dock, as hereby authorized, the construction of the dry dock shall be suspended until the further order of Congress.

Provisoes relative to the construction of a dry dock.



- No. 10. For improvement and necessary repairs of the navy yard at Philadelphia, Pennsylvania, one thousand six hundred dollars. Philadelphia.
- No. 11. For improvement and necessary repairs of the navy yard at Washington, District of Columbia, fifteen thousand three hundred dollars. Washington.
- No. 12. For improvement and necessary repairs of the navy yard at Gosport, Virginia, fifty-six thousand eight hundred dollars. Gosport.
- No. 13. For improvement and necessary repairs of the navy yard near Pensacola, Florida, and for a naval constructor at said place, thirty-five thousand three hundred dollars. Pensacola.
- No. 14. For necessary repairs of the hospital building and its dependencies at Charlestown, Massachusetts, three thousand nine hundred and sixty dollars. Hospitals at Charlestown.
- No. 15. For finishing coppering the roof of the hospital building at Brooklyn, New York, fifteen hundred dollars. New York.
- No. 16. For necessary repairs of the hospital building and its dependencies at Norfolk, Virginia, thirteen thousand seven hundred and fifty dollars. Norfolk.
- No. 17. For building an ice-house and privies at the hospital at Pensacola, Florida, two thousand dollars. Pensacola.
- No. 18. For necessary repairs of the Philadelphia naval Asylum, one thousand three hundred dollars. Philadelphia.
- No. 19. For defraying the expenses that may accrue for the following purposes, viz : For freight and transportation of materials and stores of every description ; for wharfage and dockage ; storage and rent ; traveling expenses of officers, and transportation of seamen ; house rent to 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 judge advocates ; 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.
- No. 20. For contingent expenses for objects not hereinbefore enumerated, three thousand dollars. Contingent expenses.
- No. 21. For the charter of steamers Splendid and Clarion, in September and October, eighteen hundred and forty-one, for the survey of Nantucket Shoal, four thousand three hundred and forty-five dollars and thirty-nine cents. Steamers Splendid and Clarion.
- No. 22. For carrying into effect the acts for the suppression of the slave trade, including the support of recaptured Africans, and their removal to Africa, under authority of said acts, including an unexpended balance of former appropriations carried to the surplus fund, ten thousand five hundred and forty-three dollars and forty-two cents. Suppression of the slave trade.
- No. 23. For the transportation, arrangement, and preservation, of articles brought and to be brought by the exploring expedition, twenty thousand dollars, if so much be necessary. Collections of exploring expedition.
- Marine Corps.*—No. 24. For pay of officers, non-commissioned offi- Marine corps.

Pay and subsistence.

cers, musicians, privates and servants, serving on shore, and subsistence of officers of the marine corps, one hundred eighty-three thousand three hundred and eighty-one dollars.

Provisions.

No. 25. For provisions for the non-commissioned officers, musicians, privates and servants and washerwomen, serving on shore, forty-five thousand fifty-four dollars and ninety-nine cents.

Clothing.

No. 26. For clothing, forty-three thousand six hundred sixty-two dollars and fifty cents.

Fuel.

No. 27. For fuel, sixteen thousand two hundred seventy-four dollars and twelve cents.

Barracks.

No. 28. For keeping barracks in repair, and for rent of temporary barracks at New York, six thousand dollars.

Transportation.

No. 29. For transportation of officers, non-commissioned officers, musicians and privates, and expenses of recruiting, eight thousand dollars.

Medicines, &c.

No. 30. For medicines, hospital supplies, surgical instruments, pay of matron, and hospital stewards, four thousand one hundred and forty dollars.

Military stores, &c.

No. 31. For military stores, pay of armorers, keeping arms in repair, accoutrements, ordnance stores, flags, drums, fifes and other instruments, two thousand eight hundred dollars.

Contingent expenses.

No. 32. For contingent expenses of said corps, viz.: For freight, ferrriage, toll, wharfage, and cartage; for per diem allowance for attending courts martial and courts of inquiry; compensation to judge advocates; 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 keeping a horse for the messenger, seventeen thousand nine hundred and eighty dollars.

APPROVED, August 4, 1842.

STATUTE II.

Aug. 4, 1842.

CHAP. CXXII.—*An act to provide for the armed occupation and settlement of the unsettled part of the peninsula of East Florida.* (a)

Certain persons settling in Florida entitled to a quarter section of land, on the following conditions.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any person, being the head of a family, or single man over eighteen years of age, able to bear arms, who has made, or shall, within one year from and after the passage of this act, make an actual settlement within that part of Florida situate and being south of the line dividing townships numbers nine and ten south, and east of the base line, shall be entitled to one quarter section of said land, on the following conditions and stipulations:

To obtain a permit describing the land.

*First.* That said settler shall obtain from the register of the land office, in the district in which he proposes to settle, a permit describing as particularly as may be practicable, the place where his or her settlement is intended to be made: *Provided,* That no person who shall be a resident of Florida at the time of the passage of this act, who shall be the owner of one hundred and sixty acres of land, at the time he proposes to settle, shall be entitled to a permit from the register.

Proviso.

Five years' residence.

*Second.* That said settler shall reside in the Territory of Florida, south of said township line, for five consecutive years, and to take his grant on any public land south of that township.

Erection of a house, &c.

*Third.* That said settler shall erect thereon a house fit for the habitation of man, and shall clear, enclose, and cultivate at least five acres of said land, and reside thereon for the space of four years next follow-

(a) An act to amend an act entitled "An act to provide for the armed occupation and settlement of the unsettled part of the peninsula of East Florida," June 15, 1844, chap. 71.

ing the first year after the date of his permit, if he or she shall so long live.

*Fourth.* That such settler shall, within one year after the survey of said lands, and the opening of the proper office for the entry and sale of the same by the United States, prove, before such tribunal and in such manner and form as shall be prescribed by the Commissioner of the General Land Office, with the approval of the President, the fact that the settlement has been commenced, and the particular quarter section upon which it is located; and, also, that such settler shall, within six months after the expiration of five years from the date of his permit, prove, in like manner, the fact of continued residence and cultivation, as required in the second and third conditions herein above prescribed; whereupon, and not until then, a patent shall issue to said settler, for such quarter section.

Settlements, &c. how to be proved.

*SEC. 2. And be it further enacted,* That in the case of the settlement of the same quarter section by two or more settlers, the right to the location shall be determined by priority of settlement, to be ascertained under such rules as the Commissioner of the General Land Office, with the approval of the President, may prescribe; and the subsequent settler or settlers shall be permitted to locate the quantity he, she, or they may be entitled to elsewhere within the same township, upon vacant public lands.

In case of settlement by two or more, the right to be determined by priority.

*SEC. 3. And be it further enacted,* That no right or donation shall be acquired under this act within two miles of any permanent military post of the United States, established and garrisoned at the time such settlement and residence was commenced.

Settlements not to be made within 2 miles of a permanent military post.

*SEC. 4. And be it further enacted,* That all sales, gifts, devises, agreements, bonds, or powers to sell, transfers, or liens, whatsoever, private or judicial, of the lands, or any portion thereof, acquired by this act, made at any time before patents shall have issued for the same, shall be utterly void and without effect, to every intent and purpose, whether in law or equity; and the purchaser or obligee, under any such sale, agreement, bond, or power to sell, transfer, or lien, shall not be entitled to recover back the price or consideration paid therefor, but shall forfeit the same absolutely to such settler or his heirs.

Sales, &c. of land acquired by this act, before the patents have issued, void.

*SEC. 5. And be it further enacted,* That upon the death of any settler before the end of the five years, or before the issuing of the patent, all his rights under this act shall descend to his widow and heirs at law, if he leaves a widow, and to his heirs at law, if he leaves none, to be held and divided by them according to the laws of Florida, any previous sale or transfer of the same or of any interest, legal or equitable, in the same, to the contrary notwithstanding. And proof of his compliance with the conditions of this act, up to the time of his death, shall be sufficient to entitle them to the patent.

On the death of a settler, his rights descend to his widow, &c.

*SEC. 6. And be it further enacted,* That where any settlement, by the erection of a dwelling, or the cultivation of any portion thereof, shall be made upon the sixteenth section, before the same shall be surveyed, then and in that case other lands shall be selected by the school commissioners of the township, in lieu of said section sixteen, or such part thereof as may be claimed under this act.

In case of settlement before survey on a 16th section, other school lands to be selected.

*SEC. 7. And be it further enacted,* That not exceeding two hundred thousand acres of land shall be taken for settlement under this act.

Land for settlement limited.

*SEC. 8. And be it further enacted,* That the President of the United States may, at any time, by proclamation, suspend all further permits and settlements under this act, by giving three months' notice thereof.

President may suspend the settlement.

*SEC. 9. And be it further enacted,* That the Commissioner of the General Land Office shall, on or before the first day of February, eighteen hundred and forty-four, report to Congress the names of every individual who shall have made the actual settlement required by the

Names of settlers, &c. to be reported to Congress.

first section of this act, specifying the heads of families, and the single men, and the location of each quarter section occupied by each of said settlers.

APPROVED, August 4, 1842.

STATUTE II.

Aug. 4, 1842.

CHAP. CXXIII.—*An Act to regulate appeals and writs of error from the district court of the United States for the northern district of Alabama.*(a)

Appeals to lie to U. S. Supreme Court in certain cases.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all appeals and writs of error from the district court of the United States for the northern district of Alabama, at Huntsville, shall lie directly to the Supreme Court of the United States, when the amount in controversy exceeds the sum of two thousand dollars, exclusive of costs; and that so much of the act to abolish the circuit court at Huntsville, in the State of Alabama, and for other purposes, as requires all appeals and writs of error to lie from said district court to the circuit court at Mobile, without regard to the amount in controversy, be repealed.

APPROVED, August 4, 1842.

STATUTE II.

Aug. 9, 1842.

CHAP. CXXVI.—*An Act to annex a part of the town of Tiverton in the State of Rhode Island, to the collection district of Fall River in the State of Massachusetts.*

The part of Tiverton annexed, described.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all that part of the town of Tiverton, in the State of Rhode Island, which lies north of the south line of the farm of William Slade, and of the farm of the heirs of Boylston Brayton, to Wattupper Pond, and by said pond to the south line of the State of Massachusetts, and the waters and shores adjoining thereto, be, and the same is hereby, annexed to, and made a part of the collection district of Fall river in the State of Massachusetts.

APPROVED, August 9, 1842.

STATUTE II.

Aug. 11, 1842.

1852, ch. 110,  
§ 14.

Appropriation to indemnify Georgia for expenses in calling out her militia to suppress Indian hostilities.

CHAP. CXXVII.—*An Act to provide for the settlement of the claims of the State of Georgia for the services of her militia.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of one hundred and seventy-five thousand dollars be, and the same is hereby, appropriated to the payment and indemnity of the State of Georgia, for any money actually paid by said State on account of necessary and proper expenses incurred by said State in calling out her militia, in the years eighteen hundred and thirty-five, eighteen hundred and thirty-six, eighteen hundred and thirty-seven, and eighteen hundred and thirty-eight, during the Seminole, Cherokee, and Creek campaigns, or for the suppression of Indian hostilities in Florida and Alabama, or so much of said sum as may be necessary for the purposes aforesaid, after deducting any sum or sums of money that may have heretofore been advanced by the United States to the State of Georgia, to be applied to the objects aforesaid, and which may not have been previously, so applied.

What would have been due, &c. to be first ascertained.

SEC. 2. *And be it further enacted,* That the Paymaster General of the United States army and the accounting officers of the Treasury shall first ascertain and certify what would have been due from the United States to the volunteers and militia called into the service of the said

(a) Notes of the acts relating to the District Court of Alabama, vol. 3, 564.

An act respecting the jurisdiction of certain District Courts, Feb. 19, 1831, chap. 28.

An act to abolish the Circuit Court at Huntsville, in the State of Alabama, and for other purposes Feb. 22, 1833, ch. 12.

State of Georgia, or by her proper authorities, during the time and for the purposes mentioned in the preceding section, if said volunteers and militia had been duly called into the service of the United States, and regularly received and mustered by officers of the United States army, according to the laws and regulations which have governed in the payment of the volunteers and militia of other States: *Provided*, That the accounts of the agent or other officer of the State of Georgia, employed or authorized to make payments for the aforesaid services, or any of them, be submitted to the Paymaster General and the accounting officers, for their inspection: *And provided, also*, That no reimbursement shall be made on account of the payment of any volunteers or militia who refused to be received and mustered into the service of the United States, or to serve under officers of the United States army, if any may have been ordered to that service by the President of the United States or other proper authority.

Proviso.

Proviso.

APPROVED, August 11, 1842.

STATUTE II.

CHAP. CXXVIII. — *An Act to settle the title to certain tracts of land in the State of Arkansas.*

Aug. 11, 1842.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That each and every owner of a Spanish or French land claim, in the State of Arkansas, which was submitted for adjudication to the superior court of the late Territory of Arkansas, and by that court confirmed, being subsequent purchasers for a valuable consideration, is hereby authorized, within twelve months from the passage of this act, to enter, respectively, the land covered by the said claim, at the minimum price, under such regulations as the Commissioner of the General Land Office shall prescribe: *Provided*, That no such entry shall be made, except of lands mentioned and described in the original claim, or of such tracts as have been located in pursuance of the act of the twenty-sixth of May, eighteen hundred and twenty-four, entitled "An act enabling the claimants to lands within the limits of the State of Missouri and Territory of Arkansas to institute proceedings to try the validity of their claims," or any act reviving the same; nor unless the owner of the claim shall make and subscribe an oath, before the register or receiver of the land office of the district in which the lands lie, which oath such register or receiver is hereby authorized to administer, that at the time he became the owner of the claim he had no notice or knowledge that the claim was fraudulent, or that the same rested upon any forged warrant, grant, order of survey, or other evidence of title. And, for every entry made under the provisions of this act, a patent shall issue, as though no Spanish or French claim had ever been entered upon said land.

Owners of certain Spanish and French land claims authorized to enter the same.

Proviso.

1824, ch. 173,

Patents to issue.

APPROVED, August 11, 1842.

STATUTE II.

CHAP. CXXIX. — *An Act regulating the services of the several judges in the Territory of Iowa. (a)*

Aug. 11, 1842.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That until otherwise ordered by law of the Legislative Assembly of the Territory of Iowa, the judges for said Territory lately appointed shall be, and they are hereby, assigned to the same districts to which the same judges respectively, were heretofore assigned by the laws of the said Legislative assembly of the Territory of Iowa.

Assignment of the judges to districts.

APPROVED, August 11, 1842.

(a) Notes of the acts relating to Iowa; act of June 12, 1838, chap. 96.

## STATUTE II.

Aug. 11, 1842.

CHAP. CXXX. — *An Act in relation to the district court for the northern district of New York. (b)*

Clerk of the court may appoint a deputy; his powers.

Deputy to take an oath.

Clerk responsible for acts of his deputy.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall be lawful for the clerk of the district court for the northern district of New York, to appoint a deputy, who, in his absence, may exercise all the official powers of the said clerk, at the village of Auburn, in the county of Cayuga, in the said district. And such deputy, before he enters on the discharge of his duties, shall take the usual oath for the faithful performance of his duties as such deputy. And nothing herein contained shall be held to excuse or release the said clerk from legal responsibility for acts performed by his said deputy, in behalf of said clerk in the office aforesaid.

APPROVED, August 11, 1842.

## STATUTE II.

Aug. 16, 1842.

Act of Aug. 3, 1842, ch. 120.

Construction of the 1st section of the act.

The act to take effect from and after 3d August 1842.

1842, ch. 120.

CHAP. CLXXVII.—*An Act explanatory of an act entitled "An act to constitute the ports of Stonington, Mystic river, and Pawcatuck river, a collection district."*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the first section of the act entitled "An act to constitute the ports of Stonington, Mystic river, and Pawcatuck river, a collection district," shall be construed in the same manner it would have been had the words "from and after the thirtieth day of June next" been wholly omitted in said section.

SEC. 2. *And be it further enacted,* That the aforesaid act, entitled "An act to constitute the ports of Stonington, Mystic river, and Pawcatuck river, a collection district," approved August third, eighteen hundred and forty-two, shall take effect in all its provisions, and be in force as hereby explained, from and after the said third day of August, eighteen hundred and forty-two.

APPROVED, August 16, 1842.

## STATUTE II.

Aug. 16, 1842.

CHAP. CLXXVIII.—*An Act authorizing the settlement and payment of certain claims of the State of Alabama.*

Secretary of War to audit and adjust the claims of Alabama, how.

Sum found due to be paid.

Proviso.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and hereby is, directed to audit and adjust the claims of the State of Alabama, under such laws and regulations as have heretofore governed the Department in auditing and allowing the claims of the States on the United States, for moneys advanced and paid by said State for subsistence, supplies, and services of local troops called into service by and under the authorities of said State, but not mustered into the service of the United States, and for provisions and forage furnished the friendly Indians during the Creek and Seminole hostilities, in the years eighteen hundred and thirty-six and eighteen hundred and thirty-seven, in all cases in which the payment was for subsistence, supplies, service, provisions, and forage, which would have been paid for under existing laws and regulations, if such troops had been mustered into the service of the United States, and the provisions and forage had been furnished by an agent of the United States; and that the sum so found due to said State be paid out of any money in the Treasury not otherwise appropriated: *Provided,* That, in auditing and adjusting said claims, duly authenticated copies of papers which have been lost or destroyed, upon due proof of such loss or destruction, shall be received as evidence.

SEC. 2. *And be it further enacted,* That the Secretary of War be,

(b) Notes to the acts relating to the times of holding the District Court in the northern district of New York, vol. 3, 414.

and he hereby is, required to report to the House of Representatives a schedule of such claims as may be presented for adjustment under this act, and not allowed, with the reasons for such disallowance, at the next session of Congress.

APPROVED, August 16, 1842.

Report on claims presented, and not allowed, to be made to the House of Reps.

CHAP. CLXXIX.—*An Act to change the name of the port of entry on Lake Erie, known as Portland, to that of Sandusky.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That from and after the first day of October, in the year of our Lord one thousand eight hundred and forty-two, the port of Portland on Lake Erie, in the district of Sandusky, in the State of Ohio, shall be called the port of Sandusky.

APPROVED, August 16, 1842.

STATUTE II.  
Aug. 16, 1842.

After 1st October 1842, Portland to be called Sandusky.

CHAP. CLXXX.—*An Act to amend the act entitled "An act supplementary to the act entitled 'An act to amend the judicial system of the United States.'"*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the fourth circuit shall be composed of the districts of Maryland, Delaware, and Virginia;

The fifth circuit shall be composed of the districts of Alabama and Louisiana;

The sixth circuit shall be composed of the districts of North Carolina, South Carolina, and Georgia.

The circuit courts in the district of Virginia shall be holden at Richmond on the first Monday in May and on the fourth Monday in November.

The circuit courts in the district of North Carolina shall be holden on the fourth Monday of May and second Monday in December.

This act shall not take effect until the first day of February next, before which time the justices of the Supreme Court of the United States, or a majority of them, shall allot the several districts among the Justices of the said Court.

SEC. 2. *And be it further enacted,* That when the time of holding any court, by this act has been changed, all processes, proceedings, and causes shall be returned and held to be continued to the said courts, at the times herein provided for their meeting, respectively.

APPROVED, August 16, 1842.

STATUTE II.  
Aug. 16, 1842.

Act of March 3, 1837, ch. 34.

Act of March 3, 1839, ch. 81.

Act of June 17, 1844, ch. 96.

What districts shall compose the 4th, 5th, and 6th circuits.

Times of holding circuit courts in Virginia, and N. Carolina.

Act to take effect 1st February next.

Justices of the Supreme Court to allot the districts.

Process, &c. when returnable.

CHAP. CLXXXI.—*An Act requiring foreign regulations of commerce to be laid annually before Congress.*

*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 State to lay before Congress, annually, at the commencement of its session, in a compendious form, all such changes and modifications in the commercial systems of other nations, whether by treaties, duties on imports and exports, or other regulations, as shall have come to the knowledge of the Department.

APPROVED, August 16, 1842.

STATUTE II.  
Aug. 16, 1842.

Changes in the commercial systems of other nations to be communicated.

CHAP. CLXXXII.—*An Act to grant pre-emption rights to settlers on the "Dubuque claim" so called, in the Territory of Iowa. (a)*

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

STATUTE II.  
Aug. 16, 1842.

(a) Notes of acts relating to the territory of Iowa; act of June 12, 1833, chap. 96.

Certain lands reserved for the Dubuque claim, declared to be public lands.

Settlers, &c. may enter said lands.

1834, ch. 54.  
1838, ch. 119.  
1840, ch. 32.  
1841, ch. 16.

Preference to settlers under the earliest law. Proviso.

Proviso.

county of Dubuque, in the Territory of Iowa, heretofore reserved for the Dubuque claim, so called, which have not been sold by the United States; by virtue of the acts of the fourth day of July, one thousand eight hundred and thirty-six, and the third day of March, one thousand eight hundred and thirty-seven, be, and the same are hereby, declared to be public lands, and that settlers on said land, who but for said reservation would have been enabled to enter the same under the pre-emption laws of nineteenth June, one thousand eight hundred and thirty-four, twenty-second June, one thousand eight hundred and thirty-eight, first June, one thousand eight hundred and forty, or fourth September, one thousand eight hundred and forty-one, be, and they are hereby, authorized to enter the same at one dollar and twenty-five cents per acre, at any time within one year after the date of this act, upon complying with the provisions of either of said acts under which such person may claim; the settlers under the earlier law being entitled to the preference over those under a subsequent one: *Provided*, That this section is not to be regarded as extending the right of pre-emption to lands reserved for lead mines, salt springs, school sections, or town lots: *And provided further*, That should the said claim of Dubuque hereafter prove valid, compensation to the claimants shall be made by the United States in other public lands equal in quantity, subject to private entry.

APPROVED, August 16, 1842.

#### STATUTE II.

Aug. 23, 1842.

CHAP. CLXXXIII.—*An Act making appropriations for the support of the army, and of the military academy, for the year one thousand eight hundred and forty-two.*

*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 hereby are, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the support of the army for the year one thousand eight hundred and forty-two.

- Appropriations for the army.
- Pay. No. 1. For the pay of the army, one million four hundred and seventy-seven thousand seven hundred dollars.
- Subsistence of officers. No. 2. For commutation of officers' subsistence, five hundred and twenty-seven thousand two hundred and sixty-four dollars.
- Forage of officers' horses. No. 3. For commutation of forage of officers' horses, one hundred and sixteen thousand nine hundred and seventy-one dollars.
- Clothing of officers' servants. No. 4. For commutation of clothing of officers' servants, thirty thousand two hundred and forty dollars.
- Clothing not drawn by troops. For commutation of clothing not drawn in kind by the troops, fifty thousand two hundred and forty dollars.
- Recruiting. No. 5. For expenses of recruiting, fifteen thousand seven hundred and nine dollars and thirty-six cents.
- Clothing, &c. No. 6. For clothing of the army, camp and garrison equipage, cooking utensils, and hospital furniture, three hundred and seventy-four thousand eight hundred and seventy-six dollars and eighty cents.
- Subsistence. No. 7. For subsistence in kind, exclusive of that of officers, seven hundred and sixty-nine thousand six hundred and sixty-eight dollars.
- Supplies by Quartermaster's department. No. 8. For the regular supplies furnished by the Quartermaster's department, consisting of fuel, forage, straw, stationery, and printing, three hundred and sixteen thousand dollars.
- Barracks, &c. No. 9. For barracks, quarters, and storehouses, embracing the repairs and enlargement of barracks, quarters, storehouses, and hospitals; the erection of temporary cantonments and of gun-houses for the protection of cannon; the purchase of tools and materials and of 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 and encampments for military practice, one hundred and thirty-five thousand dollars.

No. 10. 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 additional compensation to judge advocates, members, and witnesses; extra pay to soldiers under the act of March second, eighteen hundred and nineteen; expenses of expresses and of the interment of non-commissioned officers and soldiers; hire of laborers, compensation of clerks in the offices of the quartermasters and assistant quartermasters, at posts where their duties cannot be performed without such aid, and of temporary agents in charge of dismantled works; and to such wagon and forage masters as it may be necessary to employ under the act of the fifth of July, eighteen hundred and thirty-eight; expenditures necessary to keep the regiments of dragoons and the four companies of light artillery complete, including the purchase of horses to supply the place of those which may be lost and become unfit for the service, and the erection of stables, one hundred and twenty-seven thousand dollars.

Quartermaster's depart'm't

1838, ch. 162.

No. 11. For transportation of officers' baggage, when travelling on duty without troops, sixty-five thousand dollars.

Transportation of officers' baggage.

No. 12. For transportation of troops and supplies, viz: transportation of the army and baggage, freight and ferriages, purchase or hire of horses, mules, oxen, carts, wagons, and boats, for purposes of transportation or garrison use; drayage and cartage; 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 small arms, from the foundries and armories, to the arsenals, fortifications, and frontier posts, two hundred and forty-two thousand dollars.

Transportation of troops and supplies.

No. 13. For the contingencies of the army, nine thousand dollars.

Contingencies.

No. 14. For the medical and hospital department, twenty-eight thousand dollars.

Medical and hospital department.

For extending and rendering more complete the meteorological observations conducted at the military posts of the United States, under the direction of the Surgeon General, three thousand dollars.

Meteorological observations.

No. 15. For the current expenses of the ordnance service, one hundred thousand dollars.

Ordnance service.

No. 16. For the armament of fortifications, including compensation of a special agent to attend at the foundries employed in making cannon, one hundred and fifty thousand dollars.

Fortifications. Agent at foundries.

No. 17. For ordnance and ordnance stores and supplies, one hundred thousand dollars.

Ordnance and stores.

No. 18. For the manufacture of arms at the national armories, three hundred and sixty thousand dollars; of which sum, ten thousand dollars may, at the discretion of the Secretary of War, be applied to the purchase of arms.

Manufacture and purchase of arms.

No. 19. For repairs and improvements and new machinery at Springfield armory, twenty thousand dollars.

Springfield armory.

No. 20. For repairs and improvements and new machinery at Harper's Ferry armory, thirty thousand dollars.

Harper's Ferry armory.

No. 21. For arsenals, one hundred and twenty thousand dollars.

Arsenals.

No. 22. For purchase of saltpetre and brimstone, forty thousand dollars.

Saltpetre and brimstone.

For expense of preparing drawings of a uniform system of artillery, one thousand three hundred and fifty dollars.

Drawings.

No. 23. For preventing and suppressing hostilities in Florida, to be

Preventing and suppressing hostilities in Florida.

expended under the direction of the Secretary of War, 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 coast, 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; and for miscellaneous and contingent charges, including arrearages, five hundred thousand dollars: *Provided*, That no more than one hundred and forty-six thousand two hundred and ninety-six dollars and seventy-three cents shall be applied to the payment of arrearages; and no such arrearages shall be paid, unless they are for services rendered or supplies furnished in pursuance of law.

Proviso.

Military surveys.

For military surveys for the defence of the frontier, inland and Atlantic, fifteen thousand dollars.

Arrearages and preservation of public property.

For arrearages and for the preservation of the public property at the several places of harbor and river improvement, fifteen thousand dollars.

Relative to extra allowances.

SEC. 2. *And be it further enacted*, That no officer in any branch of the public service, or any other person whose salary, pay, or emoluments, is or are fixed by law or regulations, shall receive any additional pay, extra allowance, or compensation, in any form whatever, for the disbursement of public money, or for any other service or duty whatsoever, unless the same shall be authorized by law, and the appropriation therefor explicitly set forth that it is for such additional pay, extra allowance, or compensation.

Appropriations for the military academy.

SEC. 3. *And be it further enacted*, That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the support of the military academy for the year one thousand eight hundred and forty-two, viz:

No. 1. For pay of officers, instructors, cadets, and musicians, sixty thousand five hundred and twenty-four dollars.

Subsistence.

No. 2. For commutation of subsistence of officers and cadets, forty thousand and seventy-seven dollars.

Forage of officers' horses.

No. 3. For commutation of forage of officers' horses, five thousand one hundred and eighty-four dollars.

Clothing of officers' servants.

No. 4. For commutation of clothing of officers' servants, four hundred and twenty dollars.

Board of Visitors.

No. 5. For defraying expenses of the board of visitors, and for the other various current and ordinary expenses of the academy, other than pay and subsistence, twenty-six thousand four hundred and thirty-six dollars.

Current and ordinary expenses.

Library.

No. 6. For increase and expense of library, one thousand dollars.

Improvements on western rivers; repairs of public works.

For building and repairing the necessary boats, and for carrying on the improvements on the Missouri, Mississippi, Ohio, and Arkansas rivers, one hundred thousand dollars, under the direction of the Secretary of War; and, for the preservation and repairs of public works heretofore constructed for the improvement of harbors, thirty thousand dollars.

APPROVED, August 23, 1842.

CHAP. LXXXIV.—*An Act to establish an auxiliary watch for the protection of public and private property in the city of Washington.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be established an auxiliary guard or watch for the protection of public and private property against incendiaries, and for the enforcement of the police regulations of the city of Washington, consisting of a captain, to be appointed by the Mayor of the said city, at an annual salary of one thousand dollars; and fifteen other persons, to be employed by the captain, five of whom shall receive a compensation of thirty-five dollars per month, and the remaining ten, a compensation of thirty dollars per month.

SEC. 2. *And be it further enacted,* That the said auxiliary guard shall occupy, as a rendezvous, such building or part of a building belonging to the United States, or furnished by the corporation of Washington, as shall be directed by the President of the United States, and shall be subject to such rules and regulations as may be prescribed by a board to consist of the mayor of the city of Washington, the attorney of the United States for the District of Columbia, and the attorney of the corporation of the said city of Washington, with the approbation of the President of the United States.

SEC. 3. *And be it further enacted,* That, for the compensation of said auxiliary guard, and for the purchase of the necessary and proper implements to distinguish them in the discharge of their duties, the sum of seven thousand dollars is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated.

APPROVED, August 23, 1842.

STATUTE II.

Aug. 23, 1842.

Guard to be established.

To consist of a captain and fifteen others—their pay.

Place of rendezvous.

Rules to be prescribed, how.

Appropriation.

STATUTE II.

Aug. 23, 1842.

CHAP. CLXXXV. — *An Act to amend an act, entitled "An act to provide for the payment of horses, or other property, lost or destroyed in the military service of the United States," approved the eighteenth day of January, eighteen hundred and thirty-seven.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the above recited act be so amended, as to embrace the claims of any field, or staff, or other officer, mounted militiaman, volunteer, ranger, or cavalry, who has or shall sustain damage, without any fault or negligence on his part, while in the military service of the United States, by the loss of a horse, destroyed or abandoned by order of the commanding general or other commanding officer, or by the loss of a horse by his being shot, or otherwise lost or destroyed by unavoidable accident, without any fault or negligence of the owner, and when he was in the line of his duty, and for the loss of necessary equipage, in consequence of the loss of his horse, as aforesaid, shall be allowed and paid the value thereof at the time of entering the service.

SEC. 2. *And be it further enacted,* That in auditing and settling the claims provided for in this, and in the act which this is intended to amend, an appeal may be taken and prosecuted from the decision of the Auditor rejecting the claim, to the Second Comptroller of the Treasury, under the direction of the Secretary, whose decision shall be conclusive.

SEC. 3. *And be it further enacted,* That it shall and may be lawful to make compensation for horses, bridles, saddles, and equipments, turned over to the service of the United States, under the act approved October fourteenth, eighteen hundred and thirty-seven, whenever it shall be made to appear that the person to whom they were ordered to be delivered was acting as an officer, although there may be no returns in the De-

Act of 18th Jan. 1837, ch. 5, so amended as to embrace certain claims for the loss of horses, &c.

An appeal may be taken, when.

Payment for horses, &c. under act of 14th October 1837, ch. 5.

Evidence re-  
ceivable.

partment to show his regular appointment as such officer. And the certificates of proper officers, whether given during or since the expiration of their term of service, shall be receivable by the Auditor in the settlement of such claims.

APPROVED, August 23, 1842.

STATUTE II.

Aug. 23, 1842.

Act of March  
30, 1814, ch.  
37, vol. 3, 113.

Dragoons to  
be reduced.

Repealed by  
act of April 4,  
1844, ch. 11.

2d regm't dra-  
goons converted  
into riflemen.

Artillery to be  
reduced.

Infantry to be  
reduced.

No enlistments  
to be made till  
after the reduc-  
tion.

Proviso.

Offices of su-  
perintendents of  
armories at  
Springfield and  
Harper's Ferry  
abolished.

Relative to  
master armor-  
ers, inspectors,  
clerks, &c.

1821, ch. 13.

CHAP. CLXXXVI. — *An Act respecting the organization of the army, and for other purposes.* (a)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That hereafter, and so soon as the reduction can be effected as herein provided, each company of dragoons shall consist of the commissioned officers as now provided by law, and of four sergeants, four corporals, two buglers, one farrier and blacksmith, and fifty privates; and the second regiment of dragoons now in service shall be converted, after the fourth day of March next, into a regiment of riflemen; and each company of artillery shall consist of the commissioned officers as now provided by law, and of four sergeants, four corporals, two artificers, two musicians, and forty-two privates; and each company of infantry shall consist of the same number of commissioned officers as now provided, and of four sergeants, four corporals, two musicians, and forty-two privates; and that no recruits shall be enlisted for the dragoons, artillery, or infantry, until the numbers in the several companies shall be reduced by the expiration of the term of service, by discharge, or other causes, below the number herein fixed for the said companies respectively: *Provided,* That nothing in this section shall be construed to prevent the re-enlistment of non-commissioned officers whose terms of service may expire before the army shall be reduced to the number heretofore established.

*SEC. 2. And be it further enacted,* That the offices of the superintendents of the armories at Springfield and at Harper's Ferry shall be, and the same are hereby abolished, and the duties thereof shall be performed by such officers of the ordnance corps as shall be designated by the President; and that from and after the first day of October next, the master armorers, at the national armories, shall receive, each, twelve hundred dollars, annually, payable quarter yearly; and the inspectors and clerks, each, eight hundred dollars per annum; and the paymasters and military storekeepers, at the armories, and at the arsenals of construction at Pittsburg, Watervliet, and Washington city, shall receive, each, twelve hundred and fifty dollars annually, payable in like manner, and the said paymasters and military storekeepers, shall give security for the faithful discharge of their duties, in such sum as the Secretary of War shall prescribe. And the two military storekeepers, authorized by the act of second of March, one thousand eight hundred and twenty-one, shall receive, each, twelve hundred and fifty dollars per annum. And no military storekeeper, at arsenals, shall, after the first day of October next, receive, as pay, or emoluments, beyond eight hundred dollars per annum, besides quarters actually provided and occupied as such, and the number authorized to be thus employed is hereby limited to ten; and all other offices of military storekeepers are hereby abolished, and discontinued, on and after said first day of October, and the officers hereby dismissed, shall be allowed three months' pay in addition to the pay and emoluments to which they may be entitled on that day. And none of the above-named officers, and no officers at the armories, of any grade whatever, shall hereafter receive emoluments of any kind, or any compensation or commutation beyond their stipulated

(a) Notes of the acts relating to the army of the United States, from 1789 to 1804, vol. 2, 249.

Notes of the acts establishing rules, &c. for the government of the army of the United States, vol. 2

pay, in money, except quarters actually provided for and occupied by such officers.

