

Testimony to be confined to the matter stated in the notice and answer; and

Testimony to be finished within 60 days from service of answer.

Copy of notice and answer to be prefixed to the depositions.

Proviso.

In certain cases the testimony may be taken before justices of the peace.

Fees of witnesses.

Fees of magistrates.

parties to the contest, or either of them, shall be confined to the proof or disproof of the facts alleged or denied in the notice and answer mentioned in the first and second sections of this act; and no testimony shall be taken after the expiration of sixty days from the day on which the answer of the member returned shall be served upon the contestant; and a copy of the notice of contest, and of the answer of the returned member, shall be prefixed to the depositions taken, and transmitted with them to the clerk of the House of Representatives: *Provided*, That the House may, at their discretion, allow supplementary evidence to be taken after the expiration of said sixty days.

SEC. 10. *And be it further enacted*, That when no such magistrate as is by the third section of this act authorized to take depositions shall reside in the congressional district from which the election is proposed to be contested, it shall be lawful for either party to make application to any two justices of the peace residing within the said district, who are hereby authorized to receive such application, and jointly to proceed upon it in the manner hereinbefore directed.

SEC. 11. *And be it further enacted*, That every witness attending by virtue of such subpoena as is herein directed to be issued, shall be allowed the sum of seventy-five cents for each day's attendance, and the further sum of five cents for every mile necessarily travelled in going and returning, which allowance shall be ascertained and certified by the magistrate taking the examination, and shall be paid by the party at whose instance such witness was summoned; and each judge, justice, chancellor, mayor, recorder, intendant, and justice of the peace who shall be necessarily employed pursuant to the provisions of this act, and all sheriffs, constables, or other officers who may be employed to serve any subpoena or notice herein provided for, shall be entitled to receive from the party at whose instance the service shall have been performed, such fee or fees as are or may be allowed for similar services in the States wherein such service may be rendered respectively.

APPROVED, February 19, 1851.

Feb. 27, 1851.

CHAP. XII. — *An Act to supply deficiencies in the Appropriations for the Service of the Fiscal Year ending the thirtieth of June, one thousand eight hundred and fifty-one.*

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 supply deficiencies in the appropriations for the service of the fiscal year ending the thirtieth of June, one thousand eight hundred and fifty-one, out of any moneys in the treasury not otherwise appropriated, namely: —

Watchmen in north-east executive building.
Judges in California.

State Department. — For additional compensation to four watchmen in the north-east executive building, five hundred and forty dollars.

For salaries of the judges in the northern and southern districts of California, three thousand two hundred and fifty dollars.

Watchmen in south-east executive building.

Treasury Department. — For additional compensation to eight watchmen in the south-east executive building, one thousand and eighty dollars.

Office of first auditor of treasury.

For contingent expenses in the office of the first auditor of the treasury, for cases for the records, documents, and official papers preserved in the office, and for new furniture, this sum having been transferred, per act September thirtieth, eighteen hundred and fifty, as an addition to the salary of one of the recording clerks, two hundred dollars.

Office of Indian affairs.

For contingent expenses of office of Indian affairs, nine hundred and twenty-two dollars and five cents.

For compensation to clerks employed by the Secretary of the Treasury, in the third auditor's office, on the examination of muster and pay-rolls of the war of eighteen hundred and twelve, and Indian wars, in addition to an undrawn balance of appropriation for the month of July last, twelve thousand dollars: *Provided*, That no clerk shall receive more than at the rate of one thousand dollars per annum under this act, except one whose salary shall be sixteen hundred dollars per annum, and four others whose per diem pay shall be four dollars.

Office of third auditor of treasury.

Proviso as to clerks.

For contingencies incident thereto, such as printing, binding rolls, desks, office furniture, and labor, five hundred dollars.

Contingencies.

War Department. — For additional compensation to four watchmen in the north-west executive building, five hundred and forty dollars.

Watchmen in north-west executive building.

For compensation of superintendent of rented building corner of F and Seventeenth Streets, from first of October, eighteen hundred and fifty, to thirtieth June, eighteen hundred and fifty-one, at two hundred and fifty dollars per annum, one hundred and eighty-seven dollars and fifty cents.