SEC. 3. *And be it further enacted,* That the office of Commissary General of Purchases, sometimes called Commissary of Purchases, shall be, and the same is hereby abolished, and the duties thereof shall hereafter be performed by the officers of the Quartermaster's department, with such of the officers and clerks now attached to the Purchasing department as shall be authorized by the Secretary of War, and under such regulations as shall be prescribed by the said Secretary, under the sanction of the President of the United States.

Office of Com. Gen. of Purchases abolished.  
Duties to be performed by whom, &c.

SEC. 4. *And be it further enacted,* That, within one month after the passage of this act, the offices of one inspector general, of three paymasters, two surgeons, and ten assistant surgeons of the army shall be abolished, and that number of paymasters, surgeons and assistant surgeons, shall be discharged by the President, and they shall be allowed three months' pay, in addition to the pay and emoluments to which they may be entitled at the time of their discharge.

Offices of Inspector General, 3 paymasters, &c. abolished.  
1846, ch. 3.

SEC. 5. *And be it further enacted,* That a competent person may be employed by the Ordnance bureau, under the direction of the Secretary of War, for such time as may be necessary, to superintend the manufacture of iron cannon at the several foundries where such cannon may be made under contracts with the United States, whose pay and emoluments shall not exceed those of a major of ordnance during the time he shall be so employed, to be paid out of the appropriations for armament of fortifications; and for the services rendered in such superintendence since the first day of March, eighteen hundred and forty-one, under the authority of the War Department, the same compensation shall be allowed as herein provided.

Employment of a person to superintend the manufacture of iron cannon authorized.

SEC. 6. *And be it further enacted,* That the rations authorized to be allowed to a brigadier while commander-in-chief, and to each officer while commanding a separate post, by the act of March third, seventeen hundred and ninety-seven, and to the commanding officers of each separate post, by the act of March sixteen, eighteen hundred and two, shall hereafter be allowed to the following officers and no others: to the major general commanding the army, and to every officer commanding in chief a separate army, actually in the field; to the generals commanding the eastern and western geographical divisions; to the colonels or other officers commanding military geographical departments; to the commandant of each permanent or fixed post, garrisoned with troops, including the superintendent of the military academy at West Point, who is regarded as the commandant of that post.

Rations allowed to certain officers by acts of the 3d March 1797, ch. 16, and 16th March 1802, ch. 9, hereafter to be allowed to the following officers only, &c.  
1847, ch. 61, § 20.

APPROVED, August 23, 1842.

STATUTE II.

Aug. 23, 1842.

CHAP. CLXXXVII.—*An Act to provide for the satisfaction of claims arising under the fourteenth and nineteenth articles of the treaty of Dancing Rabbit creek, concluded in September, one thousand eight hundred and thirty.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act approved on the third of March, eighteen hundred and thirty-seven, entitled "An act for the appointment of commissioners to adjust the claims to reservations of land under the fourteenth article of the treaty of eighteen hundred and thirty, with the Choctaw Indians: and also, the act approved on the twenty-second day of February, eighteen hundred and thirty-eight, entitled "An act to amend an act entitled 'An act for the appointment of commissioners to adjust the claims to reservations of land under the fourteenth article of the treaty of eighteen hundred and thirty, with the Choctaw Indians,' so far as the same are not repealed or modified by the provisions of this act," be, and the same are hereby,

Acts of 3d March 1837, ch. 39, and 22d Feb. 1838, ch. 13, so far as not repealed or modified by this act, revived.  
1845, ch. 72.  
Vol. ix. p. 114.

Powers, &c.  
of commission-  
ers extended.

Proviso.

Commission-  
ers may issue  
subpœnas, &c.

Marshals, &c.  
may execute  
process, &c.—  
their fees.

1838, ch. 13.

Proviso.

1837, ch. 39.

Conditions, up-  
on proof of the  
performance of  
which, any  
Choctaw shall  
be entitled to a  
patent.

revived and continued in force until the powers conferred by this act shall be fully executed, subject, nevertheless, to repeal or modification by any act of Congress. And all the powers and duties of the commissioners are hereby extended to claims arising under the nineteenth article of the said treaty, and under the supplement to the said treaty, to be examined in the same manner and with the same effect as in cases arising under the fourteenth article of the said treaty: *Provided*, That the salary of said Commissioners shall not exceed the rate of two thousand five hundred dollars per annum.

SEC. 2. *And be it further enacted*, That subpœnas for the attendance of witnesses before the said commissioners, and process to compel such attendance may be issued by the said commissioners, or any two of them, under their seals in the same manner and with the same effect as if issued by courts of record, and may be executed by the marshal of any district, or by any sheriff, deputy sheriff or other peace officer designated by the said commissioners, who shall receive for such services the same fees as are allowed in the district court of the United States for the district in which the same shall be rendered for similar services, to be paid, on the certificate of the commissioners, out of the contingent fund appropriated by the fourth section of the act secondly above recited, which was approved on the twenty-second day of February, one thousand eight hundred and thirty-eight, and which is revived by this act: *Provided*, That nothing herein contained shall be construed to revive such portion of the act approved the third day of March, one thousand eight hundred and thirty-seven, referred to in the first section of this act, as provides for the employment and pay of the district attorney of either of the districts of the State of Mississippi.

SEC. 3. *And be it further enacted*, That when the said commissioners shall have ascertained that any Choctaw has complied or offered to comply with all the requisites of the fourteenth article of the said treaty, to entitle him to any reservation under that article, which requisites are as follows, to wit: that said Choctaw Indian did signify his or her intention to the agent, in person, or by some person duly authorized and especially directed, by said Indian, to signify the intention of said Indian to become a citizen of the State, within six months from the date of the ratification of the said treaty, and had his or her name, within the time of six months aforesaid, enrolled on the register of the Indian agent aforesaid, for that purpose; or shall prove, to the entire satisfaction of the said commissioners and to the Secretary of War, that he or she did signify his or her intention, within the term of six months from the date of the ratification of the treaty aforesaid, if his or her name was not enrolled in the register of the agent aforesaid, but was omitted by said agent; and, secondly, that said Indian did, at the date of making said treaty, to wit, on the twenty-seventh day of September, eighteen hundred and thirty-one, have and own an improvement in the then Choctaw country; and that, having and owning an improvement, at the place and time aforesaid, did reside upon that identical improvement, or a part of it, for the term of five years continuously, next after the ratification of said treaty, to wit, from the twenty-fourth of February, eighteen hundred and thirty-one, to the twenty-fourth of February, eighteen hundred and thirty-six, unless it shall be made to appear that such improvement was, before the twenty-fourth day of February, eighteen hundred and thirty-six, disposed of by the United States, and that the reservee was dispossessed by means of such disposition; and, thirdly, that it shall be made to appear, to the entire satisfaction of said commissioners, and to the Secretary of War, that said Indian did not receive any other grant of land under the provisions of any other article of said treaty; and, fourthly, that it shall be made to appear, in like manner, that said Indian did not remove to the Choctaw country west of the Mississippi

river, but he or she had continued to reside within the limits of the country ceded by the Choctaw Indians to the United States, by said treaty of twenty-seventh September, in the year eighteen hundred and thirty, it shall be the duty of said commissioners, if all and each of the above requisites shall be made clearly to appear to their satisfaction, and the Secretary of War shall concur therein, to proceed to ascertain the quantity of land to which said Indian, by virtue of the fourteenth article of said treaty, is entitled to, which, when ascertained, shall be located for said Indian, according to sectional lines, so as to embrace the improvement, or a part of it, owned by said Indian at the date of said treaty; and it shall be the duty of the President of the United States to issue a patent to said Indian for said land, if he or she be living, and if not, to his or her heirs and legal representatives; and in like manner shall the commissioners aforesaid ascertain the quantity of land granted by said article to each child of said Indian, according to the limitations contained in said article, and locate said quantity, for said children, contiguous to and adjoining the improvement of the parent of such child or children; and the President shall issue a patent for each tract of land thus located, to said Indian child, if living, and if not, to the heirs and legal representatives of such Indian child. But if the United States shall have disposed of any tract of land, to which any Indian was entitled, under the provisions of said fourteenth article of said treaty, so that it is now impossible to give said Indian the quantity to which he was entitled, including his improvements, as aforesaid, or any part of it, or to his children, on the adjoining lands, the said commissioners shall thereupon estimate the quantity to which each Indian is entitled, and allow him or her, for the same, a quantity of land equal to that allowed, to be taken out of any of the public lands in the States of Mississippi, Louisiana, Alabama, and Arkansas, subject to entry at private sale; and certificates to that effect shall be delivered, under the direction of the Secretary of War, through such agent as he may select, not more than one half of which shall be delivered to said Indian until after his removal to the Choctaw territory west of the Mississippi river. The said commissioners shall also ascertain the Choctaws, if any, who relinquished or offered to relinquish any reservations to which he was entitled under the nineteenth article of the said treaty, or whose reservations under that article had been sold by the United States; and shall also determine the quantity to which such claimant was entitled; and the quantity of land which should be allowed him on extinguishment of such claim, at the rate of two fifths of an acre for every acre of the land to which said claimant was entitled, said land having been estimated under this article at fifty cents per acre: *Provided, nevertheless*, That no claim shall be considered or allowed by said commissioners, for or in the name or behalf of any Indian claimant whose name does not appear upon the lists or registers of claimants made by Major Armstrong, special agent for that purpose, in conjunction with the three chiefs of the three Choctaw districts, and returned to the Department of War in January, eighteen hundred and thirty-two, and who does not appear from those registers to be entitled to a reservation under said nineteenth article.

SEC. 4. *And be it further enacted*, That the said commissioners, within two years from the time of their entering upon the duties of their offices, and as often as shall be required by the President of the United States, shall report to him their proceedings in the premises, with a full and perfect list of names of all the Choctaws whom they shall have determined to be entitled to reservations under this act; the quantity of land to which each shall be so entitled, the number of claims which can be located according to the provisions of the fourth section of this act, and such as cannot be located according to the provisions of the fourth

Quantity due to each child of said Indian to be ascertained in like manner, &c.

If U. S. have disposed of land to which any Indian was entitled, &c., the commissioners shall allow other land.

Certificates for the land, how to be given.

Post, p. 777.

Commissioners shall ascertain the Choctaws who relinquished reservations under the 19th article, &c. and determine, &c.

Proviso.

Commissioners to report their proceedings, &c. to the President, when.

Powers, &c. of the commissioners, when to cease.

Commissioners to determine claims under the supplement to the treaty.

Upon approval by the Presid't, &c., certificates shall be delivered to claimant, if a Choctaw.

Proviso.

Proviso.

Accounts to be kept of the certificates, &c. and amount retained from distribution to the States.

Claims of white men with Indian families. Patents to be issued, how.

No claim to be allowed, if assigned previous to the expiration of the five years from its ratification.

Claims not presented within one year, for ever barred.

section of this act; and the powers and duties of the said commissioners shall cease at the expiration of two years from the time of the first organization of the board; and their proceedings may be terminated by the President at any time previous to the expiration of the said two years.

SEC. 5. *And be it further enacted*, That the commissioners to be appointed under this act shall also ascertain and determine the quantity of land to which any Choctaw or other person named in the supplement to the said treaty of Dancing Rabbit creek was entitled by virtue thereof, and which such person has by any means been prevented from receiving.

SEC. 6. *And be it further enacted*, That if the President of the United States shall approve and confirm the determination of the commissioners heretofore appointed to investigate the claims existing under the fourteenth article of the said treaty of Dancing Rabbit creek, in any case, he shall cause to be delivered to the claimant, if he be a Choctaw Indian, his legal representatives or heirs, certificates, as provided by the fourth section of this act, for the quantity of land to which such claimant shall appear, by such determination, to have been entitled, in full satisfaction and discharge of such claim: *Provided*, Such determination was made by adhering, in every instance, to the requisites contained in the fourth section of this act: *And provided, also*, That said claims, nor either of them, cannot now be located, according to the provisions of the fourth section of this act.

SEC. 7. *And be it further enacted*, That distinct accounts shall be kept of the certificates issued in satisfaction of the claims provided for by this act, and of all expenses attending the execution of the same; and the amount thereof shall be retained and withheld from any distribution to the States.

SEC. 8. *And be it further enacted*, That nothing in this act contained shall be so construed as to authorize the said commissioners to adjudicate any claim which may be presented by a white man who may have had, or now has, an Indian wife or family; and any patent to land, which shall issue on any Indian claim, under the provisions of the treaty aforesaid, shall be issued to the Indian to whom the claim was allowed, if living, and if dead, to his or her heirs and legal representatives, any act of Congress, or usage, or custom, to the contrary notwithstanding.

SEC. 9. *And be it further enacted*, That no claim shall be allowed, under the fourteenth article of said treaty, if the said commissioners shall be satisfied, by such proof as they may prescribe, that said claim had been, previous to the expiration of five years from the ratification of said treaty, assigned, either in whole or in part; and in case of a partial assignment, or agreement for an assignment thereof, the same shall be allowed so far only as the original Indian claimant was, at that date, the bona fide proprietor thereof.

SEC. 10. *And be it further enacted*, That all claims under either of the articles of said treaty mentioned above, or the supplemental articles thereof, which shall not be duly presented to said commissioners for allowance within one year after the final passage of this act, shall be thereafter for ever barred.

APPROVED, August 23, 1842.

## STATUTE II.

Aug. 23, 1842.

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

Commissioners appointed by the circuit courts

CHAP. CLXXXVIII.—*An Act further supplementary to an act entitled, "An act to establish the judicial courts of the United States," passed the twenty-fourth of September, seventeen hundred and eighty-nine.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the commissioners who now are, or hereafter may be, appointed by the circuit courts of the



United States to take acknowledgments of bail and affidavits, and also to take depositions of witnesses in civil causes, shall and may exercise all the powers that any justice of the peace, or other magistrate, of any of the United States may now exercise in respect to offenders for any crime or offence against the United States, by arresting, imprisoning, or bailing the same, under and by virtue of the thirty-third section of the act of the twenty-fourth of September, Anno Domini seventeen hundred and eighty-nine, entitled, "An act to establish the judicial courts of the United States;" and who shall and may exercise all the powers that any judge or justice of the peace may exercise under and in virtue of the sixth section of the act passed the twentieth of July, Anno Domini seventeen hundred and ninety, entitled "An act for the government and regulation of seamen in the merchant service."

to take bail, &c. may exercise the powers of a justice of the peace in certain cases.

1789, ch. 20.

Act of July 20, 1790, ch. 29.

SEC. 2. *And be it further enacted*, That in all hearings before any justice or judge of the United States, or any commissioner appointed as aforesaid, under and in virtue of the said thirty-third section of the act entitled "An act to establish the judicial courts of the United States," it shall be lawful for such justice, judge, or commissioner, where the crime or offence is charged to have been committed on the high seas or elsewhere within the admiralty and maritime jurisdiction of the United States, in his discretion to require a recognizance of any witness produced in behalf of the accused, with such surety or sureties as he may judge necessary, as well as in behalf of the United States, for their appearing and giving testimony, at the trial of the cause, whose testimony, in his opinion, is important for the purposes of justice at the trial of the cause, and is in danger of being otherwise lost; and such witnesses shall be entitled to receive from the United States the usual compensation allowed to Government witnesses for their detention and attendance, if they shall appear and be ready to give testimony at the trial.

Justice, &c. may require defendants' witnesses to give recognizance for their appearance to testify.

SEC. 3. *And be it further enacted*, That the district courts of the United States shall have concurrent jurisdiction with the circuit courts of all crimes and offences against the United States, the punishment of which is not capital. And in such of the districts where the business of the court may require it to be done for the purposes of justice, and to prevent undue expenses and delays in the trial of criminal causes, the said district courts shall hold monthly adjournments of the regular terms thereof for the trial and hearing of such causes.

District courts to have concurrent jurisdiction with the circuit courts of all offences not capital.

Adjournments.

SEC. 4. *And be it further enacted*, That in lieu of the punishment now prescribed by the sixteenth section of the act of Congress, entitled, "An act for the punishment of certain crimes against the United States," passed on the thirtieth day of April, Anno Domini one thousand seven hundred and ninety, for the offences in the said section mentioned, the punishment of the offender, upon conviction thereof, shall be by fine not exceeding one thousand dollars, or by imprisonment not exceeding one year, or by both, according to the nature and aggravation of the offence.

Punishment prescribed by 16th section of act of April 30, 1790, ch. 9, changed.

SEC. 5. *And be it further enacted*, That the district courts as courts of admiralty, and the circuit courts as courts of equity, shall be deemed always open for the purpose of filing libels, bills, petitions, answers, pleas, and other pleadings, for issuing and returning mesne and final process and commissions, and for making and directing all interlocutory motions, orders, rules, and other proceedings whatever, preparatory to the hearing of all causes pending therein upon their merits. And it shall be competent for any judge of the court, upon reasonable notice to the parties, in the clerk's office or at chambers, and in vacation as well as in term, to make and direct, and award all such process, commissions and interlocutory orders, rules, and other proceedings, when-

District and circuit courts to be always open for the purpose of filing libels, bills, &c.

Any judge may direct and award such processes.

ever the same are not grantable of course according to the rules and practice of the court.

Supreme court to have power to prescribe the forms of bills, writs, &c.

SEC. 6. *And be it further enacted*, That the Supreme Court shall have full power and authority, from time to time, to prescribe, and regulate, and alter, the forms of writs and other process to be used and issued in the district and circuit courts of the United States, and the forms and modes of framing and filing libels, bills, answers, and other proceedings and pleadings, in suits at common law or in admiralty and in equity pending in the said courts, and also the forms and modes of taking and obtaining evidence, and of obtaining discovery, and generally the forms and modes of proceeding to obtain relief, and the forms and modes of drawing up, entering, and enrolling decrees, and the forms and modes of proceeding before trustees appointed by the court, and generally to regulate the whole practice of the said courts, so as to prevent delays, and to promote brevity and succinctness in all pleadings and proceedings therein, and to abolish all unnecessary costs and expenses in any suit therein.

Supreme court to have power to regulate the costs in the district or circuit courts.

SEC. 7. *And be it further enacted*, That, for the purpose of further diminishing the costs and expenses in suits and proceedings in the said courts, the Supreme Court shall have full power and authority, from time to time, to make and prescribe regulations to the said district and circuit courts, as to the taxation and payment of costs in all suits and proceedings therein; and to make and prescribe a table of the various items of costs which shall be taxable and allowed in all suits, to the parties, their attorneys, solicitors, and proctors, to the clerk of the court, to the marshal of the district, and his deputies, and other officers serving process, to witnesses, and to all other persons whose services are usually taxable in bills of costs. And the items so stated in the said table, and none others, shall be taxable or allowed in bills of costs; and they shall be fixed as low as they reasonably can be, with a due regard to the nature of the duties and services which shall be performed by the various officers and persons aforesaid, and shall in no case exceed the costs and expenses now authorized, where the same are provided for by existing laws.

Interest shall be allowed and levied by the marshal under execution upon all judgments, &c.

SEC. 8. *And be it further enacted*, That on all judgments in civil cases, hereafter recovered in the circuit or district courts of the United States, interest shall be allowed, and may be levied by the marshal, under process of execution issued thereon, in all cases where, by the law of the State in which such circuit or district court shall be held, interest may be levied under process of execution on judgments recovered in the courts of such State, to be calculated from the date of the judgment, and at such rate per annum, as is allowed by law, on judgments recovered in the courts of such State. (a)

APPROVED, August 23, 1842.

(a) The decisions of the courts of the United States on the subject of interest have been:

The decree on bottomry is to consider the sum loaned and the premium as a principal, and to allow common interest on that sum for the delay of payment after it is due. *The Ship Packet*, 3 Mason's C. C. R. 255.

An administrator is not liable to pay interest upon assets in his hands, unless under special circumstances. Neither is a partner, on partnership accounts before settlement, and a balance struck. *Dexter v. Arnold*, 3 Mason's C. C. R. 284.

Interest will not be allowed against a trustee holding a fund where he had made no interest, if there be no laches or neglect or use of the money on his part. *Cassels v. Vernon*, 5 Mason's C. C. R. 332.

Interest on money in the hands of the administrator, is not chargeable where the same is retained in his hands until a suit shall determine the right of the claimant thereto. *Wade v. The Administrators of Wade*, 1 Wash. C. C. R. 477.

The court allowed the customary interest paid at Canton, on a note executed there. *Cowqua v. Landerbrun*, 1 Wash. C. C. R. 521.

The correct general rule is to calculate interest up to the period when a payment is made, to satisfy which the payment should be first applied; and if it exceed the interest due, the balance is to be applied towards the payment of the principal; but if the payment is not sufficient to discharge the interest, the principal is not to be increased by adding to it the balance of interest due at the time, so as to produce interest on interest. *Smith v. The Administrators of Shaw*, 2 Wash. C. C. R. 167.

CHAP. CLXXXIX.—*An Act making an appropriation to supply a deficiency in the navy pension fund.* (a)

STATUTE II.  
Aug. 23, 1842.

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

Where the plaintiff has stated an account on a principle unfavorable to himself, as to the charge of interest, he ought to be bound by it. *Ibid.*

There is no difference as to the application of the general rule relative to calculating interest on debts legally carrying interest, and on those debts where interest is given in the name of damages. *Ibid.*

The rate of interest fixed by the law of Georgia, the contract having been made there, will be allowed in the courts on such contracts, although it may exceed the interest allowed by the law of the State in which the court sits. *Jaffray v. Dennis*, 2 Wash. C. C. R. 253.

The defendant settled his account at the treasury department in 1808, on which a balance was stated against him. In 1812 he claimed further credits, which were allowed to him, and which reduced the balance claimed in 1808. The court instructed the jury to allow interest on the actual balance from 1808. *United States v. Ormsby*, 3 Wash. C. C. R. 195.

Where there have been running accounts between parties, and one party has been in the habit of transmitting his accounts regularly to the other, striking a balance, and charging or giving credit for interest, as the balance might be, and no objections have been made to it, and where this mode of stating accounts is shown to be the custom of trade, such manner of charging interest is legal. *Barclay v. Kennedy et al.* 3 Wash. C. C. R. 350.

A usage to add interest to the annual account at the end of the year, and interest on the balance, does not apply in a case in which the commercial intercourse between the countries in which the parties respectively reside, had ceased when the account was transmitted; nor will it authorize the creditor to make other rests in the account. *Denniston et al. v. Imbrie*, 3 Wash. C. C. R. 396.

Where an alien enemy has an agent in the United States, and this is known to the debtor, interest ought not to abate during a war. *Ibid.*

A promise was made by the defendant, the drawer of a protested bill of exchange, that if the plaintiff would give time, he would pay the bill when he should be able. In an action on the new promise, the plaintiff is entitled only to the sum stated in the bill, and to interest from the time when defendant was able; and not to any damages. If the jury give more, the court will set aside the verdict, unless the plaintiff enter a remittitur for the overplus. *Lonsdale v. Brown*, 4 Wash. C. C. R. 148.

If there has not been a previous demand of the penalty of a bond, or an acknowledgment that the whole is due, interest is recoverable only from the commencement of the suit, on a bond with sureties given to the Bank of the United States for the faithful discharge of the duties of cashier of the branch bank at Middletown, Connecticut. *United States Bank v. Magill et al.*, *Paine's C. C. R.* 661.

Interest is not allowed on unliquidated damages. *Gilpins v. Consequa*, *Peters' C. C. R.* 86.

It is generally in the discretion of the jury to give interest in the name of damages. *Willings et al. v. Consequa*, *Peters' C. C. R.* 172.

Damages for breach of contract do not bear interest. *Youqua v. Nixon*, *Peters' C. C. R.* 224.

When an attachment is laid on money in the hands of a third person, interest ceases from the time of the attachment until it is dissolved; but where a debtor who is also a creditor lays an attachment in his own hands, interest is chargeable during the continuance of the attachment. *Ibid.* 303.

It is the usage at Canton to add interest to the other charges on the amount of the articles sold, and for which compensation is demanded. This will be allowed in the United States, on a Canton contract. *Ibid.*

Interest on debts due by the citizens of the United States to the subjects of the king of Great Britain, ceased during the revolutionary war, and during the war of 1812; but the mere circumstance of war existing between two countries is not a sufficient reason for abating interest on the debts due by the subjects of one belligerent to the subjects of another. *Conn et al. v. Penn et al.* *Peters' C. C. R.* 497.

A prohibition of all intercourse with an enemy during a war, furnishes a just reason for the abatement of interest on debts due to the subjects of the belligerent; until the return of peace. *Ibid.*

The rule as to the abatement of interest during the war, does not apply where the creditor, although a subject of the enemy, remains in the country of the debtor, or has a known agent residing there, and who is authorized to receive the debt. *Ibid.*

An account current, received and not objected to in a reasonable time, becomes a settled account bearing interest from the time it is stated, and the balance is payable on demand. *Bainbridge & Co. v. Wilcocks*, *Baldwin's C. C. R.* 538.

An account made up of principal and interest becomes one principal debt; the aggregate balance, where the account is thus settled, bearing interest. *Ibid.* 540.

Compound interest is not illegal, and may be recovered on an express promise, or one implied by law, as a part of the contract. *Ibid.* 541.

If an account contains a charge of interest during a war, it is recoverable if there is a promise to pay the amount after peace, or the account is in fact or law a settled account, from which a promise results by operation of law. *Ibid.* 542.

Whether the jury, in a case in which a man covenants to convey lands without fraud, and it afterwards appeared that, in truth, he had no title to the land, when he covenanted to convey, should allow interest on the value of the lands at the date of the contract, must depend on the circumstances of the case, of which they are the proper judges; and it is competent to the defendant to give in evidence any circumstances tending to show interest should not be allowed. *Letcher & Arnold v. Woodson*, 1 *Brockenb. C. C. R.* 212.

The interest allowed on the personal estate, for the sums advanced by it to discharge the speciality debts, should, in accordance both with the general course of the court, and with justice in particular cases, be limited to twenty years. *Byrd v. Executors of Byrd*, 2 *Brockenb. C. C. R.* 171.

Where a mortgagee is in possession, and the annual rents and profits of the mortgaged estate, exceed

Appropriation to supply the deficiency in the navy pension fund.

thousand nine hundred and fifty-one dollars be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to supply any deficiency which may exist in the navy pension fund, for the payment of the semi-annual navy pensions, which will be due on the first day of July, eighteen hundred and forty-two.

the interest of the debt due, it seems that he should pay interest on the surplus rents and profits. *Gordon v. Lewis*, 2 Sumner's C. C. R. 143.

In the ordinary cases, where the relation of mortgagor and mortgagee is uncontroverted, if a mortgagee receive the rents of a mortgaged estate after his debt has been satisfied, and retain them to his own use, without paying them over to the mortgagor, he is chargeable with interest. *Ibid.*

If, however, there are sufficient equitable circumstances in favor of the mortgagee; as if he retained the rents under a mistake, supposing the rights of the mortgagor extinguished; he would not be liable for interest until after notice of the adverse claim. *Ibid.*

Interest on the amount of the debt as ascertained by the decree of the circuit court, was allowed from the time of the judgment; but the damages allowed by the court were not permitted to bear interest. *Jennings et al., Plaintiffs in Error, v. The Brig Perseverance*, 3 Dall. 336; 1 Cond. Rep. 154.

Interest is to be calculated to the present time, upon the aggregate sum of principal and interest in the judgment below; but not to the next term of the circuit court, when the mandate will operate, as the party has a right to pay the money immediately. *Brown v. Van Braam*, 3 Dall. 344; 1 Cond. Rep. 157.

Interest is, in general, allowed from the time a demand is made for the wages of a mariner; and if no special demand is made, then from the commencement of the suit. *Gammell v. Skinner*, 2 Gallis. C. C. R. 45.

If captured property is ordered to be sold, then no interest is allowed. *Rose v. Himely*, 4 Cranch, 291; 2 Cond. Rep. 98.

Interest commences on a pecuniary legacy at the expiration of one year from the decease of the testator, whatever may be the posture of the estate, unless some other period is specified in the will. The cases of infant children, not otherwise provided for, and of adopted children under age, are exceptions to the general rule. *Sullivan v. Winthrop*, 1 Sumner's C. C. R. 1.

Where the executors invested certain sums, less than the whole amount of the legacy, in the name of the legatee; *held*, that this was, pro tanto, a payment of the legacy; and that the interest accruing on those sums, within the year from the time of such investment, belonged to the legatee. *Ibid.*

Where the vendor is indebted to the vendee, and the sale is made in order to pay the debt, the vendor must pay interest from the time the debt is liquidated until he makes a good title; and the vendee is accountable for the rents and profits from the time the contract is perfected, until it is specifically performed. *Hepburn et al. v. Dunlop & Co.*, 1 Wheat. 179; 3 Cond. Rep. 529.

A party is as well entitled to interest on an appeal bond, as if he were to proceed on the judgment, if the judgment be on a contract for the payment of money. He is entitled to interest from the rendition of the original judgment. *Sneed et al. v. Wister et al.* 8 Wheat. 690; 5 Cond. Rep. 556.

The taking of interest in advance upon the discount of a note in the usual course of business by a banker, is not usury. This has long been settled, and is not now open for controversy. *Thornton v. The Bank of Washington*, 3 Peters, 40.

The taking of interest for sixty-four days on a note is not usury, if the note given for sixty days, according to the custom and usage in the banks at Washington, was not due and payable until the sixty-fourth day. In the case of *Renner v. The Bank of Columbia*, 9 Wheat. 581, it was expressly held, that under that custom the note was not due and payable before the sixty-fourth day; for until that time the maker could not be in default. *Ibid.* 40.

Where it was the practice of the party, who had a sixty day note discounted at the bank of Washington, to renew the note by the discount of another note on the sixty-third day, the maker not being in fact bound to pay the note according to the custom prevailing in the District of Columbia; such a transaction on the part of the banker is not usurious, although on each note the discount for sixty-four days was deducted. Each note is considered as a distinct and substantive transaction. If no more than legal interest is taken upon the time the new note has to run, the actual application of the proceeds of the new note to the payment of the former note before it comes due, does not of itself make the transaction usurious. Something more must occur. There must be a contract between the bank and the party at the time of such discount, that the party shall not have the use and benefit of the proceeds until the former note becomes due, or that the bank shall have the use and benefit of them in the mean time. *Ibid.*

The contract to accept the bills of exchange on which the action was brought, was made in Charleston, South Carolina. The bills were drawn in Georgia on B. and H. in Charleston, with a view to their payment in Charleston, where the contract was to be executed. The interest on the bill which was so drawn and was unpaid, is to be charged at the rate of interest in South Carolina. *Boyce & Heary v. Edwards*, 4 Peters, 111.

Interest is not chargeable on money collected by the marshal of the District of Columbia for fines due to the levy court, the money having been actually expended by the marshal in repairs and improvements on the jail, under the opinions of the comptroller and auditor of the treasury department, that these expenditures were properly chargeable upon this fund, although those opinions may not be well founded. *Levy Court of Washington v. Ringgold*, 5 Peters, 451.

In an action brought on a note given for payment for teas, the defence was, that teas of an inferior quality were delivered; the jury must not credit the defendant with the amount of damages, as of the day the teas were delivered, but as of the day when the verdict was rendered. The interest on the note is to be reckoned to the day of the verdict, and from that amount is to be deducted the amount of the damages ascertained by the jury. *Youqua v. Nixon et al. Peters' C. C. R. 229.*

Assumpsit was brought for the proceeds of a cargo which was taken under legal process by the defendants, the consignees, in a foreign port, for the debts of the prior owners of the ship. *Held*, that the plaintiffs, the consignors, by bringing assumpsit, had waived the tort so that the customary commissions should be allowed the defendants; but that the defendants were chargeable with interest from the receipt by them of the proceeds of the cargo. *Ricketson v. Wright*, 3 Sumner's C. C. R. 335.

SEC. 2. *And be it further enacted*, That the act entitled "An act to provide for the more equitable administration of the navy pension fund," approved March third, eighteen hundred and thirty-seven, be, and the same is hereby, repealed, from and after the first day of July, eighteen hundred and forty-two. And all pensions to officers and seamen in the naval service shall be regulated according to the pay of the navy as it existed on the first day of January, one thousand eight hundred and thirty-five.

Act of March 3, 1837, ch. 38, repealed.  
Pensions to be regulated according to the pay of the navy on the 1st of January 1835.

SEC. 3. *And be it further enacted*, That so much of an act, entitled "An act directing the transfer of money remaining unclaimed by certain pensioners, and authorizing the payment of the same at the Treasury of the United States," approved April sixth, eighteen hundred and thirty-eight, as requires pensions that may have remained unclaimed in the hands of pension agents for eight months to be returned to the Treasury, be, and the same is hereby, repealed, and that the time within which such pensions shall be returned to the Treasury, be, and the same is hereby, extended to fourteen months, subject to all the other restrictions and provisions contained in the said act.

Act of April 6, 1838, ch. 56, partially repealed; and the time for unclaimed money to remain in the hands of the agents, extended to 14 months.

APPROVED, August 23, 1842.

STATUTE II.

CHAP. CXC.—*An Act for the relief of certain settlers in the Territory of Wisconsin.*

Aug. 23, 1842.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That every settler in the district of lands subject to sale at Mineral Point, in the Territory of Wisconsin, who shall show, by proof which shall be satisfactory to the register and receiver of the land office at Muscoday, that he, by cultivation and possession, as required by the pre-emption act of the nineteenth of June, eighteen hundred and thirty-four, was entitled to a right of pre-emption; and that he, the said settler, was refused the privileges granted by said act, in consequence of the mineral character of the tract of land applied for by him, shall be permitted to enter, at the rate of one dollar and twenty-five cents an acre, one complete quarter section of land, of any lands in said land district which have not yet been offered at public sale: *Provided*, That no tract shall be entered, by any settler claiming under this act, which contains mines or discoveries of lead ore, or on which there may be an improvement, or on which any person may have a residence, or which may have been reserved from sale: *And provided, further*, That the claimant, under this act, and his witnesses, shall make oath, before a person duly qualified to administer oaths, to all the facts stated by them.

Settlers at Mineral Point who have been refused entry under the pre-emption act of June 19, 1834, allowed to enter one quarter section elsewhere. 1834, ch. 54.

Proviso.

Proviso, that the claimant shall make oath to the facts stated.

Instructions of Sec. Treasury to be complied with.

SEC. 2. *And be it further enacted*, That the provisions of this act be carried into effect, in conformity with the instructions which may be given by the Secretary of the Treasury, to the register and receiver of the land office at Muscoday.

APPROVED, August 23, 1842.

STATUTE II.

CHAP. CXCI.—*An Act to amend the acts of July, eighteen hundred and thirty-six, and eighteen hundred and thirty-eight, allowing pensions to certain widows.*

Aug. 23, 1842.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the marriage of the widow, after the death of her husband, for whose services she claims a pension, under the act of the seventh of July, eighteen hundred and thirty-eight, shall be no bar to the claim of such widow to the benefit of that act, she being a widow at the time she makes application for a pension.

Act of July 4, 1836, ch. 362. July 7, 1838, ch. 189.

Marriage of the widow to be no bar to her pension, if a widow at the time of applying.

APPROVED, August 23, 1842.

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## STATUTE II.

Aug. 23, 1842.

[Obsolete.]

Claims of Florida militia, in 1839 and 1840, to be adjusted.

Proviso, only such as have been called into service by the War Dep't. All other claims growing out of such service to be rejected.

Sec. of War to direct the payment, provided they do not exceed the sums named

Appropriation.

CHAP. CXCII.—*An Act for the payment of Florida militia called into service in the years eighteen hundred and thirty-nine and eighteen hundred and forty.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the proper accounting officers of the War Department be, and they are hereby, directed to examine and adjust the claims for pay of Lieutenant Colonel Bailey and staff, Major Bailey and staff, the officers of the quartermaster's department, and the companies of Captains Grigsby, Hagan, McIvers, Langford, Hall, Burney, and Bailey, all of the Florida militia, called into service in the years eighteen hundred and thirty-nine and eighteen hundred and forty, as if they had been regularly called out and mustered: *Provided,* That none of the troops herein specified shall be paid but such as the Secretary of War may consider to have been called into service under authority from said Department; and that no payment shall be made to any of the officers but such as were in proper proportion to the number of men in service, according to the existing laws, and for none of the supplies beyond the proportion, or not of the description, authorized by existing laws and regulations; and that the said accounting officers be further directed to settle and adjust all claims growing out of said service in the quartermaster's department, the subsistence department, for ordnance supplies, and supplies of the medical department and private physicians.

SEC. 2. *And be it further enacted,* That the Secretary of War be authorized to direct the payment of the accounts so settled and adjusted by the said accounting officers, provided the whole amount of pay shall not exceed the sum of seventy thousand six hundred and eighteen dollars and six cents; for the quartermaster's department, shall not exceed the sum of fifty-six thousand dollars; for subsistence shall not exceed thirty-two thousand nine hundred and twenty-two dollars and ninety-six cents; for ordnance supplies, shall not exceed one thousand seven hundred and one dollars and eighteen cents; and for private physicians and medicine, shall not exceed five thousand dollars; and that, for the payments aforesaid, a sum not exceeding one hundred and sixty-six thousand two hundred and forty-two dollars and twenty cents be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated.

APPROVED, August 23, 1842.

## STATUTE II.

Aug. 23, 1842.

CHAP. CXCIV.—*An Act to authorize the selection of school lands in lieu of those granted to the half-breeds of the Sac and Fox Indians. (a)*

County commissioners of Lee county authorized to make the selection.

Lands selected subject to the same rules as 16th sections.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the county commissioners of the county of Lee, in the Territory of Iowa, be, and they are hereby, authorized to select, of any of the public lands of the United States subject to private entry within the Iowa Territory, one section for each entire township of land in the "half-breed tract" in said county, and a proportional quantity for each fractional township in said tract, under such rules and regulations as shall be prescribed by the Secretary of the Treasury; which land when selected, shall be subject to the same rules and regulations, respecting school lands, as the sixteenth sections in all the townships of the public lands are subject.

APPROVED, August 23, 1842.

(a) Acts relating to Iowa, July 12, 1838, ch. 96.

STATUTE II.

Aug. 26, 1842.

CHAP. CCII. — *An Act legalizing and making appropriations for such necessary objects as have been usually included in the general appropriation bills without authority of law, and to fix and provide for certain incidental expenses of the Departments and offices of the Government, 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 lawful for the respective heads of the Departments of the General Government to employ or appoint the officers and persons hereinafter mentioned, in addition to those already provided by law, in the offices, bureaus, and places connected with their several Departments, and at the following annual salaries, that is to say;

1. *In the Department of State.*—One superintendent of the northeast Executive building, at two hundred and fifty dollars, and three watchmen, at three hundred and sixty-five dollars each.

2. *In the Treasury Department.*—In the First Comptroller's office, one assistant messenger, at three hundred and fifty dollars.

In the First Auditor's office, one additional clerk, at one thousand dollars.

In the Second Auditor's office, one additional clerk, at one thousand dollars, until the second of April, eighteen hundred and forty-three.

In the Third Auditor's office, three additional clerks, two at one thousand one hundred and fifty dollars each, and one at one thousand dollars.

In the Fourth Auditor's office, one clerk at twelve hundred dollars.

In the Fifth Auditor's office, two clerks, under the act of seventh July, eighteen hundred and thirty-eight, at one thousand dollars each.

The compensation of the clerk authorized by the act of May twenty-six, eighteen hundred and twenty-four, in the Treasurer's office, is hereby increased to one thousand dollars; and the compensation of the clerk in the same office authorized by the act of July two, eighteen hundred and thirty-six, is hereby increased to one thousand two hundred dollars.

In the office of the Register of the Treasury, one loan clerk, (to take effect from fifteenth April, eighteen hundred and forty-two,) at one thousand four hundred dollars.

In the office of the Solicitor of the Treasury, three additional clerks, at one thousand one hundred and fifty dollars each, and one law clerk, at fifteen hundred dollars.

One superintendent of the southeast Executive building, at five hundred dollars, and eight watchmen, at three hundred and sixty-five dollars each.

3. *In the War Department.*—In the office of the Commanding General, one messenger, at five hundred dollars.

In the office of the Adjutant General, one messenger, at five hundred dollars.

In the office of the Commissary General of Subsistence, one additional clerk, at one thousand dollars, one messenger, five hundred dollars.

In the office of the Commissioner of Pensions, one messenger, at seven hundred dollars, until the first day of January next, after which time there shall be two messengers only in said office, at a compensation of five hundred dollars each.

In the office of the Chief Engineer, one messenger at five hundred dollars.

In the office of the Surgeon General, one clerk, at one thousand one hundred and fifty dollars, and one messenger at five hundred dollars.

In the office of the Colonel of Ordnance, one messenger at five hundred dollars.

Employment or appointment of officers and persons hereinafter mentioned, authorized.

State Department.

Superintendent and watchmen.

Treasury Department.

Offices of the First Comptroller.

1st Auditor.

2d Auditor.

Post, p. 650.

3d Auditor.

4th Auditor.

5th Auditor.

July 7, 1838,

ch. 169.

Treasurer.

May 26, 1824,

ch. 157.

July 2, 1836,

ch. 270.

Register.

Solicitor.

Superintendent and watchmen.

War Department.

Office of the

Commanding

General.

Adj. General.

Comm'y Gen.

of Subsistence.

Commissioner of Pensions.

Chief Engineer.

Surgeon General.

Colonel of

Ordnance.

Topographical Engineers.

In the bureau of Topographical Engineers, two clerks, each one thousand, one at one thousand four hundred, and one messenger at five hundred dollars.

Superintendent and watchmen.

One superintendent of the northwest Executive building, at two hundred and fifty dollars, and four watchmen, at three hundred and sixty-five dollars each.

Navy Department.  
Navy Commissioners.

4. *In the Navy Department.*—In the Navy Commissioners' office, two additional clerks, at one thousand four hundred dollars each.

Superintendent and watchmen.

Two additional clerks, at one thousand two hundred dollars each.

One superintendent of the southwest Executive building, at two hundred and fifty dollars, and three watchmen, at three hundred and sixty-five dollars each.

Office of Sergeant-at-Arms, House of Representatives.

5. *In the office of the Sergeant-at-Arms of the House of Representatives.*—One messenger, at the daily compensation received by the other messengers of the House of Representatives, and in lieu of one of them.

Attorney General's office.

6. *In the office of the Attorney General.*—One messenger, five hundred dollars.

Reporter to Supreme Court to be appointed, &c.

SEC. 2. *And be it further enacted,* That in the Supreme Court of the United States one reporter shall be appointed by the court, with a salary of twelve hundred and fifty dollars: *Provided,* That he deliver to the Secretary of State, for distribution, one hundred and fifty copies of each volume of reports that he shall hereafter prepare and publish, immediately after the publication thereof, which publication shall be made annually, within four months after the adjournment of the court at which the decisions are made.

Proviso.  
1842, ch. 264.

Salaries of assistant librarian of Congress, and messenger.

SEC. 3. *And be it further enacted,* That the assistant librarian of the library of Congress shall receive eleven hundred and fifty dollars, and the messenger seven hundred dollars, per annum, to take effect from the first day of January, eighteen hundred and forty-two, in lieu of their present compensation.

A clerk's salary in office of Sec. Navy increased.

SEC. 4. *And be it further enacted,* That the clerk in the office of the Secretary of the Navy, whose salary was fixed at eight hundred dollars by the act of the twentieth of April, eighteen hundred and eighteen, shall receive, in addition thereto, two hundred dollars.

Act of April 20, 1818, ch. 87.

Additional clerk in office of Sec. of Treas.

SEC. 5. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby, authorized to employ an additional clerk, as assistant in his office, at a salary of eighteen hundred dollars per annum; and the superintendent of Indian Affairs at St. Louis be, and he hereby is, authorized to employ one clerk, at a compensation of twelve hundred dollars, in lieu of the two clerks authorized by the act of May ninth, eighteen hundred and thirty-six; and so much of said last mentioned act as authorizes the employment of two clerks is hereby repealed.

Clerks to superintendent Indian affairs, St. Louis.

Act of May 9, 1836, ch. 60.

Foregoing offices, &c. authorized until 1st July 1844, except those otherwise limited by this act.

SEC. 6. *And be it further enacted,* That the several offices, and employments hereinbefore mentioned are hereby made and declared to be lawful, to all intents and purposes whatever; and the respective heads of Departments, under whom the same are held and exercised, are hereby authorized and empowered to fill the same, and to continue the exercise and discharge thereof, at the salaries aforesaid, until the first day of July, eighteen hundred and forty-four, except such as are otherwise limited in this act: *Provided,* That in all cases where any of the aforementioned officers, or other persons herein authorized to be employed, have already been employed, and are now in the discharge of their respective duties, or have been so since the first day of January last, under the authority of former appropriation bills, at a different rate of compensation than is hereby authorized and affixed to their respective places, they shall be entitled to receive the same rate of compensation heretofore allowed, and at which they have been retained in employment, from the first day of January last to the time of the passage of this act.

Post, p. 694.

Proviso.

Appropriation.

SEC. 7. *And be it further enacted,* That the sum of fifty thousand



dollars, or so much thereof as may be found necessary, be, and the same is hereby, appropriated, for the year eighteen hundred and forty-two, out of any unappropriated moneys in the Treasury, to the objects hereinbefore specified.

Appropriation for the objects hereinbefore specified.

SEC. 8. *And be it further enacted*, That it shall not be lawful for the President of the United States to allow a dragoman at Constantinople, a salary of more than two thousand five hundred dollars; or a consul at London, a salary of more than two thousand dollars.

Salaries of dragoman at Constantinople, and consul at London, limited.

SEC. 9. *And be it further enacted*, That the President of the United States shall not allow to any minister resident a greater sum than at the rate of six thousand dollars per annum, as a compensation for all his personal services and expenses: *Provided*, That it shall be lawful for the President to allow to such minister resident, on going from the United States to any foreign country, an outfit, which shall in no case exceed one year's full salary of such minister resident.

Salaries of ministers resident limited.

Proviso.

SEC. 10. *And be it further enacted*, That the office of Architect of the Public Buildings be, and the same is hereby, discontinued and abolished.

Office of architect abolished.

SEC. 11. *And be it further enacted*, That it shall be the duties of the Secretaries of State, of the Treasury, War, and Navy, of the Commissioners of the Navy, of the Postmaster General, of the Secretary of the Senate, and of the Clerk of the House of Representatives, to report to Congress, at the beginning of each year, the names of the clerks and other persons that have been employed, respectively, during the preceding year, or any part thereof, in their respective departments and offices, together with the time that each clerk or other person was actually employed, and the sums paid to each; and, also, whether they have been usefully employed; whether the services of any of them can be dispensed with without detriment to the public service, and whether the removal of any individuals, and the appointment of others in their stead, is required for the better despatch of business; and no greater allowance shall be made to any such clerk, or other person, than is, or may be authorized by law, except to watchmen and messengers, for any labor or services required of them beyond the particular duties of their respective stations, rendered at such times as does not interfere with the performance of their regular duties.

Report of clerks, &c. to be made annually to Congress.

SEC. 12. *And be it further enacted*, That no allowance or compensation shall be made to any clerk or other officer, by reason of the discharge of duties which belong to any other clerk or officer in the same or any other department; and no allowance or compensation shall be made for any extra services whatever, which any clerk or other officer may be required to perform.

No allowance to be made for extra services.

SEC. 13. *And be it further enacted*, That it shall be the duty of each chief or principal clerk in the respective departments, bureaus, and other offices, to supervise, under the direction of his immediately superior officer, the duties of the other clerks therein, and to see that their duties are faithfully executed, and that such duties are distributed with equality and uniformity, according to the nature of the case. And such distribution shall be revised, from time to time, by the said chief or principal clerk, for the purpose of correcting any tendency to undue accumulation or reduction of duties, whether arising from individual negligence or incapacity, or from increase or diminution of particular kinds of business; and such chief or principal clerk shall report monthly to his superior officer any existing defect that he may be aware of in the arrangement or despatch of business; and such defect shall be amended by new arrangements of duties, dismissal of negligent or incompetent officers, or otherwise.

Duty of chief clerks to supervise the duties of other clerks.

SEC. 14. *And be it further enacted*, That it shall be the duty of the several heads of Departments, in communicating estimates of expendi-

Manner in which estimates are to be communicated to Congress.

tures and appropriations to Congress, and to any of the committees thereof, to specify, as nearly as may be convenient, the sources from which such estimates are derived, and the calculations upon which they are founded; and, in so doing, to discriminate between such estimates as are conjectural in their character, and such as are framed upon actual information and application from disbursing officers; and, in communicating the several estimates, reference shall be given to the laws and treaties by which they are authorized, the dates thereof, and the volume, page, and section, in which the necessary provisions are contained.

Employment of extra clerks.

SEC. 15. *And be it further enacted*, That no extra clerk shall be employed, in any department, bureau, or office, at the seat of Government, except during the session of Congress, or when indispensably necessary to enable such department, bureau, or office, to answer some call made by either House of Congress at one session, to be answered at another; and not then, except by order of the head of the department in which, or in some bureau or office of which, such extra clerk shall be employed; and no such extra clerk, for copying, shall receive more than three dollars per day, or for any other service more than four dollars per day, for the time actually and necessarily employed.

Employment of messengers, laborers, &c.

SEC. 16. *And be it further enacted*, That no messenger, assistant messenger, laborer, or other person, shall be employed in any department, bureau, or office at the seat of Government, or paid out of the contingent fund appropriated to such department, bureau, or office, unless such employment shall be authorized by law, or shall become necessary to carry into effect some object for which appropriations may be specifically made; and not exceeding one hundred dollars per annum shall be applied by each department (except the Department of State,) for the purchase of newspapers for such department, and all the bureaus and offices connected therewith; and such papers shall be preserved as files for said department.

Purchase of newspapers.

Stationery and job printing to be furnished and performed by contract.

SEC. 17. *And be it further enacted*, That all stationery, of every name and nature, for the use of the two Houses of Congress, and all stationery and job printing, of every name and nature, for the use of the several departments of Government, and for the bureaus and offices in those departments at Washington, including all stationery, blanks, wrapping paper, and twine, and mail bags, furnished the post offices and collectors' offices throughout the United States, shall hereafter be furnished and performed by contract, by the lowest bidder, as follows: the Secretary of the Senate, the Clerk of the House of Representatives, the head of each department, and such deputy postmasters in the Post Office establishment, and such collectors in the custom-house establishment, as the Postmaster General and the Secretary of the Treasury shall respectively designate for that purpose, shall respectively advertise, once a week, for at least four weeks, in one or more of the principal papers published in the places where such articles are to be furnished, or such printing done, for sealed proposals for furnishing such articles, or the whole of any particular class of articles, or for doing such printing, or the whole of any specified job thereof, to be done at such place, specifying in such advertisement the amount, quantity, and description of each kind of articles to be furnished, and, as near as may be, the nature, amount, and kind of printing to be done; and all such proposals shall be kept sealed until the day specified in such advertisement for opening the same, when they shall be opened, by or under the direction of the officer making such advertisement, in the presence of at least two persons; and the person offering to furnish any class of such articles, or to perform any specified portion or job of said work, and giving satisfactory security for the performance thereof, under a forfeiture not exceeding twice the contract price in case of failure, shall receive a contract for doing the same; and in case the lowest bidder shall fail to enter into such con-

tract and give such security within a reasonable time, to be fixed in such advertisement, then the contract shall be given to the next lowest bidder who shall enter into such contract and give such security. And in case of a failure to supply the articles or to perform the work, by the person entering into such contract, he and his sureties shall be liable for the forfeiture specified in such contract, as liquidated damages, to be sued for in the name of the United States, in any court having jurisdiction thereof.

SEC. 18. *And be it further enacted,* That all such bids or proposals shall be returned by the person authorized, as aforesaid, to receive the same, to the Executive Department from which such authority is derived, and shall be preserved in said Department, subject to such examination as Congress may at any time order and direct.

Bids and proposals to be preserved, &c.

SEC. 19. *And be it further enacted,* That no part of the contingent fund appropriated to any department, bureau, or office, shall be applied to the purchase of books, periodicals, pictures, or engravings, or other thing, except such books, periodicals, and maps, or other thing, as the head of such department shall deem necessary and proper to carry on the business of such department, and shall, by written order, direct to be procured for that purpose.

Relative to the purchase of books, &c.

SEC. 20. *And be it further enacted,* That it shall be the duty of the Secretary of the Senate, at the commencement of every regular session of Congress, to report to the Senate, and of the Clerk of the House of Representatives to report to the House, and of the head of each Department to report to Congress, a detailed statement of the manner in which the contingent fund for each House, and of their respective Departments, and for the bureaus and offices therein, has been expended, giving the names of every person to whom any portion thereof has been paid; and if for any thing furnished, the quantity and price; and if for any services rendered, the nature of such service, and the time employed, and the particular occasion or cause, in brief, that rendered such service necessary; and the amount of all former appropriations in each case on hand, either in the Treasury or in the hands of any disbursing officer or agent. And they shall require of the disbursing officers, acting under their direction or authority, the return of precise and analytical statements and receipts for all the moneys which may have been, from time to time during the next preceding year, expended by them; and the results of such returns and the sums total shall be communicated annually to Congress, by the said officers, respectively.

Detailed statement of the manner in which the contingent funds have been expended, to be reported to Congress.

SEC. 21. *And be it further enacted,* That the act entitled "An act to provide for the publication of the laws of the United States, and for other purposes," approved April twentieth, eighteen hundred and eighteen, so far as the same authorizes or requires the laws, resolutions, treaties, and amendments of the Constitution of the United States, to be published in any paper or papers printed in the different States or Territories of the United States, is hereby repealed; and in lieu thereof, it shall be the duty of the Secretary of State to publish such laws, resolutions, treaties, and amendments, in not less than two nor more than four of the principal newspapers published in the city of Washington for country subscribers, giving the preference to such papers as have the greatest number of permanent subscribers and the most extensive circulation; for which the proprietor of each paper shall receive, as full compensation, at the rate of one dollar for each page of the laws, resolutions, treaties, and amendments, as published in pamphlet form. And if it shall appear, on the examination of any account, that there has been any unreasonable delay or intentional omission in the publication of the laws aforesaid, the proper accounting officer of the Treasury is hereby authorized and required to deduct from such account such sum as shall be charged therein for the publication of any laws which shall have been

Act 20th Sept. 1818, ch. 80, requiring the laws to be published in the states and territories, repealed; and in lieu thereof, they shall be published in not less than two or more newspapers in Washington. 1846, ch. 101.

Compensation for publishing.

In case of delay, &c. in the publication, a deduction to be made, &c.

so unreasonably delayed or intentionally omitted; and, in any such case, it shall be the duty of the Secretary of State to discontinue the publication of the laws in the newspaper belonging to such proprietors, and such newspaper shall in no event be again authorized, nor shall the proprietor thereof be again employed, to publish the laws of the United States.

SEC. 22. *And be it further enacted*, That, for the purpose of limiting the incidental and contingent appropriations for the necessary expenses of the Government to specific objects, as far as practicable, the following sums are hereby appropriated for the year eighteen hundred and forty-two, out of any unappropriated money in the Treasury, to the objects hereinafter specified, namely:

*Department of State.*—For distributing the aggregate returns of the sixth census, eight thousand dollars.

For purchasing and preparing indices to the manuscript papers of the Congress of the Confederation, and to the Washington Papers, deposited in the department of State, one thousand dollars.

*Navy Department.*—No. 1. In the Secretary's Office:

For blank books, binding, and stationery, six hundred dollars.

For extra clerk hire, four thousand two hundred and fifty dollars.

For printing, three hundred dollars.

For labor, three hundred and fifty dollars.

For miscellaneous items, four hundred dollars.

For newspapers and periodicals, one hundred dollars.

No. 2. In the Navy Commissioners' Office:

For blank books, binding, and stationery, five hundred dollars.

For extra clerk hire, two thousand one hundred and fifty dollars.

For labor, three hundred dollars.

For miscellaneous items, six hundred and fifty dollars.

No. 3. For the southwest Executive building:

For labor, three hundred and twenty-five dollars.

For fuel and light, one thousand three hundred and fifty dollars.

For miscellaneous items, one thousand one hundred and fifty dollars

No. 4. For the northeast Executive building:

For labor, one thousand two hundred dollars.

For fuel and light, one thousand four hundred dollars.

For miscellaneous items, seven hundred dollars.

*War Department.*—No. 5. In the office of the Secretary of War.

For blank books, binding, and stationery, six hundred dollars.

For newspapers and periodicals, two hundred and fifty dollars.

For labor, three hundred dollars:

For printing, three hundred dollars.

For miscellaneous items, five hundred and fifty dollars.

For books, maps, and plans, one thousand dollars.

For extra clerk hire, three thousand dollars.

No. 6. In the office of the Commissioner of Indian affairs:

For blank books, binding, and stationery, six hundred dollars.

For labor, fifty dollars.

For miscellaneous items, eight hundred and fifty dollars.

No. 7. In the office of the Commissioner of Pensions:

For blank books, binding, and stationery, five hundred dollars.

For printing, four hundred dollars.

For fuel, one hundred and fifty dollars.

For miscellaneous items, four hundred and fifty dollars.

No. 8. In the office of the Commanding General:

For miscellaneous items, three hundred dollars.

No. 9. In the office of the Adjutant General:

For blank books, binding, and stationery, two hundred dollars

For miscellaneous items, three hundred dollars.

Incidental and  
contingent ap-  
propriations.

State Depart-  
ment.

Distributing  
census.

Purchasing  
and preparing  
indices.

Navy Depart-  
ment.

Secretary's  
office.

Navy Com-  
missioners' office.

S.W. execu-  
tive building.

N. E. execu-  
tive building.

War Depart-  
ment.

Office of  
Sec. of War.

Commissioner  
of Ind. affairs.

Commissioner  
of Pensions.

Commanding  
General.

Adjutant Gen-  
eral.

No. 10. In the office of the Quartermaster General :	Quartermas- ter General.
For blank books, binding, and stationery, three hundred dollars.	
For labor, one hundred dollars.	
For printing, one hundred dollars.	
For miscellaneous items, four hundred dollars.	
No. 11. In the office of the Commissary General of Purchases :	Comm'y Gen. of Purchases.
For blank books, binding, and stationery, one hundred dollars.	
For miscellaneous items, five hundred dollars.	
No. 12. In the office of the Commissary General of Subsistence :	Comm'y Gen. of Subsistence.
For blank books, binding, and stationery, two hundred dollars.	
For extra clerk hire, six hundred dollars.	
For printing and advertising, twelve hundred dollars.	
For labor, one hundred dollars.	
For fuel, one hundred dollars.	
For miscellaneous items, five hundred dollars.	
No. 13. In the office of the Paymaster General :	Paymaster General.
For blank books, binding, and stationery, two hundred dollars.	
For fuel, one hundred and twenty-five dollars.	
For miscellaneous items, four hundred dollars.	
No. 14. In the office of the Surgeon General :	Surgeon Gen eral.
For blank books, binding, and stationery, two hundred dollars.	
For printing, fifty dollars.	
For fuel, seventy-five dollars.	
For miscellaneous items, one hundred and fifty dollars.	
No. 15. In the office of the Chief Engineer :	Chief Engi- neer.
For blank books, binding, and stationery, six hundred dollars.	
For printing, one hundred and five dollars.	
For fuel, one hundred and fifty dollars.	
For miscellaneous items, fifty dollars.	
No. 16. In the office of the Colonel of Ordnance :	Colonel of Ordnance.
For blank books, binding, and stationery, four hundred dollars.	
For printing, seventy-five dollars.	
For fuel, one hundred and fifty dollars.	
For miscellaneous items, one hundred dollars.	
No. 17. In the Bureau of Topographical Engineers :	Topographical Engineers.
For the support of the light-house on the Delaware breakwater, one thousand five hundred dollars.	Light-house on Delaware breakwater.
For blank books, binding, and stationery, four hundred dollars.	
For labor, one hundred dollars.	
For fuel, two hundred and fifty dollars.	
For miscellaneous items, five hundred dollars.	
No. 18. For the northwest Executive building :	N.W. execu- tive building.
For labor, four hundred dollars.	
For fuel and light, two thousand dollars.	
For miscellaneous items, one thousand six hundred and seventy dollars.	
<i>Treasury Department.</i> —No. 19. In the office of the Secretary of the Treasury :	Treasury De- partment. Office of the Secretary of the Treasury.
For blank books, binding, and stationery, three thousand five hundred dollars.	
For newspapers and periodicals, one hundred dollars.	
For labor, one hundred and fifty dollars.	
For extra clerk hire, one thousand five hundred dollars.	
For printing, (including the printing of the public accounts,) two thousand five hundred and fifty dollars.	
For sealing ships' registers, one hundred dollars.	
For miscellaneous items, seven hundred dollars.	
For translating foreign languages, one hundred and fifty dollars :	
<i>Provided</i> , That no part of said sum or sums be paid to any clerk, or other officer of the Government, beyond his salary, for taking charge of or transmitting passports or sea letters.	

- First Comptroller. No. 20. In the office of the First Comptroller :  
 For blank books, binding, and stationery, one thousand dollars.  
 For labor, four hundred and fifty dollars.  
 For extra clerk hire, two hundred and fifty dollars.  
 For completing indices to public documents in the First Comptroller's office, three hundred dollars.
- 1st Auditor. No. 21. In the office of the First Auditor :  
 For blank books, binding, and stationery, five hundred dollars.  
 For labor, two hundred dollars.  
 For extra clerk hire, two hundred dollars.  
 For miscellaneous items, one hundred dollars.
- 2d Auditor. No. 22. In the office of the Second Auditor :  
 For blank books, binding, and stationery, three hundred dollars.  
 For labor, two hundred and fifty dollars.  
 For extra clerk hire, three hundred dollars.  
 For miscellaneous items, one hundred dollars.
- 4th Auditor. No. 23. In the office of the Fourth Auditor :  
 For blank books, binding, and stationery, six hundred dollars.  
 For labor, fifty dollars.  
 For extra clerk hire, one hundred dollars.  
 For printing, forty dollars.  
 For miscellaneous items, two hundred dollars.
- 5th Auditor. No. 24. In the office of the Fifth Auditor :  
 For blank books, binding, and stationery, two hundred and fifty dollars.  
 For labor, one hundred and twenty-five dollars.  
 For extra clerk hire, fifty dollars.  
 For miscellaneous items, one hundred and twenty-five dollars.
- Treasurer. No. 25. In the Treasurer's office :  
 For blank books, binding, and stationery, five hundred dollars.  
 For labor, three hundred and seventy-five dollars.  
 For printing, seven hundred dollars.  
 For miscellaneous items, three hundred and fifty dollars.
- Solicitor. No. 26. In the Solicitor's office :  
 For blank books, binding, and stationery, five hundred dollars.  
 For labor, one hundred dollars.  
 For extra clerk hire, four hundred dollars.
- Register. No. 27. In the Register's office :  
 For blank books, binding, and stationery, one thousand dollars.  
 For labor, three hundred and fifty dollars.  
 For printing, five hundred dollars.  
 For miscellaneous items, (including one thousand dollars for cases for the preservation of the records,) two thousand dollars.
- General Land Office. No. 28. For the General Land Office :  
 For blank books, binding, and stationery, and parchments, twelve thousand dollars.  
 For labor, five hundred dollars.  
 For printing, four thousand dollars.  
 For miscellaneous items, one thousand dollars.
- Arrearages. For office of the Commissioner of the General Land Office, for arrearages, since eighteen hundred and thirty-four, of cost of printing patents, publishing proclamations, printing circulars and blank forms for the land offices, twenty-two thousand six hundred and twenty-eight dollars and seventeen cents, or so much thereof as may be found necessary, on auditing the accounts by the appropriate officer.
- Extra clerks and draughtsmen in offices of surveyors general. For compensation of extra clerks and draughtsmen 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, fourteen thousand dollars, namely :

For office of surveyor general northwest of the Ohio, four thousand five hundred dollars.

For office of surveyor general of Wisconsin and Iowa, one thousand dollars.

For office of surveyor general of Illinois and Missouri, four thousand five hundred dollars.

For office of surveyor general of Arkansas, one thousand dollars.

For office of surveyor general of Louisiana, three thousand dollars.

For surveying in the State of Louisiana, to be expended at a rate not exceeding eight dollars a mile, required in part to pay deficiencies in existing appropriations, thirteen thousand dollars.

Surveying in Louisiana.

No. 29. Southeast Executive building :

S. E. executive building.

For labor, two thousand two hundred dollars.

For fuel and light, three thousand seven hundred dollars.

For miscellaneous items, one thousand nine hundred dollars.

No. 30. In the Auditor's office of the Post Office Department :

For blank books, binding, and stationery, two thousand and seventy-six dollars and sixty-eight cents.

Office of Auditor of the P. O. Department.

For printing blanks, eight hundred and eleven dollars and fifty cents.

For labor, one thousand one hundred and twenty dollars.

For continuing fourteen temporary clerks to January first, eighteen hundred and forty-three, employed under the act of September ninth, eighteen hundred and forty-one, four thousand one hundred and eighty-two dollars and nineteen cents.

Sept. 9, 1841, ch. 20.

For miscellaneous items, four hundred dollars.

For blank books and printing, prior to May, eighteen hundred and forty-one, three thousand eight hundred and twenty-seven dollars and seventeen cents.

*Post Office Department.*—No. 31. For blank books, binding, and stationery, one thousand one hundred and ninety dollars.

Post Office Department.

For newspapers and periodicals, one hundred dollars.

For fuel and oil, including arrearages, three thousand six hundred dollars.

For miscellaneous items, one thousand two hundred and thirty-seven dollars.

For printing, four hundred and fifty-three dollars.

For labor, nine hundred and thirty-eight dollars.

For one day watchman, three hundred and sixty dollars.

For compensation of temporary clerks, thirty-five hundred dollars.

*United States Mint and Branches.*—No. 32. For coinage expenses, including materials and implements, fuel, new machinery and repairs of old, die making, and wastage of gold and silver, at the Philadelphia mint, fifteen thousand two hundred dollars.

Mint and branches.  
Mint at Philadelphia.

For house expenses, including water-rent and taxes, repairs, lighting, cleaning, and watching at the same, four thousand dollars.

For office expenses, including stationery and postage, six hundred dollars.

No. 33. For coinage expenses, including materials and implements, fuel, repairs, and wastage of gold, at the Charlotte branch mint, one thousand two hundred dollars.

Branch mint at Charlotte.

For house expenses, including repairs, lighting, and cleaning at the same, two hundred dollars.

For office expenses, including stationery and postage at the same, one hundred dollars.

No. 34. For coinage expenses, including materials and implements, fuel, repairs, and wastage of gold, at the Dahlonega branch mint, six hundred dollars.

Branch mint at Dahlonega.

For house expenses, including repairs, lighting, and cleaning at the same, two hundred dollars.

For office expenses, including stationery and postage at the same, one hundred dollars.

Branch mint  
at N. Orleans.

No. 35. For coinage expenses, including materials and implements, fuel, repairs, and wastage of gold and silver, at the New Orleans branch mint, eleven thousand and fifty-two dollars.

For house expenses, including water-rent and taxes, repairs, lighting, cleaning, and watching, three thousand five hundred and ninety-eight dollars.

For office expenses, including stationery and postage, three hundred and fifty dollars.

Repairs of the  
capitol, &c.

No. 36. For annual repairs of the Capitol, attending furnaces and water-closets, lamp-lighting, oil, laborers on Capitol grounds, tools, keeping iron pipes and wooden fences in order, attending at the western gates, gardener's salary, and top-dressing for plants, seven thousand four hundred and fifty-eight dollars and fifty cents: *Provided*, That the salary of the public gardener shall not exceed the sum of one thousand two hundred dollars.

Proviso, gar-  
dener's salary  
limited.

Repairs of the  
President's  
house, &c.

For annual repairs of the President's house, gardener's salary, horse and cart, laborers, tools, and top-dressing for plants, two thousand five hundred and fifty dollars.

Repairing  
fences.

For repairs of fence on Pennsylvania avenue, fronting the War and State Departments, and fence of President's garden, two hundred dollars.

Furnaces be-  
neath House of  
Reps., &c.

For taking down and removing the two furnaces beneath the Hall of the House of Representatives, and building three new ones on the floor below the crypt, excavating a coal vault, constructing additional flues for hot and cold air for the better ventilation of the Hall and passages, nine thousand six hundred and thirty-four dollars.

Ground north  
of the General  
Post Office.

For purchase of ground north of the General Post Office, between seventh and eighth streets, or so much thereof as the Postmaster General may deem expedient, twenty-five thousand dollars.

Bridge across  
Pennsylvania  
avenue.

For rebuilding the bridge across Pennsylvania avenue, at Second street, and extending the same over the present stone abutments on said Second street, and reimbursing the corporation of Washington the sum of seven hundred and fifty dollars, expended in erecting the present wooden structure, twelve thousand dollars.

Alterations,  
&c. over House  
of Reps.

For altering the two passages and doorways of the roof, new steps, new doors, covering the wood with copper, removing the circular horizontal sash, over the Hall of the House of Representatives, and substituting a permanent roof covered with copper, and repairing the copper work of the roof, six hundred dollars.

Alterations,  
&c. north wing  
of capitol.

For alterations and repairs, and fixtures of the north wing of the Capitol, one thousand eight hundred and fifty-three dollars and forty-five cents.

Repairs, &c.  
of President's  
house.

For new floor in the basement story of the President's house, for wooden partition and glass door, and for new caps to the chimneys, five hundred and fifty dollars.

Completing P.  
O. building.

For completing the Post Office building, and fixtures and furniture for the same, twenty-seven thousand and ninety-one dollars and seventy-one cents.

Repairing foot-  
ways and lamp-  
posts.

For repairing the stone work which secures the iron pipes where they cross the Tiber, one hundred and fifty dollars.

For repairing the flag footways at the Capitol and President's house, and for repairing lamp posts and lamps at the Capitol, two hundred dollars.

Negotiation of  
treaty with Wy-  
andots.

For expenses attending the negotiation of a treaty with the Wyandot Indians of Ohio, in addition to former appropriations, one thousand dollars.



For compensation to a clerk in the office of Superintendent of Indian Affairs at St. Louis, authorized by a previous section of this act, twelve hundred dollars: *Provided*, That any sum heretofore appropriated for two clerks, now dispensed with, be not used or applied.

Clerks in office Superintendent Indian Affairs at St. Louis.