Rented building.

For compensation of four watchmen, from first of October, eighteen hundred and fifty, to thirtieth June, eighteen hundred and fifty-one, fifteen hundred dollars.

For contingent expenses of said building, twelve hundred and seventy dollars.

To replace an amount obtained from the subsistence department, which was applied to the service of the quartermaster's department last year, and is a charge on the appropriation for the present year, two hundred and seventy-five thousand dollars.

Subsistence department.

For the amount of drafts drawn, the proceeds of which were applied to the service of the quartermaster's department in the last year, and have been paid from the appropriations for the present year, two hundred and sixty-four thousand one hundred and seventeen dollars and three cents.

Quartermaster's department.

To supply a deficiency on account of claims yet to be discharged, under the head of preventing and suppressing Indian hostilities in Florida, seventy-five thousand dollars.

Indian hostilities in Florida.

Post-Office Department. — For additional compensation to three watchmen in the post-office department, four hundred and five dollars.

Watchmen in post-office department.

For contingent expenses of the office of the auditor of the post-office department, for furniture and labor rendered necessary in consequence of the increase of business and number of clerks, and for deficiency in estimate, one thousand seven hundred dollars.

Contingencies.

Interior Department. — For temporary clerks in the pension-office, in addition to the balance of appropriations now on hand, thirty-two thousand nine hundred and thirty-three dollars and twenty-seven cents: *Provided*, That said temporary clerks shall not be allowed more than three dollars and thirty-three and one third cents per day.

Temporary clerks in pension office.

Proviso as to pay.

For salary of recorder of land titles in Missouri, five hundred dollars.

Recorder in Missouri.

For compensation of the surveyor-general of Oregon, sixteen hundred dollars.

Surveyor-general of Oregon.

For salaries of the attorney and marshal of the Territory of New Mexico, four hundred dollars.

New Mexico.

For salaries of the governor, judges, secretary, attorney, and marshal of the Territory of Utah, eight thousand dollars.

Utah.

For compensation and mileage of members of the legislative assembly, officers, clerks, and contingent expenses, twenty-four thousand dollars.

Legislative assembly.

For invalid pensions, under various acts, one hundred and sixty-three thousand dollars.

Invalid pensions.