For compensation to two commissioners to examine claims under the treaty with the Cherokees of eighteen hundred and thirty-five, and pay of a secretary, and provisions for Indians during the session of the board, and for contingent expenses, thirteen thousand five hundred dollars; and for arrearages of the late board of commissioners under same treaty, one thousand five hundred and fifty-eight dollars.

Commission to examine claims under Cherokee treaty.

For compensation to two clerks, authorized to be continued by the Secretary of War in the office of the Commissioner of Indian Affairs, by joint resolution, approved May twenty, eighteen hundred and forty-two, in addition to former appropriations, fifteen hundred dollars.

Clerks in office Commissioner Indian Affairs.

*Judiciary.*—No. 37. For the contingent expenses of the Attorney General's office, five hundred dollars.

Judiciary. Attorney General's office.

SEC. 23. *And be it further enacted*, That in case the sum appropriated for any object shall be found more than sufficient to meet the expense thereby contemplated, the surplus may be applied, under the direction of the head of the proper department, to supply the deficiency of any other item in the same department or office: *Provided*, That the expenditure for newspapers and periodicals shall not exceed the amount specifically appropriated to that object by this act.

Surplus for one object may be appropriated to supply a deficiency for another, except newspapers and periodicals.

SEC. 24. *And be it further enacted*, That the following sums be, and hereby are, appropriated for the objects hereinafter mentioned, viz.

Appropriations for Congress.

For pay and mileage of the members of Congress and delegates from the Territories, in addition to the sum already appropriated to that object during the present session, one hundred and twenty-two thousand six hundred and thirty dollars.

Pay and mileage.

For stationery, printing, and all other incidental and contingent expenses of the Senate, in addition to the sum already appropriated to that object during the present session, seven thousand and fifty-eight dollars.

Expenses of Senate.

For stationery, printing, and all other incidental and contingent expenses of the House of Representatives, in addition to the sum already appropriated to that object during the present session, twenty-five thousand dollars.

Expenses of H. of Reps.

SEC. 25. *And be it further enacted*, That it shall not, at any time hereafter, be lawful for any accounting or disbursing officer of the Government to allow or pay any account or charge whatever, growing out of, or in any way connected with, any commission or inquiry, except courts martial or courts of inquiry in the military or naval service of the United States, until special appropriations shall have been made by law to pay such accounts and charges: *Provided*, That this shall not extend to the contingent fund connected with the foreign intercourse of the Government placed at the disposal of the President of the United States.

Accounts of no commission or inquiry, except courts martial, &c. to be paid without a special appropriation.

Proviso.

SEC. 26. *And be it further enacted*, That the following sums be appropriated from the patent fund, viz:

Appropriations from the patent fund.

A sum not exceeding three hundred dollars, for printing a digest of patents from January first, eighteen hundred and thirty-nine.

Digest of Patents.

For the purchase of such scientific books as are necessary for the use of the Patent Office, one thousand dollars.

Scientific books.

For the collection of agricultural statistics and for other agricultural purposes, one thousand dollars.

Agricultural statistics.

APPROVED, August 26, 1842.

## STATUTE II.

Aug. 26, 1842.

1843, ch. 3.

An annual term to be holden on 25th Aug.

Vol. 3, 479.

CHAP. CCIII.—*An Act to establish a district court of the United States in the city of Wheeling, in the State of Virginia.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That one annual term of the district court of the United States, for the western district of Virginia, be holden in the city of Wheeling, on the twenty-fifth day of August.

APPROVED, August 26, 1842.

## STATUTE II.

Aug. 26, 1842.

Account to be published under the direction of the Joint Library committee.

Proposals to be advertised for.

Contract to be given to the lowest bidder, &c.

Objects of natural history to be deposited in the Patent Office, &c.

CHAP. CCIV.—*An Act to provide for publishing an account of the discoveries made by the Exploring Expedition, under the command of Lieutenant Wilkes, of the United States Navy.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be published, under the supervision and direction of the Joint Committee on the Library, "an account of the discoveries made by the Exploring Expedition, under the command of Lieutenant Wilkes of the United States navy," which account shall be prepared with illustrations and published in a form similar to the voyage of the *Astrolabe*, lately published by the Government of France.

SEC. 2. *And be it further enacted,* That when such account shall have been written, and the illustrations for the same shall have been prepared, an advertisement shall be inserted in the papers publishing the laws of the United States, inviting proposals for printing one hundred copies of the same for the United States, to be delivered to the Librarian of Congress in a time, and at a price to be stipulated in such contract; and the contract shall be made with, and given to, the person offering and giving sufficient assurance to perform the work at the lowest price; and on such contract being made, the "account" shall be delivered to such contractor.

SEC. 3. *And be it further enacted,* That until other provision be made by law for the safe-keeping and arrangement of such objects of natural history as may be in possession of the Government, the same shall be deposited and arranged in the upper room of the Patent Office, under the care of such person as may be appointed by the Joint Committee on the Library.

APPROVED, August 26, 1842.

## STATUTE II.

Aug. 26, 1842.

Patents to be issued for tracts entered under the pre-emption laws, but withheld on account of the quantity exceeding that specified in the law, &c.

Proviso.

CHAP. CCV.—*An Act to confirm the sale of public lands in certain cases. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in all cases when any entry has been made, under the pre-emption laws, of land which was public land, subject to sale at the date of such entry, and when patents for the same have not been issued from the General Land Office, because of the original tract claimed, or the float arising therefrom, exceeding the quantity specified in the law, or when the adjudication has been made by the receiver and the clerk of the register, acting in the stead of the register, or when the proof upon which the claim is founded is not in the form, nor full, as to all the facts required by law, but substantially so, such entries and sales are hereby confirmed, and patents shall be issued thereon, as in other cases: *Provided,* That the Secretary of the Treasury shall be satisfied that such entries have been in other respects fair and regular, and that the evidence sustains the claim; that they are not contested by other persons claiming the same, and that no fraud shall appear in them: *And provided, also,* That the act of

(a) See notes of the acts relating to pre-emption rights, May 29, 1830, ch. 208.

fourth September, eighteen hundred and forty-one, entitled "An act to appropriate the proceeds of the sales of public lands, and to grant pre-emption rights," shall be so construed as not to confer on any one a right of pre-emption by reason of a settlement made on a tract heretofore sold under a prior pre-emption law, or at private entry, when such prior pre-emption or entry has not been confirmed by the General Land Office, on account of any alleged defect therein, and when such tract has passed into the hands of an innocent and bona fide purchaser.

APPROVED, August 26, 1842.

Proviso: act 4th Sept. 1841, ch. 16, not to confer a right of pre-emption by reason of settlement on a tract heretofore sold.

STATUTE II.

Aug. 26, 1842.

CHAP. CCVI.—*An Act to regulate the pay of pursers and other officers of the navy.* (a)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all purchases of clothing, groceries, stores, and supplies of every description for the use of the navy, as well for vessels in commission as for yards and stations, shall be made with and out of the public moneys appropriated for the support of the navy, under such directions and regulations as may be made by the Executive for that purpose; and it shall not be lawful for pursers, or other officers or persons holding commission or employment in the naval service, to procure stores or any other articles or supplies for, and dispose thereof to, the officers or to the crew, during the period of their enlistment, on or for their own account or benefit; nor shall any profit or per centage upon stores or supplies be charged to, or received from, persons in the naval service, other than those which are herein-after prescribed.

All supplies for the navy to be made with the public money, under regulations prescribed by the Executive. Regulations.

SEC. 2. *And be it further enacted,* That it shall be the duty of the Executive to provide such rules and regulations for the purchase, preservation, and disposition, of all articles, stores, and supplies, for persons in the navy, as may be necessary for the safe and economical administration of that branch of the public service.

Executive to provide regulations for the purchase of stores, &c.

SEC. 3. *And be it further enacted,* That, in lieu of the pay, rations, allowances, and other emoluments authorized by the existing laws and regulations, the annual pay of pursers shall be as follows, viz: when attached to vessels in commission for sea service, they shall receive, for ships of the line, three thousand five hundred dollars; for frigates or razees, three thousand dollars; for sloops of war and steamers of first class, two thousand dollars; for brigs and schooners, and steamers, less than first class, fifteen hundred dollars; on duty at navy yards at Boston, New York, Norfolk, and Pensacola, two thousand five hundred dollars; at Portsmouth, Philadelphia, and Washington, two thousand dollars; at naval stations within the United States, fifteen hundred dollars; and in receiving-ships at Boston, New York, and Norfolk, two thousand five hundred dollars; and at other places, fifteen hundred dollars; on leave or waiting orders, the same pay as surgeons. And it is hereby expressly declared that the yearly pay provided in this act is all the pay, compensation, and allowance, that shall be received, under any circumstances, by pursers, except one ration each per day, when attached to vessels for sea service, and except, also, for travelling expenses, when under orders, for which ten cents per mile shall be allowed.

Pay of pursers.

Attached to vessels in commission.

At navy yards.

At naval stations.

In receiving ships.

Other places. On leave.

Yearly pay to be all their compensation, except, &c.

Bonds.

SEC. 4. *And be it further enacted,* That nothing in this act contained shall be construed to affect the bonds which have heretofore been given by pursers in the navy, but the same shall remain in full force and effect, as if this law had not been passed; and the Secretary of the Navy is hereby authorized and required to demand and receive from them, or any of them, new bonds, with sufficient sureties, in all cases in which he may consider the same necessary and expedient; and in

(a) Notes of the acts regulating the pay of pursers in the navy, vol. 3, 350.

case any purser shall neglect or refuse to give such new bond, it shall be the duty of the Executive to dismiss him forthwith from the service.

Rules, &c. to be laid before Congress.

SEC. 5. *And be it further enacted*, That the rules and regulations which shall be made in conformity with the provisions of this act shall be laid before Congress at their next session.

Advances or loans of money, &c. unlawful.

SEC. 6. *And be it further enacted*, That it shall not be lawful for a purser in the navy to advance or loan any sum or sums of money, public or private, or any article or commodity whatever, or any credit, to any officer in the naval service, under any pretence whatever.

Act to go into effect, when.

SEC. 7. *And be it further enacted*, That the provisions of this act shall go into effect, within the United States, from the date of its passage; and, in vessels abroad, at the beginning of the quarter after its official receipt.

Pursers at certain stations, &c. allowed a clerk or assistant.

SEC. 8. *And be it further enacted*, That pursers attached to, and doing duty in, navy yards, at Boston, New York, and Norfolk, and sea-going vessels of a larger class than sloops of war, shall be authorized to appoint a clerk or assistant, to be approved by the commanding officer of such yard or vessel; and the yearly compensation of said clerk shall be as follows, viz: in a frigate, or navy yard at Boston, New York, and Norfolk, five hundred dollars; in a ship of the line, seven hundred dollars. Said assistant or clerk shall have the privileges which are allowed to the clerk of the commanding officer; and each purser and clerk, while attached to vessels in commission, shall receive one ration per day.

Clerk's compensation.

His privileges, &c.

Pursers' stores on board ships in commission to be taken by government.

SEC. 9. *And be it further enacted*, That all stores of pursers on board ships in commission shall be taken by the Government at a fair valuation, under the direction of the Secretary of the Navy.

Acts inconsistent with this act, repealed.

SEC. 10. *And be it further enacted*, That all acts or parts of acts which may be contrary to, or inconsistent with, the provisions of this act, shall be, and are hereby, repealed.

Pay of boatswains, gunners, &c.

SEC. 11. *And be it further enacted*, That, from and after the passage of this act, the annual pay of the forward warrant officers of the navy of the United States shall be as follows: for boatswains, gunners, carpenters, and sailmakers, when on duty on board ships of the line, and in the three navy yards at Boston, New York, and Norfolk, eight hundred dollars; on other duty, seven hundred dollars; when on leave of absence or awaiting orders, the said officers shall receive five hundred dollars for the first ten years, and after, six hundred dollars.

Officers performing the duty of a higher grade by order, to receive the pay, and not otherwise.

SEC. 12. *And be it further enacted*, That whenever an officer shall perform the duty of a higher grade, by order of the Secretary of the Navy, or the commander of a fleet or squadron, or ship acting singly on foreign service, such officer shall be entitled to receive the pay of such higher grade during the time he performs the duty in that grade and no longer, and no allowance shall be made for performing such service hereafter, unless so ordered.

Post, p. 703.

APPROVED, August 26, 1842.

STATUTE II.

Aug. 26, 1842.

CHAP. CCVII.—*An Act to define and establish the fiscal year of the Treasury of the United States.*

On and after 1st July 1843, fiscal year to commence on 1st July.

Report and estimates to be made accordingly.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That on and after the first day of July in the year of our Lord eighteen hundred and forty-three, the fiscal year of the Treasury of the United States, in all matters of accounts, receipts, expenditures, estimates, and appropriations, shall commence on the first day of July in each year; and the report and estimates required to be prepared and laid before Congress at the commencement of each session by the Secretary of the Treasury in obedience to the acts of Congress of the second of September, seven-

teen hundred and eighty-nine, and of May tenth, eighteen hundred, shall be a report and estimates for each fiscal year commencing as aforesaid and terminating on the thirtieth day of June in the succeeding calendar year.

SEC. 2. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, to submit to Congress at the commencement of the next session, his annual report upon the state of the finances and estimates of appropriations required for the support of the Government for the half calendar year ending on the thirtieth day of June then next; and separate and distinct estimates for the fiscal year ending on the thirtieth day of June, eighteen hundred and forty-four; and estimates of receipts for said periods respectively; and the style and title of all acts making appropriations for the support of Government, shall be as follows, to wit: "An act making appropriations (here insert the object) for the year ending June thirtieth (here insert the calendar year.)"

SEC. 3. *And be it further enacted*, That the accounts of receipts and expenditures, required by law to be published annually, shall, on and after the first day of July, eighteen hundred and forty-three, be prepared and published for the fiscal year as hereby established; and the said accounts for the half calendar year ending June thirtieth, eighteen hundred and forty-three, shall be prepared and published as required by law, separate and distinct; and all laws and parts of laws inconsistent with the provisions of this act are hereby repealed.

SEC. 4. *And be it further enacted*, That the annual statements of the commerce and navigation of the United States, required by law to be submitted to Congress on the first Monday of December annually, shall be prepared and published for each fiscal year as hereby established; and the said statements for the last quarter of the present calendar year, and the two first quarters of the year eighteen hundred and forty-three, ending on the thirtieth of June, eighteen hundred and forty-three, shall be prepared and published, agreeably to the provisions of law, separate and distinct.

APPROVED, August 26, 1842.

At next session, report and estimates to be made to 30th June next, &c.

Title of appropriation acts.

Publication of receipts and expenditures.

Accounts to 30th June, to be separate.

Statements of commerce, &c. to be according to the new fiscal year.

CHAP. CCXXVII.—*An Act to make an appropriation for certain expenses in the erection of a penitentiary in the Territory of Iowa.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the sum of fifteen thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, granted and appropriated, out of any unappropriated money in the Treasury, to pay for work heretofore actually done and materials furnished in the construction of a penitentiary in the Territory of Iowa; but no further work or materials are hereby authorized to be done or furnished for the completion of said penitentiary, on the faith of future appropriations by Congress, but the same are expressly prohibited.

APPROVED, August 29, 1842.

STATUTE II.

Aug. 29, 1842.

[Obsolete.]

Appropriation for work done, &c.

CHAP. CCXXVIII.—*An Act to provide an insane hospital for the District of Columbia.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Commissioner of the Public Buildings be, and he is hereby, authorized and required, under the direction of the President of the United States, and upon a plan to be by him approved, to cause such alterations to be made in the old jail as will adapt it for the reception and accommodation of the insane of the District of Columbia, and of such sick, disabled, and infirm

STATUTE II.

Aug. 29, 1842.

The old jail to be fitted up for the insane, &c.

seamen, soldiers, and others, as may, by competent authority, to be hereafter prescribed, be deemed proper to be received therein, which building, with one half of the ground occupied by the old and new jails, is hereby assigned for those purposes.

Board of inspectors to be appointed; their duties.

SEC. 2. *And be it further enacted*, That on the completion of the said building, the President be authorized to appoint three respectable persons, residents of the city of Washington, to be a board of inspectors of the said institution, who shall hold their offices two years from the date of their appointment; and whose duty it shall be to have a general supervision of the concerns of the said hospital; to appoint the necessary subordinate officers thereof; to prescribe rules for the admission and due regulation of patients therein, and to make an annual report to Congress of their proceedings, and of the condition of the said institution.

Appropriation.

SEC. 3. *And be it further enacted*, That there be, and there is hereby, appropriated, the sum of ten thousand dollars for the alteration of the said building, and improvement of the grounds, to be paid out of any money in the Treasury not otherwise appropriated.

APPROVED, August 29, 1842.

STATUTE II.

Aug. 29, 1842.

[Obsolete.]

CHAP. CCLV.—*An Act to provide for the publication of a new edition of the laws and regulations of the Post Office Department, and a perfect list of the post-offices in the United States.*

A complete edition to be printed.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Postmaster General be, and he is hereby, authorized and required to cause to be collated and printed in pamphlet form, suitably for distribution, a complete edition, of not less than eighteen thousand copies, of the laws relating to the Post Office Department; together with the regulations established by said Department for the better conduct of its business; and also a new and complete list of all the post-offices in the United States; showing their respective distances from Washington, and from the capitols of the States in which the several offices are situated.

Appropriation.

SEC. 2. *And be it further enacted*, That for the purpose of carrying into effect the provisions of this act, the sum of nine thousand one hundred dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

APPROVED, August 29, 1842.

STATUTE II.

Aug. 29, 1842.

CHAP. CCLVI.—*An Act for creating a new land district in the State of Missouri, and for changing the boundaries of the southwestern and western land districts in said State.*

Part of the Western Land District, and the Platte river country, to constitute the Platte Land District.  
1823, ch. 66.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all that portion of the "western land district," created by an act of Congress, entitled "An act to establish an additional land office in the State of Missouri," approved third of March eighteen hundred and twenty-three, which is situated north of the Missouri river, together with the late northwest addition to the State of Missouri, commonly known as the "Platte river country," shall constitute a separate land district, to be called the Platte district.

Register and receiver to be appointed; their residence, &c.

SEC. 2. *And be it further enacted*, That there shall be a register and a receiver appointed for said land district, who shall reside and superintend the sales of the public lands at such place as the President shall designate. They shall give security in the same manner and in the same sums, and their compensation, emoluments, duty, and authority, shall, in every respect, be the same in relation to the lands which may be disposed of at said office, as are or may be provided by law relative

to the registers and receivers of public money in the several offices established for the sale of the public lands.

SEC. 3. *And be it further enacted*, That all that part of the southwestern district of Missouri which is situated north of the line between townships thirty-four and thirty-five, and that portion of the Fayette land district lying west of the line dividing ranges twenty and twenty-one west, south of the Missouri river, is hereby annexed to, and shall make a part of the western or Lexington district of Missouri, the office for which district shall be located at such place as the President shall designate.

SEC. 4. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, as soon as the same can be done, to cause the plats of the surveys of the new district hereby created, and of the portion annexed to the western district, to be deposited in the proper offices, and he is hereby authorized to allow and pay, out of the proceeds of the sales of the public lands, the reasonable expenses which may be incurred in carrying this act into effect.

SEC. 5. *And be it further enacted*, That this act shall take effect and be in force from and after the expiration of six calendar months from the date of the passage thereof.

APPROVED, August 29, 1842.

Part of certain districts annexed to the Lexington district.

Plats of surveys to be deposited in the proper offices.

Reasonable expenses to be paid.

Act when to take effect

STATUTE II.

Aug. 29, 1842.

Act of Aug. 23, 1842, ch. 188. Justices of the Supreme Court, &c. empowered to grant writs of habeas corpus when subjects of foreign States are in custody of the United States, &c.

CHAP. CCLVII. — *An Act to provide further remedial justice in the courts of the United States.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That either of the justices of the Supreme Court of the United States, or judge of any district court of the United States, in which a prisoner is confined, in addition to the authority already conferred by law, shall have power to grant writs of habeas corpus in all cases of any prisoner or prisoners in jail or confinement, where he, she, or they, being subjects or citizens of a foreign State, and domiciled therein, shall be committed or confined, or in custody, under or by any authority or law, or process founded thereon, of the United States, or of any one of them, for or on account of any act done or omitted under any alleged right, title, authority, privilege, protection, or exemption, set up or claimed under the commission, or order, or sanction, of any foreign State or Sovereignty, the validity and effect whereof depend upon the law of nations, or under color thereof. And upon the return of the said writ, and due proof of the service of notice of the said proceeding to the Attorney General or other officer prosecuting the pleas of the State, under whose authority the petitioner has been arrested, committed, or is held in custody, to be prescribed by the said justice or judge at the time of granting said writ, the said justice or judge shall proceed to hear the said cause; and if, upon hearing the same, it shall appear that the prisoner or prisoners is or are entitled to be discharged from such confinement, commitment, custody or arrest, for or by reason of such alleged right, title, authority, privileges, protection or exemption, so set up and claimed, and the laws of nations applicable thereto, and that the same exists in fact, and has been duly proved to the said justice or judge, then it shall be the duty of the said justice or judge forthwith to discharge such prisoner or prisoners accordingly. And if it shall appear to the said justice or judge that such judgment or discharge ought not to be rendered, then the said prisoner or prisoners shall be forthwith remanded: *Provided always*, That from any decision of such justice or judge an appeal may be taken to the circuit court of the United States for the district in which the said cause is heard; and from the judgment of the said circuit court to the Supreme Court of the United States, on such

If the prisoner is entitled to be discharged for the right, &c. claimed, the justice or judge shall forthwith discharge him.

Proviso.

Until final judgment, and after discharge, proceedings in State courts null and void.

terms and under such regulations and orders as well for the custody and appearance of the prisoner or prisoners as for sending up to the appellate tribunal a transcript of the petition, writ of habeas corpus returned thereto, and other proceedings, as the judge hearing the said cause may prescribe; and pending such proceedings or appeal, and until final judgment be rendered therein, and after final judgment of discharge in the same, any proceeding against said prisoner or prisoners, in any State court, or by or under the authority of any State, for any matter or thing so heard and determined, or in process of being heard and determined, under and by virtue of such writ of habeas corpus, shall be deemed null and void.

APPROVED, August 29, 1842.

STATUTE II.

Aug. 29, 1842.

CHAP. CCLVIII.—*An Act in relation to lands sold in the Greensburgh, late St. Helena, land district, in the State of Louisiana, and authorizing the resurvey of certain lands in said district.*

In cases where the U. S. cannot issue patents, the certificates of purchase may be surrendered to be cancelled.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in all cases where lands shall have been entered at the land office in the Greensburgh, late St. Helena, land district, in the State of Louisiana, where the United States cannot issue patents therefor, owing to the errors and imperfections of the public surveys, or to conflicting claims, it shall be lawful for the person having made such entries, or his or her heirs or legal representatives, or grantees, or their heirs or legal representatives, who may [be] legally and equitably entitled to the same, after a demand of the patent, and a refusal to issue the same, to surrender his or her certificate of purchase to the Secretary of the Treasury to be cancelled; and, upon such surrender, it shall be the duty of the Secretary of the Treasury to refund, without interest, the purchase-money for said lands to the person entitled to receive the same, out of any money in the Treasury not otherwise appropriated.

President may cause a resurvey of the unsold lands, &c.

SEC. 2. *And be it further enacted,* That it shall be lawful for the President of the United States, if he shall deem it expedient, to cause a resurvey of all or any part of the lands lying in said district remaining unsold, or the certificates for which may be surrendered in virtue of this or any other act of Congress, thereby correcting the surveys, and designating the lands covered by private claims under Spanish or French grants; and so soon as said resurveys shall have been returned and confirmed by the Secretary of the Treasury, the unreserved public lands therein specified shall be subject to the laws for the disposal of the public lands, and patents therefor shall issue as in other cases: *Provided,* That purchasers aforesaid may retain their certificates of purchase, and the surveys of said tracts shall be corrected, and when said surveys are corrected, may receive their patents from the United States for the land so purchased by them.

APPROVED, August 29, 1842.

STATUTE II.

Aug. 29, 1842.

[Obsolete.]

CHAP. CCLIX.—*An Act to provide for the settlement of certain accounts for the support of Government in the Territory of Wisconsin, and for other purposes.*

Accounts of the Legislative Assembly to be settled.

No extra compensation to any member, except the presiding officer, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the proper accounting officers of the Treasury Department be directed to audit and settle the accounts for the expenses of the Legislative Assembly of the Territory of Wisconsin, including the printing of the laws and other incidental expenses which have not heretofore been closed and settled at the Treasury Department; but no allowance shall be made for extra compensation to any member of the Legislative Assembly of said Ter-



ritory for extra services, except to the presiding officers of the two Houses of said Assembly, nor for extra compensation to the Secretary of said Territory, nor to the Clerk of either House of said Legislative Assembly for the performance of duties required by law, nor for any other purpose not authorized by the eleventh section of the act of Congress, approved April twenty, eighteen hundred and thirty-six, entitled "An act establishing the Territorial Government of Wisconsin;" and the incidental expenses therein authorized shall be construed to be the ordinary and necessary expenses of the sessions of said Legislative Assembly, and no other.

1836, ch. 54.

SEC. 2. *And be it further enacted,* That all accounts for disbursements in the Territories of the United States, of money appropriated by Congress for the support of Government therein, shall be settled and adjusted at the Treasury Department; and no act, resolution, or order, of the Legislature of any Territory, directing the expenditure of the sum, shall be deemed a sufficient authority for such disbursement, but sufficient vouchers and proof for the same shall be required by said accounting officers. And no payment shall be made or allowed, unless the Secretary of the Treasury shall have estimated therefor, and the object been approved by Congress. No session of the Legislature of a Territory shall be held until the appropriation for its expenses shall have been made. In the adjustment of said accounts, no charge for the services of a greater number of officers and attendants shall be allowed than for one secretary and assistant secretary, or clerk, one sergeant-at-arms, or doorkeeper, one messenger, and one foreman for each House of the Legislature, to neither of whom shall a greater compensation than three dollars per day be paid. And it shall be the duty of the Secretary of each Territory to prepare the acts passed by the Legislature for publication, and to furnish a copy thereof to the public printer of the Territory within ten days after the passage of each act.

Accounts of territories to be adjusted at the Treasury.

No payment to be made, unless approved by Congress.

What officers allowed, and their pay.

Secretaries of territories to prepare the acts for publication.

Amount found due to be paid.

SEC. 3. *And be it further enacted,* That whatever sum of money shall be found due, upon such auditing and settlement, beyond the amount of former appropriations, whether the same have been expended or not, be paid out of any money in the Treasury not otherwise appropriated.

SEC. 4. *And be it further enacted,* That said accounting officers of the Treasury be directed to audit and settle the accounts for expenses of the Legislative Assembly of the Territory of Florida, not heretofore audited and settled, in the same manner and upon the same principles herein prescribed for the settlement of the accounts of the Territory of Wisconsin; and whatever sum of money shall be found due, upon such auditing, be paid out of any money in the Treasury not otherwise appropriated.

Accounts of the Legislative Assembly of Florida to be settled in the same manner, &c.

APPROVED, August 29, 1842.

STATUTE II.

CHAP. CCLX.—*An Act supplementary to "An act to provide for the adjustment of titles to land in the town of Detroit, and Territory of Michigan, and for other purposes," passed April twenty-one, eighteen hundred and six.*

Aug. 29, 1842.

Act of April 21, 1806, ch. 43.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the mayor, recorder, and aldermen of the city of Detroit, in the State of Michigan, be, and they, or a quorum of them in council assembled, are hereby, authorized to hear, examine, and finally adjust, all claims arising under the act to which this is supplementary, against the governor and judges of the late Territory of Michigan, and receive all moneys, or other rights to property to which the said governor and judges were entitled, or became entitled under said act.

Mayor, &c. of Detroit authorized to adjust claims under the act to which this is supplementary.

SEC. 2. *And be it further enacted,* That the said mayor, recorder,

Mayor, &c. authorized to receive journals, &c. of the board acting under act 21st April 1806, ch. 43.

Powers, &c. vested in said board, transferred to the mayor, &c.

Mayor, &c. authorized to institute legal proceedings.

All property, except the court house and jail, vested in the mayor, &c.

Mayor, &c. to take an oath or affirmation.

and aldermen, of the said city of Detroit be, and they are hereby, entitled to receive from any person or persons having possession of the same, the journals, records, papers, and books of the governor and judges of the late Territory of Michigan, acting as a land board, under the Act of April twenty-first, one thousand eight hundred and six, to which this is a supplement; and that all powers and rights vested by the said act in the said governor and judges, for the purposes therein mentioned, are hereby transferred and vested in the mayor, recorder, and aldermen, of the city of Detroit, in the State of Michigan. And the said mayor, recorder, and aldermen, are hereby authorized to institute proceedings at law or in equity, in any court of competent jurisdiction, in all cases where it may be necessary to carry into effect the purposes of this act.

SEC. 3. *And be it further enacted*, That any land or other property, real or personal, remaining, except the court-house and jail erected under the act to which this is a supplement, after satisfying all just claims provided for in the first section of the act to which this is a supplement, is hereby vested in the said mayor, recorder, and aldermen, of the city of Detroit, to be disposed of by them at their discretion to the best advantage; and they are hereby authorized to make deeds to purchasers thereof, or other sufficient conveyances; and the proceeds of the land or other property effects or claims so disposed of, and of other rights and claims of the said governor and judges, shall, after the payment of all necessary expenses incurred in giving effect to said act and to this act and in the adoption of such measures as they may deem necessary for preserving in proper form the records and other evidences of the proceedings of said governor and judges, be applied by the said mayor, recorder and aldermen, to such object or objects of public improvement in said city, as the said mayor, recorder, and aldermen, may in council direct. And the said mayor, recorder and aldermen are hereby required to take an oath or affirmation for the faithful discharge of their duties under this act, and make a report to Congress, in writing, of their proceedings, on or before the first day of January, one thousand eight hundred and forty-four.

APPROVED, August 29, 1842.

#### STATUTE II.

Aug. 29, 1842.

CHAP. CCLXI.—*An Act to provide for the payment to the State of Louisiana of the balance due said State for expenditures incurred in raising, equipping and paying off a regiment of volunteer militia, mustered into the service of the United States, and employed in the Florida war in the year one thousand eight hundred and thirty-six.*

Appropriation to pay the balance due Louisiana.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the sum of sixty-one thousand three hundred and seventy-eight dollars and fifteen cents, be, and the said sum is hereby, appropriated, to pay the balance due the State of Louisiana for expenditures incurred in raising, equipping and paying off a regiment of volunteer militia, employed in the service of the United States in the Seminole war.

APPROVED, August 29, 1842.

#### STATUTE II.

Aug. 29, 1842.

CHAP. CCLXII.—*An Act to authorize the States of Indiana and Illinois to select certain quantities of land, in lieu of like quantities heretofore granted to the said States, for the construction of the Wabash and Erie and the Illinois and Michigan canals. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there be vested

(a) Act of March 30, 1822, chap. 14; act of May 26, 1824, chap. 165; act of March 2, 1827, chap. 51-56; act of May 29, 1830, chap. 161; act of June 30, 1834, chap. 137; act of Feb. 27, 1841, chap. 12; act of March 3, 1845, chap. 42.

in the State of Indiana twenty-four thousand two hundred and nineteen acres, and fourteen-hundredths of an acre of land, to be selected under the authority of the Governor of said State, from any of the unsold public lands therein, not subject to the right of pre-emption, as an equivalent for certain lands covered by Indian reservations in the lands acquired by treaties with the Miami Indians, in the years eighteen hundred and thirty-seven and eighteen hundred and thirty-nine, respectively, and which, had said reservations not been permitted or allowed, would have belonged to said State in virtue of the act of the second of March, eighteen hundred and twenty-seven, entitled "An act to grant a certain quantity of land to the State of Indiana, for the purpose of aiding said State in opening a canal to connect the waters of the Wabash river with those of Lake Erie."

Lands to be selected in lieu of others granted for the Wabash and Erie canal.

1827, ch. 56.

SEC. 2. *And be it further enacted*, That the Governor of the State of Illinois is hereby authorized to cause to be selected, from any of the unsold public lands in that State, not subject to the right of pre-emption, the quantity of five thousand seven hundred and sixty acres, in lieu of sections numbered three and nine, in township thirty-two, north of range three east; sections thirteen and twenty-one, in township thirty-four, north of range six east; sections twenty-five and thirty-three, in township thirty-three, north of range eleven east; and sections thirteen, nineteen, and twenty-one, in township thirty-three, north of range eight, east of the third principal meridian, heretofore selected by the said State under "An act to grant a quantity of land to the State of Illinois, for the purpose of aiding in opening a canal to connect the waters of the Illinois river with those of Lake Michigan," but which had been sold and patented to individuals by the United States, before the location by the said State had been approved.

Lands to be selected in lieu of others granted for the Illinois and Michigan canal.

1827, ch. 51.

SEC. 3. *And be it further enacted*, That the selections of lands made under this act shall be reported by the Governors of the said States respectively, to the Secretary of the Treasury, and approved by the President of the United States.

Selections to be reported to Secretary of the Treasury, and approved by the President.

APPROVED, August 29, 1842.

STATUTE II.  
Aug. 29, 1842.

CHAP. CCLXIII. — *An Act in addition to an act to promote the progress of the useful arts, and to repeal all acts and parts of acts heretofore made for that purpose. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Treasurer of the United States be, and he hereby is, authorized to pay back, out of the patent fund, any sum or sums of money, to any person who shall have paid the same into the Treasury, or to any receiver or depository to the credit of the Treasurer, as for fees accruing at the Patent Office through mistake, and which are not provided to be paid by existing laws, certificate thereof being made to said Treasurer by the Commissioner of Patents.

Act of July 4, 1836, ch. 357.  
Act of March 3, 1837, ch. 45.  
Act of March 3, 1839, ch. 88.  
Treasurer authorized to pay back, out of the patent fund, certain money paid as fees.

SEC. 2. *And be it further enacted*, That the third section of the act of March, eighteen hundred and thirty-seven, which authorizes the renewing of patents lost prior to the fifteenth of December, eighteen hundred and thirty-six, is extended to patents granted prior to said fifteenth day of December, though they may have been lost subsequently: *Provided, however*, The same shall not have been recorded anew under the provisions of said act.

Sec. 3, act of 3d March 1837, ch. 45, extended to patents granted prior to 15th Dec. 1836, though lost subsequently.

SEC. 3. *And be it further enacted*, That any citizen or citizens, or alien or aliens, having resided one year in the United States and taken

Proviso.  
Citizens, &c. may obtain a patent, how.

(a) Notes of the acts passed relative to patents for useful inventions, vol. 1, 109, 318.  
Notes of the decisions of the courts of the United States on the acts which have been passed relative to patents for useful inventions, vol. 1, 319, 320, 321.

the oath of his or their intention to become a citizen or citizens who by his, her, or their own industry, genius, efforts, and expense, may have invented or produced any new and original design for a manufacture, whether of metal or other material or materials, or any new and original design for the printing of woollen, silk, cotton, or other fabrics, or any new and original design for a bust, statue, or bas relief or composition in alto or basso relievo, or any new and original impression or ornament, or to be placed on any article of manufacture, the same being formed in marble or other material, or any new and useful pattern, or print, or picture, to be either worked into or worked on, or printed or painted or cast or otherwise fixed on, any article of manufacture, or any new and original shape or configuration of any article of manufacture not known or used by others before his, her, or their invention or production thereof, and prior to the time of his, her, or their application for a patent therefor, and who shall desire to obtain an exclusive property or right therein to make, use, and sell and vend the same, or copies of the same, to others, by them to be made, used, and sold, may make application in writing to the Commissioner of Patents expressing such desire, and the Commissioner, on due proceedings had, may grant a patent therefor, as in the case now of application for a patent: *Provided*, That the fee in such cases which by the now existing laws would be required of the particular applicant shall be one half the sum, and that the duration of said patent shall be seven years, and that all the regulations and provisions which now apply to the obtaining or protection of patents not inconsistent with the provisions of this act shall apply to applications under this section.