For pensions to widows and orphans, under the acts of the fourth

- Pensions to widows and orphans. of July, eighteen hundred and thirty-six, and twenty-first July, eighteen hundred and forty-eight, seventy-four thousand eight hundred and twenty dollars.
- 1836, ch. 362. For pensions to widows, under the act of seventh July, one thousand eight hundred thirty-eight, fifty-six thousand dollars.
- 1848, ch. 108. For pensions to widows, under the act of the third of March, one thousand eight hundred and forty-three, twelve thousand dollars.
- 1838, ch. 189. For pensions to widows, under the acts of the seventeenth of June, 1844, ch. 102. one thousand eight hundred and forty-four, second of February, one thousand eight hundred and forty-eight, and twenty-ninth of July, one thousand eight hundred and forty-eight, forty-four thousand dollars.
- 1844, ch. 102. For fulfilling treaty with Wyandots, one hundred and eighty-seven thousand dollars.
- 1848, ch. 8. For fulfilling treaty with the Utahs, eighteen thousand dollars.
- and ch. 120. For fulfilling treaty with the Navajoes, eighteen thousand dollars.
- Treaty with Wyandots. For arrearages of compensation, from first of October, eighteen hundred and fifty, to thirtieth June, eighteen hundred and fifty-one, to the Indian agents for the Indian tribes of California, six thousand seven hundred and fifty dollars.
- Treaty with Utahs. For expenses of holding treaties with the various tribes of Indians in California, in addition to the appropriation of the thirtieth of September, eighteen hundred fifty, twenty-five thousand dollars.
- Treaty with Navajoes. For expenses of removal and subsistence of the Chippewas of Lake Superior and the Mississippi from the lands ceded under the treaties of the twenty-ninth of July, one thousand eight hundred and thirty-seven, and fourth of October, one thousand eight hundred and forty-two, in addition to appropriation of thirtieth September, eighteen hundred and fifty, twenty-five thousand dollars.
- Indian agents in California. For expenses of the removal of the sub-agency for the Chippewas of Lake Superior and the Mississippi from the old site at Lapointe to the new one, including the erection of necessary buildings, three thousand dollars.
- Treaties with Indians in California. For compensation and expenses of the committee of old-settler party of the Cherokees, of Cherokees, their clerks, &c., for services rendered in pursuance of the provisions contained in the fifth article of the treaty of seventeenth August, eighteen hundred and forty-six, in addition to the appropriation of thirtieth of September, eighteen hundred and fifty, in full for all service rendered, or hereafter to be rendered, one thousand five hundred dollars.
- Removal and subsistence of the Chippewas. For expenses of holding treaties with the wild tribes of the prairie, and for bringing delegates on to the seat of government, one hundred thousand dollars.
- Vol. vii. p. 536. For expenses of the removal and subsistence of the Choctaws from the State of Mississippi to the Choctaw country west of that river, in addition to former appropriations for that object, twenty thousand dollars.
- Vol. vii. p. 521. For payment to the Winnebago Indians, of this sum erroneously charged against the fund of ten thousand dollars set apart (out of the consideration to be paid for the lands ceded) by the eighth clause of the fourth article of the treaty of the first of November, eighteen hundred and thirty-seven, six thousand two hundred and twenty-eight dollars and twenty-eight cents.
- 1850, ch. 91. For payment to the Cherokee nation, the sum of seven hundred and twenty-four thousand six hundred and three dollars and thirty-seven cents, and interest on the above sum, at the rate of five per centum per annum, from twelfth day of June, eighteen hundred and thirty-eight, until paid, shall be paid to them out of any money in the treasury not otherwise appropriated; but no interest shall be paid after the first of April, eighteen hundred and fifty-one, if any portion of the money is
- Old-settler party of the Cherokees.
- Wild tribes of the prairie.
- Choctaws.
- Winnebagoes.
- Vol. vii. p. 545.
- Cherokees.

then left undrawn by the said Cherokees: *Provided, however,* That the sum now appropriated shall be in full satisfaction and a final settlement of all claims and demands whatsoever of the Cherokee nation against the United States, under any treaty heretofore made with the Cherokees. And the said Cherokee nation shall, on the payment of said sum of money, execute and deliver to the United States a full and final discharge for all claims and demands whatsoever on the United States, except for such annuities in money or specific articles of property as the United States may be bound by any treaty to pay to said Cherokee nation, and except, also, such moneys and lands, if any, as the United States may hold in trust for said Cherokees: *And provided, further,* That the money appropriated in this item shall be paid in strict conformity with the treaty with said Indians of sixth August, eighteen hundred and forty-six.

Proviso.

For reappropriation of the following sums, (carried to the surplus fund on the thirtieth June, eighteen hundred and forty-six, and the thirtieth June, one thousand eight hundred and forty-seven,) under the following heads: —

Proviso.

Fulfilling treaties with the Kansas, eight thousand seven hundred and seven dollars and twenty-one cents.

For fulfilling treaties with the Wyandots, three hundred and fifty-five dollars and twenty-eight cents.

Support of blacksmiths, &c., for Osages, six thousand five hundred and six dollars and fifty-nine cents.

Payment of claims for Osage depredations, fourteen thousand three hundred and seventy-five dollars and fifty cents.

For purchase of cows and calves for Osages, three hundred and twelve dollars and sixteen cents.

For continuing the collection, and for publishing the statistics and other information, authorized by the act of the third of March, eighteen hundred and forty-seven, and subsequent acts, fifteen thousand three hundred dollars.

1847, ch. 66.
1850, ch. 91.

For supplying deficiency in the amount appropriated at the last session for the same object, four thousand and sixty-one dollars.

For expenses of an agent to collect information to enable the department to execute the law of Congress providing for the per capita payment to Cherokees, under the treaty of eighteen hundred and thirty-five, so far as relates to those Indians east of the Mississippi, one thousand five hundred dollars.