Proviso.

Oath may be taken before U. S. ministers, &c.

Penalty for infringing the rights of a patentee, &c. by marking.

SEC. 4. *And be it further enacted*, That the oath required for applicants for patents may be taken, when the applicant is not, for the time being, residing in the United States, before any minister, plenipotentiary, chargé d'affaires, consul, or commercial agent holding commission under the Government of the United States, or before any notary public of the foreign country in which such applicant may be.

SEC. 5. *And be it further enacted*, That if any person or persons shall paint or print, or mould, cast, carve, or engrave, or stamp, upon any thing made, used, or sold, by him, for the sole making or selling which he hath not or shall not have obtained letters patent, the name or any imitation of the name of any other person who hath or shall have obtained letters patent for the sole making and vending of such thing, without consent of such patentee, or his assigns or legal representatives; or if any person, upon any such thing not having been purchased, from the patentee, or some person who purchased it from or under such patentee, or not having the license or consent of such patentee, or his assigns or legal representatives, shall write, paint, print, mould, cast, carve, engrave, stamp, or otherwise make or affix the word "patent," or the words "letters patent," or the word "patentee," or any word or words of like kind, meaning, or import, with the view or intent of imitating or counterfeiting the stamp, mark, or other device of the patentee, or shall affix the same or any word, stamp, or device, of like import, on any unpatented article, for the purpose of deceiving the public; he, she, or they, so offending, shall be liable for such offence, to a penalty of not less than one hundred dollars, with costs, to be recovered by action in any of the circuit courts of the United States, or in any of the district courts of the United States, having the powers and jurisdiction of a circuit court; one half of which penalty, as recovered, shall be paid to the patent fund, and the other half to any person or persons who shall sue for the same.

How recoverable, &c.

Patentees, &c. requir'd to mark articles offered for sale.

SEC. 6. *And be it further enacted*, That all patentees and assignees of patents hereafter granted, are hereby required to stamp, engrave, or cause to be stamped or engraved, on each article vended, or offered for

sale, the date of the patent; and if any person or persons, patentees or assignees, shall neglect to do so, he, she, or they, shall be liable to the same penalty, to be recovered and disposed of in the manner specified in the foregoing fifth section of this act.

Penalty for neglect.

APPROVED, August 29, 1842.

CHAP. CCLXIV.—*An Act to provide for the reports of the decisions of the Supreme Court of the United States. (a)*

STATUTE II.  
Aug. 29, 1842.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the reporter who shall, from time to time, be appointed by the Supreme Court, shall be entitled to receive from the Treasury of the United States, as an annual compensation for his services, and for the copies of the annual volumes of the reports he is hereinafter required to deliver to the Secretary of State, the sum of thirteen hundred dollars: *Provided,* That the compensation shall not be paid unless the said reporter shall print and publish, or cause to be printed and published, the decisions of the said court, made during the time he shall act as such reporter, within six months after the said decisions shall be made: *And provided also,* That he shall deliver to the Secretary of State, in lieu of the eighty copies of the annual reports which by former acts he was required to deliver, one hundred and fifty copies of the said reports, so printed and published, which said copies shall be distributed as follows, to wit: to the President of the United States, the justices of the Supreme Court of the United States, the judges of the district courts, the Attorney General of the United States, the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, the Postmaster General, the First and Second Comptrollers of the Treasury, the Solicitor of the Treasury, the First, Second, Third, Fourth and Fifth Auditors of the Treasury, the Auditor of the General Post Office, the Treasurer of the United States, the Register of the Treasury, the Commissioner of the General Land Office, the Paymaster General, the Commissioner of Indian Affairs, the Commissioner of Pensions, the judges of the several territorial courts of the United States, the Governors of the Territories of the United States, the Secretary of the Senate for the use of the Senate, the Clerk of the House of Representatives for the use of the House of Representatives, and to the Commissioners of the Navy, each one copy; to the Secretary of the Senate for the use of the standing committees of the Senate, ten copies; and to the Clerk of the House of Representatives, for the use of the standing committees of the House, twelve copies; and the residue of said copies shall be deposited in the library of Congress, to become a part of the said library: *And provided also,* That the volumes of the decisions of the Supreme Court shall not be sold by the reporter to the public at large, for a greater price than five dollars for each volume.

Reporter appointed by Supreme Court to receive \$1300 per annum.

Proviso.

Further proviso.

Distribution.

Proviso.

In case of the death, &c. of those receiving the decisions.

SEC. 2. *And be it further enacted,* That in case of the death, resignation, or dismissal from office, of either of the aforesaid officers, the said copies of the decisions of the Supreme Court shall belong to, and be delivered up to their respective successors in said offices.

APPROVED, August 29, 1842.

CHAP. CCLXV.—*An Act making an appropriation for the erection of a marine hospital at or near Ocracoke, in North Carolina.*

STATUTE II.  
Aug. 29, 1842.

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

1843, ch. 47.  
Appropriation for the purchase of a site, &c.

(a) Notes of the acts relative to a reporter of the decisions of the Supreme Court of the United States, vol. 3, 376.

thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purchase of a site and the erection of a marine hospital at or near Ocracoke, in North Carolina; the site to be selected and the building to be contracted for and erected under the superintendence and direction of the Secretary of the Treasury; and that he (the Secretary of the Treasury) be directed to report to Congress, at its next session, the progress and condition of the work: *Provided*, That the expense of the land and building shall not exceed that sum.

APPROVED, August 29, 1842.

STATUTE II.

Aug. 29, 1842.

[Obsolete.]

Appropriations  
for sites for ma-  
rine hospitals at  
1837, ch. 44.

CHAP. CCLXVI.—*An Act making appropriations for certain sites for marine hospitals therein mentioned.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums be, and the same are hereby, appropriated for sites for marine hospitals, selected and purchased under the act of March third, eighteen hundred and thirty-seven, entitled "An act to provide for certain harbors, and for the removal of obstructions in and at the mouths of certain rivers, and for other purposes," viz:

Natchez. For a site for a marine hospital at Natchez, in the State of Mississippi, seven thousand dollars.

Napoleon. For a site for a marine hospital at Napoleon, in the State of Arkansas, one thousand dollars.

St. Louis. For the site for a marine hospital at St. Louis, in the State of Missouri, seven thousand four hundred and sixty-eight dollars.

Paducah. For the site for a marine hospital at Paducah, in the State of Kentucky, one thousand dollars.

Louisville. For the site for a marine hospital at Louisville, in the State of Kentucky, six thousand dollars.

Pittsburg. For the site for a marine hospital at Pittsburg, in the State of Pennsylvania, ten thousand two hundred and fifty-three dollars.

Cleveland. For the site for a marine hospital at Cleveland, in the State of Ohio, twelve thousand dollars.

SEC. 2. *And be it further enacted*, That the said several sums of money be paid out of any moneys in the Treasury not otherwise appropriated.

APPROVED, August 29, 1842.

STATUTE II.

Aug. 29, 1842.

CHAP. CCLXVII.—*An Act to establish and regulate the navy ration.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the navy ration shall consist of the following daily allowance of provisions for each person:

Component  
parts of the ra-  
tion.

One pound of salted pork, with half a pint of peas or beans; or one pound of salted beef, with half a pound of flour, and a quarter of a pound of raisins, dried apples, or other dried fruits; or one pound of salt beef with half a pound of rice, two ounces of butter, and two ounces of cheese; together with fourteen ounces of biscuit, one quarter of an ounce of tea, or ounce of coffee, or one ounce of cocoa; two ounces of sugar, and one gill of spirits; and of a weekly allowance of half a pound of pickles or cranberries, half a pint of molasses, and half a pint of vinegar.

Fresh meat  
may be substi-  
tuted.

SEC. 2. *And be it further enacted*, That fresh meat may be substituted for salted beef or pork, and vegetables or sour-cROUT for the other articles usually issued with the salted meats, allowing one and a quarter pounds of fresh meat for one pound of salted beef or pork, and regulating the quantity of vegetables or sour-cROUT so as to equal the value of those articles for which they may be substituted.

SEC. 3. *And be it further enacted,* That, should it be necessary to vary the above described daily allowance, it shall be lawful to substitute one pound of soft bread, or one pound of flour, or half a pound of rice, for fourteen ounces of biscuit; half a pint of wine for a gill of spirits; half a pound of rice for half a pint of beans or peas; half a pint of beans or peas for half a pound of rice. When it may be deemed expedient by the President of the United States, Secretary of the Navy, commander of a fleet or squadron, or of a single ship when not acting under the authority of another officer on foreign service, the articles of butter, cheese, raisins, dried apples or other dried fruits, pickles and molasses, may be substituted for each other and for spirits: *Provided,* The article substituted shall not exceed in value the article for which it may be issued, according to the scale of prices which is or may be established for the same.

Soft bread, &c. may be substituted for biscuit.

Articles allowed to be substituted for each other in certain cases. Proviso.

SEC. 4. *And be it further enacted,* That in cases of necessity, the daily allowance of provisions may be diminished or varied by the discretion of the senior officer present in command, but payment shall be made to the persons whose allowance shall be thus diminished, according to the scale of prices which is or may be established for the same: but a commander who shall thus make a diminution or variation shall report to his commanding officer or to the Navy Department, the necessity for the same, and give to the purser written orders specifying particularly the diminution or reduction which is to be made.

In case of necessity, daily allowance may be diminished.

SEC. 5. *And be it further enacted,* That no commissioned officer or midshipman, or any person under twenty-one years of age, shall be allowed to draw the spirit part of the daily ration, and all other persons shall be permitted to relinquish that part of their ration, under such restrictions as the President of the United States may authorize: and to every person who, by this section, is prohibited from drawing, or who may relinquish, the spirit part of his ration, there shall be paid in lieu thereof, the value of the same in money, according to the prices which are or may be established for the same.

Spirits not allowed to persons under 21. Others may relinquish spirits.

Value to be paid in money.

SEC. 6. *And be it further enacted,* That the provisions of this act shall go into effect in the United States, on the first day of the succeeding quarter after it becomes a law, and in vessels abroad, on the first day of the succeeding quarter after its official receipt: and any acts and parts of acts which may be contrary to, or inconsistent with, the provisions of this act, shall be and are hereby repealed.

Act to take effect, when.

Acts inconsistent herewith, repealed.

APPROVED, August 29, 1842.

STATUTE II.  
Aug. 29, 1842.

CHAP. CCLXVIII.—*An Act authorizing the Secretary of the Navy to contract for the purchase, for the United States, of the right to use Babbit's anti-attribution metal.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy be, and he hereby is, authorized to contract for the purchase, from the proprietor of the patented interest therein, for the United States, of the right to use Babbit's anti-attribution metal in the construction of machinery and other work; subject to the ratification of Congress.

Authority to contract for the purchase thereof.

APPROVED, August 29, 1842.

STATUTE II.  
Aug. 29, 1842.

CHAP. CCLXIX.—*An Act establishing a court at Charleston, in the Commonwealth of Virginia. (a)*

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

(a) See notes of the acts relating to the District Courts of Virginia, vol. 3, 479.

District Court to be held at Charleston, in lieu of Lewisburg.

district court for the western district of Virginia, be holden at Charleston, in the county of Kenawha, commencing on the Wednesdays after the second Mondays in April and September of each year, in lieu of the sessions of said district court now held at Lewisburg, in the county of Greenbriar, which said last mentioned sessions of said court are hereby discontinued.

APPROVED, August 29, 1842.

STATUTE II.

Aug. 30, 1842.  
1846, ch. 74.

CHAP. CCLXX.—*An Act to provide revenue from imports, and to change and modify existing laws imposing duties on imports, and for other purposes.*

The duties to be paid hereafter on the following articles.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That from and after the passage of this act, in lieu of the duties heretofore imposed by law on the articles hereinafter mentioned, and on such as may now be exempt from duty, there shall be levied, collected, and paid, the following duties, that is to say:

Wool unmanufactured.

First. On coarse wool unmanufactured, the value whereof, at the last port or place whence exported to the United States, shall be seven cents or under per pound, there shall be levied a duty of five per centum ad valorem; and on all other unmanufactured wool, there shall be levied a duty of three cents per pound, and thirty per centum ad valorem: *Provided*, That when wool of different qualities of the same kind or sort, is imported in the same bale, bag, or package, and the aggregate value of the contents of the bale, bag, or package, shall be appraised by the appraisers, at a rate exceeding seven cents per pound, it shall be charged with a duty in conformity to such appraisal: *Provided further*, That when wool of different qualities, and different kinds or sorts, is imported in the same bale, bag, or package, the contents of the bale, bag, or package, shall be appraised at the value of the finest or most valuable kind or sort, and a duty charged thereon accordingly: *Provided further*, That if bales of different qualities are embraced in the same invoice, at the same price, the value of the whole shall be appraised according to the value of the bale of the best quality: *Provided further*, That if any wool be imported having in it dirt, or any material or impurities, other than those naturally belonging to the fleece, and thus be reduced in value to seven cents per pound or under, the appraisers shall appraise said wool at such price, as in their opinion, it would have cost had it not been so mixed with such dirt or impurities, and a duty shall be charged thereon in conformity to such appraisal: *Provided also*, That wool imported on the skin shall be estimated as to weight and value as other wool.

Manufactures of wool.

Second. On all manufactures of wool, or of which wool shall be a component part, except carpetings, flannels, bockings and baizes, blankets, worsted stuff goods, ready-made clothing, hosiery, mits, gloves, caps, and bindings, a duty of forty per centum.

Carpetings.

Third. On Wilton carpets and carpeting, treble ingrain, Saxony, and Aubusson carpets and carpeting, a duty of sixty-five cents per square yard; on Brussels and Turkey carpets and carpeting, fifty-five cents per square yard; on all Venitian and ingrain carpets and carpetings, thirty cents per square yard; on all other kinds of carpets and carpeting, of wool, hemp, flax, or cotton, or parts of either, or other material not otherwise specified, a duty of thirty per centum ad valorem: *Provided*, That bed sides and other portions of carpets or carpetings shall pay the rate of duty herein imposed on carpets or carpeting of similar character.

Blankets.

Fourth. On woollen blankets, the actual value of which at the place whence imported shall not exceed seventy-five cents each, and of the dimensions not exceeding seventy-two by fifty-two inches each, nor less



than forty-five by sixty inches each, a duty of fifteen per centum ad valorem; and on all other woollen blankets, a duty of twenty-five per centum ad valorem.

Fifth. On all manufactures, not otherwise specified, of combed wool or worsted, and manufactures of worsted and silk combined, a duty of thirty per centum ad valorem; on all hearth rugs, an ad valorem duty of forty per centum.

Manufactures of combed wool, &c.

Sixth. On woollen and worsted yarn, a duty of thirty per centum ad valorem.

Yarn.

Seventh. On woollen and worsted mits, gloves, caps, and bindings, and on woollen or worsted hosiery, that is to say, stockings, socks, drawers, shirts, and all other similar manufactures made on frames, a duty of thirty per centum ad valorem.

Gloves, caps, bindings and hosiery.

Eighth. On flannels, of whatever material composed, except cotton, a duty of fourteen cents per square yard on bockings and baizes, fourteen cents per square yard on coach laces, thirty-five per centum ad valorem; on Thibet, Angora, and all other goats' hair or mohair unmanufactured, one cent per pound; on camlets, blankets, coatings, and all other manufactures of goats' hair or mohair, twenty per centum ad valorem.

Flannels, bockings, &c.

Goats' hair, &c.

Ninth. On ready-made clothing, of whatever materials composed, worn by men, women, or children, except gloves, mits, stockings, socks, wove shirts and drawers, and all other similar manufactures made on frames, hats, bonnets, shoes, boots, and bootees, imported in a state ready to be used as clothing by men, women or children, made up either by the tailor, manufacturer, or seamstress, an ad valorem duty of fifty per centum; on all articles worn by men, women, or children, other than as above specified or excepted, of whatever materials composed, made up wholly or in part by hand, a duty of forty per centum ad valorem; on all thread laces and insertings, fifteen per centum ad valorem; on cotton laces, quillings, and insertings, usually known as trimming laces, and on bobbinet laces of cotton, twenty per centum ad valorem; on laces, galloons, tresses, tassels, knots, and stars of gold or silver, fine or half fine, fifteen per centum ad valorem; on all articles embroidered in gold or silver, fine or half fine, when finished, other than clothing, twenty per centum ad valorem; and on clothing, finished in whole or in part, embroidered in gold or silver, fifty per centum ad valorem.

• Clothing, &c.

Thread laces, &c.

Gold and silver laces, &c.

Sec. 2. *And be it further enacted*, That, from and after the passage of this act, there shall be levied, collected, and paid, on the importation of the articles hereinafter mentioned, the following duties; that is to say:

First. On cotton unmanufactured, a duty of three cents per pound,

Cotton unmanufactured. Manufactures of cotton.

Second. On all manufactures of cotton, or of which cotton shall be a component part, not otherwise specified, a duty of thirty per centum ad valorem, excepting such cotton twist, yarn, and thread, and such other articles as are herein provided for: *Provided*, That all manufactures of cotton or of which cotton shall be a component part, not dyed, colored, printed, or stained, not exceeding in value twenty cents per square yard, shall be valued at twenty cents per square yard; and if dyed, colored, printed, or stained, in whole or in part, not exceeding in value thirty cents the square yard, shall be valued at thirty cents per square yard, excepting velvets, cords, moleskins, fustians, buffalo cloths, or goods manufactured by napping or raising, cutting or shearing, not exceeding in value thirty-five cents the square yard, shall be valued at thirty-five cents per square yard, and duty be paid thereon accordingly.

Third. All cotton twist, yarn, and thread, unbleached and uncolored, the true value of which at the place whence imported shall be less than sixty cents per pound, shall be valued at sixty cents per pound, and shall be charged with a duty of twenty-five per centum ad valorem; all

Cotton twist, yarn, and thread.

bleached or colored cotton twist, yarn, and thread, the true value of which at the place whence imported shall be less than seventy-five cents per pound, shall be valued at seventy-five cents per pound, and pay a duty of twenty-five per centum ad valorem; all other cotton twist, yarn, and thread, on spools or otherwise, shall pay a duty of thirty per centum ad valorem.

SEC. 3. *And be it further enacted*, That from and after the passage of this act, there shall be levied, collected, and paid, on the importation of the articles hereinafter mentioned, the following duties; that is to say;

Manufactures  
of silk.

First. On all manufactures of silk not otherwise specified, except bolting cloths, two dollars and fifty cents per pound of sixteen ounces; on silk bolting cloths, twenty per centum ad valorem: *Provided*, That if any silk manufacture shall be mixed with gold or silver, or other metal, it shall pay a duty of thirty per centum ad valorem.

Second. On sewing silk, silk twist, or twist composed of silk and mohair, a duty of two dollars per pound of sixteen ounces; on pongees and plain white silks for printing or coloring, one dollar and fifty cents per pound of sixteen ounces; on floss and other similar silks, purified from the gum, dyed, and prepared for manufacture, a duty of twenty-five per centum ad valorem; on raw silk, comprehending all silks in the gum, whether in hanks, reeled, or otherwise, a duty of fifty cents per pound of sixteen ounces; on silk umbrellas, parasols, and sunshades, thirty per centum ad valorem; on silk or satin shoes and slippers, for women or men, thirty cents per pair; silk or satin laced boots or bootees, for women or men, seventy-five cents a pair; silk or satin shoes or slippers, for children, fifteen cents per pair; silk or satin laced boots or bootees, for children, twenty-five cents a pair; on men's silk hats, one dollar each; silk or satin hats or bonnets for women, two dollars each; on silk shirts and drawers, whether made up wholly or in part, forty per centum ad valorem; silk caps for women, and turbans, ornaments for head dress, aprons, collars, caps, cuffs, braids, curls, or frizettes, chemisettes, mantillas, pelerines, and all other articles of silk made up by hand in whole or in part, and not otherwise provided for, a duty of thirty per centum ad valorem.

Hemp, flax,  
&c. manufactur-  
ed and un-  
manufactured.

Third. On unmanufactured hemp, forty dollars per ton; on Manilla, Sunn, and other hemsps of India, on jute, Sisal grass, coir and other vegetable substances, not enumerated, used for cordage, twenty-five dollars per ton; on codilla, or tow of hemp or flax, twenty dollars per ton; on tarred cables and cordage, five cents per pound; on untarred cordage, four and a half cents per pound; yarns, twine, and packthread, six cents per pound; on seines, seven cents per pound: on cotton bagging, four cents per square yard, on any other manufacture not otherwise specified, suitable for the uses to which cotton bagging is applied, whether composed in whole or in part of hemp or flax, or any other material, or imported under the designation of gunny cloth, or any other appellation, and without regard to the weight or width, a duty of five cents per square yard; on sail duck, seven cents per square yard; Russia and other sheetings, brown and white, twenty-five per centum ad valorem; and on all other manufactures of hemp, or of which hemp shall be a component part, not specified, twenty per centum ad valorem; on unmanufactured flax, twenty dollars per ton; on linens, and all other manufactures of flax, or of which flax shall be a component part, not otherwise specified, a duty of twenty-five per centum ad valorem; on grass cloth, a duty of twenty-five per centum ad valorem.

Oil cloth.

Fourth. On stamped, printed, or painted floor oil cloth, thirty-five cents per square yard; on furniture oil cloth made on Canton or cotton flannel, sixteen cents per square yard; on other furniture oil cloth, ten cents per square yard: on oil cloth of linen, silk, or other materials,

used for hat covers, aprons, coach curtains, or similar purposes, and on medicated oil cloths, a duty of twelve and a half cents per square yard; on Chinese or other floor matting, made of flags, jute, or grass, on all floor mattings not otherwise specified, and on mats, of whatever materials composed, twenty-five per centum ad valorem.

Matting.

SEC. 4. *And be it further enacted*, That, from and after the passage of this act, there shall be levied, collected, and paid, on the importation of the articles hereinafter mentioned, the following duties, that is to say:

First. On iron in bars or bolts, not manufactured in whole or in part by rolling, seventeen dollars per ton; on bar or bolt iron, made wholly or in part by rolling, twenty-five dollars per ton: *Provided*, That all iron in slabs, blooms, loops, or other form, less finished than iron in bars or bolts, and more advanced than pig iron, except castings, shall be rated as iron in bars or bolts, and pay a duty accordingly: *Provided, also*, That iron imported prior to the third day of March, eighteen hundred and forty-three, in bars or otherwise, for railways or inclined planes, shall be entitled to the benefits of the provisions of existing laws, exempting it from the payment of duty on proof of its having been actually and permanently laid down for use on any railway or inclined plane prior to the third day of March, eighteen hundred and forty-three, and all such iron imported from and after the date aforesaid, shall be subject to and pay the duty on rolled iron.

Iron in bars or bolts, &c.

Iron imported prior to 3d March 1843, for railways or inclined planes, exempt from duty.

Second. On iron in pigs, nine dollars per ton; on vessels of cast iron, not otherwise specified, one cent and a half per pound; on all other castings of iron, not otherwise specified, one cent per pound; on glazed or tin hollow ware and castings, sad irons or smoothing irons, hatters and tailors' pressing irons, and cast iron butts or hinges, two and a half cents per pound; on iron or steel wire, not exceeding No. 14, five cents per pound; and over No. 14, and not exceeding No. 25, eight cents per pound; over No. 25, eleven cents per pound; silvered or plated wire, thirty per centum ad valorem; brass or copper wire, twenty-five per centum ad valorem; cap or bonnet wire, covered with silk, twelve cents per pound; when covered with cotton thread or other material, eight cents per pound; on round or square iron, or braziers' rods, of three sixteenths, to ten sixteenths of an inch in diameter, inclusive, and on iron in nail or spike rods, or nail plates, slit, rolled, or hammered, and on iron in sheets, except taggers' iron, and on hoop iron, and on iron slit, rolled or hammered for band iron, scroll iron, or casement rods, iron cables or chains, or parts thereof, manufactured in whole or in part, of whatever diameter, the links being of the form peculiar to chains for cables, two and a half cents per pound; on all other chains of iron, not otherwise specified, the links being either twisted or straight, and, when straight, of greater length than those used in chains for cables, thirty per centum ad valorem; on anchors or parts of anchors, manufactured in whole or in part, anvils, blacksmiths' hammers and sledges, two and a half cents per pound; on cut or wrought iron spikes, three cents per pound; and on cut iron nails, three cents per pound; and on wrought iron nails, on axletrees, or parts thereof, mill irons and mill cranks of wrought iron, or wrought iron for ships, locomotives, and steam engines, or iron chains other than chain cables, and on malleable irons or castings, four cents per pound; on steam, gas, or water tubes or pipes, made of band or rolled iron, five cents per pound; on mill saws, cross-cut saws, and pit saws, one dollar each; on tacks, brads, and sprigs, not exceeding sixteen ounces to the thousand, five cents per thousand; exceeding sixteen ounces to the thousand, five cents per pound; on taggers' iron, five per centum ad valorem: *Provided*, That all articles partially manufactured, not otherwise provided for, shall pay the same rate of duty as if wholly manufactured: *And*

Iron in pigs.  
Iron castings.

Wire.

Various other manufactures of iron and steel.

*provided, also,* That no articles manufactured from steel, sheet, rod, hoop, or other kinds of iron, shall pay a less rate of duty than is chargeable on the material of which it is composed, in whole or in part, paying the highest rate of duty either by weight or value, and a duty of fifteen per centum ad valorem on the cost of the article added thereto.

Old or scrap iron.

Third. On all old or scrap iron, ten dollars per ton: *Provided,* That nothing shall be deemed old iron that has not been in actual use, and fit only to be remanufactured; and all pieces of iron, except old, of more than six inches in length, or of sufficient length to be made into spikes and bolts, shall be rated as bar, bolt, rod, or hoop iron, as the case may be, and pay duty accordingly: *Provided, also,* That all vessels of cast iron, and all castings of iron not rough as from the mould, but partially manufactured after the casting, or with handles, rings, hoops, or other additions of wrought iron, shall pay the same rates of duty herein imposed on all other manufactures of wrought iron not herein enumerated, if that shall amount to more than the duty on castings.

Fire-arms, hardware, &c.

Fourth. On muskets, one dollar and fifty cents per stand; rifles, two dollars and fifty cents each; on axes, adzes, hatchets, plane irons, socket chisels and vices, drawing knives, cutting knives, sickles or reaping hooks, scythes, spades, shovels, squares of iron or steel, plated or polished steel saddlery and brass saddlery, coach and harness furniture of all descriptions, steelyards and scale beams, and all fire arms other than muskets and rifles, and all side arms, thirty per centum ad valorem; on square wire, used for the manufacture of stretchers for umbrellas, when cut in pieces not exceeding the length suitable therefor, twelve and a half per centum ad valorem.

Umbrella wire.

Screws.

Fifth. On screws made of iron called wood screws, twelve cents per pound; on all other screws of iron not specified, thirty per centum ad valorem; on brass screws, thirty cents per pound; on sheet and rolled brass, a duty of thirty per centum ad valorem; on brass battery, or hammered kettles, twelve cents per pound.

Brass.

Steel.

Sixth. On cast, shear, and German steel in bars, one dollar and fifty cents per one hundred and twelve pounds; and on all other steel in bars, two dollars and fifty cents per one hundred and twelve pounds; on solid headed pins, and all other package pins, not exceeding five thousand to the pack of twelve papers, forty cents per pack, and the same in proportion for a greater or less quantity; on pound pins, twenty cents per pound; on sewing, tambouring, darning, netting, and knitting, and all other kinds of needles, a duty of twenty per centum ad valorem; on common tinned, and japanned saddlery, of all descriptions, twenty per centum ad valorem.

Various manufactures of metals.

Seventh. On japanned ware of all kinds, or papier mache, and plated and gilt wares of all kinds, and on cutlery of all kinds, and all other manufactures, not otherwise specified, made of brass, iron, steel, lead, copper, pewter, or tin, or of which either of these metals is a component material, thirty per centum ad valorem: *Provided,* That all manufactures of iron and steel, or other metals, partly finished, shall pay the same rates of duty as if entirely finished.

Lead.

Eighth. On lead in pigs and bars, three cents per pound; on old and scrap lead, one cent and a half per pound; leaden pipes, leaden shot, and lead in sheets, or in any other form not herein specified, four cents per pound; on type metal and stereotype plates, twenty-five per centum ad valorem; types, whether new or old, twenty-five per centum ad valorem; on copper bottoms cut round, and copper bottoms raised at the edge, and still bottoms cut round and turned up on the edge, and parts thereof, and on copper plates or sheets weighing more than thirty-four ounces per square foot, commonly called braziers' copper, thirty per centum ad valorem; on copper rods and bolts, nails and spikes, four

Copper.

cents per pound; on patent sheathing metal composed in part of copper, two cents per pound.

Ninth. On tin, in pigs, bars, or blocks, one per centum ad valorem; tin in plates or sheets, terne plates, taggers' tin, and tin foil, two and a half per centum ad valorem; on silver-plated metal in sheets, and on argentine, alabata, or German silver, in sheets or otherwise, unmanufactured, thirty per centum ad valorem; on manufactures of German silver, bell metal, zinc, and bronze, thirty per centum ad valorem; on zinc in sheets, ten per centum ad valorem: *Provided*, That old bells, or parts thereof, fit only to be remanufactured, shall not be considered manufactures of bell metal, but shall be admitted free of duty; on bronze powder, bronze liquor, iron liquor, red liquor, and seppia, twenty per centum ad valorem.

Tin, silver plated metal, &c.

Tenth. On coal, one dollar and seventy-five cents per ton; on coke or culm of coal, five cents per bushel.

Coal, &c.

SEC. 5. *And be it further enacted*, That, from and after the passage of this act, there shall be levied, collected, and paid, on the importation of articles hereinafter mentioned, the following duties; that is to say:

First. On all vessels or wares, articles, and manufactures of cut glass, when the cutting on the article does not exceed one-third the height or length thereof, a duty of twenty-five cents per pound; when the cutting exceeds one-third the height or length, but does not exceed one half the same, a duty of thirty-five cents per pound; when the cutting extends to or exceeds one-half the height or length thereof, a duty of forty-five cents per pound; on cut glass chandeliers, candlesticks, lustres, lenses, lamps, prisms and parts of the same, and on all drops, icicles, spangles, and ornaments used for mountings, a duty of forty-five cents per pound; on articles of plain, moulded, or pressed glass, weighing over eight ounces, a duty of ten cents per pound; on articles of plain, moulded, or pressed glass, weighing eight ounces or under, except tumblers, a duty of twelve cents per pound; on plain, moulded, or pressed tumblers, ten cents per pound; on all plain, moulded or pressed glass, when stoppered, or the bottoms ground, or punted, an additional duty of four cents per pound: *Provided*, That all articles of moulded or pressed glass, being cut, roughed, or polished, in part or parts thereof, and all other wares or articles of flint glass, not otherwise specified, shall pay the duty chargeable on articles of cut glass of the description and class to which they may severally belong.

Cut glass.

Moulded or pressed glass.

Second. On all apothecaries' vials and bottles, not exceeding the capacity of six ounces each, one dollar and seventy-five cents per gross; apothecaries' vials and bottles exceeding six ounces, and not exceeding the capacity of sixteen ounces each, two dollars and twenty-five cents per gross; on all perfumery and fancy vials and bottles, uncut, not exceeding the capacity of four ounces each, two dollars and fifty cents per gross; and those exceeding four ounces, and not exceeding, in capacity, sixteen ounces each, three dollars per gross.

Vials and bottles.

Third. On black and green glass bottles and jars, exceeding eight ounces, and not exceeding in capacity, one quart each, a duty of three dollars per gross; when exceeding the capacity of one quart each, four dollars per gross; on demijohns and carboys, of the capacity of half a gallon or less, fifteen cents each; when exceeding, in capacity, half a gallon, and not exceeding three gallons each, a duty of thirty cents each; exceeding three gallons, fifty cents each.

Black and green glass bottles and jars.

Demijohns and carboys.

Fourth. On cylinder or broad window-glass, not exceeding eight by ten inches, two cents per square foot; above that, and not exceeding ten by twelve inches, two and a half cents per square foot; above that, and not exceeding fourteen by ten inches, three and a half cents per square foot; above that, and not exceeding sixteen by eleven inches, four cents

Window glass.

- per square foot; above that, and not exceeding eighteen by twelve inches, five cents per square foot; above eighteen by twelve inches, six cents per square foot. On all crown window-glass not exceeding ten by eight inches, three and a half cents per square foot; above that, and not exceeding ten by twelve inches, five cents per square foot; above that, and not exceeding fourteen by ten inches, six cents per square foot; above that, and not exceeding sixteen by eleven inches, seven cents per square foot; above that, and not exceeding eighteen by twelve inches, eight cents per square foot; and all exceeding eighteen by twelve inches, ten cents per square foot: *Provided*, That all glass imported in sheets or tables, without reference to form, shall pay the highest duties herein imposed on the different descriptions of window-glass.
- Glass in sheets or tables.  
Plate glass. On all polished plate glass, whether imported as window-glass, or however otherwise specified, not silvered, and not exceeding twelve by eight inches, five cents per square foot; above that, and not exceeding fourteen by ten inches, seven cents per square foot; above that, and not exceeding sixteen by eleven inches, eight cents per square foot; above that, and not exceeding eighteen by twelve inches, ten cents per square foot; above that, and not exceeding twenty-two by fourteen inches, twelve cents per square foot; all above twenty-two by fourteen inches, thirty per centum ad valorem; if silvered, an addition of twenty per centum shall be made to the duty; if framed, a duty of thirty per centum ad valorem: *Provided*, That on all cylinder or broad glass, weighing over one hundred pounds per one hundred square feet, and on all crown glass weighing over one hundred and sixty pounds per one hundred square feet, there shall be an additional duty on the excess at the same rate as herein imposed.
- Porcelain glass, colored glass, &c. On porcelain glass, on glass colored, or paintings on glass, a duty of thirty per centum ad valorem; on all articles or manufactures of glass not specified, connected with other materials, rendering it impracticable to separate it and determine its weight, twenty-five per centum ad valorem.
- China ware, &c. Fifth. On China-ware, porcelain-ware, earthen-ware, stone-ware, and all other ware composed of earth or mineral substances, not otherwise specified, whether gilt, painted, printed, plain, or glazed, a duty of thirty per centum ad valorem.
- Leather, &c. Sixth. On tanned, sole or bend leather, six cents per pound; on all upper leather not otherwise specified, eight cents per pound; on calf and seal skins tanned and dressed, five dollars per dozen; on sheep skins tanned and dressed, or skivers, two dollars per dozen; on goat skins or morocco tanned and dressed, two dollars and fifty cents per dozen; on kid skins or morocco tanned and dressed, one dollar and fifty cents per dozen; on goat or sheep skins tanned and not dressed, one dollar per dozen; on all kid and lamb skins tanned and not dressed, seventy-five cents per dozen; and on skins tanned and dressed, otherwise than in color, to wit: fawn, kid, and lamb, usually known as chamois, one dollar per dozen; on men's boots and bootees of leather, wholly or partially manufactured, one dollar and twenty-five cents per pair; men's shoes or pumps, wholly or partially manufactured, thirty cents per pair; women's boots and bootees of leather, wholly or partially manufactured, fifty cents per pair; children's boots, bootees, and shoes, wholly or partially manufactured, fifteen cents per pair; women's double-soled pumps and welts, wholly or partially manufactured, forty cents per pair; women's shoes or slippers, wholly or partially manufactured, whether of leather, prunella, or other material, except silk, twenty-five cents per pair; on raw hides of all kinds, whether dried or salted, five per centum ad valorem; on all skins pickled and in casks, not specified, twenty per centum ad valorem.
- Shoes and boots. Seventh. On men's leather gloves, one dollar and twenty-five cents
- Raw hides, &c.
- Manufactures of leather.

per dozen; women's leather habit gloves, one dollar per dozen; children's leather habit gloves, fifty cents per dozen; women's extra and demi length leather gloves, one dollar and fifty cents per dozen; children's extra and demi length leather gloves, seventy-five cents per dozen; on leather caps or hats, leather braces or suspenders, and on all other braces or suspenders, of whatever material or materials composed, except India rubber, and on leather bottles, patent leather, and all other manufactures of leather, or of which leather is a component material of chief value, not otherwise specified, a duty of thirty-five per centum ad valorem.

Braces, of materials other than India rubber.

Eighth. On furs of all kinds on the skin, undressed, five per centum ad valorem; on furs dressed on the skin, on all hatters' furs, whether dressed or undressed, not on the skin, twenty-five per centum ad valorem; fur hats, caps, muffs, tippets, and other manufactures of fur not specified, thirty-five per centum ad valorem; fur hat bodies, frames, or felts, manufactured, not put in form or trimmed, or otherwise, twenty-five per centum ad valorem; hats of wool, hat bodies or felts made in whole or in part of wool, eighteen cents each.

Furs, &c.

Ninth. On hats and bonnets for men, women, and children, from Panama, Manilla, Leghorn, Naples, or elsewhere, composed of satin, straw, chip, grass straw, palm leaf, ratan, willow, or any other vegetable substance, or of hair, whalebone, or other material not otherwise specified, a duty of thirty-five per centum ad valorem: *Provided*, That all flats, braids, plaits, spartere, or willow squares, used for making hats or bonnets, shall pay the same rate of duty as manufactured hats or bonnets.

Hats and bonnets of straw, &c.

Tenth. On all ornamental feathers and artificial flowers, or parts thereof, of whatever material composed, hair bracelets, chains, ringlets, curls, or braids, human hair, cleaned and prepared for use, and on fans of every description, twenty-five per centum ad valorem; on all hair, human or otherwise, uncleaned and unmanufactured, ten per centum ad valorem; on hair cloth or seating, and on hair belts and hair gloves, twenty-five per centum ad valorem; on curled hair and moss, for beds or mattresses, ten per centum ad valorem; on feathers for beds, and on downs of all kinds, twenty-five per centum ad valorem; on India rubber oil cloth, webbing, shoes, braces or suspenders, or other fabrics or manufactured articles composed wholly or in part of India rubber, thirty per centum ad valorem: *Provided*, That braces or suspenders of that material, not exceeding in value two dollars per dozen, shall be valued at two dollars per dozen, and pay duty accordingly. On all clocks, twenty-five per centum ad valorem; and on glaziers' diamonds, when set, twenty-five per centum ad valorem; on ship or box chronometers, twenty per centum ad valorem; on watches or parts of watches, and watch materials not specified, seven and a half per centum ad valorem; on diamonds, seven and a half per centum ad valorem; on crystals of glass for watches, and on glass or pebbles for spectacles or eye glasses, when not set, two dollars per gross; on gems, pearls, or precious stones, seven per centum ad valorem; on imitations thereof, and compositions of glass or paste, on cameos and imitations thereof, and on mosaics not specified, of whatever materials composed, whether real or imitation, set or not set, seven and a half per centum ad valorem; on jewelry, composed of gold, silver, or platina, and gold and silver leaf, twenty per centum ad valorem; on gilt, plated, or imitation jewelry, and Dutch metal in leaf, twenty-five per centum ad valorem; on Scagliola table tops, and table tops of marble or composition, inlaid with precious stones or small pieces of composition, known as mosaics, on table tops of marble or composition, when inlaid with various colored marbles, and on alabaster and spar ornaments, thirty per centum ad valorem; on manufactures of services, vessels, and wares of all kinds, not otherwise

Feathers, artificial flowers, hair, moss, &c.

India rubber articles.

Clocks, diamonds, watch and spectacle glasses, precious stones, jewelry, table tops, alabaster ornaments, plate, &c.

specified, of silver or gold, or of which either of these metals shall be a component material of chief value, whether plain, chased, engraved, or embossed, an ad valorem duty of thirty per centum.

Wood, and manufactures of wood.

Eleventh. On all manufactures of wood, not otherwise specified, thirty per centum ad valorem: *Provided*, That boards, planks, staves, scantlings, hewn or sawed timber, unwrought spars, and all other descriptions of wood which shall have been wrought into shapes that fit them, respectively, for any specific and permanent use without further manufacture, shall be deemed and taken as manufactured wood, and pay duty accordingly; and on timber to be used in building wharves, and firewood, twenty per centum ad valorem: *Provided, also*, That rough boards, planks, staves, scantling, and sawed timber, not planed or wrought into any shapes for use, shall pay a duty of twenty per centum ad valorem: *And provided, further*, That rose wood, satin wood, mahogany, and cedar wood, shall pay a duty of fifteen per centum ad valorem; on walking canes and sticks, frames and sticks for umbrellas, for parasols, and for sunshades, cabinet wares or household furniture, not otherwise specified, musical instruments of all kinds, carriages and parts thereof, thirty per centum ad valorem: *Provided, also*, That strings for musical instruments, of catgut or whipgut, and all other strings or thread of similar materials, shall pay a duty of fifteen per centum ad valorem.

Strings of catgut, &c.

Marble.  
Statuary.

Twelfth. On unmanufactured marble in the rough, slab, or block, twenty-five per centum ad valorem; on marble busts or statuary, not specially imported, as hereinafter provided for, and on all other manufactures of marble not specified, a duty of thirty per centum ad valorem; on slates of all kinds, paving tiles and bricks, twenty-five per centum ad valorem; on baskets and other manufactures, not specified, of grass, straw, ozier or willow, and palm leaf, twenty-five per centum ad valorem; on wax, amber, or composition beads, and all other beads not otherwise enumerated, and shell or fancy boxes, not otherwise specified, twenty-five per centum ad valorem; on combs for the hair, of whatever material composed, twenty-five per centum ad valorem; on brushes and brooms of all kinds, thirty per centum ad valorem; and on bristles, one cent per pound; on dolls and toys of every description, of whatever material or materials composed, thirty per centum ad valorem; on metal buttons of all kinds, thirty per centum ad valorem: *Provided*, That all such buttons, not exceeding in value one dollar per gross, shall be valued at one dollar, and be charged with duty accordingly; on all other buttons, and on all button moulds, of whatever material composed, twenty-five per centum ad valorem: *Provided*, That lastings, prunellas, and similar fabrics, not specified, when imported in strips, pieces or patterns, of the size and shape suitable for the manufacture exclusively of buttons, shoes, or bootees, and that mohair or worsted cloth, black linen canvass, figured satin, and figured or brocaded or Terry velvet, when imported in strips, pieces, or patterns, of the size and shape suitable for the manufacture exclusively of buttons, tortoise shell, ivory, or teeth of elephants unmanufactured, horns and teeth, and horn and bone tips, shall be admitted to entry at a duty of five per centum ad valorem; otherwise, to be subject to the rates of duty chargeable on them, respectively, according to their component materials.

Slates, tiles and bricks.  
Baskets.  
Beads.  
Fancy boxes.  
Combs.  
Brushes, &c.  
Toys.  
Buttons, &c.

Tortoise shell, ivory, teeth, horns, &c.

SEC. 6. *And be it further enacted*, That from and after the passage of this act there shall be levied, collected, and paid, on the importation of the articles hereinafter mentioned, the following rates of duty; that is to say:

Painters' colors, oils, &c.

On white or red leads, litharge, or acetate or chromate of lead, dry or ground in oil, four cents per pound; on whiting or Paris white, and all ochres or ochry earths used in the composition of painters' color, when dry, one cent per pound, when ground in oil, one cent and a



half per pound; on sulphate of barytes, one half cent per pound; on linseed, hempseed, and rapeseed oil, twenty-five cents per gallon; on putty, one cent and a half per pound.

SEC. 7. *And he it further enacted*, That from and after the passage of this act there shall be levied, collected, and paid, on the importation of the articles hereinafter mentioned, the following rates of duty; that is to say:

First. On bank, folio, quarto post of all kinds, and letter and bank note paper, seventeen cents per pound; on antiquarian, demy, drawing, elephant, double elephant, foolscap, imperial, medium, pot, pith, royal, super-royal, and writing paper, fifteen cents per pound; on copperplate, blotting, copying, colored for labels, colored for needles, marble or fancy colored, glass paper, morocco paper, pasteboard, pressing-board, sand paper, tissue paper, and on all gold or silver paper, whether in sheets or strips, twelve and a half cents per pound; on colored copperplate, printing, and stainers' paper, ten cents per pound; on binders' boards, box boards, mill boards, paper-makers' boards, sheathing, wrapping, and cartridge paper, three cents per pound; and on all paper envelopes, whether plain, ornamental, or colored, and on all billet-doux or fancy note paper, of whatever form or size, when of less size than letter paper, thirty per centum ad valorem; on music paper, with lines, and on paper gilt or covered with metal other than gold or silver, paper snuff boxes, japanned or not japanned, and other fancy paper boxes, twenty-five per centum ad valorem; on all paper hangings, or paper for screens or fireboards, thirty-five per centum ad valorem; on all blank or visiting cards, twelve cents per pound; on playing cards, twenty-five cents per pack; on blank books, when bound, twenty cents per pound; when unbound, fifteen cents per pound; on all parchment and vellum, and on asses' skin and imitation thereof, wafers, sealing-wax, and black lead pencils, crayons of all kinds, and metallic pens, twenty-five per centum ad valorem; ink and ink powder of all kinds, twenty-five per centum ad valorem; quills, prepared or manufactured, twenty-five per centum ad valorem; quills, unprepared or unmanufactured, fifteen per centum ad valorem; on rags, of whatever material, waste or shoddy, a quarter of one cent per pound; all other paper not enumerated, fifteen cents per pound.

Paper, paper snuff boxes, fancy paper boxes, stationery, rags, &c.

Second. On all books printed in the English language, or of which the English forms the text, when bound thirty cents per pound, when in sheets or boards, twenty cents per pound: *Provided*, That whenever the importer shall prove, to the satisfaction of the collector, when the goods are entered, that any such book has been printed and published abroad more than one year, and not republished in this country, or has been printed and published abroad more than five years before such importation, then and in such case said books shall be admitted at one half of the above rate of duties: *Provided*, That the said terms of one year and five years, shall in no case commence, or be computed at and from a day before the passing of this act; on all books printed in Latin or Greek, or in which either language forms the text, when bound, fifteen cents per pound, when unbound, thirteen cents per pound; on all books printed in Hebrew, or of which that language forms the text, when bound, ten cents per pound, and when unbound, eight cents per pound; *Provided*, That all books printed in foreign languages, Latin, Greek, and Hebrew excepted, shall pay a duty of five cents per volume when bound or in boards, and when in sheets or pamphlets, fifteen cents per pound; and editions of works in the Greek, Latin, Hebrew, or English language, which have been printed forty years prior to the date of importation, shall pay a duty of five cents per volume; and all reports of legislative committees appointed under foreign Governments shall pay a duty of five cents per volume; on polyglots, lexicons, and dictionaries,

Books, &c.

five cents per pound; on books of engravings or plates, with or without letter press, whether bound or unbound, and on maps and charts, twenty per centum ad valorem.

Sec. 8. *And be it further enacted*, That from and after the passage of this act, there shall be levied, collected, and paid, on the importation of the articles hereinafter mentioned, the following duties: that is to say,

Sugar, syrups,  
molasses, sweet  
meats, confec-  
tionary, &c.

First. On raw sugar (commonly called brown sugar), not advanced beyond its raw state, by claying, boiling, clarifying, or other process, and on syrup of sugar, or of sugar cane, and on brown clayed sugar, two and a half cents per pound; on all other sugars, when advanced beyond the raw state, by claying, boiling, clarifying, or other process, and not yet refined, four cents per pound; on refined sugars, (whether loaf, lump, crushed, or pulverized, and when, after being refined, they have been tinctured, colored, or in any way adulterated), and on sugar candy, six cents per pound; on molasses, four and one half mills per pound: *Provided*, That all syrups of sugar or of sugar cane, entered under the designation of molasses, or any other appellation than "syrup of sugar" or of sugar cane, shall be liable to forfeiture to the United States; on comfits, on sweetmeats, or fruits preserved in molasses, sugar, or brandy, and on confectionary of all kinds, not otherwise specified, twenty-five per centum ad valorem: *Provided further*, That an inspection, under such regulations as the Secretary of the Treasury may prescribe, shall be made of all sugars and molasses imported from foreign countries, in order to prevent frauds, and to prevent the introduction of sugars, syrup of sugar, syrup of cane, or battery syrup, under the title of molasses, or in any other improper manner.

Chocolate,  
spices, drugs,  
quicksilver,  
gunpowder,  
dried fruits, &c.

Second. On cocoa, one cent per pound; chocolate, four cents per pound; on mace, fifty cents per pound; nutmegs, thirty cents per pound; cloves, eight cents per pound; cinnamon, twenty-five cents per pound; oil of cloves, thirty cents per pound; Chinese cassia, five cents per pound; pimento, five cents per pound; on black pepper, five cents per pound; Cayenne and African, or Chili pepper, ten cents per pound; ginger, ground, four cents per pound; ginger, in the root, when not preserved, two cents per pound; on mustard, twenty-five per centum ad valorem; on mustard seed, and on linseed, five per centum ad valorem; on camphor, refined, twenty cents per pound; crude camphor, five cents per pound; on indigo, five cents per pound; on woad or pastel, one cent per pound; on ivory or bone black, three-fourths of one cent per pound; on alum, one cent and a half per pound; on opium, seventy-five cents per pound; on quicksilver, five per centum ad valorem; on roll brimstone, calomel, and other mercurial preparations, corrosive sublimate, and red precipitate, twenty-five per centum ad valorem; on glue, five cents per pound; on gunpowder, eight cents per pound; on copperas and green vitriol, two cents per pound; on blue or Roman vitriol, or sulphate of copper, four cents per pound; on oil of vitriol, or sulphuric acid, one cent per pound; on almonds and prunes, three cents per pound; on sweet oil of almonds, nine cents per pound; on dates, one cent per pound; currants, three cents per pound; figs, two cents per pound; on all nuts not specified, except those used for dyeing, one cent per pound; on muscatel and bloom raisins, either in boxes or jars, three cents per pound; and on all other raisins, two cents per pound; on olives, thirty per centum ad valorem.

Olive oil, oil  
and whalebone  
of foreign fish-  
eries.

Third. On olive oil in casks, twenty cents per gallon; olive salad oil in bottles or betties, thirty per centum ad valorem; all other olive oil, not salad, and not otherwise specified, twenty per centum ad valorem; on spermaceti oil of foreign fisheries, twenty-five cents per gallon; whale or other fish oil, not sperm, of foreign fisheries, fifteen cents per gallon; whalebone, the product of foreign fisheries, twelve and a half per centum

ad valorem; on spermaceti or wax candles, and on candles of spermaceti and wax combined, eight cents per pound; wax tapers, thirty per centum ad valorem; tallow candles, four cents per pound; on tallow, one cent per pound; beeswax, bleached or unbleached, and shoemakers' wax, fifteen per centum ad valorem; on Windsor, shaving, and all other perfumed or fancy soaps, or wash balls, and Castile soap, thirty per centum ad valorem; on all other hard soaps, four cents per pound; and on all soft soap, fifty cents per barrel; on marrow, grease, and all other soap stocks and soap stuffs, ten per centum ad valorem; on starch, two cents per pound; on pearl or hulled barley, two cents per pound; on corks, thirty per centum ad valorem; on manufactures of cork, twenty-five per centum ad valorem; on sponges and spunk, twenty per centum ad valorem; on oranges and lemons, in boxes, barrels, or casks, and on grapes not dried, in boxes, kegs, or jars, twenty per centum ad valorem.	Candles, &c. Tallow. Wax. Soap, &c.
Fourth. On salt, eight cents per bushel of fifty-six pounds; on salt-petre, partially refined, one fourth of one cent per pound; completely refined, two cents per pound; on bleaching powder, or chloride of lime, one cent per pound; on vinegar, eight cents per gallon; on spirits of turpentine, ten cents per gallon; on beef and pork, two cents per pound; hams and bacon, three cents per pound; prepared meats, poultry or game, in cases or otherwise, and Bologna sausages, twenty-five per centum ad valorem; on cheese, nine cents per pound; butter, five cents per pound; lard, three cents per pound; macaroni and vermicelli, gelatine, jellies, and all similar preparations, thirty per centum ad valorem; on wheat, twenty-five cents per bushel; barley, twenty cents per bushel; rye, fifteen cents per bushel; oats, ten cents per bushel; Indian corn, or maize, ten cents per bushel; wheat flour, seventy cents per one hundred and twelve pounds; Indian meal, twenty cents per one hundred and twelve pounds; potatoes, ten cents per bushel; on foreign fish, viz: dried or smoked, one dollar per one hundred and twelve pounds; on mackerel and herrings, pickled or salted, one dollar and fifty cents per barrel; on pickled salmon, two dollars per barrel; on all other fish, pickled in barrels, one dollar per barrel; on all other pickled fish, imported otherwise than in barrels or half barrels, not specified, twenty per centum ad valorem; and on sardines and other fish, preserved in oil, twenty per centum ad valorem; <i>Provided</i> , That fresh caught fish, brought in for daily consumption, shall be exempt from duty; on fish glue or isinglass, twenty per centum ad valorem; on pickles, capers, and sauces of all kinds, not otherwise enumerated, thirty per centum ad valorem; on castor oil, forty cents per gallon; neatsfoot and animal oils, and all volatile and essential oils, not otherwise specified, twenty per centum ad valorem; on all gums and other resinous substances, not specified, in a crude state, fifteen per centum ad valorem; and on the said articles, when not in a crude state, and on pastes, balsams, essences, tinctures, extracts, cosmetics, and perfumes, not otherwise enumerated, twenty-five per centum ad valorem; on benzoic, citric, white or yellow muriatic, nitric, oxalic, pyroligneous, and tartaric acids, twenty per centum ad valorem; on boracic acid, five per centum ad valorem; borax or tincal, twenty-five per centum ad valorem; on amber, ambergris, ammonia, annatto, aniseed, arrow root, vanilla beans, French chalk, red chalk, juniper berries, manganese, nitrate of lead, chromate, bichromate, and prussiate of potash, glauber and Rochelle salts, Epsom salts or sulphate of magnesia, and all other chemical salts or preparations of salts not enumerated, smalts, salsoda, and all carbonates of soda, by whatever name designated, other than soda ash, barilla, and kelp, twenty per centum ad valorem; on sulphate of quinine, forty cents per ounce, avoirdupois; on soda ash, five per centum ad valorem.	Starch. Barley. Cork. Sponges, &c. Fruit.  Various other articles.
Fifth. On brandy, one dollar per gallon; on other spirits manufactured or distilled from grain or other materials, for first and second	Brandy, other spirits, wines, liquors, porter, &c.

proofs, sixty cents, for third proof, sixty-five cents, for fourth proof, seventy cents, for fifth proof, seventy-five cents, and all above fifth proof, ninety cents per gallon; on Madeira, Sherry, San Lucar, and Canary wine, in casks or bottles, sixty cents per gallon; on champagne wines, forty cents per gallon; on port, Burgundy, and claret wines, in bottles, thirty-five cents per gallon; on port and Burgundy wines in casks, fifteen cents per gallon; on Teneriffe wines, in casks or bottles, twenty cents per gallon; on claret wines, in casks, six cents per gallon; on the white wines, not enumerated, of France, Austria, Prussia, and Sardinia, and of Portugal and its possessions, in casks, seven and a half cents per gallon; in bottles, twenty cents per gallon; on the red wines not enumerated, of France, Austria, Prussia, and Sardinia, and of Portugal and its possessions, in casks, six cents per gallon, in bottles twenty cents per gallon; on the white and red wines of Spain, Germany, and the Mediterranean, not enumerated, in casks, twelve and a half cents per gallon; in bottles, twenty cents per gallon; on Sicily, Madeira, or Marsala wines, in casks or bottles, twenty-five cents per gallon; on other wines of Sicily, in casks or bottles, fifteen cents per gallon; on all other wines, not enumerated, and other than those of France, Austria, Prussia, and Sardinia, and of Portugal and its possessions, when in bottles, sixty-five cents per gallon, when in casks, twenty-five cents per gallon: *Provided*, That nothing herein contained shall be construed or permitted to operate so as to interfere with subsisting treaties with foreign nations: *Provided further*, That all imitations of brandy or spirits, or of any of the said wines, and all wines imported by any name whatever, shall be subject to the duty provided for the genuine article, and to the highest rate of duty applicable to the article of the same name. *And provided further*, That when wines are imported in bottles, the bottles shall pay a separate duty, according to the rate established by this act; on cordials and liqueurs of all kinds, sixty cents per gallon; on arrack, absynthe, Kirschen wasser, ratafia, and other similar spirituous beverages, not otherwise specified, sixty cents per gallon; on ale, porter, and beer, in bottles, twenty cents per gallon; otherwise than in bottles, fifteen cents per gallon; on tobacco, in leaf, or unmanufactured, twenty per centum ad valorem; on cigars, of all kinds, forty cents per pound; on snuff, twelve cents per pound; manufactured tobacco, other than snuff and cigars, ten cents per pound.

Tobacco.

Articles  
exempt from  
duty.

SEC. 9. *And be it further enacted*, That from and after the day and year before mentioned, the following articles shall be exempt from duty, namely:

First. All articles imported for the use of the United States.

Second. All goods, wares, or merchandise, the growth, produce, or manufacture of the United States, exported to a foreign country, and brought back to the United States, and books and personal and household effects, not merchandise, of citizens of the United States dying abroad.

Third. Paintings and statuary, the production of American artists residing abroad.

Fourth. Wearing apparel in actual use, and other personal effects, not merchandise, professional books, instruments, implements, and tools of trade, occupation, or employment, of persons arriving in the United States.

Fifth. Philosophical apparatus, instruments, books, maps, and charts, statues, statuary, busts, and casts, of marble, bronze, alabaster, or plaster of Paris, paintings, drawings, engravings, etchings, specimens of sculpture, cabinets of coins, medals, gems, and all other collections of antiquities, provided the same be specially imported in good faith for the use of any society incorporated or established for philosophical or literary purposes, or for the encouragement of the fine arts, or for the use and by the order of any college, academy, school, or seminary of learning in the United States.

Sixth. Anatomical preparations, models of machinery, and of other inventions and improvements in the arts; specimens in natural history, mineralogy, and botany; trees, shrubs, plants, bulbs or roots, and garden seeds not otherwise specified; berries, nuts, and vegetables, used principally in dyeing or composing dyes; all dyewoods in stick; whale and other fish oils of American fisheries, and all other articles the produce of said fisheries; animals imported for breed; fish, fresh caught, imported for daily consumption; fruit, green or ripe, from the West Indies, in bulk: tea and coffee when imported in American vessels from the places of their growth or production.

Seventh. Adhesive felt for sheathing vessels, alcornoque, aloes, antimony crude, argol, assafœtida, ava root, barilla, bark of cork tree unmanufactured; bells or bell-metal, old and only fit to be remanufactured, or parts thereof, and chimes of bells; brass in pigs or bars, and old brass only fit to be remanufactured; Brazil wood, crude brimstone, and flour of sulphur, bullion, burrstones, unwrought; cantharides, chalk, clay unwrought, cochineal, coins of gold and silver, copper imported in any shape for the use of the mint, copper in pigs, or bars, and copper ore; plates or sheets of copper for sheathing vessels; but none is to be so considered except that which is fourteen inches wide, and forty-eight inches long, and weighing from fourteen to thirty-four ounces per square foot; old copper fit only to be remanufactured; cream of tartar; emery; flints, ground flint, gold bullion, gold epaulets and wings, grindstones, gum Arabic, gum Senegal, gum tragacanth, India rubber, in bottles or sheets, or otherwise, unmanufactured, old junk, oakum, kelp, kermes, lac dye, leeches, madder, madder root, mother of pearl, nickel, nux vomica, palm leaf unmanufactured, palm oil; Peruvian bark, pewter when old and only fit to be remanufactured; platina unmanufactured, ivory unmanufactured, plaster of Paris unground, ratans and reeds unmanufactured, rhubarb, salt-petre when crude, sarsaparilla, shellac, silver bullion, silver epaulets and wings, stones called polishing stones, stone called rotten stone, sumac, tartar when crude, teuteneque, turmeric, weld, woods of all kinds, when unmanufactured, not herein enumerated.

SEC. 10. *And be it further enacted*, That, on all articles not herein enumerated or provided for, there shall be levied, collected, and paid, a duty of twenty per centum ad valorem.

SEC. 11. *And be it further enacted*, That an addition of ten per centum shall be made to the several rates of duties by this act imposed, in respect to all goods, wares, and merchandise, on the importation of which, in American or foreign vessels, a specific discrimination between them is not herein made, which, from and after the time when this act shall take effect and go into operation, shall be imported in ships or vessels not of the United States; and a further addition of ten per centum shall be made to the several rates of duties imposed by this act on all goods, wares, and merchandise, which shall be imported from any port or place east of the Cape of Good Hope, in foreign vessels: *Provided*, That these additional duties shall not apply to goods, wares, or merchandise, which shall be imported after the day that this act goes into operation, in ships or vessels not of the United States, entitled by treaty, or by any act or acts of Congress, to be entered in the ports of the United States, on the payment of the same duties as shall then be paid on goods, wares, or merchandise, imported in ships or vessels of the United States.

SEC. 12. *And be it further enacted*, That on and after the day this act goes into operation, the duties on all imported goods, wares, or merchandise, shall be paid in cash: *Provided*, That in all cases of failure or neglect to pay the duties, on completion of the entry, the said goods,

20 per cent. on articles not enumerated or provided for.

Addition of 10 per cent. on importations in foreign vessels.

20 per cent. if from east of the Cape of Good Hope.

Proviso, vessels entitled by treaty or laws excepted.

Duties to be paid in cash. 1846, ch. 84. In case of failure.

wares, or merchandise, shall be taken possession of by the collector, and deposited in the public stores, there to be kept with due and reasonable care, at the charge and risk of the owner, importer, consignee, or agent; and if any such goods remain in public store beyond sixty days (except in the case of goods imported from beyond the Cape of Good Hope, remaining for the space of ninety days) without payment of the duties thereon, then said goods, wares, and merchandise, or such quantities thereof, as may be deemed necessary to discharge the duties, shall be appraised and sold by the collector at public auction, on due public notice thereof, being first given, in the manner and for the time to be prescribed by a general regulation of the Treasury Department; and, at said public sale, distinct printed catalogues, descriptive of said goods, with the appraised value affixed thereto, shall be distributed among the persons present at said sale; and a reasonable opportunity shall be given, before such sale, to persons desirous of purchasing, to inspect the quality of such goods; and the proceeds of said sales, after deducting the usual rate of storage at the port in question, together with all other charges and expenses, including interest on the duties from the date of entry at the rate of six per centum per annum, shall be applied to the payment of the duties, and any balance of money remaining, over and above the full amount of duties, charges, and expenses and interest aforesaid, as well as such quantities of any goods, wares, or merchandise, as may not have been sold for the purposes before mentioned, shall be delivered, and the money paid over, by the collector, to the owner, importer, consignee, or agent, and proper receipts taken for the same: *And provided*, That if no claim be made by such owner, importer, consignee, or agent, for the portion of goods which may remain in the hands of the collector, after such sale, the said goods shall be forthwith returned to the public stores, there to be kept at the risk and expense of the owner, importer, consignee, or agent, until claimed or sold for storage agreeably to law; and the proceeds of the sale for duties remaining unclaimed for the space of ten days after such sale, shall, after payment of duties and all expenses aforesaid, at the expiration of that period, be paid by the collector into the Treasury, in the manner provided for in the case of unclaimed goods in the next succeeding section of this act: *And provided further*, That when any goods are of a perishable nature, they shall be sold forthwith.

Relative to the  
sale of unclaim-  
ed goods.

1846, ch. 84.

Sec. 13. *And be it further enacted*, That, previous to the sale of any unclaimed goods, the said collector shall procure an inventory and appraisalment thereof to be made, and to be verified, on oath or affirmation, by two or more respectable merchants, before the said collector, and to remain with him; and said collector shall afterward cause said goods to be advertised and sold, in the manner provided for in this act, and, after retaining the duties thereon, agreeably to such inventory and appraisalment, and interest and charges as aforesaid, shall pay the overplus, if any there be, into the Treasury of the United States, there to remain for the use of the owner or owners, who shall, upon due proof of his, her, or their property, be entitled to receive the same; for which purpose the collector shall transmit, with said overplus, a copy of the inventory, appraisalment, and account of sales, specifying the marks, numbers, and descriptions of the packages sold, their contents, the name of the vessel and master in which, and of the port or place whence they were imported, and the time when, and the name of the person or persons to whom said goods were consigned in the manifest; and the receipt or certificate of the collector shall exonerate the master or person having charge or command of any ship or vessel in which said goods, wares, and merchandise were imported, from all claim of the owner or owners thereof: *Provided*, That so much of the fifty-sixth section of the general collection law of the second of March seventeen hundred and

ninety-nine, which provides for the storage of unclaimed merchandise, as conflicts with the provisions of this act, shall be, and is hereby repealed: *Provided, also,* That when such goods are of a perishable nature, they shall be sold forthwith.

SEC. 14. *And be it further enacted,* That on and after the day this law goes into effect, there shall be allowed a drawback on foreign sugar refined in the United States, and exported therefrom, equal in amount to the duty paid on the foreign sugar from which it shall be manufactured, to be ascertained under such regulations as shall be prescribed by the Secretary of the Treasury, and no more; and on spirits distilled from foreign molasses, a drawback of five cents per gallon, till the first day of January, eighteen hundred and forty-three, when it shall be reduced one cent per gallon; and annually, on the first day of January thereafter, the said drawback shall be reduced one cent per gallon until the same shall be wholly discontinued: *Provided,* That this act shall not alter or repeal any law now in force regulating the exportation of sugar refined or spirits distilled from molasses in the United States, except as to the rates of duties and drawbacks.

Drawbacks on foreign sugar refined in the United States and on spirits distilled from foreign molasses.

SEC. 15. *And be it further enacted,* That, in the case of all goods, wares, and merchandise, imported on and after the day this act goes into operation, and entitled to debenture under existing laws, no drawback of the duties shall be allowed on the same, unless said goods, wares, or merchandise shall be exported from the United States within three years from the date of the importation of the same; nor shall the additional rate of duty levied by this act on goods, wares, and merchandise, imported in foreign vessels, be refunded in case of re-exportation: *Provided,* That two and one half per centum on the amount of all drawbacks allowed, except on foreign and refined sugars, shall be retained, for the use of the United States, by the collectors paying such drawbacks, respectively; and in the case of foreign refined sugars, ten per centum shall be so retained.

No drawback unless exported within three years.

No additional duty refunded.

Proviso, a per centum to be retained by the United States.

SEC. 16. *And be it further enacted,* That in all cases where there is or shall be imposed any ad valorem rate of duty on any goods, wares, or merchandise, imported into the United States, and in all cases where the duty imposed shall by law be regulated by, or directed to be estimated or based upon, the value of the square yard, or of any specified quantity or parcel of such goods, wares, or merchandise, it shall be the duty of the collector, within whose district the same shall be imported or entered, to cause the actual market value or wholesale price thereof, at the time when purchased, in the principal markets of the country from which the same shall have been imported into the United States, or of the yards, parcels, or quantities, as the case may be, to be appraised, estimated, and ascertained, and to such value or price, to be ascertained in the manner provided in this act, shall be added all costs and charges except insurance, and including, in every case, a charge for commissions at the usual rates as the true value at the port where the same may be entered upon which duties shall be assessed. And it shall, in every such case, be the duty of the appraisers of the United States, and every of them, and every person who shall act as such appraiser, or of the collector and naval officer, as the case may be, by all reasonable ways and means in his or their power, to ascertain, estimate, and appraise the true and actual market value and wholesale price, any invoice or affidavit thereto to the contrary notwithstanding, of the said goods, wares, and merchandise, at the time purchased, and in the principal markets of the country whence the same shall have been imported into the United States, and the number of such yards, parcels, or quantities, and such actual market value or wholesale price of every of them, as the case may require; and all such goods, wares, or merchandise, being manufactured of wool, or whereof wool shall be a com-

Actual market value, in the country whence and when imported, to be ascertained.

Costs to be added.

Unfinished woollens to be rated as finished.

Proviso.

Examination of owners and others, on oath, authorized.

For refusal to attend or answer, a forfeiture of \$100, and the appraisement to be final.

False swearing, perjury—goods forfeited therefor.

In case of dissatisfaction with the appraisement, another may be made—how.

Additional duty in case the appraisement exceed the invoice 10 per ct.

ponent part, which shall be imported into the United States in an unfinished condition, shall, in every such appraisal, be taken, deemed, and estimated to have been at the time purchased, and place whence the same were imported into the United States, of as great value as if the same had been entirely finished: *Provided*, That in all cases where goods, wares, and merchandise, subject to ad valorem duty, or on which the duties are to be levied upon the value of the square yard, and in all cases where any specific quantity or parcel of such goods, wares, and merchandise, shall have been imported into the United States from a country in which the same have not been manufactured or produced, the foreign value shall be appraised and estimated according to the current market value or wholesale price of similar articles at the principal markets of the country of production or manufacture, at the period of the exportation of said goods, wares, and merchandise, to the United States.