Agent for Cherokees. Vol. vii. p. 478.

For removal and subsistence of Indians, fifty-two thousand five hundred and ten dollars and thirty-seven cents. This sum is required in order to settle the claim adjudicated by the accounting officers of the treasury, in favor of the Chickasaw nation of Indians, for losses, &c., in provisions purchased in eighteen hundred and thirty-seven.

Chickasaws.

For the pay of the several companies, and the expenses of three companies of Texas volunteers, called into service by requisition of Brevet Major-General Brook, two hundred and thirty-six thousand nine hundred and thirty-four dollars and thirty-four cents: *Provided,* That the pay and allowances conform to the pay and allowances of similar troops employed during the war with Mexico.

Texas volunteers.

Proviso.

For expenditures incident to the issue of the ten millions dollars of stock for Texan indemnity, ten thousand dollars.

Texan indemnity contingencies. Florida.

For reimbursing the State of Florida, under such rules and regulations as have heretofore governed the adjustment of similar claims of the several States on the United States, for moneys advanced and paid, and for expenses incurred and obligations contracted by said State, for subsistence, supplies, and services of local troops called into service during the year eighteen hundred and forty-nine, by and under the authorities of said State, seventy-five thousand dollars.

Extra session
in Oregon.

For defraying the expense of an extra session of the legislature of Oregon, held agreeably to the provisions of law, to be expended under the direction of the Secretary of the Treasury, on the production of regular and legal vouchers, five thousand dollars.

Volunteers in
New Mexico.

For the pay and expenses of four companies of volunteers, called into the service of the United States by Brevet Lieutenant-Colonel Washington, in New Mexico, in the year eighteen hundred and forty-nine, one hundred and thirty-five thousand five hundred and thirty dollars and twenty cents.

APPROVED, February 27, 1851.

Feb. 27, 1851.

CHAP. XIII. — *An Act making Appropriations for the Payment of Revolutionary and other Pensions of the United States, for the Year ending the thirtieth of June, one thousand eight hundred and fifty-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, for the payment of pensions for the year ending the thirtieth of June, one thousand eight hundred and fifty-two: —

1818, ch. 19. For revolutionary pensions, under the act of the eighteenth of March, one thousand eight hundred and eighteen, fifty-eight thousand dollars.

For invalid pensions, under various acts, five hundred thousand five hundred dollars.

1836, ch. 362. For pensions for widows and orphans, under the acts of July the
1848, ch. 108. fourth, one thousand eight hundred and thirty-six, and July the twenty-first, eighteen hundred and forty-eight, six hundred and forty thousand seven hundred and sixty dollars.

1838, ch. 189. For pensions to widows, under the act of seventh July, eighteen hundred and thirty-eight, sixty thousand dollars.

1843, ch. 102. For pensions to widows, under the act of the third of March, eighteen hundred and forty-three, twenty thousand dollars.

1844, ch. 102. For pensions to widows, under the acts of the seventeenth June,
1848, ch. 8. eighteen hundred and forty-four, second of February, eighteen hundred and forty-eight, and twenty-ninth of July, eighteen hundred and forty-eight, eight hundred and sixty-two thousand six hundred and forty dollars.

For half-pay pensions to widows and orphans, provided for by the
1813, ch. 16. eleventh section of an act approved January the twenty-ninth, eighteen
1816, ch. 55. hundred and thirteen, and the first and second sections of an act approved the sixteenth of April, eighteen hundred and sixteen, in addition to a balance remaining in the treasury undrawn on the fifteenth of October, eighteen hundred and fifty, of twenty-seven thousand three hundred and fifty-six dollars and nine cents, ten thousand dollars.

APPROVED, February 27, 1851.

Feb. 27, 1851.

CHAP. XIV. — *An Act making Appropriations for the current and contingent Expenses of the Indian Department, and for fulfilling Treaty Stipulations with various Indian Tribes, for the Year ending June the thirtieth, one thousand eight hundred and fifty-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 out of any money in the treasury not otherwise appropriated, for the purpose of paying the