SEC. 17. *And be it further enacted*, That it shall be lawful for the appraisers, or the collector and naval officer, as the case may be, to call before them and examine, upon oath or affirmation, any owner, importer, consignee or other person, touching any matter or thing which they may deem material in ascertaining the true market value or wholesale price of any merchandise imported, and to require the production, on oath or affirmation, to the collector or to any permanent appraiser, of any letters, accounts, or invoices, in his possession relating to the same, for which purpose they are hereby respectively authorized to administer oaths and affirmations; and if any person so called shall neglect or refuse to attend, or shall decline to answer, or shall, if required, refuse to answer in writing any interrogatories, and subscribe his name to his deposition, or to produce such papers, when so required, he shall forfeit and pay to the United States the sum of one hundred dollars; and if such person be the owner, importer, or consignee, the appraisement which the said appraisers, or collector and naval officer, where there are no legal appraisers, may make of the goods, wares, and merchandise, shall be final and conclusive, any act of Congress to the contrary notwithstanding; and any person who shall wilfully and corruptly swear or affirm falsely on such examination, shall be deemed guilty of perjury; and if he be the owner, importer, or consignee, the merchandise shall be forfeited; and all testimony in writing, or depositions, taken by virtue of this section, shall be filed in the collector's office, and preserved for future use or reference, to be transmitted to the Secretary of the Treasury when he shall require the same: *Provided*, That if the importer, owner, agent, or consignee, of any such goods, shall be dissatisfied with the appraisement, and shall have complied with the foregoing requisitions, he may forthwith give notice to the collector, in writing, of such dissatisfaction; on the receipt of which, the collector shall select two discreet and experienced merchants, citizens of the United States, familiar with the character and value of the goods in question, to examine and appraise the same, agreeably to the foregoing provisions; and if they shall disagree, the collector shall decide between them; and the appraisement thus determined shall be final, and deemed and taken to be the true value of said goods, and the duties shall be levied thereon accordingly, any act of Congress to the contrary notwithstanding: *Provided, also*, That in all cases where the actual value to be appraised, estimated, and ascertained as hereinbefore stated, of any goods, wares, and merchandise, imported into the United States, and subject to any ad valorem duty, or whereon the duty is regulated by or directed to be imposed or levied on the value of the square yard, or other parcel or quantity thereof, shall exceed by ten per centum or more the invoice value, then, in addition to the duty imposed by law on the same, there shall be levied and collected, on the same goods, wares, and merchan-



dise, fifty per centum of the duty imposed on the same, when fairly invoiced.

SEC. 18. *And be it further enacted*, That the several collectors be, and they are hereby, authorized, under such regulations as may be prescribed by the Secretary of the Treasury, whenever they shall deem it necessary to protect and secure the revenue of the United States against frauds or undervaluation, and the same is practicable, to take the amount of duties chargeable on any article bearing an ad valorem rate of duty, in the article itself, according to the proportion or rate per centum of the duty on said article; and such goods, so taken, the collector shall cause to be sold at public auction, within twenty days from the time of taking the same, in the manner prescribed in this act, and place the proceeds arising from such sale in the Treasury of the United States; *Provided*, That the collector or appraiser shall not be allowed any fees or commissions for taking and disposing of said goods, and paying the proceeds thereof into the Treasury, other than are now allowed by law.

Authority to take duties in the article itself, in certain cases, and to sell the same.

SEC. 19. *And be it further enacted*, That if any person shall knowingly and wilfully, with intent to defraud the revenue of the United States, smuggle or clandestinely introduce into the United States any goods, wares, or merchandise, subject to duty by law, and which should have been invoiced, without paying or accounting for the duty, or shall make out, or pass, or attempt to pass, through the custom-house, any false, forged, or fraudulent invoice, every such person, his, her, or their aiders and abettors, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceeding five thousand dollars, or imprisoned for any term of time not exceeding two years, or both, at the discretion of the court.

Attempts to defraud the revenue punishable by fine and imprisonment.

SEC. 20. *And be it further enacted*, That there shall be levied, collected, and paid, on each and every non-enumerated article which bears a similitude, either in material, quality, texture, or the use to which it may be applied, to any enumerated article chargeable with duty, the same rate of duty which is levied and charged on the enumerated article which it most resembles in any of the particulars before mentioned; and if any non-enumerated article equally resembles two or more enumerated articles, on which different rates of duty are chargeable, there shall be levied, collected, and paid, on such non-enumerated article, the same rate of duty as is chargeable on the article which it resembles paying the highest duty; and on all articles manufactured from two or more materials, the duty shall be assessed at the highest rates at which any of its component parts may be chargeable.

Duties on non-enumerated articles.

SEC. 21. *And be it further enacted*, That the collector shall designate on the invoice at least one package of every invoice, and one package at least of every ten packages of goods, wares, or merchandise, and a greater number, should he or either of the appraisers deem it necessary, imported into such port, to be opened, examined, and appraised, and shall order the package or packages so designated to the public stores for examination; and if any package be found by the appraisers to contain any article not specified in the invoice, and they or a majority of them shall be of opinion that such article was omitted in the invoice with fraudulent intent on the part of the shipper, owner, or agent, the contents of the entire package in which the article may be shall be liable to seizure and forfeiture on conviction thereof before any court of competent jurisdiction; but if said appraisers shall be of opinion that no such fraudulent intent existed, then the value of such article shall be added to the entry, and the duties thereon paid accordingly, and the same shall be delivered to the importer, agent, or consignee: *Provided*, That such forfeiture may be remitted by the Secretary of the Treasury, on the production of evidence, satisfactory to him, that no fraud was intended: *Provided further*, That if on the opening of any of the

Examination of invoices and packages required, &c.

package or packages of goods, a deficiency of any article shall be found, on examination by the appraisers, the same shall be certified to the collector on the invoice, and an allowance for the same be made in estimating the duties.

Where there are no appraisers, appraisement to be made, by whom.

Sec. Treas. to establish rules for the appraisal of goods.

Officers of the customs to execute instructions of the Secretary of the Treasury.

Act not to apply to vessels having left their last port of lading, beyond the Cape of Good Hope, &c. before 1st Sept. 1842—laws applicable thereto.

Laws existing on 1st June 1842, in force for certain purposes.

Laws inconsistent herewith repealed.

Sec. Treas. to ascertain whether the duty on any article has exceeded 35 per cent., and report to Congress.

Indecent prints and paintings prohibited.

SEC. 22. *And be it further enacted*, That where goods, wares, and merchandise shall be entered at ports where there are no appraisers, the mode hereinbefore prescribed of ascertaining the foreign value thereof, shall be carefully observed by the revenue officers to whom is committed the estimating and collection of duties.

SEC. 23. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury from time to time to establish such rules and regulations, not inconsistent with the laws of the United States, to secure a just, faithful, and impartial appraisal of all goods, wares, and merchandise, as aforesaid, imported into the United States, and just and proper entries of such actual market value or wholesale price thereof, and of the square yards, parcels, or other quantities, as the case may require, and of such actual market value or wholesale price of every of them.

SEC. 24. *And be it further enacted*, That it shall be the duty of all collectors and other officers of the customs to execute and carry into effect all instructions of the Secretary of the Treasury relative to the execution of the revenue laws; and in case any difficulty shall arise as to the true construction or meaning of any part of such revenue laws, the decision of the Secretary of the Treasury shall be conclusive and binding upon all such collectors and other officers of the customs.

SEC. 25. *And be it further enacted*, That nothing in this act contained shall apply to goods shipped in a vessel bound to any port of the United States, actually having left her last port of lading eastward of the Cape of Good Hope or beyond Cape Horn prior to the first day of September, eighteen hundred and forty-two; and all legal provisions and regulations existing immediately before the thirtieth day of June, eighteen hundred and forty-two, shall be applied to importations which may be made in vessels which have left such last port of lading eastward of the Cape of Good Hope or beyond Cape Horn prior to said first day of September, eighteen hundred and forty-two.

SEC. 26. *And be it further enacted*, That the laws existing on the first day of June, eighteen hundred and forty-two, shall extend to and be in force for the collection of the duties imposed by this act on goods, wares, and merchandise, imported into the United States, and for the recovery, collection, distribution and remission of all fines, penalties, and forfeitures, and for the allowance of the drawbacks by this act authorized, as fully and effectually as if every regulation, restriction, penalty, forfeiture, provision, clause, matter, and thing, in the said laws contained, had been inserted in and re-enacted by this act. And that all provisions of any former law inconsistent with this act, shall be, and the same are hereby, repealed.

SEC. 27. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, annually, to ascertain whether, for the year ending on the thirtieth of June, next preceding, the duty on any articles has exceeded thirty-five per centum ad valorem on the average wholesale market value of such articles, in the several ports of the United States for the preceding year; and, if so, he shall report a tabular statement of such articles and excess of duty to Congress, at the commencement of the next annual session thereof, with such observations and recommendations as he may deem necessary for the improvement of the revenue.

SEC. 28. *And be it further enacted*, That the importation of all indecent and obscene prints, paintings, lithographs, engravings, and transparencies is hereby prohibited; and no invoice or package whatever,

or any part thereof, shall be admitted to entry, in which any such articles are contained; and all invoices and packages whereof any such articles shall compose a part, are hereby declared to be liable to be proceeded against, seized, and forfeited, by due course of law, and the said articles shall be forthwith destroyed.

SEC. 29. *And be it further enacted*, That, wherever the word "ton" is used in this act, in reference to weight, it shall be deemed and taken to be twenty hundred weight, each hundred weight being one hundred and twelve pounds avoirdupois.

Weight of the ton.

SEC. 30. *And be it further enacted*, That so long as the distribution of the nett proceeds of the sales of the public lands, directed to be made among the several States, Territories, and District of Columbia, by the act entitled "An act to appropriate the proceeds of the sales of the public lands and to grant pre-emption rights," shall be and remain suspended by virtue of this act, and of the proviso of the sixth section of the act aforesaid, the ten per centum of the said proceeds directed to be paid by the said act to the several States of Ohio, Indiana, Illinois, Alabama, Missouri, Mississippi, Louisiana, Arkansas and Michigan, shall also be and remain suspended.

Ten per cent. of the proceeds of the public lands allowed to certain states suspended.

Act of Sept. 4, 1841, ch. 16.

APPROVED, August 30, 1842.

STATUTE II.

Aug. 30, 1842.

CHAP. CCLXXI.—*An Act to establish an additional land office in Florida.* (a)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of the public lands of the United States in the Territory of Florida, as lies east of the Suwannee river, and west of the line dividing ranges twenty-four and twenty-five, except that lying east of St. Mary's river, north of the basis parallel, shall form a new land district, to be called the Alachua land district; and, for the sale of the public lands within the district aforesaid there shall be a land office established in the town of Newnansville, in the county of Alachua, in the Territory aforesaid.

Alachua land district established.

Land office at Newnansville.

SEC. 2. *And be it further enacted*, That there shall be a register and receiver appointed to said office, to superintend the sale of the public land in said district, who shall reside at the town of Newnansville aforesaid, give security in the same manner and sums, and whose compensation, emoluments, duties, and authorities, shall, in every respect, be the same, in relation to lands to be disposed of at said office, as are or may be by law provided in relation to the registers and receivers of public money in the several offices established for the sale of the public lands.

Register and receiver to be appointed.

SEC. 3. *And be it further enacted*, That all such public lands, embraced within the district created by this act, which shall have been offered for sale to the highest bidder at any land office in said Territory, pursuant to any proclamation of the President of the United States, and which lands remain unsold at the taking effect of this act, shall be subject to be entered and sold at private sale by the proper officers of the office hereby created, in the same manner, and subject to the same terms, and upon like conditions, as the sale of said land would have been subject to in the said several land offices hereinbefore mentioned, had they remained attached to the same.

The lands subject to sale.

APPROVED, August 30, 1842.

STATUTE II.

Aug. 30, 1842.

CHAP. CCLXXII.—*An Act for the relief of the assistants of the Marshal of the United States for the District of Kentucky.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the circuit judge for

[Obsolete.]

(a) Notes of the acts relating to the territory of Florida, vol. 3, 523, 654.

Circuit judge for the 8th circuit authorized to examine the allowances made by the marshal for Kentucky to his assistants, for taking the sixth census.

Proviso.

the eighth judicial circuit of the United States be, and he is hereby, authorized to examine and review the allowances made by the marshal of the United States for the District of Kentucky, to his assistants, for taking the sixth census or enumeration of the inhabitants of the United States within said district; and that the appropriate officers of the United States account to and pay the said assistants so much of the said allowances as shall be approved by said judge: *Provided*, That no allowances to be made by the said circuit judge, by virtue of the provisions of this act, to any assistant marshal, shall exceed the allowances which the district judge of the District of Kentucky might have made, under the provisions of the census laws, or the allowances which the marshal of the District of Kentucky proposed to make, subject to the revision and approbation of the said district judge.

APPROVED, August 30, 1842.

STATUTE II.

Aug. 31, 1842.

CHAP. CCLXXIV.—*An Act [to] establish certain post roads.*

Post roads established in

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following be established as post roads, viz:

Maine.

*In Maine*.—From Milford, in the county of Penobscot, to Winslow's mills, in Greenfield, and county of Hancock. From Machias, by Crawford, to Alexander. From Houlton, in the county of Aroostook, to Fort Fairfield, in the plantation of Presqu'isle. From Dennysville, in the county of Washington, by way of Edmunds, to Whiting. From Sedgwick to Swan's Island Plantations. From Standish, in the county of Cumberland, to Saco, in the county of York. From Lovel to Usher. From Fish's mills, by the town of Massardis, in the county of Aroostook, to the mouth of Fish river. From Bowdoinham Village to Bowdoin Centre. From Bath, by way of Merrymeeting Bridge and Richmond Village, to Gardiner.

New Hampshire.

*In New Hampshire*.—From Gilsum, via South Marlow, North Marlow, and Lempster, to Goshen. From Manchester, via Candia Township, to Candia. From Manchester, via Bedford Centre, to Amherst. From Northfield, via Franklin, Andover, Wilnut, New London and Wendell, to Newport. From Farmington, via New Durham Corner, to Alton. From Haverhill, New Hampshire, via Benton, to Franconia.

Massachusetts.

*In Massachusetts*.—From Framingham, through Concord, to Lowell. From South Framingham to Holliston. From Westport to Westport Point. From West Brookfield, North Brookfield, New Braintree, Barre, and Templeton, to Winchenden. From Lee, Tyringham, South Tyringham, Hartsville, Mill river, through East Sheffield, to Canaan, Connecticut..

Rhode Island.

*In Rhode Island*.—From Providence to West Brookfield, Massachusetts. From Providence through Fruit Hill, to Centerville.

Vermont.

*In Vermont*.—From Townsend, through Grafton, to Chester. From Rochester through Brandon, to Sholes's Landing, on Lake Champlain. From East Charleston, through Morgan and Holland, to Derby. From Bellows Falls to Paper Mill Village, in Alstead. From Hyde Park, Lamolle court-house, through North Hyde Park, Belvidere, Four Corners, Avery's Gore, and Montgomery, to East Berkshire. The route from Waterville, through Belvidere and Avery's Gore, is hereby discontinued.

New York.

*In New York*.—From Durhamville, along the line of the Erie Canal, to the intersection of the Erie and Oneida Lake canals, in Oneida county. From Unionville, in Orange county, New York, to Deckertown, in Sussex county, New Jersey, by the Drowned Road, returning by the Clove Road. From Texas to Oswego, on the North Road, by Cheever's Mills, in Oswego county. From Collins to Irwin, in Erie county. From Cassville to Babcock Hill, in the county of Oneida. From Westerville to Boonville, as near as may be on the route of the Black river

canal, in Oneida county. From Rome to Clinton, in Oneida county. From Warsaw, in Wyoming county, by Silver Lake and Castile, to Portageville, in the county of Alleghany. From Attica, by Varysburg, Johnsonburg, North Java, and East Java, to China, in Wyoming county. From Cortlandtville to Marathon, in the county of Cortlandt. From Elmira, by way of Baldwin's Creek, Jerusalem settlement, through the south part of Erie, to Van Ettersville, in the county of Chemung. From the Manlius Depot, on the Syracuse Railroad, to the village of Matthews Mills, in the county of Onondaga. From North Adams, through Field's Settlement, to Watertown, in the county of Jefferson.

*In New Jersey.*—From New Hampton, in Hunterdon county, by Whitehall and German Valley, to Schooley's Mountain, in Morris county. From Plainfield, in Essex county, to Millington, in Somerset county. New Jersey.

*In Pennsylvania.*—From Reedsburg to Clarion, county of Clarion. From Red Bank to Clarion, via Limestone, in Clarion county. From Tionesta to Plumer, in Venango county, via the residence of John Henry, on Alleghany river. From Perry to Tionesta, Venango county. From Georgetown, Mercer county, to Evansburg, Crawford county, via John Custard's. From Connellsville, Fayette county, through Salt Lick Township, to Gebhart's Post Office, Somerset county. From Shilocta, Indiana county, via Plum Creek and Smicksburg, to Clarion, Clarion county. From Williamsport to Carter-house, Lycoming county. From Stroudsburg, Monroe county, to Bushkill, Pike county, via Spring Mills. From Honesdale, via Prompton, to Pleasant Mount, Wayne county. Continuation of route from Pittsburg to Brallsville, in Washington county. From Brallsville, via Millsborough and Clarksville to Jefferson, in Greene county. From Whitehaven, via Port Jenkins, Philipsburg, to Beaumont, Luzerne county. From Kittaning, Armstrong county, to Red Bank, by way of the new State road from Kittaning to Brookville. From Eagle Factory, Susquehanna county, to Buffington Post Office, Bradford county. From Merryall, Bradford county, Pennsylvania, via Orwell, to Owego, New York. From Shilocta, via Perriessville, Jacksonville, and Lewisville, to Blairsville, Indiana county. From Sheekshinny, via Townhill and Columbus, to Cambria, Luzerne county. From Indiana, via Mechanicsburg and Armah, to Johnstown, Cambria county. From Dunningville on the Washington and Williamsport Turnpike, Washington county, Pennsylvania, via Munntown and Thompsonville to Harriottville on the Washington and Pittsburg Turnpike road in Allegheny county. From Hamburg via Kutztown, Freedomburg, to Blackhorse Tavern in Berks county. From Waynesburg in Green county, Pennsylvania, to Blacksville in Virginia by way of Rogersville and Centreville. Pennsylvania.

*In Maryland.*—From Sang Run, Alleghany county, to Yough Glade. From Millersville, Anne Arundel county, to Marley. From Princess Anne, Maryland, to Roach's Store, Somerset county, Maryland. Maryland

*In Virginia.*—From Old Church in Hanover county, via Piping Tree Ferry and King William Court-house, to Lanesville. From Sharon, in Wythe county, to Chapel Hill, in Smyth county. From Holstein, in Washington county, to Estillville, in Scott county. From Alexandria, in the District of Columbia, to High Schools and Seminary, in Fairfax county, Virginia. From Guyandotte, via Wayne Court-house, to Louisa, in Kentucky. From Weston to the Northwestern Turnpike, on Middle Island. From Christiansburg, in Montgomery county, to Hillsville, in Carroll county. From Morgantown, via Grandville, Carmichaeltown, Gingerhill, and Findlaysville, to Pittsburg, in Pennsylvania. From Brandonsville, in Preston, via Morgantown, Grandville, Jacksonville, and Blacksville and Wheeling creek, to Wheeling, in Ohio county. From Elizabethtown, in Marshall county, via Nobb Fork, to Middlebourne, in Tyler county. From Middlebourne, in Tyler county, to the Virginia.

house of Mr. Hoskins, on the Northwestern Turnpike. From Wheeling, via Beeler's Station, Sockman's Fish Creek, to Woodland's Post Office, in Marshall county. From Hansonville, via Moccasin Creek, to Quillensville, in Scott county. From Newbern, in Pulaski county, via Back Road, to Wytheville. From Lynchburg, to Logwood's Store, in Bedford county, by way of Cheese Creek Church. From Bickley's Mills, in Russell county, via Guest's Station, the Pound, and Three Forks of Powell's river, to Turkey Cove, in the county of Lee. From Jarrott's Depot, in Sussex county, to Pleasant Grove. From the Blue Sulphur Springs, via Palestine and Egypt, to the Red Sulphur Springs. From Lynchburg, to Pedlar Mills in Amherst county. From Fincastle via Jeffersonville, to Cumberland Gap.

N. Carolina.

*In North Carolina.*—From Turkey Creek and Spring Creek, in Buncombe county, by Fines Creek and Crabtree, in Haywood county, to Waynesville. From Aqualla, on Shoal Creek, in Haywood county, by William F. McKees, in Macon county, to Jamesville, in Cherokee county. From Shelby, in North Carolina, to Yorkville, in South Carolina. From Shelby to South Point, in Lincoln county. From South Washington, by the house of Isham Armstrong, to Wilmington. From Jefferson, in North Carolina, to Marion, in Virginia. From Roxborough to Pleasant Hill. From Lexington, via Thompson's Store, to the house of Smith and Barringer, upon the Yadkin river. Either from Gravelly Hill or Elizabethtown, to the house of Robert Melvin, on Turnbul Creek, in Bladen county. From Ashville, via Pigeon river, to Waynesville. From Wilkesboro', by way of "Deep Gap," to Counsels Store, in Ashe county. From Greenville, in Pitt county, via Snowhill, in Greene county, Goldsborough. From Lewisburg to Cooley's Store, in Franklin county. From Hillsborough, by Rock Creek and Long's Mills, to Ashborough.

S. Carolina.

*In South Carolina.*—From Aikin to Treadway's Bridge, in Barnwell district. From Traveller's Rest to Pumpkintown, in Pickens district. From Conwayborough, in Horry district, South Carolina, to Fairbluff, Columbus county, North Carolina. From Winsborough, by Grayden's, to Rocky Mount. From Lincolnton, North Carolina, by Long Creek Shoals, Falls, Crowder's Creek, to Yorkville, South Carolina. From Hurricane, Spartanburg, to Hancockville, in Union district. From Crowder's Creek, North Carolina, by way of Bethel, to Yorkville, South Carolina. From Greenville Court-house, by Miller's, Brockman's, Cashville, to Woodruff's, and from Woodruff's, by Van Patten's, William Goldsmith, jr.'s, and Dr. Austin's, to Greenville. From Charleston, via Adams' Run and Ashepoo Ferry, to Savannah. From Adams' Run to Edisto Island. From Marion Court-house, via Brittons Neck, to Conwayborough.

Georgia.

*In Georgia.*—From Cassville, by way of Etowah Valley, to Van Wert. From Newnan, by way of Orr's Stand, to Franklin, in Heard county. From Jacksonville, Alabama, by way of Jefferson, Alabama, Summerville, in Chatooga county, Georgia, Chestnut, Flat Post Office, Wood's Station Post Office, by Cross Roads, in Walker county, Georgia, Grape Spring Post Office, Hamilton county, Tennessee, to Cleveland, in Bradley county, Tennessee. From Forsyth, by way of Putnam's Old Stand Store, Pine Flat, William Dismuke's, Pike county, Pleasant Grove, Bear Creek, and Fosterville, Henry county, to Whitehall, De Kalb county. From Covington to Oxford. From Hermitage, Georgia, and Harden's Mills, to Mineral Springs. From Sandersville, to John Ivey's, Buffalo, Washington county. From Lanier, by Tazewell, to Lumpkin. From Albany, by way of Cuthbert, to Irwinton, Alabama. From New Echota, Cass county, by way of the Railroad bridge, on the Osteenalla river, through the valley of Armuchee, Lafayette, Walker county, to the Court-house, Dade county. From Macon, by way of Perry, Traveller's Rest, Americus, Starkville, Albany, and Newton, to Bainbridge; and

that the present route from Henderson, in Houston county, to Bainbridge, be discontinued. From Albany to Thomasville. From Troupville to the Suwannee Springs, in Columbia county, Florida. From Waresborough to Mount Pleasant, Ware county. From Lafayette, in Walker county, to the Court-house, in Dade county. From Spring Place, Georgia, Cross Plains, Buzzard's Roost, Medicinal Springs, Chestnut Flat, Lafayette, Summerville, Hopkinsville, and Cedar Bluff, to Jacksonville, Alabama. From Franklin, Georgia, Houston, Wadka, Standing Rock, and Fredonia, to Chambers Court-house, Chambers county, Alabama. From Americus, by way of Lumpkin, Irwinton, Alabama, Clayton, Montevallo, Montezuma, Covington, Carington, and Fort Crawford, to Blakely, Alabama. From Irwinville, by way of John Henderson's and Mrs. Parish's, to Troupville, Lowndes county. From Jacksonville, Telfair county, by way of Irwinville, to Albany. From Griffin, in Pike county, by way of Fayetteville and Campbellton, to Marietta, in Cobb county. From Americus to Cuthbert, Georgia.

*In Alabama.*—From Ashville, by Holloway's Bridge, in St. Clair county, to Jefferson, Alabama. From Lebanon, De Kalb, Alabama, to intersect the line from Rome, Georgia, to Elyton, Alabama, at Holloway's Bridge. From Louisville, by Trenton, Larkinsville, and Berryville, to Bellefonte. From Thorn Hill, in Walker county, by way of William Johnson's, Pikeville, and Millville, to Cotton Gin Port, Monroe county, Mississippi. From Pikeville, Alabama, to Fulton, Mississippi. From Russellville, Alabama, to Jacinto, Mississippi. From Mobile, by way of Jackson, on the Tombeckbee river, Grove Hill, Mott's post office, in Clarke county, Woodwardville, Shiloh, Linden and Demopolis in Marengo county, thence by way of Eric in Greene county, to Carthage, in Tuscaloosa county. From Milford, in Butler county, by Merrill's store, to Montezuma, in Covington county. From Hope post office, Picken's county, Alabama, by the way of Fairfield, to Macon, in Noxubee county, Mississippi. From Gainesville, Alabama, Wahalak, Kemper county, Mississippi, to Macon, Mississippi. From Irwinton, by way of Jenkins's Midway post office, and William Dick's to Cubahachee, in Macon county. From Gainesville, in the State of Alabama, by the way of De Kalb, to Jackson in the State of Mississippi. From Black's Bluff, in Sumter county, to Tuscahoma, in Washington county. From Columbia, Henry county, by way of Woodville, Neel's Landing, Florida, Cedar Bluff, to Marianna, Florida. From Centreport, in Dallas county, to Greenville, in Butler county. From Barbourville, in Wilcox, by way of Beaver creek and Dixon's Mills, to Nanafalia, in Marengo county. From Bellefonte, by way of Larkinsville and Trenton, to Louisville, Alabama. And that the routes from Larkin's fork, by way of Larkinsville, Trenton, and Sangston, to Marshall, and from Larkinsville to Woodville, be discontinued. From Montgomery to Troy in Pike county, and from thence to Dixon precinct and Scroggin's mill to the Court-house of Dale county. From Suggsville in Clarke county to Mount Pleasant, in Monroe county. From Cahaba, Dallas county, by Hanell's Cross roads to Marion in Perry county. From Marion by Union Tavern to Prairieville. From Tuskegee via Valverde, Union Springs, Aberfoil to Troy, in Pike county.

Alabama.

Mississippi.

*In Mississippi.*—From Charleston, in Tallahatchee county, via Lincopolis, Big Prairie, in the county of Coahoma, Port Royal, to the town of Delta, Mississippi. From Grenada, Yallahusha county, to the house of William Denly, in said county. From Coffeeville, in Yallahusha county, to Houston in Chickasaw county, Mississippi. From Victoria to Coffeeville, Mississippi. From Eastport to Jacinto, Mississippi.

*In Louisiana.*—From Vicksburg, Mississippi, via Richmond, Hill's Ferry, on Bayou Macon, Mackey's, and McCloud's, on Deer creek, Norris, Sicily Island, to Harrisonburg, Louisiana. From the mouth

Louisiana.

of Red river, via Richard's, Miller's, Vidalia, Water Proof Landing, and Lake St. Joseph, to New Carthage. From Greenwood to Vernon in Caddo. From New Orleans, to Madisonville and Covington to the parish of St. Tammany, via Lake Ponchartrain.

Tennessee.

*In Tennessee.*—From Jacksborough, Tennessee, via John L. Smith's on the Straight Fork, and Thomas I. Wheeler's Store, on Buffalo creek, to Monticello, Kentucky. From Cleveland, Tennessee, via Benton, Columbus, Springtown, Coker creek, and Turtleton, to Murphy, North Carolina. From Dyersburg, Tennessee, via George C. Boothe's and Joseph Mitchell's, to Hale's Point, on the bank of the Mississippi river. From Lancaster, by the house of Elisha New, to Smithville. From Clinton to Woodbourne, via A. Moore's and J. Bayliss. From Rutledge to Newport, via Austin's ferry, Mossy creek and mouth of Chucky. From Troy, Tennessee, via Jos. A. Faulk's, (his place being known by the name of Sylvan Retreat,) to Point Pleasant, Missouri, crossing the Mississippi river at or near said last mentioned point. From Greenville, Tennessee, to Newport, Cocke county, via Wood's ferry and Parrottville. From McMinnsville, Tennessee, to Smithville, Tennessee.

Kentucky.

*In Kentucky.*—From Harlan Court-house, via John Lewis's residence on the Poor fork of the Cumberland river, and Brashear's Salt Works, on the north fork of the Kentucky river, to Perry Court-house. From Breathitt Court-house to Manchester, in Clay county. From Shelbyville, via Floydsburg, to Brownsborough. From Munfordville, via Mammoth Cave, to Brownville. From the Three Forks, in Barren county, via Mammoth Cave, Grayson Springs, to Litchfield. From Hawesville, in Hancock county, to Lewisport. From Owensborough to Litchfield. From Nottsville to New Boston, in Daviess county. From Lock and Dam on Green river, at the mouth of Muddy river, via Lock and Dam at Rumsey, Lock and Dam at Spottsville, to the town of Henderson. From Owenborough to Spottsville. From Spottsville, Kentucky, via the mouth of Green river, to Evansville, Indiana. From the town of Henderson in Henderson county, Kentucky, by Harman's Ferry, and by Wall's store, in Daviess county, to the town of Rumsey, in Muhlenberg county, Kentucky. From Hopkinsville, Kentucky, via Lindsey's Mill to Dover, Tennessee. From Jamestown, Kentucky, via Seventy-six, to Albany, Kentucky. From Hardensville, Kentucky, by Harrisonville, to Mount Eden. From Taylorsville, by McGee's Mill, to Jeffersontown, in Jefferson county.

Ohio.

*In Ohio.*—From New Bremen, via Chickasaw, Mercer county, to Recovery, in Dark county. From Findley, in Hancock county, via Gilboa and Ottoway, to Defiance, in Williams county. From St. Mary's, via Celina, Montpelier, and Alexander, to Blufton, Indiana. From Dayton, via Chambersburg, Vandalia, and Fredericktown, to Troy. From Vanwert to Shane's Crossing. From Charloe, via Westburg, Uniontown Centre, to Bryan. From Adelphi, Ross county, via Perry, to Logan. From Zanesville, via Baxter's, Bealmer's Cross Roads, to Frazey'sburg. From Zanesville, via Salt Creek, to Cumberland, thence return to Salt Creek and Zanesville, via Calhoun's Mills. From Lafayette, via Camden, to Hillsdale, in Michigan. From Providence, via Delta, Pareper's Corner, Lyon's, and Baker, to Adrian, in Michigan. From Hillsborough, via Allensburg, to Fayetteville. From Delaware, via Kilbourne Post Office, Newman's Cross Roads, Bloomfield Post Office, to Liberty, in Knox county. From Athens, in Athens county, by way of William Lowey's, to Adelphi, in Ross county. From Bartlett, in Washington county, by Hosea Alderman's, in Athens county, Absalom Joy's, in Morgan county, to Hansby's Cross Roads, in Perry county. From Marion, in Marion county, via Holmesville, in Bowling Green township, to Richwood, in Union county. From Delaware, via Richwood, Wilkins and Mill Creek, to East Liberty in Logan



county. From West Liberty, via Middleburg, to Quincy, in Logan county. From Urbanna, via Middletown and Lewisburg, to Cobert's, in Union county. From Zanesville, by the Ridge Road, to Marietta, to the point where said road intersects the river road.

*In Indiana.*—From Middletown, via Tomlinson's Mill, Muncietown, Albany, to Camden. From Muncietown, via Granville, Hartford, Montpelier, to Bluffton. From Deerfield, via Ridgeville, Fairview, Albany, Granville, to Wheeling. From New Rochester, Ohio, via Richville, to Newville, Indiana, thence, via Auburn, Asa Brown's, Augusta, Sparta, Leesburg, to the post route from Lima to Peru. From Fort Wayne, via Columbia, Oswego, Leesburg, to Plymouth. From Valparaiso, via Elder French's, Isaac Cornell's, Thomas Dinwiddie's, Pleasant Grove, to West Creek Post Office. From Washington, Daviess county, via Edwardsport, to Carlisle, in Sullivan county. From Washington, Daviess county, to Bedford, in Lawrence county. From Augusta, via North Port, Wolcott's Mills, White's Corners, Bloomfield, Ontario, to Lima. From Terre Haute, in the county of Vigo, via Samuel Young's, Urbanna, and Lewis, in said county, to Linton, in Green county. From Terre Haute, via Ephraim Kester's, in Vigo county, Williamsburg, Sullivan, to Carlisle, in the county of Sullivan. From Carlisle, in Sullivan county, via Pleasant, M. O. Haver's, Aaron Hagerman's, Bogardsville, and Scotland, in Green county, to Springville, in Lawrence county. From Warsaw, in Koskiusko county, to Plymouth, Marshall county. From Delphi, in Carroll county, via Camden, Fisher's Mills, and Bridge's Blacksmith Shop, to Coshows, on the Michigan road. From Crawfordsville, by Sugar Grove and Old Shawnee village, to Shawnee Post Office.

Indiana

*In Illinois.*—From Springfield, Illinois, to Carrollton, via Lick Creek. From Dixon, Sterling, Union Grove, Fulton City, Lyons, Dewitt, Independent Grove, in the county of Clinton, via Washington Ferry, in Cedar County, Iowa Territory, to Iowa city, in said Territory. From Knoxville, Illinois, to Millersburg, Mercer county, thence to Bloomington, in the Territory of Iowa. From Jacksonville to Pekin, via Princeton, Chandler's Bath, and Havana. From Southport, Illinois, to Beloit, Wisconsin. From Juliet, Will county, to Dundee, in Kane county, Illinois. From Ottawa, Illinois, to Wilmington. From Hillsborough, in Montgomery county, by Audubon, to Shelbyville, in Shelby county. From Vienna, by Halderman and Caledonia, to Cairo. From Belleville, by Centreville, to Waterloo. From Edwardsville, by Helvetia, to Shoal Creek. From Jerseyville to Gilead. From Chester, by Hobb's Ridge and Georgetown, to Sparta, and from Pinkneyville, to Brownsville, Illinois. From Waterloo, by James's Mill, to Harrisonville.

Illinois.

*In Missouri.*—From Marshall, Saline county, via Greenville and Miami Post Office, to Carrollton. From Caledonia, Washington county, to Van Buren, in Ripley county, via the seat of justice of Shannon county. From Van Buren, Ripley county, Missouri, via Alfred Deatherade's and John Shields's, to Little Piney Post Office. From Merri-mack Iron Works, Crawford county, via Burdine's on Bryant's Fork, Grigsby, on Little North Fork of White river, to Forsyth, Taney county. From Paris, Monroe county, via Bloomington, and Centreville, to the seat of justice of Adair county. From Carrollton, via Chillicothe and Trenton, in Grundy county, to Union Mills, in said county. From Marshall, via Salt Pond and Johnson's Grove, to Lexington. From Eleven Points, Ripley county, via Green B. Hesterley's, to Jackson, in Arkansas. From Thorp's Mill, Holt county, via John Blair's, Daniel Dearborn's, and Roundtree's, to Sonora, on the Missouri river. From Plattsburg, via Boyer's settlement, Third Fork of Platte river, and Rochester, on the main Platte river, to Savannah. From Platte city, via the county seats of Buchanan and Andrew coun-

Missouri.

ties, to the county seat of Holt county. From Bluff Grove, Grundy county, to William Miller's, on Grand river. From Brunswick, Chariton county, to Chilicothe. From Rockland Mills, Saline county, to Longwood, Pettis county. From Richmond, in Ray county, to Sparta, in Buchanan county. From Springfield, via Robert Patterson's, in Green county, and Jeremiah Parsons's, Isham P. Poole's, and Henry S. Ormsby's, in Pulaski county, to Caledonia, in Washington county. From Bolivar, via William Snowden's, to Sarcoxie, in Newton county. From Herman, on the Missouri river, via Heath's store, near the mouth of Gasconade river, to Lisletown, in Osage county. From Chilicothe to Bluff Grove. From Tusculumbia, via the mouth of Nianga river, to Bolivar. From the town of New Madrid to Smith's Landing on the Mississippi river. From Paris, via Woodville, to Bloomington. From Eleven Points to Ozark, in Ozark county. From Cave Spring, Pulaski county, via Hartsville, in Wright county, and Ozark Court-house, to Forsyth in Taney county. From Lisletown to Westphalia. From Springfield, Green county, to Harmony Mission, Bates county. From Grovoise, Kinderhook county, by Oregon, Bensborough, and Oakland, to Hartsville in the county of Wright. From Springfield, by Greenfield to county seat of Jasper county. From Brunswick in Chariton county, to Union Mills in Grundy county. From Farmington, by Bonaparte and Keosauque, Iowa Territory, to Iowaville. From Breesville, Illinois, via Wittenberg, to Apple Creek post office, Cape Girardeau county. From West Prairie to Grand Prairie, in Stoddard county. From Elkhorn post office, Ray county, to Plattsburg, Clinton county.

Arkansas.

*In Arkansas.*—From Antoine, in Clark county, to Ultima Thule, in Sevier county, on the Fort Towson road. From Fayetteville, Washington county, by way of Stout's Mills, Onstol's Mills, and the head of Cove creek, to Natural Dam, in Crawford county. From the town of Elizabeth, in Jackson county, to Pochahontas, in Randolph county. From Clinton, in Van Buren county, to Yellville, in Marion county, through Lebanon, in Searcy county. From Whittington, Hot Spring county, via Aiken's store and Duston's mill, to Mount Ida, intersecting the mail route, from Scott court-house, to Washington, in Hempstead county, at that place. From Columbia, Chicot county, by way of Bayou Bœuf, to Monroe, in Louisiana. From Jackson, in Lawrence county, in Arkansas, by way of Williams's, on Strawberry river, to Izard court-house.

Michigan.

*In Michigan.*—From Middleville, in Barry county, via Gun Lake, Martin, and Watson, to Allegan. From Grand Rapides, via Lake Alone, to Middleville. From the village of Charlotte, via the village of Vermontville, to intersect the route from the Grand Rapides, to Hastings. From Bellevue, via Oneida post-office, to Grand River city. From Owasco, via Duplane, Bingham, Bengal, and Lebanon, to Lyons. From Quincy, on the Indiana and Marshall State road, to Brockville, Indiana. From Saganaw city to Lower Saganaw. From Blissfield, through Ogden to Fairfield post office. From Kalamazoo, via Brady's post office, Vicker's mill, Centreville, and Sherman village, to Lima, Indiana. From Lakeville, by Oxford, Brandon, and Eagle Lake, to Groveland. From the village of Battle Creek, in Calhoun county, to Hastings, the county site of Barry county. From Whitmansville, via Charleston, to Lafayette. From Belvidere to Mount Clemens. From Belvidere to Detroit. From the village of Marshall, in Calhoun county, through Verona, to Hastings. From the village of Marshall, in Calhoun county, Michigan, via Trecousa, to Girard Branch court-house. From Granville to Port Sheldon, in Ottawa county. From Logansport to White Pigeon, via Leesburg, Milford, Goshen, and Middleburg. From Flint, in Genesee county, via Bearsleyville and Richmond, to Lapier. From Cassopolis, through Whitmansville, to Keelersville. From Monroe, Ypsilanti, by Stony creek, Exeter, Huron, and Roson's mill. From Flat Rock, in the town-

ship of Brownstown, to the village of Gibraltar. From Lapier to Grand Blanc, by Langdon and Mount Pleasant. From Mason, in Ingham county, to Jackson, in Jackson county. From Grand Rapides, county of Kemp, by Allan's corners, Lake Alone, Barnes's mill, and Green Plains, to Kalamazoo.

*In Wisconsin.*—From Patch Grove, in Grant county, to Blue river. From Fort Winnebago, via Grand Rapides, to Plover Portage. From Delavan, by Darien, to Beloit. From Fort Atkinson, by Cold Spring and White Water, to Elkhorn. From Summit, in Milwaukee county, via Pipeville and Watertown, to Washara, (or Fox Lake.) From Southport, via Aurora post office, to Burlington. From Madison, by Monroc, to Freeport, Illinois. From Milwaukee, via Muskego, Rochester, and Burlington, to Geneva.

*In Iowa.*—From Dubuque to the county seat of Delaware county. From Dubuque, via the county seat of Jones county and Rochester, (on the Red Cedar,) to West Liberty. From Dubuque, via Richfield, Point Pleasant, and Davenport, to Stephenson, Illinois. From Davenport, via Centreville and Moscow, to Rochester, (on the Red Cedar.) From Fort Madison, via West Point and Tuscarora, to Bentonport. From New Boston, Illinois, via Black Hawk and Wappello, to Mount Pleasant. From Fort Madison to Carthage. From Bloomington, via Cedarville and West Liberty, to Napoleon. From Wapesequinon to Bellevue, to be changed so as to run from Wapesequinon, via Camanche, New York, Lyons, and Charleston, to Bellevue. From Burlington, via Ellison's creek, St. Augustine, and Middle Grove, to Peoria. From Van Buren, Iowa Territory, via Fairfield court-house and Washington court-house, to Iowa city. From Wappello, via Cattesse and Sissinamo, to Napoleon. From Burlington, via Dodgeville, Virginia Grove, Hope Farm, Columbus city, Port Allen, to Iowa city. From Iowa city, via Richmond, Washington, Brighton, Pleasant Grove, Fairfield, and Kesauqua, Iowa Territory, to Waterloo, Missouri. From Davenport, via Joseph Denson's, in Cedar county, Seely's mills, and Paumacho, to Marion. From Savannah, Illinois, via Charleston, Goodenoe's mills, Burrison's Settlement, Edinburgh, Tipton, and Washington ferry, to Iowa city. From Keokuck, via Ambrosia, Franklin, West Point, McCarverstown, Mount Pleasant, Trenton, and Washington, to Iowa city. From Keosauqua, on the county road, via Ely's Ford, to B. F. Wilson's, in Van Buren county. From Keosauqua, via Washington and Salem, in Henry county, to Mount Pleasant. From Iowa city, via Westport, Marion, and the county seat of Delaware county, to Prairie du Chien, Wisconsin Territory. From Marion to Pleasantville. From Fort Madison, via West Point and Salem, to Fairfield. From Fort Madison, via Franklin, to Farmington. From Prairie La Porte, Iowa Territory, to Prairie du Chien, Wisconsin Territory, via Montholon, in Clayton county, Iowa Territory. From Farmington, Bonaparte, Van Buren, Pittsburg, Philadelphia, Portland, and Iowaville, to the United States Indian Agency, on the Desmoines river.

SEC. 2. *And be it further enacted,* That the above routes shall go into operation on the first day of July, eighteen hundred and forty-three, or sooner, should the funds of the Department justify the same: *Provided,* That as soon as a responsible contractor shall offer to transport the mails over any portion of the above routes for the revenue derived from the new offices to be established thereon, until the first day of July, eighteen hundred and forty-three, the Postmaster General shall forthwith put them into operation.

APPROVED, August 31, 1842.

To go into operation, when.  
Proviso.

## STATUTE II.

Aug. 31, 1842.

CHAP. CCLXXV.—*An Act making appropriations to carry into effect a treaty with the Wyandott Indians, and for other purposes.*

Appropriation to carry treaty into effect.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there be, and hereby is, appropriated, out of any money in the Treasury not otherwise appropriated, for carrying into effect the treaty with the Wyandott Indians, dated March seventeen, eighteen hundred and forty-two, and ratified by the Senate on the seventeenth of August, eighteen hundred and forty-two, with amendments, the sum of fifty-five thousand six hundred and sixty dollars: *Provided,* That no part of this appropriation shall be expended until the assent of said tribe is duly and formally given to said amendments. To make good the interest on investments and State stocks, and bonds for Indian tribes not yet paid by the States, to be reimbursed out of the interest when collected, fifteen thousand six hundred dollars and ninety-two cents.

Proviso.

Interest on State stocks, &c. to be made good.

Additional appropriation for expenses of the judiciary.

For defraying 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 eighteen hundred and forty-two 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, in addition to former appropriations, one hundred thousand dollars.

APPROVED, August 31, 1842.

## STATUTE II.

Aug. 31, 1842.

CHAP. CCLXXVI.—*An Act concerning professors of mathematics in the navy of the United States.*

Entitled to mess with lieutenants, and receive rations as such.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That professors of mathematics in the navy of the United States shall be entitled to live and mess with the lieutenants of sea going and receiving vessels, and shall receive such rations as lieutenants of the same ship or station shall receive.

APPROVED, August 31, 1842.

## STATUTE II.

Aug. 31, 1842.

CHAP. CCLXXVII.—*An Act to authorize the construction of a depot for charts and instruments of the navy of the United States.*

Secretary of the Navy to contract therefor.

Cost limited.

Appropriation.

Location.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy be, and he is hereby, authorized to contract for the building of a suitable house for a depot of charts and instruments of the navy of the United States, on a plan not exceeding in cost the sum of twenty-five thousand dollars.

SEC. 2. *And be it further enacted,* That the sum of ten thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, towards carrying this law into effect.

SEC. 3. *And be it further enacted,* That the said establishment may be located on any portion of the public land in the District of Columbia which the President of the United States may deem suited to the purpose.

APPROVED, August 31, 1842.

STATUTE II.  
Aug. 31, 1842.

CHAP. CCLXXIX.—*An Act to regulate the appointment and pay of engineers in the navy of the United States.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy shall appoint the requisite number of chief engineers and assistant engineers, not to exceed one chief engineer, two first assistant, two second assistant and three third assistant engineers for each steam ship of war, for the naval service of the United States, who shall be paid when in actual service as follows:

Engineers to be appointed by the Secretary of the Navy. Number allowed.

To the chief engineer, fifteen hundred dollars per annum and one ration per day; to the first assistant engineer, nine hundred dollars per annum and one ration per day; to the second assistant engineer, seven hundred dollars per annum and one ration per day; to the third assistant engineer, five hundred dollars per annum and one ration per day; the chief engineer shall be entitled to mess in the ward room of ships of war, and in all cases of prize money he shall share as a lieutenant; the first assistant engineer shall share as a lieutenant of marines; the second assistant engineer shall share as a midshipman; the third assistant engineer shall share as the forward officers; but neither the chief nor the assistant engineers shall hold any other rank than as engineers.

Pay in service, &c.

SEC. 2. *And be it further enacted,* That the Secretary of the Navy shall be authorized to enlist and employ the requisite number of firemen, who shall receive, each, thirty dollars per month and one ration per day, and the requisite number of coal-heavers, who shall receive, each, eighteen dollars per month, and one ration per day; and the said firemen and coal-heavers shall, in all cases of prize money, share as seamen.

Firemen and coal-heavers authorized. 1847, ch. 48, § 4.

SEC. 3. *And be it further enacted,* That the said chief engineer and assistant engineers, when waiting orders, shall be paid as follows: To the chief engineer, twelve hundred dollars per annum; to the first assistant engineer, seven hundred dollars per annum; to the second assistant engineer, five hundred dollars per annum; to the third assistant engineer, three hundred and fifty dollars per annum.

Pay of engineers waiting orders.

SEC. 4. *And be it further enacted,* That the Secretary of the Navy shall appoint a skilful and scientific engineer in chief, who shall receive for his services the sum of three thousand dollars per annum, and shall perform such duties as the Secretary of the Navy shall require of him touching that branch of the service.

Engineer in chief to be appointed.

SEC. 5. *And be it further enacted,* That the Secretary of the Navy shall be authorized to prescribe a uniform for the said chief engineers and assistant engineers, and to make all necessary rules and regulations for the proper arrangement and government of the corps of engineers and assistant engineers, not inconsistent with the constitution and laws of the United States. The said engineers and assistant engineers shall be in all respects, subject to the laws, rules, and regulations of the naval service, in like manner with other officers of the service.

Uniform and rules for their government.

SEC. 6. *And be it further enacted,* That the said chief engineers shall [be] appointed by commission, and the assistant engineers shall be appointed by warrant from the Secretary of the Navy, in such form as he may prescribe.

Engineers subject to laws and regulations of the navy.

Engineers how appointed.

*And be it further enacted,* That the Secretary of the Navy be, and he is hereby, authorized to establish, at such places as he may deem necessary, suitable depots of coal, or other fuel, for the supply of steam ships of war.

Depots of coal authorized.

APPROVED, August 31, 1842.

## STATUTE II.

Aug. 31, 1842.

Appropriations for subsistence in act 23d Aug. 1842, ch. 192, applicable to subsistence furnished in 1839 and 1840.

Proviso.

Proviso.

CHAP. CCLXXX.—*An Act concerning the payment of Florida militia.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the appropriations for subsistence made in the act entitled "An act for the payment of Florida militia called into service in the years eighteen hundred and thirty-nine, and eighteen hundred and forty," and approved August twenty-third, eighteen hundred and forty-two, shall be applicable to the settlement of any claims for subsistence furnished to the Florida militia in eighteen hundred and thirty-nine, and eighteen hundred and forty, not heretofore settled: *Provided,* That no supplies be paid for other than those authorized by law or regulation: *And provided, further,* That the appropriation specified in said act shall not be exceeded.

APPROVED, August 31, 1842.

## STATUTE II.

Aug. 31, 1842.

Newcastle and Nobleboro annexed as ports of delivery.

Repealed by act of March 3, 1843, ch. 79.

CHAP. CCLXXXI.—*An Act to extend the collection district of Wiscasset.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the towns of Newcastle and Nobleboro, lying on the Damariscotta river, in the State of Maine, be annexed to the collection district of Wiscasset, as ports of delivery only.

APPROVED, August 31, 1842.

## STATUTE II.

Aug. 31, 1842.

Sale of lottery tickets in the District of Columbia, after 1st January 1843, unlawful.

Penalty for offending.

Sales of lottery tickets void—lawful to recover the money.

Certain lottery tickets excepted for one year.

CHAP. CCLXXXII.—*An Act to suppress the vending of lottery tickets in the District of Columbia.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That from and after the first day of January, one thousand eight hundred and forty-three, it shall not be lawful, to keep within the District of Columbia any office or place of business for the sale of lottery tickets, or of any share or interest in lottery tickets, nor shall it be lawful to sell or offer for sale within the said District, any lottery ticket or any share or interest in any lottery ticket; and every person who shall be duly convicted of offending against the provisions of this act shall be punished by imprisonment in the common jail of the county in which the offence shall have been committed for a period not less than one, nor more than six calendar months, and shall forfeit and pay a fine of not less than one hundred nor exceeding one thousand dollars, one half of which shall go to the informer, and the other half to the municipal corporation within whose corporate limits the offence shall have been committed; but if committed without the limits of any municipal corporation, then such moiety of the fine shall go to the United States.

SEC. 3. *And be it further enacted,* That the contract of sale for such lottery ticket or tickets, or share or interest in such lottery ticket or tickets, shall be absolutely void, and the person or persons paying therefor shall have a right to recover back the money paid therefor as money paid on a void consideration: *Provided,* That nothing herein contained shall be construed to restrain the selling of lottery tickets, so far as the same is authorized by any existing contract made by the Common Council of the city of Alexandria, under an ordinance of the Common Council of the said city, passed on the fifth day of December, eighteen hundred and twenty-seven, and approved by the President of the United States, if such contract is made, and so far as the same is made, in conformity with the provisions of its charter, nor so far as the selling of the same is authorized by any subsisting license of any of the cities of the said District, for the period of one year from the passage of this act: *And provided, further,* That it shall not be lawful, under color of any

contract made with the Common Council of the said city of Alexandria, as aforesaid, to vend or sell tickets, or parts of tickets, or shares, in any lottery or lotteries, authorized by the Legislature of any State or Territory within the United States, or any foreign Government.

APPROVED, August 31, 1842.

CHAP. CCLXXXIII.—*An Act to provide for purchasing materials and for the support of the penitentiary in the District of Columbia.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of seven thousand nine hundred and sixty-five dollars be, and the same is hereby, appropriated for the purpose of furnishing raw materials for manufacture and for the support of the penitentiary in the District of Columbia, to be expended under the direction of the board of inspectors of said penitentiary, and to be paid out of any money in the Treasury not otherwise appropriated.

APPROVED, August 31, 1842.

STATUTE II.

Aug. 31, 1842.

[Obsolete.]

Appropriation.

CHAP. CCLXXXVI.—*An Act to reorganize the Navy Department of the United States. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act approved February seventh, eighteen hundred and fifteen, entitled "An act to alter and amend the several acts establishing a Navy Department, by adding thereto a Board of Commissioners," be, and the same is hereby, repealed.

SEC. 2. *And be it further enacted,* That there shall be attached to the Navy Department the following bureaus, to wit :

1. A bureau of Navy Yards and Docks.
2. A bureau of Construction, Equipment and Repairs.
3. A bureau of Provisions and Clothing.
4. A bureau of Ordnance and Hydrography.
5. A bureau of Medicine and Surgery.

SEC. 3. *And be it further enacted,* That the President of the United States, by and with the advice and consent of the Senate, shall appoint, from the captains in the naval service, a chief for each of the bureaus of Navy Yards and Docks, and of Ordnance and Hydrography, who shall each receive a salary of three thousand five hundred dollars per annum, in lieu of all other compensation whatever, in the naval service; and shall, in like manner, appoint a chief of the bureau of Construction, Equipment, and Repairs, who shall be a skilful naval constructor, and shall also appoint a chief of the bureau of Provisions and Clothing, who shall each receive for his services three thousand dollars per annum; and shall in like manner appoint from the surgeons of the navy a chief of the bureau of Medicine and Surgery, who shall receive for his services two thousand five hundred dollars per annum.

SEC. 4. *And be it further enacted,* That the Secretary of the Navy shall appoint the following clerks, to wit :

For the office of the Secretary of the Navy, a chief clerk, who shall receive for his services two thousand dollars per annum; one registering clerk, who shall receive for his services one thousand four hundred dollars per annum; three recording clerks, who shall receive for their services each one thousand dollars per annum; one principal corresponding clerk, who shall receive for his services one thousand five hundred dollars per annum; and two assistant corresponding clerks, who shall receive for their services each twelve hundred dollars per annum; one

STATUTE II.

Aug. 31, 1842.

Act of 7th Feb. 1815, ch. 35, repealed.

Bureaus to be attached to the Navy Department.

Chiefs of the bureaus to be appointed, how.

Vol. x. p. 163.

Sec. Navy to appoint clerks for the Office of the Secretary of the Navy.

warrant clerk, who shall receive for his services twelve hundred dollars per annum; and one miscellaneous clerk, who shall receive for his services eight hundred dollars per annum.

Bureau of Navy Yards and Docks.

For the bureau of Navy Yards and Docks, one civil engineer, who shall receive for his services two thousand dollars per annum; one draughtsman, who shall receive for his services one thousand dollars per annum; one chief clerk, who shall receive for his services one thousand four hundred dollars per annum; and two assistant clerks, one of whom shall receive for his services one thousand dollars per annum, and the other shall receive for his services eight hundred dollars per annum.

Bureau of Construction, equipment and repairs.

Act of March 3, 1843, ch. 83.

For the bureau of Construction, Equipment, and Repairs, one assistant constructor and draughtsman, who shall receive for his services the sum of one thousand six hundred dollars per annum; and four clerks, one of whom shall receive for his services fourteen hundred dollars per annum, and the others shall receive for their services one thousand dollars per annum, each.

Bureau of Provisions and Clothing.

For the bureau of Provisions and Clothing, one chief clerk, who shall receive for his services one thousand four hundred dollars per annum; and two clerks, one of whom shall receive for his services one thousand two hundred dollars per annum, and the other shall receive for his services eight hundred dollars per annum.

Bureau of Ordnance and Hydrography.

For the bureau of Ordnance and Hydrography, one draughtsman, who shall receive for his services one thousand dollars per annum; and three clerks, one of whom shall receive for his services twelve hundred dollars per annum, and the others shall receive for their services one thousand dollars per annum, each.

Bureau of Medicine and Surgery.

For the bureau of Medicine and Surgery, two clerks, one of whom shall receive for his services twelve hundred dollars per annum, and the other shall receive for his services eight hundred dollars per annum; and one assistant surgeon, who shall receive for his services not less than the highest pay of his grade in the service.

Duties to be distributed among the bureaus.

SEC. 5. *And be it further enacted*, That the Secretary of the Navy shall assign and distribute among the said bureaus such of the duties of the Navy Department, as he shall judge to be expedient and proper, and all the duties of the said bureaus shall be performed under the authority of the Secretary of the Navy, and their orders shall be considered as emanating from him, and shall have full force and effect as such.

Messengers.

SEC. 6. *And be it further enacted*, That there shall be allowed to each bureau a messenger, who shall receive for his services a compensation not exceeding seven hundred dollars per annum.

Franking privilege.

Act of March 3, 1845, ch. 43, sec. 6.

SEC. 7. *And be it further enacted*, That the chief of each bureau hereby established shall be authorized to frank all communications from his bureau; and all communications to his bureau, on the business thereof, shall be free of postage.

Papers of the Navy Commissioners' office to be distributed.

SEC. 8. *And be it further enacted*, That the books, records, and papers, now belonging to the office of the Navy Commissioners shall be distributed among the bureaus, according to the nature of their duties respectively; and the Secretary of the Navy is hereby authorized to provide for each bureau, such books of record and accounts, and such stationery, as may be found necessary; for which purpose the sum of three thousand five hundred dollars is hereby appropriated, payable out of any moneys in the Treasury not otherwise appropriated.

Appropriation for stationery.

Appropriation to carry this law into effect.

SEC. 9. *And be it further enacted*, That the unexpended balance of the appropriation for clerks in the office of the Secretary of the Navy, and the unexpended balance of the appropriation for the Commissioners of the Navy, their Secretary and clerks, together with such additional sum as may be necessary to carry this law into effect, be, and the same



are hereby, appropriated, out of any moneys in the Treasury not otherwise appropriated.

SEC. 10. *And be it further enacted*, That the Secretary of the Navy shall, if the same can be done without detriment to the public service, appoint, with their consent, officers of the navy, not above the grade of lieutenants, to perform the duties of any clerkship created by this act, (except as herein otherwise provided,) who shall receive each for their services not more than nine hundred dollars per annum, including their regular pay and rations; but the appointment of any officer in the navy to any of the offices or clerkships in this act, shall in no manner whatever interfere with his grade in the service.

Officers, &c. may, with their consent, be appointed to the clerkships.

SEC. 11. *And be it further enacted*, That all acts, or parts of acts authorizing the President of the United States, or the Secretary of the proper Department, under his direction to transfer any portion of the moneys appropriated for a particular branch of expenditure in that Department, to be applied to another branch of expenditure in the same Department, be, and are hereby, so far as relates to the Department of the Navy, repealed.

Authority to transfer money, &c., so far as relates to the Navy Department, repealed.

APPROVED, August 31, 1842.

CHAP. CCLXXXVII. — *An Act to limit the sale of the public stock to par, and to authorize the issue of Treasury notes, in lieu thereof, to a certain amount.* (a)

STATUTE II.  
Aug. 31, 1842.  
[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That no stock authorized to be issued for a loan, by the act entitled "An act authorizing a loan not exceeding the sum of twelve millions of dollars," approved July twenty-first, eighteen hundred and forty-one, and the act amendatory of the same, entitled "An act for the extension of the loan of eighteen hundred and forty-one, and for an addition of five million of dollars thereto, and for allowing interest on Treasury notes due," approved April fifteenth, eighteen hundred and forty-two, shall hereafter be sold below par; and in case the same cannot be sold at or above par, and the exigencies of the public service shall require the same, then and in that case the Secretary of the Treasury shall be, and hereby is, authorized to issue Treasury notes in lieu of so much thereof as cannot be thus negotiated, to an amount not exceeding six millions of dollars.

No stock authorized by acts of 21st July 1841, ch. 3, and 15th April 1842, ch. 26, to be sold below par.

SEC. 2. *And be it further enacted*, That the Treasury notes authorized to be issued by virtue of this act shall not be issued after the time limited by said last mentioned act, being the fifteenth day of April, eighteen hundred and forty-three, for making said loan, and they shall be issued under the provisions and limitations contained in the act entitled "An act to authorize the issuing of Treasury notes," approved the twelfth day of October, eighteen hundred and thirty-seven, and as modified by the act entitled "An act additional to the act on the subject of Treasury notes," approved March thirty-first, eighteen hundred and forty: *Provided*, That the notes authorized to be issued by virtue of this act may, when redeemed, be reissued, or new notes issued in lieu of such as may be redeemed within the time above prescribed for issuing the same, provided that not more than six millions in amount shall be outstanding at any one time under the authority of this act.

Issue of treasury notes authorized upon certain contingencies.

Time for the issuing of the treasury notes limited.  
To be issued under the provisions and limitations of acts of 12th October 1837, ch. 2, and 31st March 1840, ch. 5.  
Proviso.

SEC. 3. *And be it further enacted*, That nothing in the act contained, entitled an act authorizing the loan, above referred to, and an act amendatory of the same, shall be so construed as to authorize the issue of certificates of stock, for debts now due or to become due by the United States, for any other purpose than a bona fide loan to the Government

Amount outstanding not to exceed \$6,000,000.  
Relative to the issuing of certificates of stock.

(a) Notes of the acts authorizing the issuing of treasury notes, vol. 2, 766.  
2 Y 2

according to the original intention of that law, and that no certificate for any loan shall be issued for a less sum than one hundred dollars.

APPROVED, August 31, 1842.

STATUTE II.

Aug. 31, 1842.

[Obsolete.]

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

*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, and construction of certain fortifications, in the year eighteen hundred and forty-two, viz.:

Fort Preble.	For repairs at Fort Preble, Portland, Maine, one thousand dollars.
Fort Scammel.	For repairs of Fort Scammel, Portland, Maine, five thousand dollars.
Fort McClary.	For repairs of Fort McClary, Portsmouth, New Hampshire, five thousand dollars.
Fort Constitution.	For repairs of Fort Constitution, Portsmouth, New Hampshire, five thousand dollars.
Deer island.	For repairs of sea-wall on Deer Island, Boston harbor, two thousand dollars.
Fort Independence. Castle island.	For repairs of Fort Independence and sea-wall at Castle Island, balance of the original estimated cost of this work, being thirty thousand dollars.
Fort Warren.	For Fort Warren, Boston harbor, thirty-three thousand dollars.
Ft. Griswold.	For repairs of old Fort Griswold, New London harbor, Connecticut, five thousand dollars.
Fort Niagara.	For completing the repairs of Fort Niagara, at the mouth of Niagara river, New York, and erecting and repairing the necessary buildings therein, five thousand dollars.
Fort Ontario.	For completing the repairs of Fort Ontario, at Oswego, New York, and erecting the necessary buildings therein, six thousand dollars.
Fort Schuyler. Castle Williams.	For Fort Schuyler, New York harbor, twenty thousand dollars. For completing Castle Williams, New York harbor, five thousand dollars.
South battery.	For completing South Battery, New York harbor, two thousand dollars.
Ft. Columbus.	For completing Fort Columbus, New York harbor, two thousand dollars.
Wharves, New York harbor.	For permanent wharves for Fort Columbus, Castle Williams, and South Battery, Governor's Island, New York harbor, and to complete the work according to the original estimates, eight thousand dollars.
Fort Hamilton.	For repairs at Fort Hamilton, New York harbor, five thousand dollars.
Fort Lafayette.	For repairs and for correcting defective construction of Fort Lafayette, New York harbor, twelve thousand dollars.
Fort Monroe.	For Fort Monroe, Old Point Comfort, Virginia, thirty-five thousand dollars.
Fort Macon.	For repairs of Fort Macon, Beaufort, North Carolina, five thousand dollars.
Fort Sumter.	For preservation of the site of the same, seven thousand dollars. For Fort Sumter, Charleston harbor, South Carolina, towards completing the same, agreeably to the original estimates, fifty thousand dollars.
Ft. Livingston.	For Fort Livingston, Barrataria bay, Louisiana, ten thousand dollars.
Fort Towson.	For carrying on the work at Fort Towson, ten thousand dollars.
Fort Smith.	For carrying on the work at Fort Smith, ten thousand dollars.

APPROVED, August 31, 1842.

RESOLUTIONS.

No. 2. *Joint Resolution on the subject of printing the tables of the sixth census.*

April 14, 1842.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the payment of the money heretofore appropriated by Congress, to pay the expenses of the sixth census, be so far suspended, as that no money shall be paid for the printing of the compendium or abridgement of the sixth census by counties and principal towns, together with the tables of apportionment, as prepared at the Department of State for the use of Congress, until the further order of Congress.

[Obsolete.]

Payment for the printing of the compendium suspended.

APPROVED, April 14, 1842.

No. 3. *A Resolution further to provide for the distribution of the printed returns of the sixth census, and other documents connected with the same, the printing of which has been heretofore directed by law.*

April 15, 1842.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the statistics, including the census of pensioners, and the compendium or abridgement of the sixth census of the United States, heretofore required by law to be printed under the direction of the Secretary of State, shall be distributed and disposed of by the Secretary in the manner and in the proportions specified in the joint resolution of Congress passed the first day of September, one thousand eight hundred and forty-one: *Provided, always,* That seventeen thousand copies of the said compendium or abridgement shall be distributed among the States, Territories, and persons entitled to distribution under the said resolution, and in the proportions therein specified, and that the remaining copies of the said statistics and compendium be placed in the Library of Congress for future distribution.

The other census documents to be distributed in the manner specified by resolution of 1st Sept. 1841.

Ante, p. 467.

Proviso.

APPROVED, April 15, 1842.

No. 4. *Joint Resolution to continue two clerks in the business of reservations and grants under Indian treaties.*

May 18, 1842.

Ante, p. 409.

*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 joint resolution, approved second May, one thousand eight hundred and forty, to continue the employment of 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.

Period for which they were authorized extended for two years.

Post, p. 718.

APPROVED, May 18, 1842.

No. 5. *A Resolution to authorize the extension of the contract for carrying the mail on the route between Mobile and New Orleans.*

June 1, 1842.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster General be, and he hereby is, authorized to extend the existing contract for carrying the mail upon the steamboat route between Mobile and New Orleans for three years from the time at which said contract would expire by its own limitations, if, in his opinion, the public interest and convenience will be promoted by such extension of said contract.

Postmaster General authorized to extend the existing contract for three years.

APPROVED, June 1, 1842.

Aug. 11, 1842. No. 7. *Joint Resolution to authorize the commission appointed to prepare rules and regulations for the naval service to appoint a clerk.*

Employment of a temporary clerk authorized.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy be, and he is hereby, authorized, agreeably to his request, to employ a temporary clerk for the purpose of aiding the Attorney General and himself in carrying into effect the resolution of the twenty-fourth May, eighteen hundred and forty-two, which requires of them the preparation of rules and regulations for the Navy.

APPROVED, August 11, 1842.

Aug. 16, 1842. No. 8. *A Resolution declarative of the pension act of July seventh, eighteen hundred and thirty-eight.*

Benefits of the act not to be withheld from certain widows. 1838, ch. 189.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the benefits of the act entitled "An act granting half pay and pensions to certain widows," approved the seventh day of July, eighteen hundred and thirty-eight, shall not be withheld from any widow whose husband died after the passage of the act of the seventh of June, eighteen hundred and thirty-two, and before the act of the seventh July, eighteen hundred and thirty-eight, if otherwise entitled to the same.

APPROVED, August 16, 1842.

Aug. 30, 1842. No. 10. *Joint Resolution to institute proceedings to ascertain the title to Rush Island, ceded in the Caddo Treaty.*

U. S. Attorney for the Western district of Louisiana directed to institute proceedings.

*Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled,* That the District Attorney of the United States for the Western District of Louisiana be, and is hereby directed to institute such legal proceedings in the proper court as may be necessary to vindicate the right of the United States to Rush Island, which is alleged to have been improperly included in the limits of the lands ceded by the Caddo Indians to the United States, by the treaty of the first July, eighteen hundred and thirty-five, and reserved by said treaty in favour of certain persons by the name of Grappe.

APPROVED, August 30, 1842.

Aug. 31, 1842. No. 12. *Joint Resolution authorizing experiments to be made for the purpose of testing Samuel Colt's submarine battery, and for other purposes.*

Secretary of the Navy to render facilities to Mr. Colt to test his submarine battery, and report to Congress.

*Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy be, and he is hereby, instructed to render Mr. Samuel Colt facilities to test his submarine battery to an extent which will settle the questions whether these or any other plan can, with ease and safety, successfully be employed as a power sufficient to destroy the largest class of ships of war, when in motion passing in or out of harbor, without the necessity of approach within reach of shot from guns of the largest caliber; and whether continued operations of the destruction of one or more vessels can be effected with renewing the means under exposure of an advancing squadron; and whether the same can be used for the defence of a harbor without endangering the passage in or out of other than hostile vessels. And that he report at the next session of Congress, the expense and result of these experiments: *Provided,* That the amount so expended does not exceed the sum of fifteen thousand dollars, to be taken from the fund appropriated by the act of eleventh of September, eighteen hundred and forty-one, for experiments connected with the naval service of the United States.

Proviso.

SEC. 2. *And be it further resolved*, That the Secretary of the Navy be, and he is hereby, authorized to make such experimental trial of the several inventions of Thomas M. Easton, Ethan Campbell, Aaron Quinby, or either of them, or of other persons, to prevent the explosion of steam boilers, as may be necessary to test their value and utility as applicable for the purposes aforesaid, to the steamships of the United States; and the sum of six thousand dollars is hereby appropriated therefor out of the fund heretofore named.

Trial of inventions to prevent the explosion of steam boilers authorized. 1843, ch. 94, § 5.

Appropriation.

APPROVED, August 31, 1842.

No. 13. *A Resolution to provide for the payment of the expenses incurred by the Legation at Mexico.*

Aug. 31, 1842.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the sum of six thousand dollars be and is hereby appropriated out of any money in the Treasury not otherwise appropriated to defray the expenses incurred by the Legation of the United States at Mexico, on account of the subsistence, clothing and transportation of prisoners, *Provided* so much be necessary upon the adjustment of the accounts of the State Department.

Appropriation to defray expenses on account of prisoners.

Proviso.

APPROVED, August 31, 1842.

No. 14. *A Resolution to authorize an extension of a contract for carrying the mail.*

Aug. 31, 1842.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Postmaster General be, and he is hereby, authorized, if in his opinion the interest of the Department will be promoted thereby, to extend at this time the contract for the conveyance of the mail on the Potomac, for four years from the termination of the present contract, in such a way as to receive the regular transmission of the mail, by means of ice-boats: *And provided* That the compensation does not exceed the present rates for two boats' service.

Extension of the contract for the conveyance of the mail on the Potomac authorized.

Proviso.

APPROVED, August 31, 1842.